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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. SCHAKOWSKY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 21, 2007.

I hereby appoint the Honorable JANICE D. SCHAKOWSKY to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Reverend Thomas J. McCarthy, St. Paul Catholic Church, Salem, Ohio offered the following prayer:

God, we acknowledge Your gracious presence among us. We acknowledge the human limitations that bind us. We know how many of Your people depend upon our wisdom and our ways to better their lives and brighten their tomorrows. We are aware of Your call to serve Your people well.

With these huge tasks ahead of us, we call upon You for wisdom, guidance and a sense of concern for what is right and good. Give us a generous share of Your spirit and Your love for Your people. Guide our minds and hearts in the right ordering of human affairs.

We seek today to be a source of hope and assistance to Your people; we seek today to find the opportunity to make peace with justice for all people the badge of our service. In this we ask Your continued help. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Michigan (Mrs. MILLER) come forward and lead the House in the Pledge of Allegiance.

Mrs. MILLER of Michigan led the Pledge of Allegiance as follows:

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

WELCOMING AND HONORING FATHER THOMAS J. McCARTHY

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

Mr. RYAN of Ohio. Madam Speaker, I want to thank Father McCarthy for your inspiring prayer.

Albert Einstein once said that ''Only a life lived for others is a life worthwhile.'' And for almost 46 years Father Tom McCarthy has served the Diocese of Youngstown as a priest, and in that service he has lived that motto.

A Warren native, Father McCarthy attended St. Mary's School and St. Mary's High School, which was the predecessor to my alma mater, John F. Kennedy High School. After his seminary training, he was ordained on August 15, 1961 in St. Columba Cathedral by Bishop Emmet Walsh.

Those who know him would describe Father McCarthy as pastoral, charming, gregarious, a great friend, funny, everything Irish, and above all, holy in his service to God.

Father McCarthy has served at many parishes in the Youngstown Diocese, including St. Ed's in Youngstown, St. Joseph's in Austintown, St. William's in Champion, St. Michael's in Canfield, Blessed Sacrament in Warren and St. Joseph's in Mantua.

Father McCarthy has also spent much of his career in service to other priests. He has served as Diocesan Director of Vocations, Priest Personnel Adviser, a member of the Priest Personnel Board, and for 6 years served as a director of that board. Father McCarthy also spent time in Chicago as president of the National Federation of Priests' Councils. Since 2003, he has served as the Bishop's Delegate for Retired Priests.

I am happy to have invited, along with my colleague, Charlie Wilson, Father McCarthy to Washington, D.C. I thank him for his service to our community, for his prayer this morning, and for his many, many years of service to the Catholic Church.

WELCOMING AND HONORING FATHER THOMAS J. McCARTHY

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

Mr. WILSON of Ohio. Madam Speaker, I join my distinguished colleague from Ohio, Mr. RYAN, in welcoming Father Thomas McCarthy to the Congress today.

After an active and impressive career serving the people of northeastern Ohio, Father McCarthy has retired to St. Paul's Parish in Salem, which is in Ohio's Sixth Congressional District which I represent. As the Sixth District Representative in Congress, I am honored to represent Father McCarthy, and I am also pleased to welcome him here today.

While Father McCarthy may have officially retired, he is showing no signs of slowing down. To this day, Father McCarthy remains active in the diocese, where he serves as the Bishop's Delegate for Retired Priests.

The people at St. Paul's describe Father McCarthy as a beloved and dedicated member of their close-knit community. They say he is someone who

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never hesitates to help someone in need, whether that means making a late-night hospital visit to pray with the sick, or comforting a family member during the death and funeral of a loved one.

We are so lucky to have Father McCarthy among us here today in Congress. We are even more fortunate to have his unwavering commitment and faith guiding us each day in the Ohio Valley.

IRAQ SUPPLEMENTAL

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

Mr. PITTS. Madam Speaker, the House is scheduled to take up an emergency supplemental spending bill to fund our troops in Iraq. But the other side has worked themselves into a dilemma over this bill to pander to their left-wing base. The Democrats have included language in the bill that sets an arbitrary date for withdrawing our troops, whether we have achieved victory or not. While that pleases the far left, the more moderate Democrats are rightfully concerned about congressional micromanagement of the war. So what is the solution? Load the bill up with pork to pressure Members to vote for it.

At last count, the supposed emergency supplemental now contains more than $20 billion in unrelated spending. I think most Americans agree that the money they want to spend on spinach subsidies and peanut storage would be better spent on body armor and Humvees for our troops.

Madam Speaker, this bill fails both our troops in combat and the taxpayer here at home. Let's stop playing politics with emergency war funding, Madam Speaker. Let's have a clean supplemental.

IN MEMORY OF BISHOP G.E. PATTERSON

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

Mr. COHEN. Madam Speaker, yesterday in Memphis, Tennessee, a giant of a man passed away: G.E. Patterson, the bishop of the Church of God in Christ, a congregation of over 6.5 million people worldwide headquartered in Memphis, Tennessee.

Bishop Patterson was born in Humboldt, Tennessee. He lived to the age of 67. He was a giant, godly man, who I last saw in November at a rally with President Clinton and Cybill Shepherd. At that time, Bishop Patterson knew he was dying, he had prostate cancer, but he knew where he was going. He was a bishop. He was a saint. He was a man who graced this planet. He was a valuable citizen and knows where he was going, and he is there now. I hope you will all share with me a moment of reflection upon the great life of Bishop Patterson and what he has meant to this world.

THE MESSAGE COUNTS

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

Mr. SAXTON. Madam Speaker, in the upcoming debate on the supplemental, I just want to point out to my friends on both sides of the aisle that the message counts.

As we prepare for the debate on the supplemental appropriations bill, I want to caution my colleagues to bear in mind that our words are heard and seen all over the world by the Iraqi people, by our allies, and by our enemies.

The President has given guidance on benchmarks for the Iraqi Government to meet, but this does not give Congress license to attach timelines and penalties. If we do, we are undermining the authority of General Petraeus, to whom we have entrusted this very important mission.

Perhaps those who would vote in Congress to set deadlines, or any other maneuver aimed at limiting the ability of the White House and the Department of Defense to manage this dangerous situation under the guise of sending a message to the Iraqi leadership, will consider how their message will be received and interpreted by others.

The future stability of Iraq and the national security of the American people would be better served with a message that clearly states ''We will stand with our allies and partners until Iraq's goal of stability is utilized.''

□ 1010

AN APPEAL FOR SENIORCARE

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

Mr. KAGEN. Madam Speaker, I rise today to respectfully request that the administration be kind to Wisconsin's elders by granting a waiver to SeniorCare, an extraordinarily successful prescription drug program. SeniorCare does three things we should all appreciate: It saves tax dollars, it is nearly half the cost of Medicare part D, and it offers a broader range of prescription drugs to our elders.

The AARP found that 94 percent of SeniorCare enrollees are better served by SeniorCare than by part D. And SeniorCare is easy to understand. It has a simple, one-page application form and an annual fee of only $30. Simply put, SeniorCare is a better program than Medicare part D and it should be imitated across America.

But SeniorCare cannot continue without permission from the Bush administration. I am appealing to the conscience of the President. Please, please be kind to our elders. Allow SeniorCare to continue, for it saves not only taxpayers' money, it also saves their very lives.

SUPPORTING THE TROOPS

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

Mr. WILSON of South Carolina. Madam Speaker, our men and women in uniform deserve our wholehearted, unequivocal support protecting our freedoms. Our distinguished colleague, former Vietnam POW, Congressman SAM JOHNSON, has filed a discharge petition to bring to the floor of the House his bill, which declares to the United States Armed Forces that Congress will fully fund and support their mission. Unlike the proposed supplemental bill which undercuts our military, the Johnson legislation provides Members the opportunity to cast a clear vote in support of our troops.

As a 31-year veteran and also the father of four sons in the military, including one that served in Iraq, I understand the importance of supporting our troops. Bin Laden and his cohorts are committed to our destruction, declaring the Iraq war as the third world war and the central front in the global war on terrorism. Democrats and Republicans should work together to promote our troops' success to protect American families.

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

SUPPORT H.R. 1234

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

Mr. KUCINICH. Four years ago this week, in violation of international law, standing upon a mountain of lies, the United States went to war against the people of Iraq. The U.S. now has a moral responsibility for the deaths of as many as 1 million innocent Iraqis, for the destruction of Iraq and the theft of billions in Iraq oil assets.

Those who told lies to take us into war should be held accountable under the U.S. Constitution and at the International Criminal Court. Instead of true accountability on the war, the President and the Vice President could get over $100 billion to keep the war going through the end of their term. More war, more civilian deaths, more soldiers killed or maimed. Less money for housing, for health care, for education, for seniors as we borrow money from Beijing to fight a war in Baghdad.

Instead of accountability, the appropriations bill will mandate the privatization of $6 trillion in Iraqi oil assets and provide money which can be used to attack Iran to try to grab another $7 trillion in Iranian oil assets for the oil companies.

Support the troops. Stop the war. End the occupation. Support H.R. 1234.

DEMOCRAT MAJORITY BUYING VOTES

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

Mr. PRICE of Georgia. Madam Speaker, many of us in this Chamber find it absolutely incomprehensible that there are those who believe that the best course of action in the face of a determined enemy is to tell that enemy that we are less than determined. Yet that is exactly what the Iraq supplemental financing bill does.

What message do we send our brave military men and women when we won't guarantee them the resources and equipment that they need without including a litany of restrictive and arbitrary timetables? What will our soldiers on the front lines of this war think when they hear that salmon fisheries and spinach growers are being used to buy votes?

This Iraq supplemental bill is just one more step in what has become a long list of unprecedented attempts by this majority to accept defeat at any cost. For those of us in Washington, we get to face this moment in the warmth and comfort of our homes and our offices. For so many Americans, they will face this moment in the harsh reality of a war zone. We must not forget what is at stake. Our military will not and the American people will not.

THE DEMOCRATIC BUDGET

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

Mr. ALTMIRE. Madam Speaker, Democrats this week complete committee work on a 2008 budget that finally moves us away from the fiscal irresponsibility, reckless spending and record deficits of the past 6 years. When President Bush first came into office, America had just had 4 consecutive years of budget surplus, forecast to continue as far as the eye can see. Now, 6 years later, Republicans have turned a projected $5.5 trillion surplus into a $3 trillion deficit. They borrowed more money from foreign nations in the past 6 years than we had in the past 212 years combined.

Fortunately, Democrats have a new set of priorities, one that moves America towards a balanced budget for the first time in 6 years.

IRAQ

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

Mr. CALVERT. Madam Speaker, I rise today in opposition to the majority party's Iraq supplemental appropriations bill. I returned from Iraq last week where I met with our troops. The one question I was asked repeatedly was, ''Why doesn't Congress support us?'' I told them that I do support them. Unfortunately, this bill does not.

Right now, we have the A–Team in Iraq and they are producing results. I saw it firsthand:

Sunnis working with Shia and the United States Marine Corps in the al-Anbar province.

Sunnis looking forward to the next elections.

An oil distribution plan that is on the brink of completion.

The majority supplemental bill is simply defeat on the installment plan. How can Congress convey our support for the troops in Iraq and at the same time pass a bill which pulls the rug from the very people we claim to support? Plain and simple, this supplemental as written by the majority is a blueprint for defeat.

I urge my colleagues to reject this bill and pass a clean supplemental bill that provides support to those who are fighting and dying. We owe them that much.

DEMOCRATS WILL CLEAN UP FISCAL MESS CREATED OVER THE LAST 6 YEARS

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

Mr. PERLMUTTER. Good morning, Madam Speaker.

This week, the House Budget Committee will prepare a Democratic budget that begins the process of fixing a fiscal mess created by President Bush and congressional Republicans over the last 6 years. This is not something that can be done in one year. After all, it took the prior Congresses and administration 6 years to turn a $5.6 trillion surplus into a $2.8 trillion deficit. That's a fiscal collapse over a 6-year period of more than $8 trillion. The misguided budget priorities of this administration have forced the President to borrow more money from countries like Japan and China than all of his 42 predecessors combined. That is not only a budget concern but also a serious national security concern.

It's time that we get our fiscal house in order. The Democratic budget will restore fiscal sanity here in Washington by actually balancing the budget over the next 5 years. This is something that the Republicans were not able to accomplish over the last 6. The Democratic budget will bring about change and a new direction in sound budgetary policies.

□ 1020

MICROMANAGEMENT OF WAR WRONG

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

Mrs. MILLER of Michigan. Madam Speaker, I have a very easy question: What does support for spinach farmers have to do with fighting the war in Iraq and Afghanistan? The easy answer is: Nothing.

But in the emergency war supplemental appropriation bill that we are considering this week, spinach farmers will be getting support. In fact, there is over $21 billion of unrelated spending in the bill; pork, pure and simple. And the purpose is simply to buy votes.

I thought the Democrats promised to stop all of this. I thought they said they were going to clean up Washington and not waste taxpayers' money. This is hypocrisy, and you have to ask why they need to buy votes if they are so confident in their slow-bleed strategy.

I said during the debate on this nonbinding resolution that the House considered a few weeks ago that micromanagement from the White House is wrong and micromanagement from the floor of this House is worse.

The emergency supplemental is not nonbinding, it is for real, and many Democrats will be joining Republicans to vote to let the generals run the war, not politicians, regardless of money for spinach farmers.

BRING OUR TROOPS HOME

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

Ms. SHEA-PORTER. Madam Speaker, there are those who say we need to support our troops. The question is what troops, the same troops we have sent out three and four times? I have asked my colleagues on the other side of the aisle to please look at the armed services numbers and see the strain that we are putting on our military.

I have also asked them to think about if they had family members there, would they still be talking about supporting the troops in such a way as to put them in harm's danger?

Supporting our troops means getting them out of a civil war. Support our country by caring for our own people and bringing our money home to protect our borders in this country.

We need to spend money to build our military back up. We need to protect our borders, and we need to support our troops and support their families by bringing our troops home now.

PREVENTION OF VETERAN SUICIDES

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

Mrs. CAPITO. Madam Speaker, I rise today in support of the Joshua Omvig Suicide Prevention Act, of which I am a cosponsor. The House will consider this important legislation today.

Roughly one in five military personnel returning from active duty suffers from a debilitating condition called post-traumatic stress syndrome. Unfortunately, the effects of PTSD have hit close to home for one family in my district. Their son, Sergeant

Charles Call, of the United States Army, always dreamed of serving his country. He even left his unit, which was not being sent to Iraq, and joined another that was being deployed so he could be with those fighting for our freedom and safety. He loved his country and was willing to make that sacrifice.

After returning from Iraq, he developed the symptoms of PTSD. Despite his attempts to seek help from the local veterans hospital, he did not receive the treatment he so desperately needed; and, sadly, Sergeant Call took his own life on February 3, 2006.

With the passage of this legislation, we can finally provide a safety net for our veterans coming home and prevent tragedies like that of Sergeant Call. It is crucial that they have the resources needed to pursue healthy lives upon returning to civilian life. Screening of all returning combat veterans and 24-hour access to counseling are just some of the options we must offer.

I support this in the name of Sergeant Charles Call.

ASSISTANCE TO THOSE INJURED IN COMBAT

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

Mr. HODES. Madam Speaker, we have entered the fifth year of the war in Iraq, and thousands of soldiers have returned home wounded and in need of serious medical care. The situation at Walter Reed made it clear that changes must be made to ensure that our wounded troops receive timely comprehensive care that extends through the length of their condition.

To provide these crucial services, more is needed for defense health care than the President requested. The status quo is simply not acceptable for our troops who are injured while serving our country. We owe them our real support.

The emergency supplemental proposed by this Democratic Congress nearly doubles the amount of funding requested by the President for military health care. These additional funds will enhance medical services for active duty forces, mobilized personnel and their families, including: post-traumatic stress disorder counseling, traumatic brain injury care and burn treatment.

The funds will also help prevent health care fee increases for troops and address the problems found at Walter Reed.

Madam Speaker, passage of this bill supports our troops and will ensure that they receive the quality care they deserve.

HONORING U.S. MARSHAL AWARD WINNERS

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

Mr. BOOZMAN. Madam Speaker, I rise this morning to honor two exceptional people honored recently by the director of the United States Marshal Service. They are two of four honored nationwide.

Mike Blevins, the chief deputy marshal for the Western District of Arkansas, has been awarded the Meritorious Service Award, recognizing his exemplary service to the Marshal Service the last 31 years. Mike is a great example for all of us, and I greatly appreciate his service to community and country.

Trent Thompson, an Eagle Scout, was also named Citizen of the Year by the service. Thompson's Eagle Scout project was making wood memorial markers honoring deputy marshals from the Western District who fell in the line of duty since its inception. Trent is a fine young man, and I appreciate his leadership at such a young age.

I congratulate both of these people who by example indeed have done so much for the people of the Third District of Arkansas, and I congratulate them for their honors.

TROOPS DESERVE OUR SUPPORT

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

Mr. SARBANES. Madam Speaker, when our Nation is at war, it is our government's responsibility to provide the best protection and care for the men and women who willingly volunteer to serve in our armed services.

Now as we enter the fifth year of the Iraq war, it is no secret that the administration's strategy has dangerously eroded our military readiness. Troops are being sent overseas without the proper training, equipment and armor necessary to keep them safe.

And as the conditions at Walter Reed's Building 18 starkly testify, we must bring much more attention and support to our troops when they return home.

Madam Speaker, this Democratic Congress is committed to supporting our men and women in uniform. The supplemental legislation coming before this House will provide an additional $1.7 billion for military health care, including conditions at Walter Reed, $1.7 billion for veterans health care, $2.5 billion for improving the readiness of our troops, and $1.4 billion for military housing. As long as they are at war, our troops deserve our support.

ATTORNEY GENERAL GONZALES SHOULD RESIGN

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

Mr. CARNEY. Madam Speaker, I am here today to ask for the resignation of U.S. Attorney General Alberto Gonzales.

I came to Congress with a pledge to bring back accountability to our Federal Government. Attorney General Gonzales has put his political agenda over the needs of our Justice Department. It is time for real oversight on these issues, and it begins by calling for Mr. Gonzales' resignation.

I am disgusted that this administration is more concerned about protecting themselves rather than the American people. We need unbiased, honorable men and women representing our country in this judicial system, not political favors or handouts.

We need a full investigation into the allegations of the plan to remove U.S. Attorneys from their posts anytime they defect from the administration's political agenda. This week, the Justice Department released thousands of pages of e-mails and internal documents related to the U.S. Attorney scandal. The documents are still under review, but it is clear that congressional oversight is needed so we can prosecute offenders.

The House Judiciary Committee is continuing its investigation into this serious matter, and I will continue to fight to ensure that U.S. Attorneys are free from political pressure and have the tools they need to prosecute criminals.

NO MORE BLANK CHECKS

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

Mr. MAHONEY of Florida. Madam Speaker, when I ran for Congress, I promised to stand up for our veterans and our men and women in uniform. I promised I would do everything in my power to fight and win the war on terror.

Poor political leadership and gross mismanagement has put America in the middle of an increasingly violent religious civil war.

Our troops completed their mission. They removed a brutal dictator, and through $400 billion of our hard-earned money and our brave men and women's blood, sweat and tears, we gave the Iraqi people the hope for a better life through democracy.

This week I am going to vote to give the President the money he requested. But for the first time, we have the opportunity to hold him accountable to the American people for the promises that he made to us.

This bill gives the President the mandate to keep troops in Iraq for as long as it takes to destroy the terrorists. It sets requirements for troop readiness, provides money to rebuild our military, and gets our troops and our veterans the resources and the help they need.

Mr. President, no more blank checks. Congress and the American people for

the first time in over 4 years are holding you to your word.

□ 1030

TIME FOR THE TRUTH

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

Mr. EMANUEL. Madam Speaker, from the beginning, the Bush administration has offered a litany of reasons to justify their decision to fire the U.S. Attorneys. Unfortunately, the answers they provided have never even held up for 48 hours.

First, the Bush administration said the attorneys were fired because of performance-related issues. Yet we find out these attorneys have exemplary records. The Deputy Attorney General did not even review the file of one of the fired U.S. Attorneys.

Then the administration said it was an internal staffing issue and pointed the finger at Harriet Miers. And now other top White House officials not only knew about it from the beginning, but were behind the firings.

Yesterday the White House said that they will talk to Congress, but they will not take the oath and swear to tell the whole truth.

The White House says they have nothing to hide, but they are only willing to speak behind closed doors, not under oath. Our goal is to finally get to the truth, but not to create a confrontation.

The scandal at the Justice Department has gone on long enough. Careers have been destroyed, and legitimate public corruption cases have been derailed. It is time for accountability. It is time for the truth.

DEMOCRATS TRYING TO FIX THE FINANCIAL MESS THAT WAS CREATED OVER THE LAST 6 YEARS

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

Mr. HILL. Madam Speaker, this week the House Budget Committee will mark up its fiscal year 2008 budget. After 6 years of fiscal recklessness, the Democratic budget will actually aim to balance in 2012, something that Republican budgets have been unable to achieve over the last 6 years.

It is important that the American people remember how we got to where we are today. In 2001, President Bush inherited a $5.6 trillion surplus, but over the next 6 years, with help from Congress, the President turned that surplus into a $2.8 trillion deficit.

Congress has been so fiscally irresponsible that President Bush has borrowed more money from other nations than all 42 of his predecessors combined.

This is not a fiscal record to be proud of. The President's attempt to finesse his budget has been uncovered by a nonpartisan CBO that concludes the President's budget does not reach balance in 5 years.

Madam Speaker, Democrats have a different set of priorities, and ours begin with actually aiming to balance the budget for the first time in 6 years.

WHAT ARE ROVE AND MIERS AFRAID OF? WHY WON'T THEY TESTIFY UNDER OATH?

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

Mr. McDERMOTT. Madam Speaker, yesterday the White House said that political strategist Karl Rove and former appointee to the U.S. Supreme Court Harriet Miers would be made available to the Senate for an interview regarding the growing U.S. Attorneys scandal. However, the White House refused to allow them to testify under oath or in public.

Is the White House serious? Do they honestly believe this Congress will allow them to get away with this?

It would be one thing if the Bush administration had been completely honest with the Congress over the last month, but every day there are new details that completely contradict what was said the day before.

Last month, Attorney General Gonzales said there was no coordination between the Justice Department and the White House in the firing of the eight U.S. Attorneys. But we now know that Karl Rove and Harriet Miers were involved from the very beginning.

The administration has stalled and deceived at every step during this investigation. With that track record, why should this administration believe the Congress would agree to unacceptable secret testimony without being under oath?

U.S. ATTORNEY SCANDAL

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

Mr. ARCURI. Madam Speaker, Democrats made a promise last November to bring accountability back to Congress and the Federal Government. In just a few short months, we have conducted thorough and meaningful oversight on a series of issues that would have been swept under the rug by the previous Republican leadership, which sadly was often more concerned with protecting the administration than doing the right thing.

Earlier this week, the Justice Department, at the request of congressional Democrats, released thousands of pages of e-mails and internal documents related to the firing of eight U.S. Attorneys by the administration. The documents indicate that the administration's contention that the attorneys were dismissed for performance-related reasons simply is not true.

This Congress is seeking to attain the rest of the story by asking senior White House officials involved in the U.S. Attorney scandal to testify under oath. Unfortunately, the administration does not want to comply and provide the American people with the facts.

As a former elected district attorney, I know how critically important it is for prosecutors to be independent and to perform their job without fear of retaliatory firings.

It is time for this administration to do the right thing and hold those responsible for the scandal accountable.

IRAQ SUPPLEMENTAL

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

Mr. CARNAHAN. Madam Speaker, the Iraq supplemental will be coming to the floor this week, and it brings together many of the recommendations that we have heard from the nonpartisan Iraq Study Group, from the Pentagon and the President himself, but it provides more resources for our troops in the field and when they come home, and finally provides accountability for this administration.

First, the legislation demands that the Iraqi Government meet benchmarks the President himself outlined earlier this year.

Second, the legislation calls for responsible redeployment out of Iraq at the beginning of next year. The Democratic Congress did not come up with this date out of the blue. This was in the recommendations from the Iraq Study Group.

Third, the supplemental includes important funding for our military that was requested by the Pentagon.

This week marks an important milestone to begin a new direction in Iraq and begin to phase our troops home, and to bring about a regional solution for what is going on in the Middle East.

EQUIPMENT FOR OUR MILITARY

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

Mrs. BOYDA of Kansas. Madam Speaker, thanks to the long contributions of our soldiers and our veterans, America has amassed the most powerful military in the history of mankind. It is so powerful that we almost cannot imagine, we can almost imagine its resources are infinite, but they are not.

They are limited, and due to the ever-expanding, ever-deteriorating war in Iraq, they are stretched dangerously thin. Our soldiers and our families, they will never complain, and that is why we must speak for them. We must ask, no, we must demand, that they have the equipment, the training and the support that they need to succeed, and today they do not.

Since the Iraq war began in 2003, the Army has lost nearly 2,000 wheeled vehicles and more than 100 armored vehicles. Almost half of the U.S. Army's

entire supply of ground equipment is now deployed in the Middle East. The constant demands of combat and the treacherous terrain are wearing out equipment at up to nine times the usual rate.

America's military is overburdened, and now our Nation must seriously discuss how to best deploy our depleted forces against the dangers of our day.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. In response to one of the earlier 1-minute speeches, the Chair must note that Members should direct remarks in debate to the Chair and not to the President.

GULF COAST HURRICANE HOUSING RECOVERY ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 254 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1227.

□ 1039

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1227) to assist in the provision of affordable housing to low-income families affected by Hurricane Katrina, with Mr. CARDOZA (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on Tuesday, March 20, 2007, amendment No. 5 printed in part B of House Report 110–53 by the gentleman from Texas (Mr. AL GREEN), as modified, had been disposed of.

□ 1040

AMENDMENT NO. 6 OFFERED BY MR. NEUGEBAUER

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in part B of House Report 110–53.

Mr. NEUGEBAUER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. NEUGEBAUER:

Strike section 306 (relating to transfer of DVP vouchers to voucher program).

The Acting CHAIRMAN. Pursuant to House Resolution 254, the gentleman from Texas (Mr. NEUGEBAUER) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. NEUGEBAUER. Mr. Chairman, this is a pretty simple and straightforward amendment. It just simply just strikes section 306 from this bill.

What we do in this legislation already is we extend many of the vouchers for the disaster voucher program. But what we are trying to do in this bill is not only just say we want to extend them, but that we want to make them permanent.

Actually, this is not the place to debate whether we need to add additional vouchers to the voucher section 8 program. One of the concerns I have about this is that the scoring on this is an additional authorization of $735 million, nearly three-quarters of $1 billion. We are not opposed to debating whether we need to add additional vouchers or change the formula in the future, but this is not the place to do that.

What I said yesterday and continue to say is we are using these disaster programs to push forward things that other people have been working on in other agendas and trying to do this on the backs of the people that have suffered a great disaster.

One of the things I want to go back to is the fact that we stated yesterday that it's not like this Congress has not responded to the people in Louisiana and Mississippi; $110 billion has been authorized by this Congress for the disaster relief, and $116.7 billion in CDBG money has been provided to give flexibility for the housing needs of the people in this area.

When we go back to the city of New Orleans itself prior to the hurricane, we had 7,000 public housing units in New Orleans, and 2,000 of those were already scheduled to be torn down, and 5,100 were online, and not all of those occupied. Now approximately 2,000 units already have been repaired, 1,200 have been returned.

Ten billion dollars has been allocated to the Road Home Program in Louisiana. Let me repeat that, $10.5 billion authorized, $300 million spent, a full 3 months after the hurricane.

The problem making these vouchers permanent is we are giving preference to folks that are living in communities where other people have been in line. One of the things that I think there is a misconception on is we have talked the last few days about what is going on in New Orleans and what the future is. In 2019 or thereabouts, New Orleans will celebrate its 300th anniversary. For 300 years, that community has been building to what it was pre-Katrina.

There is some misconception in the next 6 months by extending some of these programs and moving forward that all of a sudden everything is going to be back to normal in New Orleans. That is not going to be the truth.

What we need to do is begin to build the housing back, letting that go forward. I know that yesterday, the distinguished chairman said, well, the reason we have to go back and get the units back in order is so that is not keeping them from building new units. In fact, it is. The fact is, we can't tear down some of those units. That is the very land that we are talking about going back and reusing. It doesn't make sense to me to go back and rebuild all of these units or remodel them, only to come back eventually and have to tear them down so that we can do the new planned communities.

We should go back to the basic tenets of this bill. The basic tenets of this bill was to hopefully get off high center those few glitches that, quote, the leadership in New Orleans and Louisiana say is keeping them from moving their reconstruction forward. It hasn't stopped the people in Mississippi, but for whatever reason, it has stopped the people in Louisiana and moved forward.

Mr. Chairman, we should not extend permanently these vouchers. This is not the form for that. It's not appropriate, it's not fiscally responsible for us to do that. We have extended those vouchers to meet the current needs of some of the folks. We really don't even know how much people will think about returning. But one of the things about making these vouchers permanent, I believe you will ensure that some of these people don't return because many of them have moved on to other places.

Now, we are saying we are going to make your vouchers permanent. We are going to put you in front of people that have been in those communities for a number of years and have been waiting in line to be eligible for this very assistance.

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

Mr. FRANK of Massachusetts. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 30 minutes.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

The gentleman from Texas once again referred to an earlier amendment from yesterday, but trying to understand this particular amendment has nothing to do with whether you construct or destruct or replace public housing. What this says is the following: There were people who were living in the gulf area who were receiving some form of assistance under HUD programs. Some of them lived in public housing, some of them were in vouchers, some of them were living in subsidized housing for the elderly and the disabled. The places where they were living were washed away in the most literal, physical sense.

We all agree that we have not yet, in the gulf area, replaced that housing. It's true there have been slowdowns, for instance, in Road Home money in New Orleans. But in Mississippi earlier this year, the Oreck Vacuum Company, which to its credit had tried to help the people in the gulf by reopening a factory that the company had in the gulf, shut the factory down because, they explained, the shortage of housing made it impossible for them to recruit

people. There was a physical shortage of housing, and we have people who were once living in the area who have moved to other places. Some of them may still be in the area.

We know that employment in the gulf area hasn't yet returned to its prior level, and we have this chicken-and-egg problem of housing and unemployment. We have now about 12,000 people, who were affected by this amendment, who were previously receiving HUD assistance. Because of the hurricane, the form of assistance they were receiving is no longer possible. They are the ones who were on these disaster vouchers.

Now, before we brought this bill out, those people were legally going to lose those vouchers as of the end of this fiscal year, September 30, an uncontested part of the bill. I appreciate the minority's acquiescence in that. There is some agreement here between us. An uncontested part of this bill extends into November.

The amendment today says that those people who were on HUD assistance before, they have to have been eligible before and still be eligible by various income and other qualifications for HUD assistance, that if as of December 31 of this year they have not been able to find alternative housing, we will not administer what my friend from Texas called ''tough love'' by kicking them out.

I do not think these are appropriate candidates for tough love. These are not people who are in some situation through their own lack of character. They are people who were displaced by a great physical disaster.

Now, I will acknowledge that the minority side in our committee offered an amendment in particular or raised an issue that we thought was correct. As originally drafted, this particular language would have not only extended the vouchers for those who have been in the disaster situation, but would have continued them, adding to the stock.

Now, we did that because the gentleman from Texas correctly said you don't want to put these people ahead of other people who might be necessarily, who might have a need. So we wanted these to be additional vouchers, not to bite into the other section 8. But we incorrectly, in my judgment, drafted this originally so that even after the current recipients, the current recipients of the disaster vouchers, the victims of New Orleans, as they no longer needed the vouchers or were no longer eligible for them the vouchers would continue to be part of the overall number.

We offered an amendment, unanimous in the committee, that said, no, they will be what we call disappearing vouchers. That is, there is a fixed number of people who now have these vouchers.

As those people die, find other housing, become economically ineligible, as we hope many of them will be as they are able to return to jobs, for whatever reason, as they no longer need the vouchers or are eligible for them, the vouchers will cease to exist.

□ 1050

So they are permanent in one sense, but not in another. They are permanent as long as this universe of 12,000 recipients of HUD help before the hurricane still need them. But as the people in that category no longer need them or are ineligible, they will disappear. So they are not permanent in that sense.

Now, again, we have acknowledged that there have been slowdowns in trying to rebuild the housing. So the question is, if we cut this off as of December 31, what will happen to those people? How many thousands of them will have no place to live?

And then, by the way, they will become competitors with others for section 8. This is a separate category of vouchers for people who were victims of disasters. Some of them live now in other parts of the country. Abolish this separate category as of December 31, and then these people will be competing with other people.

And again I want to go back to a point I made yesterday. I don't understand the resistance to reaching out to these people. They were living in their homes, and a hurricane wiped their homes out. They are not wealthy people. They are not middle-income people. They are people who were otherwise eligible for HUD programs. They were people who were complying with the terms of those programs because they hadn't been expelled from them, and their homes were destroyed.

And we had hoped that by now we would have done a better job collectively of helping them relocate. We haven't. There is plenty of blame to go around. One place that does not seem to me the blame sticks is with these people, these people who had vouchers, who had public housing residences.

And the question now is, do we say to these victims of the hurricane, we are sorry that it has taken us 18 months to get things organized? But you know what? You have only the rest of this year to find a new place to live.

There are elderly people here. There are disabled people here. There are others. They came from a place where we know employment hasn't come back. Why the insistence on treating them as people who are somehow looking for something they don't deserve? Why the refusal to say, you know, we haven't done the right thing in terms of overall. We hope we will, but as long as you are in this situation where you were displaced physically by a disaster, and as long as back in your home area there isn't sufficient replacement housing, and you know, in Mississippi and it is true, Mississippi has done better on the CDBG than Louisiana. But you just have to pick up the paper to read about the insurance fights. There hasn't been a massive amount of rebuilding in Mississippi either.

You then are telling the people who were the recipients of these vouchers as of December 31 you are on your own. Find the housing, or compete with a number of other people for limited stock.

These vouchers go only to people who had previously been on HUD assistance who were physically displaced by the hurricane, and the vouchers are only for them. And as they begin to find other housing, as they die off, as they will, as people get new jobs and aren't eligible, the vouchers will disappear.

I very much hope that this amendment is defeated.

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

Mr. NEUGEBAUER. Mr. Chairman, just to clarify a couple of things. What I think the question is here is not the fact that this Congress has reached out. We have reached out. I think we have all acknowledged that these families and folks in this area have suffered a tremendous disaster.

The problem is, the question today, is how long is the disaster relief going to be extended to these people. I mean, when is the disaster over? And the problem I have with this bill is it says we are going to do it permanently.

Now, the gentleman from Massachusetts stated that they disappear. Well, the scoring that the CBO did on this did an 8 percent attrition rate, saying that 8 percent of these are going to begin to roll off over a 10-year period, and that is how they came up with the scoring of $735 million. So that attrition has taken place in there.

What I would submit to you is we temporarily extended these. We may need to extend a piece or a portion of them in the future. But what we are saying with this bill is we are going to make disaster assistance permanent by making these vouchers permanent.

At this time I would like to yield to the distinguished ranking member of the Housing Subcommittee on Financial Services, the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Chairman, I thank the gentleman for yielding, and I thank him for all his hard work on this bill as well as on this amendment, which I support.

My problem with it is that right now we are doing a lot of housing law on these disasters, and what we are doing is setting precedent. And if this trend in the weather continues, I think we'll probably see a lot more. So I think we have to be very careful in how we move on this, because if it is made permanent, then the disaster voucher program will serve as a model for the future disasters, forcing Congress to act similarly time and time again.

Assisted families will continue to receive this rental subsidy for several months. This is to continue allowing time to transition to other types of housing, including home ownership. And I think that what we are doing is really making, prematurely making these DVPs permanent, so that as long

as the recipient remains eligible for assistance it eliminates other approaches.

Authorizing this, according to the Congressional Budget Office, puts the cost at about $11,900 per voucher per year. And I really wonder, we all have the goal of really getting the people, the victims of this disaster, back where they want to be, back in a home. And I don't know that by extending the time more, we have got until December, will encourage them, give them the incentive then to get moving. I think extending it through December 31 of 2007 allows Congress and HUD to assess the appropriate long-term solutions.

What we have been talking about with all of these vouchers, we have got other ways to do this. And we put in the bill the survey, and until this survey is completed, it may be difficult to identify the need for a permanent disaster voucher program extension, as the disaster voucher program provides assistance to many of these former HANO tenants. So I think we are kind of putting the cart before the horse. We really need to know where the people are, if they are coming back, and what their future plans are. And until HUD has the opportunity to do that, which they have said they would do soon, but not soon enough in time for this bill. So I think that this is premature, making these vouchers permanent, so long as the recipient remains eligible for their assistance.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri (Mr. CLEAVER), a member of the committee.

Mr. CLEAVER. Mr. Chairman, I want to first express appreciation to the ranking member and the maker of this motion for spending time down in New Orleans with the committee at Dillard University and then going over into Mississippi. I think it was very important for the people of Mississippi to see Members of Congress from both sides of the aisle coming into that devastated region, expressing concern and interested in putting forth legislation to help them out of something that has devastated their lives, yet they are not responsible for.

I have got to oppose the gentleman from Texas' amendment. Let me just say that there are good and decent people who are poor. That is about the only thing good I can say about poverty.

□ 1100

I know it personally. We are on a first-name basis. I grew up with poverty. I know it well. And so I had a clear picture of what happened after Katrina and Rita.

Only one in six New Orleanians owns an automobile. One in six. That means that this city is a city of poverty. And when you think about the individuals at the Dome begging for help, probably 95 to 98 percent of them had no automobiles.

My son was in New Orleans when the flood hit, a student at Dillard University. He had an automobile, and even with an automobile, he had difficulty getting out of New Orleans, ended up spending the night on a Wal-Mart parking lot. But he had a car, and he was able to get out.

This is a very, very poor city. We are told that the poor shall be with us always, but then there is a transition word: ''unless.'' And the ''unless'' is something that I think this bill addresses. Unless men and women are willing to do what is necessary to enable people who are in poverty to escape.

One of the things that this amendment does not take into account, for example, is 202 housing. I know the program well. I served as mayor of Kansas City. We did about 10 section 202 projects during my administration.

Section 202 projects are designed to accommodate the elderly. In some instances HUD has allowed for 202 housing to be used by people who suffer from extremely difficult ailments, physical problems. So the people who live in 202 are either elderly, certified already as elderly with low income or no income, or they suffer from some malady, some physical, maybe even mental, malady. If this amendment is approved, it would mean that the people who are elderly and poor who were displaced from their 202 housing and are now living with a relative someplace or in some temporary housing, they end up being punished again because this means that there would be no opportunity for them to even return to the conditions under which they lived.

These are not people who are somehow refusing to work or people who somehow don't want to find permanent housing. This was, in fact, permanent housing. Section 202 housing is permanent housing. And if you look at the HUD statistics, you will find that people who leave 202 housing generally leave it for the funeral home. They die in 202 housing. These are the elderly, and this Congress should exercise all the care we can conjure to take care of the poor and the elderly, particularly those living in section 202 housing.

Now, my hope is that the gentleman from Texas would consider in his amendment, even though I would still oppose it for other reasons, at least eliminating 202 elderly housing.

Additionally, HUD has a program, 811 housing, for the disabled. The same thing would apply for the disabled. These are people who lost housing because of Katrina and Rita, and then they end up being told, if this amendment were to pass, that they still will not be helped even to return to the conditions under which they lived prior to the flood, even if those conditions were not at the highest living standard. The disabled are all just saying, we want to return to where we lived. And, yes, it is permanent housing. It is not temporary. It was designed by HUD and approved by Congress as permanent housing. Sections 811 and 202 are permanent housing projects. We cannot do additional damage to the elderly and the poor.

Now, I think one of the things that we need to consider here as well is that this amendment would strike 1,200 vouchers to families who actually need them. And during our committee debate, I think the gentleman and the ranking member will remember that there was a discussion about substitute language, a compromise, if you will, using the word ''sunset.'' And if we had used the word ''sunset,'' and if it had been placed in the language of the bill, perhaps that would have satisfied Members on the other side who have difficulty with the term ''disappearing vouchers.'' But that is exactly what would happen. That would be a sunset on the vouchers when they are no longer needed.

Striking 1,200 vouchers from families who need them is very, very wrong. It certainly is unintentional in terms of wreaking havoc on those families, but that is exactly what would happen if this amendment is approved. Its impact would only hurt families who need the housing assistance.

Now, the one thing I would like to leave in terms of what I hope can happen from this discussion today is that if we are unwilling or unable to continue assistance for previously, previously federally assisted individuals and families in public housing section 8, 202 or 811 projects for the disabled, we are going to do immense damage and hurt families who don't deserve to be hurt further.

If you can imagine living in a 202 housing project and realizing that you are never going to live in your dream home. There is no such thing as sitting down one day with an architect and designing your dream home. It won't happen. If you live in a 202 or an 811 HUD project, you are already in nirvana. That is as far as you are going to go. And we cannot tell those residents that they cannot return to those living conditions.

The point I am trying to make, and perhaps poorly, is that we are hurting people who would have no other way of living. And if you are opposed to permanent housing, you are opposed to the 202 program not only in New Orleans, but all around this country. In every major city in the country there is at least one, and perhaps several, 202 project, and in every community there is at least one 811 project. And if it is wrong in New Orleans, it is wrong anywhere and everywhere.

My hope, to the gentleman who has proposed the amendment, is that you withdraw the amendment and express appreciation for the debate, acknowledge that you were trying desperately to make sure that we don't overspend any taxpayer money that we don't have to expend. And I will lead a delegation from this side to congratulate the maker of this amendment for a valiant effort to do the right thing that is

not quite as right as, in his heart, he would like for it to be.

□ 1110

Mr. NEUGEBAUER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to thank the gentleman from Missouri for his eloquent comments about the poor and the elderly. First of all, I want to make a couple of points. One, I understand when he speaks about that, he shared his family's story with me, it is a great story. It is an American success story, and I know that he knows a lot about public housing.

One of the things I want to say about my amendment, my amendment does not show a lack of support for 202 housing or any other housing. I believe in and have supported housing proposals that this Congress has put forward. We have a number of wonderful, affordable housing programs that are administered through HUD, and we need to continue those. In fact, we are trying to get those programs off high center down in New Orleans in the hurricane area, because that is, long term, a better housing solution for many of the victims of the hurricane.

The other thing that I think needs to be clarified, and I know the gentleman didn't intend to misrepresent this, this bill does not take away any benefits from any poor or elderly people. This bill extends that. My amendment does not take that away. What my amendment says is it is probably not good policy just to permanently extend this disaster program.

What we do in the bill is already extend this program to many of our senior citizens. In fact, prior to the hurricane, there were 8,500 people on section 8 vouchers. Today there are about 12,000 people using these emergency vouchers.

So what we are really trying to do with this bill, if we go back again, sometimes we get off track, what is the purpose of this bill? The purpose of this bill is to get permanent housing back in New Orleans and Mississippi for all income groups; poor, elderly, the families that were residing there. We have allocated a substantial amount of resources to do this. But what we are saying with this amendment is we should not make disaster assistance permanent. We were extending it in this bill, and that makes sense, because, unfortunately, the folks in New Orleans are way behind schedule. They need to get off high center and get back on schedule.

This amendment does not, and people listening to this debate today need to be clear, this amendment does not take away vouchers from anybody. What it doesn't do is just write a continuing blank check.

In many of the cities and places where people that were displaced from this disaster are living, there are housing units available to them. It may be that they decide to make a permanent decision to reside in those communities that they have gone to. Many of them have gone back to cities closer to maybe their children or their families. We need to give them the opportunity. But what we don't need to do is create a whole new voucher program with this disaster.

As the ranking member on the Subcommittee on Housing said, we are setting precedent every time we get up with one of these disasters and we try to outdo the last disaster. I think the American people have said, why don't you all come up with a plan and stick with it? We came up with a plan. We executed that plan. We sent the resources down to those areas. From a Federal perspective, I don't know how much more money we can throw at that initiative to get it off high center.

One of the things we need to be clear on about this amendment, it doesn't take anything away from elderly people, it doesn't take anything away from poor people, it doesn't make a statement that we shouldn't have a permanent housing solution. A permanent housing solution is a better solution. But when you extend and make permanent some of these other side programs, you keep taking away resources that could go to the permanent housing.

As I made the statement yesterday when we talked about going back and building maybe some housing for elderly and other folks down there, we don't need to go back and do it where they were before, because I have seen those units, and I know why a lot of people haven't gone back, because the thought of having to go back to those units, and I don't care how much money you spend on them, it wasn't a good situation before, it won't be a good situation today.

You need to support this amendment because it is fiscally responsible. It meets the needs of the people. But it does say before we begin to create a whole new level of voucher programs, we need to have that debate in another forum, not on the backs of the resources needed for the people to rebuild after Katrina.

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

Ms. WATERS. Mr. Chairman, I ask unanimous consent to transfer control of the time from the gentleman from Massachusetts (Mr. FRANK) to myself.

The Acting CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATERS. Mr. Chairman, I yield to myself 2 minutes.

Mr. Chairman, I have worked with Mr. NEUGEBAUER, and he has been exceptionally cooperative, understanding the plight of the poor and those people who have been displaced who were victims of Katrina and Rita, and I am convinced, having listened to this discussion and this debate, that there is simply a misunderstanding, because I don't think that he intends for those people who were already assisted by HUD, those people, for example, who were living in section 8 housing, they were renting from landlords and the building was destroyed, to somehow not be permanently assisted and get back on their section 8.

I don't think that he means that those people who were in public housing units who were assisted by HUD, if their unit does not get repaired, I don't think he means that they should not have a section 8. I don't think he means that for the disabled. I don't think he means that for the homeless.

So I am going to chalk this up to a misunderstanding and miscommunication, and, as we continue this debate, I hope that we are able to help my colleague on the opposite side of the aisle understand what he is proposing.

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

Mr. NEUGEBAUER. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. BACHUS), the distinguished ranking member of the full committee.

Mr. BACHUS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, let me start by saying that the minority is not opposed to a debate on section 8 vouchers for evacuees. We understand, and we have said on this floor that they have left New Orleans, they are in other cities, and there is a temporary need. We don't know how long that temporary need is. There is a temporary need for housing. Some of them will drop off in eligibility, and we are hearing that may be 8 percent. But this is a 10-year permanent program.

One of my concerns is they won't want to return to New Orleans with this section 302 housing that we are creating, a more or less permanent program where they can stay in Houston or they can move from Houston to Dallas.

Now, yesterday we talked about what I consider is a rush to go back and take some of these dilapidated units, units that weren't habitable even before the hurricane, and fix them up. We say we need to do that because we needed to get everybody back to New Orleans as soon as we could.

What we said yesterday, we talked about East Lake in Atlanta, where they took a large public housing project which was, as I said, 56th out of 56. It was the most dangerous precinct in the city of Atlanta. Seventy percent of the youth in some of these public housing projects ended up in the State penitentiary. There was an article in the New York Times about that in New York. We wanted to replace that with mixed-income units. That is going to take time. For that to happen, we will have to have some people stay in other cities.

But we don't think that we can determine right now what we need 10 years from now and commit to spending $735 million. At the same time, if we are

going to do that, why do we go back and replace all these units? These people are either going to come back, or they are not. They are not going to do both. But it seems as if we are creating public housing for everyone in New Orleans that has a potential of coming back, and, at the same time, we are creating a program over here where everybody can stay away from New Orleans.

The end result is, I think, a lack of planning. I think we ought to, instead of replacing the failed public housing in New Orleans that we all agree was a disaster, we ought to replace it with something where people have a safer home, a better community, more quality of life. While we do that, we determine how long that is going to take and fashion this program around what we think is a better day for people in New Orleans, a better public housing system there.

Instead, I think we are creating two stand-alone programs, both designed for the same group of evacuees. It simply is going to create a disincentive to come back. At the same time, we are creating housing in New Orleans that is really not suitable for anyone, replacing units that need to be torn down and replaced with better units.

As I have said, this is the greatest natural catastrophe this Nation has faced. That, if anything, ought to lead us to do this right, and not just throw money at it, but to spend it wisely.

□ 1120

This amendment by Mr. NEUGEBAUER is a way to do that. Section 302 is a duplication of effort, and I think it is ill conceived.

I will close with this: Yesterday, if I heard it once, I heard it a hundred times. And we agree, we want people to come back to New Orleans as long as there is suitable housing there and to do so as soon as possible. This section 302, which the gentleman from Texas would strike, is a disincentive to New Orleans recovering as soon as possible.

Ms. WATERS. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Mr. Chairman, I think our friends on the other side of the aisle have framed this in a way that I think is legitimate, which is, how long will this relief be extended. We talked about this in committee. And my feeling is the relief has got to be extended until we actually get on the job.

Mr. NEUGEBAUER mentioned the fact that there has been a substantial amount of money appropriated and obligated to repairing and reconstructing these homes in New Orleans, but a very small portion of it has yet to be extended.

We had a debate over a couple of sections; one, that vouchers, it has been 18 months or 19 months now, shouldn't be available for people outside of New Orleans; and now we are saying those same vouchers shouldn't be available for them in New Orleans. The problem that we have here, Mr. Chairman, is the fact that the job hasn't been done. There have been mistakes, missteps, miscommunication. Eighteen months seems like a long time, but very little has been done to reconstruct or renovate or rebuild the homes for so many people that were displaced. That is the bottom line here.

The bottom line is, coming from Colorado, coming from my background, my faith, we want to help people who are poor, we want to help them if they have been displaced by a huge natural disaster. They haven't been able to return because, through no fault of their own, things haven't been rebuilt or reconstructed. I can't see why we would want to strike section 306 because we haven't gotten the job done. Not through any fault of the people who have been dispersed throughout the country, but because of some problem either between the administration and the State of Louisiana or whatever. That is what has got to be straightened out here. We can't cut out this section and look ourselves in the mirror thinking that we have done the job.

The people that were displaced are entitled to return to New Orleans, they are entitled to return to these homes, and that is what this bill is about. That is why we brought this bill. You know, in a perfect world, everything should have been done by now, but it has not been finished, not anywhere near it. So we have got to step forward again.

We aren't trying to outdo ourselves. We are trying to finish what all of you started 18 months ago; but for whatever reason, we can blame the administration, we can blame the State, we can blame a lot of things, but it hasn't been finished. Our job is to finish the job and allow people to return to their homes in New Orleans as quickly as possible and not to cut this section 306.

So I am going to urge the House to defeat this amendment. I understand Mr. NEUGEBAUER's desire to be fiscally responsible, I couldn't agree with him more. But the fact of the matter is the money is out there, things haven't been finished, and these vouchers are important to keep for the people.

Mr. NEUGEBAUER. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the gentleman from Colorado's remarks. I think what you hear from both of us is frustration that things haven't moved along faster.

What I would point out to the gentleman and to the folks on the other side of the aisle is the point that we have been making that we believe that this keeps people in limbo, causes them not to begin to make some kind of a permanent housing decision. I use the example that in New Orleans today there are about 2,000 units of public housing that are available today, but they have about 400 or 500 vacancies that people are not applying for.

Secondly, they have had to go back on a number of occasions because those units have been vacant so long, they had to go back and make them ready again. In that climate, when a unit sits vacant for a short period of time or an extended period of time, the unit gets stale and they have to go back and do some mold mitigation and some other things because there is not someone occupying it.

The point here is we have extended the benefits. The benefits are in this bill for all of the people that have been talked about here this morning. But what we are saying is two things: One, we are trying to permanently increase the amount of section 8 vouchers available in a bill that is about disaster. Secondly, we are talking about extending things where people do not have to come to some kind of a decision about what they want to do.

We want them to go back to New Orleans. I think the people of New Orleans want the people to come back, they want to have the community and the sense of community that they had prior to the storm. But I will tell you that I think we are being the enemy here by not bringing some deadlines and definition to this disaster program. At some point in time the disaster piece is over and the recovery piece has to begin.

We have made an allowance for the transition to do that, but when you make something permanent, even when you say, well, it disappears, what we know about Federal programs is they don't have a history of disappearing. Once we put them on the books, they generally stay with us.

We have the ability down the road, this Congress will, if in fact there needs to be another extension, and in fact the administration has some flexibility. But when you put the word ''permanent'' on anything, it is permanent.

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

Ms. WATERS. I yield 3 minutes to the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. Mr. Chairman, I don't get it. I am just reading section 306 as being stricken now, and it says, this is a direct quote, blah, blah, blah, ''for the period that such household is eligible for such voucher assistance.'' Once the household is no longer eligible, the voucher disappears. What is permanent about that? Subsection 3 says, ''Such vouchers shall not be taken into consideration for purposes of determining any future allocation of amounts to such tenant-based rental assistance for any public housing agency.'' What is permanent about that?

Now I don't know, if you just don't like the section 8 program, I respect that. That is a respectful and honest difference of opinion on how to help people have a home, have a roof above their head. But let's just try to get rid of the entire section 8 program. Let's not just pick on the people that got hurt the most in this entire country and have been shafted from the day of the hurricane until now.

I haven't looked at the numbers, but your own numbers a few minutes ago where there were 8,000 before the hurricane and now there are 12,000, maybe I missed something. That is not as big an increase as I would have suspected would happen if there was such a big sham going on.

And by the way, if it is all about a sham, you have got to give these people in New Orleans credit. They had a house, they were poor, they qualified for a Federal program that has been around for years, and they somehow mysteriously worked it so that their houses would be destroyed so they could stay on this program. Their houses and their jobs, by the way; that is why you have 12,000 people eligible because they have no jobs. The economy hasn't come back. When they get their jobs back and the economy comes back, they will no longer be eligible and they will be off the rolls and we will be back to 8,000. This is not a permanent program.

Again, if you just don't like the section 8 program, I respect that. We will have a legitimate difference of opinion on that; that's above the board. I understand that that is a philosophical view that I don't share, but I respect it. But you can't just go and take the people in this country that got hurt the worst, for no cause of their own, and somehow think they are trying to scam the system because they happen to live in the path of the worst hurricane this country has seen in my lifetime.

You can't pretend that this is a permanent program when the language itself says it is temporary. As long as these people are eligible, they would have a section 8 certificate. If they get their jobs back and the economy comes back and they make enough money to no longer be eligible, they will be off the rolls, we will be back to the 8,000. And then maybe we will have the discussion we should be having, which I would disagree with then, but it is an honest one; we just get rid of the section 8 program altogether and that is the end of it.

In the meantime, quit trying to pick on the people that got hurt the most in this country, no cause of their own, no fault of their own. I can't imagine anybody down there, any little old lady is sitting there trying to figure out how to scam the system so they can rebuild the house that shouldn't be rebuilt, so they don't have a job. If that is happening, find me the three people that are doing that, and I will agree with you and we will get them off the rolls.

□ 1130

Other than that, let's get on with fixing New Orleans so we can get back on track for this country and for this world.

Mr. NEUGEBAUER. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the gentleman from Massachusetts' point. One, I don't see anywhere in here where there is any expression on my part or have I made the point that I am against section 8 vouchers. What I am for, and as the gentleman mentioned, if we have an opportunity and a place and a forum to debate the section 8 program, many of us believe that there can be some things done to the section 8 program to actually make it a more effective program.

The other piece of the deal is that we are not taking away any section 8 vouchers with my amendment. In fact, as I mentioned a while ago, there were 8,500 section 8 vouchers in New Orleans prior to the storm. Anybody that is living in Houston or Oklahoma, anywhere else right now, that wants to come back to New Orleans, there is a section 8 voucher, if they qualify, available for them today.

I don't understand this. I think the other side is trying to somehow argue against my amendment because they know what making something permanent means. It means permanent. They want to try to say that we are somehow depriving people of the ability to have vouchers. If people qualify for vouchers in Houston, they can qualify for them in Houston. If they want to come back to New Orleans, they can come back to New Orleans. There are vouchers available for them there. We made sure, and I thought it was the right policy, and the gentlewoman from California made this point, I believe, in the hearing, that we need to make sure that we keep New Orleans' hold on the programs that they had available. I believe this bill takes steps to do this.

Really what we are talking about, we need to get back to what this amendment does. It just says, you know what, it doesn't make sense in this bill to make this disaster relief permanent when it goes to section 8 vouchers. It doesn't take vouchers away from anybody. It doesn't say anything about 202 housing. It doesn't say anything about rebuilding the affordable housing projects in New Orleans. It just says it is not appropriate policy to start using disaster bills to make other programs permanent.

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

Ms. WATERS. Mr. Chairman, I yield 3 minutes to the gentleman from New Orleans (Mr. JEFFERSON).

Mr. JEFFERSON. I thank the gentlewoman for yielding to me.

I am having a great deal of trouble connecting the debate here to the reality that people are facing back home. Starting out, you have to know, and just look back to what the conditions were in New Orleans before the storm. Before the storm there wasn't enough affordable housing there even then. There were 18,000 people on a waiting list, 10,000 or so for public housing, 8,000 or so for section 8 vouchers. There were people on waiting lists for 202 housing. All sorts of needs were there. The folks who were down and out then are worse off now. And the folks who were doing a little bit better then are worse off than they were. And so the need has expanded for more assistance there rather than less.

With respect to the issue of permanency, which seems to be the gravamen of the gentleman's objection here, we are talking about people who were eligible for section 8 or 202 or whatever the programs might have been before the storm, who were displaced to other places, and who will remain eligible there in these new places. We passed laws early on after the storm to make sure that people were eligible who otherwise might have lost their eligibility because of the fact they were just physically in another place. We took care of that.

Now, none of us here would have anticipated it would have taken so long to get people back in their places, to get folks back to New Orleans, to get this whole thing fixed. But it has. For whatever reason, it has. We can cast blame here or there, but whatever the reason is, people have not been able to come back home.

I can tell you this much. There aren't many people I have met, and I have been all over the place, in Memphis and in San Antonio and in Houston and in Atlanta, just above in Baton Rouge and up the river. There aren't many people out there who do not want to make their way back home. They are trying desperately to get home. Many of them are close in, doubled up and tripled up in houses, trying to find a way back home. They do not want to be outside of New Orleans. They do not want to be away. We don't need to worry about creating a disincentive for people who return. They want to return home right now, already. Believe me, at the bottom of it all, people want to come back home.

Our objective here is to say as long as they are displaced through no fault of their own, as long as programs aren't working to get them back home right now, we have got to make sure that they have a chance to live decently and in some order outside of the city. That is really all that is going on here. You need to understand that the need remains, and it is even greater than it was before the storm for the programs we are talking about here.

As to this notion of setting a deadline, we have tried this before in almost every program. All we do is just kind of make people's lives unsettled. We say to people who are in assisted housing in someplace in Houston that by deadline X, you must be out of your place. This is, simply put, to put pressure on people to hope they'll find a way to find a house somewhere. They can't, and so the deadline gets moved anyhow. If we set a deadline here, it can only be arbitrary. We don't know that by December such and such there won't be a need for these programs. We don't know that. What this legislation does is take the more reasonable view that so long as they need the program, then they remain eligible. When they

don't need it, then the eligibility disappears, and the people are no longer on the program.

That is the only sensible way to deal with this, because no one of us knows, no one of us here can say today when this disaster will be at its end, when recovery will be done. We need to see this through and be logical about it.

Mr. NEUGEBAUER. Mr. Chairman, can I inquire as to the time both sides have left here?

The Acting CHAIRMAN. The gentleman from Texas has 6 minutes remaining. The gentlelady from California has 1½ minutes remaining.

Mr. NEUGEBAUER. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I want to thank the gentleman from Texas for having this amendment. I have called this Congress the smoke-and-mirrors Congress because of the way the majority party has presented their case to the public, and it has been a process of smoke and mirrors. This seems to be a fuzzy math program.

If you have 7,000 section 8 homes in New Orleans, and it's funny, we haven't heard from the people in Mississippi or Florida or some of the other places. This is specifically for the New Orleans housing. Seven thousand section 8 homes. Only 5,000 of them were occupied before the hurricane, and now we are wanting to put all 7,000 back. Yet in New Orleans today, there are 500 that is uninhabited that they can't get people to come back to. So somewhere there is a need to help people that don't seem to be taking that first step to helping themselves.

We have people from New Orleans in Atlanta and in a lot of places in Georgia. If they want to go back to New Orleans, I am sure that we want them to be back in their hometown, and that probably the Federal Government would give them some assistance to get back to New Orleans and to know that there are 500 vacant section 8 houses for them to go to.

I think the other interesting thing is that if you were in a section 8 house prior to Hurricane Katrina, and Hurricane Katrina destroyed your home that you were living in under the section 8 program, then you would now be entitled to section 8 for the rest of your life. Maybe for the gentleman from Texas that we would need to say that anybody, and I feel sorry for these people, but anybody that has an unfortunate situation happen to them in their life, that they could come to the government and just give us a list of things that they would need for the rest of their life.

I want to thank the gentleman from Texas for offering this amendment, and I hope that this House will see fit to support it.

□ 1140

Ms. WATERS. Mr. Chairman, I want to speak on behalf of the people of New Orleans and of the gulf coast who are having such a difficult time, who have not really gotten all of the assistance that I think we could have given them from the very beginning.

I think when the gentleman spoke, he said the people did not seem to be taking the first step to help themselves. That is an insult. I reject it. I speak on their behalf. We were there, and we know how hard they have been working, and they deserve to be seen in a better light than the gentleman just described them.

Mr. NEUGEBAUER. Mr. Chairman, I yield myself such time as I may consume.

Well, I just want to reiterate what this bill does and what it does not. We have heard a lot of things about what people think it does, but I think we need to go back and review what the bill does. Reviewing what the bill does, it strictly strikes section 306. What the bill doesn't do is it doesn't take away benefits to elderly and benefits to the poor. In fact, we have a number of people who are on these emergency vouchers who actually don't qualify for section 8.

It doesn't say to people that we don't care. But what it does say is that this is not the appropriate form. As the gentleman from Louisiana stated, there is a waiting list. For all kinds of housing in many cities all across the country today, there are waiting lists for section 8 vouchers and there are waiting lists for housing for the elderly. All across this country there are those opportunities.

Our job here is not to fix preexisting conditions. Our job here is to help with disaster relief, bringing that community back to some semblance of what it was prior to the hurricane and not to try to fix problems that were existing in that community before.

There are opportunities within this relief to fix some of the issues that were going on. We had housing projects that were massive, that had a huge accumulation of poor people and a lot crime and a lot of things going on in those that we don't find acceptable in our country.

With this disaster recovery money we have appropriated, we have an opportunity to go back and make those communities better. But we should not be trying to fix preexisting conditions with this legislation. And by making these vouchers permanent, we are trying to say we had a problem before and we want to fix that.

What we want to do, and I think what I heard from the testimony from the mayor and from the Governor and from the community leaders down there, we are trying to rebuild our community.

But when you make these disaster vouchers permanent, people can stay in Houston and they can stay other places, and they don't have to come back to this community. As we stated, there are housing units available here. There are vouchers available here. To the point we can, we need to focus our money and our resources on bringing people back and giving them the ability to come back.

I urge Members to support a fiscally responsible bill that is compassionate in that it doesn't take away anything, but it just says this is not the appropriate forum to be adding vouchers to the section 8 program. It is not appropriate to use a disaster bill to have the dialogue about whether we should increase the amount of section 8 vouchers.

I know that the distinguished chairman of the Committee on Financial Services is going to have a hearing on that, and I welcome that discussion as we talk about it, and it shouldn't be just about section 8. When we sit down and talk about housing for our poor and our elderly, we ought to talk about a comprehensive look at it. Is section 8 the best way to do that, or are more permanent housing projects better?

But that is not the debate here on this bill, nor should we be trying to have that debate and to make that policy within this bill.

I urge Members to vote for my amendment.

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

Ms. WATERS. Mr. Chairman, I yield to the chairman of the Committee on Financial Services, the gentleman from Massachusetts (Mr. FRANK), the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, the gentleman from Texas has given us a good example of the meaning of true conservatism.

He had a speech written on this amendment when the bill was first introduced. We have amended the section he is talking about, but he still likes that speech so much he won't get rid of it. He keeps talking about permanent section 8s. They were permanent when the bill was introduced, I agree. When the bill was introduced, they were not just disaster vouchers for the people who were displaced from their homes by a flood in New Orleans, but even after those people no longer used the vouchers, they would remain on the books. He objected to that and we agreed to that part of his objection.

We adopted an amendment that says they disappear when the people disappear. So let me put it this way: These vouchers are permanent only if 12,000 refugees from the New Orleans hurricane are permanent human beings. If they live forever, so does the voucher program. But I do not think that every recipient of elderly housing is going to be permanently with us. I will lament their passing, they are undoubtedly decent people, but they are not permanent. And so the gentleman's politics and theology are both incorrect in this case. They are by no means permanent.

He said anybody who had a voucher in New Orleans can go back and get it, but they were people who lived in public housing. They can't have a voucher. Public housing was physically destroyed. There were people who lived in

202 housing for the elderly, and housing for the disabled; that housing has been destroyed.

What we are doing here is providing a replacement not just for the vouchers in New Orleans but for physical housing that was destroyed in New Orleans.

Finally, the gentleman said they can go to Houston if they are eligible in Houston; but previously he said we don't want them competing. So either they compete with the people of Houston, who have already been very decent, or they get nothing. I hope the amendment is defeated.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. NEUGEBAUER).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. NEUGEBAUER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. PRICE OF GEORGIA

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in part B of House Report 110–53.

Mr. PRICE of Georgia. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. PRICE of Georgia:

Strike section 103 (relating to elimination of prohibition of use for match requirement).

The Acting CHAIRMAN. Pursuant to House Resolution 254, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as I begin, I do want to set the record straight a little bit. I think it is important for us to appreciate and for America to appreciate that the comments by Members on the other side, who have stated over and over that there seems to be a resistance by Members on our side of the aisle to helping individuals out after Katrina, simply is not borne out by either the facts or history, and it is not an appropriate reflection of history.

The heart of the American people is immense, and we all poured out our hearts and we helped immensely when Katrina occurred. We opened our homes and our communities. In my district in the north side of Atlanta, we opened up shelters and provided great assistance, as I know men and women and boys and girls did all across this Nation. The heart of America is huge.

I offer my amendment today in an effort to try to prevent further waste and fraud and abuse of Federal spending on Hurricane Katrina recovery efforts in Louisiana.

Mr. Chairman, as a condition of Federal assistance, Federal grants oftentimes require State and local governments to match Federal grants or to provide a portion of matching funds with State or local spending contributions, oftentimes in the range of 10 percent. This is in order to encourage the efficient administration of the assisted activities giving local recipients an incentive for good management.

Why do we do this? Mr. Chairman, I would suggest it is analogous to a copay when you go to your doctor. As a former physician, I am familiar with those, and most Americans are familiar with those. When you go to your doctor, you have a bit of a copay. And what that does is provide for you an opportunity to encourage appropriate and proper attention and oversight. It actually increases the responsibility of individuals and it increases the financial soundness of the entire system. This amendment would provide that same type of responsibility.

□ 1150

Striking section 103 would prevent the use of Federal CDBG funds, these are Federal funds, these are hard-earned taxpayer dollars, for the local match requirements and maintain much-needed local incentives to maximize Federal assistance.

I think it is also important for Americans to appreciate that Congress has already promised over $100 billion, that is with a ''B,'' since Katrina and Rita have occurred. To put that in some context, the Louisiana State budget prior to Katrina was $16 billion.

Although we have held over 11 hearings and four briefings and questioned over 137 witnesses, what is needed is increased oversight of that Federal assistance. The underlying bill weakens that ability to provide that oversight. Why, I would ask, would we want to weaken that ability?

In fact, a report by Representatives WAXMAN and CARDOZA and OBEY and TANNER and HOLMES-NORTON and TIERNEY by the Democratic staff on the Committee on Government Reform in August of 2006 itself identified 19 contracts that were offered or that were given during Katrina collectively worth over $8.75 billion that they themselves say have been plagued by waste and fraud and abuse, citing wasteful spending, lack of competition, mismanagement, et cetera.

Examples from a GAO audit provided to the Senate Committee on Homeland Security and Governmental Affairs in testimony in December of last year stated just as an example nearly $17 million in potentially improper and/or fraudulent rental assistance payments to individuals, nearly $20 million in potentially improper or fraudulent payments went to individuals who are registered for both Hurricanes Katrina and Rita, using the same property. Millions of dollars of improper and potentially fraudulent payments went to nonqualified aliens, including foreign students and temporary workers.

Why is it, Mr. Chairman, that we would want to lower the threshold of due diligence that should be applied to spending Federal assistance when waste, fraud and abuse has already been so well documented?

It is obvious to everyone that better oversight of Federal spending is needed. This amendment would assist in providing that oversight and making certain that local and State individuals would have a greater responsibility, a greater incentive to make certain that the programs and the grants that they receive, those moneys are spent in a responsible way.

It is an effort to be better stewards of the American taxpayers' money, and I would urge my colleagues to adopt this amendment.

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

The Acting CHAIRMAN. For what purpose does the gentlewoman from California (Ms. WATERS) rise? Does the gentlewoman wish to claim the time of the opposition?

Ms. WATERS. I do.

The Acting CHAIRMAN. The gentlewoman from California is recognized.

Ms. WATERS. Mr. Chairman, I yield myself 3 minutes.

I am so overwhelmed with the gentleman's statement that would deny to the people of New Orleans basic assistance that would allow them to use their Community Development Block Grant money as match, no new money, but simply the money that has already been allocated to them to be used as a match to FEMA money in order to help the area move forward with reconstruction, redevelopment and getting people's lives together.

I do not think that most people in America would believe that there was something wrong with giving this basic kind of assistance. Here we have cities where the city halls have been destroyed, water systems have been destroyed, schools, hospitals, roads, sewer systems, police departments, and we would then deny them the opportunity to use money that has already been granted as matching money so they could make use of the FEMA money that they are eligible for? I cannot believe that the gentleman would want to do that.

I am adamantly opposed to this amendment. It is one of the most mean-spirited amendments that I have heard that has been attempted to be attached to the bill that I have introduced. I would ask my colleagues to reject it out of hand. It does not make good sense. We do not gain anything from it.

We have not heard anybody come to this floor from the opposite side of the aisle, and certainly this gentleman, talk about fraud and abuse by Halliburton or any of those companies that are known to be ripping off the government, and here we have a Member of

this floor who would come to the floor and a Member of this Congress who would come to the floor and suggest to us that they may misuse it, they may abuse it. I do not think we want to entertain that. I do not think we want to be a part of denying basic help to people who need it so desperately.

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

Mr. PRICE of Georgia. Mr. Chairman, I appreciate the gentlewoman's comments. However, the hyperbole and the emotion brought with it is curious, again in light of the remarkable assistance that the American people have provided out of their own generosity privately and the generosity that this Congress has provided to the tune of greater than $100 billion of assistance to individuals who have suffered from the greatest devastation of Hurricane Katrina.

The purpose of this amendment is an attempt to move in albeit a small direction, but a small direction of fiscal responsibility. We hear comments by the Members on the other side all the time about how they want to bring new fiscal responsibility to Congress. Well, Mr. Chairman, in fact, what we have had is a step in the opposite direction ever since they have taken charge.

So I would hope that Members would appreciate that this bill, again, is a small step in the direction of financial and fiscal responsibility. It does not preclude the use of previous moneys prior to this bill. If $110 billion is not enough then to provide for allowing individuals to have some local assistance use, I am not certain how much will be.

So, Mr. Chairman, I again state that this is a small step for fiscal responsibility and encourage my colleagues to adopt this amendment.

Mr. Chairman, I reserve my time.

Ms. WATERS. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Chairman, I thank the gentlewoman for yielding.

I thank the gentleman from Georgia for the way he has framed this issue as a fiscal responsibility issue; although I think he frames it incorrectly in this case.

There really is no precedent in disaster situations if you go back throughout all the disaster situations for even requiring a local 10 percent match, and I think in another bill there will be language that would actually waive the 10 percent local match.

This component of it disallows the use of Federal money that has been granted to the local communities to provide that 10 percent match. I think the issue is going to go away in another context anyway, but it is counterintuitive to say to local communities whose complete tax base has been destroyed that they should somehow provide a 10 percent match for Federal funds that are given, and historically in disaster situations, there really has never been a 10 percent match at all because we have recognized that the distress situation that is created by a disaster makes it highly unlikely, improbable, impossible in many circumstances, that the 10 percent match would be able to be met by the local community.

You take that and multiply it times five, because this is five times the worst natural disaster that our country has ever had. So we should reject this five times, not just once.

Mr. PRICE of Georgia. Mr. Chairman, I reserve my time.

Ms. WATERS. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. MELANCON).

□ 1200

Mr. MELANCON. I thank the gentlelady.

Mr. Chairman, first let me talk about the fraud. The fraud was perpetrated by people throughout this country in Florida, in California, in Colorado, that used addresses in Louisiana. The money that was spent was spent by the Federal agencies, and not misspent by the State of Louisiana.

I am speaking today to urge my colleagues to vote in favor of the Gulf Coast Recovery Act and against the Price amendment, which would keep in place a major roadblock to Louisiana's recovery from Hurricanes Rita and Katrina. Rebuilding in the wake of these two hurricanes is the biggest challenge people on the gulf coast and, for that matter, in this country, have ever faced.

Katrina was the worst natural disaster ever in the United States history. Rita, which has been dubbed the forgotten storm, was the third worst catastrophic event in this country. Local governments are valiantly moving forward to try and rebuild, but without the ability to have the tax base that they need just to do day-to-day operations. If you have lived in a gulf coast community, you know the communities come back under normal circumstances. That is not happening.

This was devastating, totally devastating. Bureaucratic red tape is holding us back. Our local tax base in south Louisiana is gone. Local governments have no way of coming up with money for the 10 percent match. For some parishes, the cost of local match for projects is many millions of dollars and could go as high as $1 billion across the devastated area. Ninety thousand miles, square miles, of devastation was caused by these two storms the size of Great Britain. We are sitting here and worrying about a 10 percent match that was harmful to these small communities and the City of New Orleans but has devastated this entire area.

One thing that I need to point out: The President has the authority to waive the local match requirements with the stroke of his pen. In fact, this authority has been exercised 32 times since 1985 for other major disasters.

In 1992, George H.W. Bush waived the requirement when the per capita recovery cost of Hurricane Andrew reached $139 per person. It was also waived for New York City following the attacks of September 11, $390 a person.

But despite a $6,700 per capita recovery cost following Hurricanes Katrina and Rita, the administration has refused to waive the local match, despite repeated requests. How is this fair to Louisiana? I am a fiscal conservative, but this policy is ridiculous. It is dooming the recovery to failure, and it's time we correct it.

I emphatically urge you to defeat the Price amendment, and pass the Gulf Coast Recovery Act, which will help thousands of people return home and begin rebuilding their lives.

Mr. PRICE of Georgia. Mr. Chairman, I reserve the balance of my time.

Ms. WATERS. May I inquire of the Chair, do I have the right to close?

The CHAIRMAN. The gentlelady has the right to close.

Ms. WATERS. I yield to the gentleman from Mississippi (Mr. TAYLOR) for 2 minutes.

Mr. TAYLOR. First let me tell the gentleman from Georgia I appreciate him trying to save some money. I think his efforts, though, are a year late. If you want to look for Katrina fraud, look for Katrina fraud that was perpetrated by the Bush administration.

In south Mississippi we had 40,000 people at one point living in FEMA trailers. We are grateful for every one of them, but those trailers were delivered by a friend of the President, Riley Bechtel, a major contributor to the Bush administration. He got $16,000 to haul a trailer the last 70 miles from Purvis, Mississippi down to the gulf coast, hook it up to a garden hose, hook it up to a sewer tap and plug it in; $16,000.

So the gentleman never came to the floor once last year to talk about that fraud. But now little towns like Waveland, Bay Saint Louis, Pas Christian, that have no tax base because their stores were destroyed in the storm, a county like Hancock County where 90 percent of the residents lost everything, or at least substantial damage to their home, he wants to punish Bay Saint Louis, he wants to punish Waveland, he wants to punish Pas Christian.

Mr. PRICE, I wish you would have the decency, if you are going to do that to the people of south Mississippi, that maybe you ought to come visit south Mississippi before you hold them to a standard that you would never hold your own people to and that you failed to hold the Bush administration to.

With that, I yield back my time.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. The Chair would ask Members to address their remarks to the Chair.

Mr. PRICE of Georgia. Mr. Chairman, I would inquire as to whether or not those words are eligible to be taken down.

The Acting CHAIRMAN. The Chair cannot render an advisory opinion on that point.

Mr. PRICE of Georgia. Mr. Chairman, I demand that his words be taken down.

The Acting CHAIRMAN. Would the gentleman specify the words?

Mr. PRICE of Georgia. The words accusing this Member of action unbecoming of the House as it relates to having Members of my district not be held to the same account.

The Acting CHAIRMAN. Members will suspend, and the Clerk will report the words.

□ 1232

The Acting CHAIRMAN (Mr. HOLDEN). The Clerk will report the words.

The Clerk read as follows:

''Mr. PRICE, I wish you would have the decency, if you are going to do that to the people of south Mississippi, that maybe you ought to come visit south Mississippi before you hold them to a standard that you would never hold your own people to and that you failed to hold the Bush administration to. With that, I yield back my time.''

The Acting CHAIRMAN. The Committee will rise.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PASTOR) having assumed the chair, Mr. HOLDEN, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1227) to assist in the provision of affordable housing to low-income families affected by Hurricane Katrina, when certain words used in debate were objected to and, on request, were taken down and read at the Clerk's desk, and he herewith reported the same to the House.

The SPEAKER pro tempore. The Chairman of the Committee of the Whole House on the state of the Union reports that during consideration of H.R. 1227 certain words used in debate were objected to and, on request, were taken down and read at the Clerk's desk and now reports the words objected to to the House. The Clerk will report the words objected to in the Committee of the Whole House on the state of the Union.

The Clerk read as follows:

''Mr. PRICE, I wish you would have the decency, if you are going to do that to the people of south Mississippi, that maybe you ought to come visit south Mississippi before you hold them to a standard that you would never hold your own people to and that you failed to hold the Bush administration to. With that, I yield back my time.''

The SPEAKER pro tempore. The Chair holds that remarks in debate that question the decency of another Member improperly descend to personality. The words are not in order.

Without objection, the words are stricken from the RECORD.

There was no objection.

Without objection, the gentleman from Mississippi may proceed in order on this day.

Mr. SENSENBRENNER. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FRANK of Massachusetts. Mr. Speaker, is it in order to move that the gentleman from Mississippi's right to address the House be restored?

The SPEAKER pro tempore. That motion may be offered.

MOTION TO PERMIT TO PROCEED IN ORDER ON THIS DAY

Mr. FRANK of Massachusetts. Mr. Speaker, I move that the rights of the gentleman from Mississippi to speak during the remainder of the day be restored.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. FRANK) that the gentleman from Mississippi be permitted to proceed in order.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 265, nays 160, answered ''present'' 0, not voting 8, as follows:

[Roll No. 167]

YEAS—265

Abercrombie
Ackerman
Aderholt
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capito
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
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Filner
Flake
Frank (MA)
Franks (AZ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
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
Lungren, Daniel E.
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 (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pickering
Platts
Pomeroy
Porter
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Renzi
Reyes
Rodriguez
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
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
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wicker
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—160

Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Barton (TX)
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
English (PA)
Everett
Fallin
Feeney
Ferguson
Forbes
Fortenberry
Fossella
Foxx
Frelinghuysen
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Peterson (PA)
Petri
Pitts
Poe
Price (GA)
Pryce (OH)
Radanovich
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Tiahrt

Tiberi	Walsh (NY)	Whitfield
Upton	Weldon (FL)	Wilson (SC)
Walberg	Weller	Wolf
Walden (OR)	Westmoreland	Young (AK)

NOT VOTING—8

Baker	Johnson, E. B.	Sessions
Davis, Jo Ann	Kanjorski	Young (FL)
Fattah	Pence	

□ 1301

Messrs. MILLER of Florida, SULLIVAN, WELDON of Florida and Ms. GRANGER changed their vote from ''yea'' to ''nay.''

Messrs. CARNEY, SAXTON, ROTHMAN, LoBIONDO, PORTER, OBERSTAR, SHAYS, JOHNSON of Illinois, FLAKE, PLATTS, ROHRABACHER, JONES of North Carolina, GILCHREST, DENT, DANIEL E. LUNGREN of California, and MORAN of Kansas changed their vote from ''nay'' to ''yea.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEADERSHIP FROM BOTH SIDES MUST COME TOGETHER

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

Mr. LEWIS of California. Mr. Speaker, first I appreciate your recognizing me.

Mr. Speaker, the process we have just gone through where we had a vote whereby a significant majority voted to overrule the ruling of the Chair would suggest to me it is very important at the highest level our leadership come together from both sides of the aisle and discuss how this kind of thing can happen in the House. It is not good for the body. It does not allow us to go forward with our work effectively.

I thank the Speaker.

PARLIAMENTARY INQUIRIES

Mr. FRANK of Massachusetts. Parliamentary inquiry, Mr. Speaker.

Mr. Speaker, is it not the case that the vote did not overrule the Chair? Is it not the case that the Chair's ruling that the words were out of order was not challenged, and was it not the case that the motion was simply to restore the right of the gentleman from Mississippi to speak and in no way overruled the ruling of the Chair?

The SPEAKER pro tempore (Mr. PASTOR). The gentleman is correct. The motion was to allow the gentleman from Mississippi to proceed in order on this day.

Mr. WESTMORELAND. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Georgia.

Mr. WESTMORELAND. We just had a vote to restore the floor privileges for a Member who had his words taken down. Is it not true that the Democratic leadership, Speaker PELOSI, made the comments that we were going to have a more civil House and that we——

Mr. FRANK of Massachusetts. Point of order, Mr. Speaker. The gentleman has not stated a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state a parliamentary inquiry.

Mr. WESTMORELAND. Parliamentary inquiry: Is it true that we did not pass rules in this House that talked about civility?

The SPEAKER pro tempore. The rules that have been adopted address order in the House.

The gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Speaker, parliamentary inquiry.

I am not sure everyone heard you. I would appreciate it, so the vote we just voted is clarified, would you please restate the vote and also indicate whether or not that was an overruling of the Chair? Would you restate it for the full body, please?

The SPEAKER pro tempore. By motion, the gentleman from Mississippi was allowed to proceed in order on this day.

The gentleman from Mississippi.

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

Mr. ISSA. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. STEARNS. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Florida.

Mr. STEARNS. Mr. Speaker, I would like to inquire of the Rules of the House, when the words of a Member is taken down and the Speaker rules that these words were incorrect and not within the decorum of the House and that these words would be stricken, is the normal procedure, notwithstanding the motion from Mr. FRANK, is the normal procedure that the Member is no longer allowed to debate for the full day in the House? Is that the procedure? I want to confirm that procedure.

The SPEAKER pro tempore. The answer is yes; the presumptive sanction is a disability from further recognition on that day; but in this case, by motion, the gentleman from Mississippi is allowed to proceed in order on this day.

Mr. STEARNS. I have a follow-up question, Mr. Speaker.

If that is the normal procedure, when is the last time we have allowed someone to speak on the floor after his words were taken down and stricken from the RECORD? Would the Parliamentarian please provide it to this Member? When was the last time we allowed someone to continue to debate on this floor after his words were stricken from the RECORD?

The SPEAKER pro tempore. The Chair cannot place today's proceedings in historical context. That is not the role of the Chair.

Mr. BUYER. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi be recognized for 1 minute out of order.

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

There was no objection.

Mr. TAYLOR. Thank you, Mr. Speaker, and thank you, Mr. BUYER.

In the course of the debate I encouraged, with words that were a little bit too strong, my colleague from Georgia to come visit south Mississippi and see the aftermath of Katrina. I used the word ''decency'' when I should have said ''the courtesy.'' If I have offended his decency, then I apologize for that.

But the offer stands. The gentleman was good enough to admit privately that he has not visited south Mississippi since the storm, has not seen that the town of Waveland is virtually gone, that Bay Saint Louis is virtually gone, that Pass Christian is virtually gone. To the point of his amendment: How does a town that is gone come up with matching funds to restore itself?

So I appreciate the gentleman yielding. I hope I have made my point to the membership, and I thank the body.

GULF COAST HURRICANE HOUSING RECOVERY ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 254 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1227.

□ 1308

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1227) to assist in the provision of affordable housing to low-income families affected by Hurricane Katrina, with Mr. HOLDEN (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, 5 minutes debate remained on amendment No. 7 printed in part B of House Report 110–53 by the gentleman from Georgia (Mr. PRICE).

The gentleman from Georgia (Mr. PRICE) has 3½ minutes remaining and the gentlewoman from California (Ms. WATERS) has 1½ minutes remaining.

Who yields time?

□ 1310

Mr. PRICE of Georgia. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the apology of the gentleman from Mississippi. It should be noted that it was an offer from this Member to forego what occurred over the past hour in this House to the gentleman from Mississippi during the process, and that offer was declined. But I appreciate his apology, and I accept his apology.

Mr. Chairman, it is indeed a remarkable privilege for each and every one of us to serve in this House of Representatives. This is the greatest deliberative body in the world, and it is the greatest deliberative body in the world because we treat one another with respect during our deliberations. Our deliberative process works because of a level of comity. It is not appropriate to impugn the motives of individuals, nor is it appropriate to call one's personal character into question.

My amendment to this bill simply would move us in the direction of financial responsibility, a small direction admittedly, but in the direction of financial responsibility.

To correct some historical inaccuracies that have been stated on this floor, during the 1998 floods in the Midwest, the local match that was required by our government was 25 percent. During the 2004 Florida hurricanes, the local match that was required for Federal grants was 10 percent.

This amendment would simply state that more resources provided for the local communities from this remarkably generous Nation who have already provided, authorized over $100 billion for recuperation after the remarkable devastation of Hurricane Katrina, that further moneys would not be allowed to be utilized for the local match. That does not preclude this administration or the Secretary of HUD being able to waive that requirement.

This amendment is a very small step in the direction of fiscal responsibility, of respecting the hard-earned taxpayer money that is sent to Washington. I would encourage my colleagues to support this commonsense amendment that respects that hard work and moves us in the direction of accountability in an area that is desperately requiring that kind of accountability.

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

Ms. WATERS. May I inquire of the Chair if we have the right to close?

The Acting CHAIRMAN. The gentlewoman from California has the right to close.

Ms. WATERS. Has the gentleman exhausted his time?

The Acting CHAIRMAN. The gentleman has 30 seconds remaining on his time.

Ms. WATERS. If the gentleman would like to use his 30 seconds, then we would proceed.

The Acting CHAIRMAN. The gentlewoman reserves the balance of her time?

Ms. WATERS. Yes.

Mr. PRICE of Georgia. May I inquire if the gentlewoman has any other speakers?

Ms. WATERS. No, we will use our balance of the time for our close.

Mr. PRICE of Georgia. Mr. Chairman, then I yield back the balance of my time.

Ms. WATERS. Mr. Chairman, I yield myself the remaining time.

First, I would like to congratulate Mr. TAYLOR not only for his passion, but for all of the work that he has done to try and help restore the gulf coast and his town and his city, and to get the kind of development that is necessary for people to restore their lives. He has worked very hard, as other Members of the gulf coast have. They were on the floor today, Mr. MELANCON, Mr. JEFFERSON, Mr. TAYLOR, trying to make the case that this gulf coast catastrophe should not be penalized.

We do not know why and they do not know why they would be prohibited from using their CDBG, Community Development Block Grant, funds as a match. It is unheard of, it is unprecedented that any town, any city, any region that has been hit by this kind of disaster, and there is no other like it in the history of this country, would be prohibited from using as a match the Community Development Block Grant funds.

These communities have been virtually destroyed, their city halls, their water systems, their schools, their hospitals. They do not have any money. They are cash strapped. They do not have any money to use as a match, and we do not know why they would be singled out with this disaster and told that they could not use Community Development Block Grant funds. This is not new money. This would simply allow them to use that CDBG money as a match.

I would ask that this amendment be rejected, and I ask my colleagues to vote ''no.''

The Acting CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 6 printed in part B by Mr. NEUGEBAUER of Texas.

Amendment No. 7 printed in part B by Mr. PRICE of Georgia.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 6 OFFERED BY MR. NEUGEBAUER

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. NEUGEBAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 247, not voting 6, as follows:

[Roll No. 168]

AYES—185

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Doolittle
Drake
Dreier
Duncan
Ehlers
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
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
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
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wilson (SC)
Wolf
Young (AK)

NOES—247

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
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
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Fortuño
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
Jindal
Johnson (GA)
Jones (OH)
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
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 (FL)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—6

Cannon
Davis, Jo Ann
Johnson, E. B.
Kanjorski
Pence
Young (FL)

□ 1336

Messrs. PATRICK J. MURPHY of Pennsylvania, BLUMENAUER, and MILLER of Florida changed their vote from ''aye'' to ''no.''

Mr. DOOLITTLE and Mr. PICKERING changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. PRICE OF GEORGIA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. PRICE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 98, noes 333, not voting 7, as follows:

[Roll No. 169]

AYES—98

Akin
Bachmann
Barrett (SC)
Barton (TX)
Bilbray
Bishop (UT)
Blackburn
Boehner
Bono
Boozman
Brown (SC)
Burton (IN)
Buyer
Campbell (CA)
Cannon
Cantor
Carney
Carter
Chabot
Coble
Conaway
Crenshaw
Cubin
Davis (KY)
Davis, David
Deal (GA)
Dreier
Duncan
English (PA)
Fallin
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Goode
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Inglis (SC)
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Lamborn
Lewis (KY)
Linder
Mack
Manzullo
Marchant
McHenry
McKeon
Mica
Miller (MI)
Miller, Gary
Moran (KS)
Nunes
Paul
Pearce
Petri
Pitts
Price (GA)
Radanovich
Rogers (AL)
Rohrabacher
Royce
Sali
Schmidt
Sensenbrenner
Sessions
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Wamp
Weldon (FL)
Weller
Westmoreland
Wilson (SC)

NOES—333

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Faleomavaega
Farr
Fattah
Ferguson
Filner
Fortenberry
Fortuño
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heller
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Jones (NC)
Jones (OH)
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
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)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—7

Davis, Jo Ann
Delahunt
Johnson, E. B.
Kanjorski
Pence
Shadegg
Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1345

Mr. BROWN of South Carolina changed his vote from ''no'' to ''aye.''

Mr. DICKS changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. CONYERS. Mr. Chairman, I rise today in support of House Resolution 1227, the Gulf Coast Hurricane Housing Recovery Act of 2007. This resolution will improve flexibility for previously appropriated funds for hurricane recovery efforts on the Gulf Coast. In addition, the bill would free up for use $1.175 billion in funds previously made available to the State of Louisiana under the Hazard Mitigation Grant Program, but not being utilized by

FEMA. The legislation also includes a number of provisions designed to preserve the supply of affordable rental housing and would authorize 4,500 new housing vouchers for the purpose of project-based assistance for supportive housing units for seniors, disabled persons, and the homeless. In addition, this bill would require HUD to provide a replacement voucher for every public housing and assisted housing unit that is not brought back on line. The House also adopted the Green Amendment which extends FEMA housing assistance until December 31, 2007 and then transfers eligible households to HUD's tenant-based rental assistance program. This amendment is of vital importance, because it addresses the looming September deadline and gives more than 12,000 families the assurance that they will not be displaced for a second time as they await the rebuilding of their housing.

In effect, this bill provides an opportunity for our government to correct some of the injustices to the residents of the Gulf Coast for the: slow and sometimes mismanaged response of the Bush Administration. This bill helps those displaced residents begin to regain stability in their lives.

A test of our government's commitment to these citizens occurred when the first flood waters and storm surges arrived. Unfortunately as the waters slowly receded, the government also moved slowly. It is in this aftermath, over 18 months later, that we finally begin to address the grave miscarriage of justice that occurred.

The current status has former residents caught in a perpetual, vicious circle in that the storm damaged areas do not have enough schools, hospitals and services to support their return home. However, these resources are not available because there are not enough people in their neighborhoods to support having hospitals, schools and services. The lack of housing fuels this crisis and prevents many from returning to the area.

Currently, fewer than 200,000 of the 454,000 pre-Katrina displaced residents have returned home. The survivors of Hurricane Katrina are not asking for a hand out, these survivors were not displaced through any fault of their own and we must immediately use our resources to help them return home. We must treat the survivors of Hurricanes Katrina and Rita in the Gulf Coast region the same as we have treated survivors of other natural disasters.

Though we have much work ahead to make the residents of the Gulf Coast whole, this is a very important first step.

The Acting CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Florida) having assumed the chair, Mr. HOLDEN, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1227), to assist in the provision of affordable housing to low-income families affected by Hurricane Katrina, pursuant to House Resolution 254, he reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole?

Mr. PRICE of Georgia. Mr. Speaker, I demand a re-vote on the Green amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will then put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will designate the amendment on which a separate vote has been demanded.

The text of the amendment is as follows:

Amendment:

At the end of the bill, add the following new title:

TITLE IX—PROTECTION OF HOUSEHOLDS RECEIVING FEMA HOUSING ASSISTANCE

SEC. 901. EXTENSION OF FEMA HOUSING ASSISTANCE.

There are authorized to be appropriated such sums as may be necessary to provide until December 31, 2007, temporary housing assistance, including financial and direct assistance, under section 408(c)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)) to individuals and households eligible to receive such assistance as a result of Hurricane Katrina, Rita, or Wilma, and to the extent that amounts for such purpose are made available, such assistance shall be so extended.

SEC. 902. VOUCHER ASSISTANCE FOR HOUSEHOLDS RECEIVING FEMA RENTAL ASSISTANCE AND HOUSEHOLDS RESIDING IN FEMA TRAILERS.

(a) TRANSFER OF FEMA RENTAL ASSISTANCE TO SECTION 8 VOUCHER PROGRAM.—There are authorized to be appropriated, for tenant-based rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)), such sums as may be necessary to provide vouchers for such assistance for each individual and household that is eligible for such voucher assistance and received financial assistance for temporary housing under section 408(c)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)) as a result of Hurricane Katrina, Rita, or Wilma, for the period beginning upon termination of such temporary housing assistance and continuing through such period that such individual or household remains eligible for such voucher assistance. Such voucher assistance shall be administered by the public housing agency having jurisdiction of the area in which such assisted individual or household resides as of such termination date.

(b) VOUCHER ASSISTANCE FOR HOUSEHOLDS RESIDING IN FEMA TRAILERS.—

(1) OFFER.—The Secretary of Housing and Urban Development shall offer, to each individual and household who, as of the date of the enactment of this Act, receives direct assistance for temporary housing under section 408(c)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(2)) as a result of Hurricane Katrina, Rita, or Wilma and is eligible for tenant-based rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)), a voucher for such rental assistance, subject to the availability of amounts for such assistance made available in advance in appropriation Acts.

(2) PROVISION OF ASSISTANCE.—There are authorized to be appropriated, for tenant-based rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)), such sums as may be necessary to provide vouchers for such assistance for each individual and household that, pursuant to an offer of such assistance under paragraph (1) requests such assistance, for the period beginning upon occupancy of the individual or household in a dwelling unit acquired for rental with such assistance and continuing through such period that such individual or household remains eligible for such voucher assistance.

(c) TEMPORARY VOUCHERS.—If at any time an assisted family for whom a voucher for rental housing assistance is provided pursuant to this section becomes ineligible for further such rental assistance—

(1) the public housing agency administering such voucher pursuant to this section may not provide rental assistance under such voucher for any other household;

(2) the Secretary of Housing and Urban Development shall recapture from such agency any remaining amounts for assistance attributable to such voucher and may not reobligate such amounts to any public housing agency; and

(3) such voucher shall not be taken into consideration for purposes of determining any future allocation of amounts for such tenant-based rental assistance for any public housing agency.

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

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

Mr. PRICE of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 242, nays 184, not voting 7, as follows:

[Roll No. 170]

YEAS—242

Abercrombie	Cooper	Gutierrez
Ackerman	Costa	Hall (NY)
Allen	Costello	Hare
Altmire	Courtney	Harman
Andrews	Cramer	Hastings (FL)
Arcuri	Crowley	Herseth
Baca	Cuellar	Higgins
Baird	Cummings	Hill
Baldwin	Davis (AL)	Hinchey
Barrow	Davis (CA)	Hinojosa
Bean	Davis (IL)	Hirono
Becerra	Davis, Lincoln	Hodes
Berkley	DeFazio	Holden
Berman	DeGette	Holt
Berry	Delahunt	Honda
Bilirakis	DeLauro	Hooley
Bishop (GA)	Dent	Hoyer
Bishop (NY)	Diaz-Balart, L.	Inslee
Blumenauer	Diaz-Balart, M.	Israel
Boren	Dicks	Jackson (IL)
Boswell	Dingell	Jackson-Lee (TX)
Boucher	Doggett	Jefferson
Boyd (FL)	Donnelly	Jindal
Boyda (KS)	Doyle	Johnson (GA)
Brady (PA)	Edwards	Jones (OH)
Braley (IA)	Ellison	Kagen
Brown, Corrine	Ellsworth	Kaptur
Buchanan	Emanuel	Kennedy
Burgess	Emerson	Kildee
Butterfield	Engel	Kilpatrick
Capps	Eshoo	Kind
Capuano	Etheridge	Klein (FL)
Cardoza	Farr	Kucinich
Carnahan	Fattah	Lampson
Carney	Filner	Langevin
Carson	Frank (MA)	Lantos
Castor	Giffords	Larsen (WA)
Chandler	Gilchrest	Larson (CT)
Clarke	Gillibrand	Lee
Clay	Gonzalez	Levin
Cleaver	Gordon	Lewis (GA)
Clyburn	Green, Al	Lipinski
Cohen	Green, Gene	Loebsack
Conyers	Grijalva	

Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
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
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pickering
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
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)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—184

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

NOT VOTING—7

Akin
Davis, Jo Ann
Johnson, E. B.
Kanjorski
Marshall
Pence
Young (FL)

□ 1404

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

PARLIAMENTARY INQUIRY

Mr. WESTMORELAND. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WESTMORELAND. Mr. Speaker, according to rule IV, clause 4(a), the privileges of former Members on this floor, it states, ''is a registered lobbyist or an agent of a foreign principal, as those terms are defined in clause 5 of rule XXV.'' Is it true that if a former Member was a registered lobbyist or an agent of a foreign principal, that they could not be on the floor?

The SPEAKER pro tempore. The gentleman is correct.

MOTION TO RECOMMIT OFFERED BY MR. JINDAL

Mr. JINDAL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. JINDAL. In its current form, I am.

Mr. FRANK of Massachusetts. Mr. Speaker, having as the manager of the bill seen the motion to recommit about 8 seconds ago, I reserve a point of order until we get a chance to know what is in it.

The SPEAKER pro tempore. The gentleman reserves a point of order against the motion.

The Clerk will report the motion.

The Clerk read as follows:

Mr. Jindal moves to recommit the bill H.R. 1227 to the Committee on Financial Services with instructions that the Committee report the same back to the House forthwith with the following amendments:

In section 202(c), strike ''to the extent that'' and insert ''that such Housing Authority or other manager shall prevent a household from occupying such a dwelling unit, and shall provide priority for occupancy in such dwelling units, as follows:''.

At the end of section 202(c), add the following new paragraphs:

(1) Notwithstanding any priority under paragraphs (4) through (6), a household shall be prevented from such occupancy to the extent that any other provision of Federal law prohibits occupancy or tenancy of such household, or any individual who is a member of such household, in the type of housing of the replacement dwelling unit provided for such household.

(2) Notwithstanding any priority under paragraphs (4) through (6), a household shall be prevented from such occupancy if it includes any individual who has been convicted of a drug dealing offense, sex offense, or crime of domestic violence.

(3) Notwithstanding any priority under paragraphs (4) through (6), a household shall be prevented from such occupancy on the basis of a determination that occupancy of any individual who is a member of the household may constitute a threat to public safety, including a threat caused by occupancy that would facilitate reunification of members of gangs involved in criminal activity.

(4) Priority in such occupancy shall be provided to individuals who are employed or households that include individuals who are employed.

(5) Priority in such occupancy in public housing dwelling units shall be provided to—

(A) individuals who agree to contribute toward community service, or to participate in an economic self-sufficiency program for, more hours per month than is required under section 12(c) of the United States Housing Act of 1937 (42 U.S.C. 1437j(c));

(B) individuals who, under paragraph (2) of section 12(c) of the United States Housing Act of 1937, are exempt from the requirement under paragraph (1) of such section; and

(C) households that include such individuals.

(6) A household that consists of a family or youth described in section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)(2); relating to family unification) shall be provided priority in such occupancy.

The Secretary of Housing and Urban Development shall issue regulations to carry out the exceptions under paragraphs (1) through (6).

Mr. JINDAL (during the reading). Mr. 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 Louisiana?

Mr. FRANK of Massachusetts. No, we object to that, because we just got it, and it would be inappropriate in 10 seconds to be able to read it.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

The Clerk continued reading the motion to recommit.

□ 1410

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana is recognized for 5 minutes in support of his motion.

Mr. JINDAL. I want to thank the chairman and I want to thank Ranking Member BACHUS for their contributions to this legislation in trying to ensure that we do the right thing in New Orleans, that things can actually be better, that we do not have to return to the way that things were even before the storms.

Prior to hurricanes, thousands of New Orleans residents living in public housing often had to deal with horrific living conditions, poorly maintained units, out-of-control crime, drugs, gangs and more. It was not the living conditions that any human being should have to endure. We must ensure that the residents of Louisiana returning home following the devastation of Hurricanes Katrina and Rita have access to safe, affordable and quality housing.

We now have the opportunity to rebuild a significant portion of our State,

and we must make certain that the mistakes of the past are not repeated. This includes ensuring that our public housing system does not force residents to live in unacceptable conditions, and replacing the old public housing units with safe, habitable and affordable housing for the future.

Mixed-income developments have proven to be successful when tried in other States and should be given a chance to succeed in New Orleans.

We must also ensure that the poor, elderly or disabled individuals coming back are given the tools that they need to ensure affordable housing opportunities. Our housing system must give individuals a range of affordable choices. We must ensure that our public housing system is not again overwhelmed with drugs and crime, but that it instead serves its intended purpose of aiding those in need of housing assistance with a safe place to live. That is why I am offering this motion to recommit.

Building upon the base bill, this motion to recommit gives priority in the awarding of housing units under the bill to individuals who are either employed or residents of households with people who are employed, exceed the number of legally required hours of community service that public housing residents may perform. Third, are individuals who are elderly or disabled. Fourth, who qualify for placement in housing to avoid having their families separated under existing Federal family unification housing rules.

The motion to recommit also seeks to ensure that public housing facilities in New Orleans foster a safer living environment for returning families by precluding availability of housing to individuals who have either been convicted of being drug dealers, have been convicted of a sex crime, have been convicted of a crime of domestic violence, or are a direct threat to public safety. This includes allowing a refusal to return if an applicant is a threat to a community through gang membership. Given the fact that New Orleans' murder rate on a per-capita basis now may be the highest in the Nation, I believe this motion to recommit should be supported.

Mr. Speaker, we must put the residents of public housing in a position to succeed. Allowing the old system to be put back in place is irresponsible and unacceptable; and especially when you consider the fact that we are in desperate need of workers to help us rebuild our community. We think this motion to recommit deserves every Member's support.

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

Mr. FRANK of Massachusetts. I thank the gentleman.

Let me ask the gentleman from Louisiana, we have been reading it over, and I do regret the fact that we got this a couple of minutes ago. I am going to check with Valerie Plame, I don't think there was anything secret in here. I don't know why it had to be withheld so we couldn't have a sensible analysis, but maybe there is one possibility. Could the gentleman tell me what in here changes existing law?

Mr. Speaker, I yield to the gentleman from Lousiana.

Mr. JINDAL. We are directing the housing authority that they have to do these things.

Mr. FRANK of Massachusetts. Does this change existing law? The housing authority, by the way, so people can understand, the housing authority that we are directing here is otherwise known as HUD, because HUD controls this housing authority and has for some time since before the hurricane. But does this change existing law affecting housing authorities?

Mr. JINDAL. Mr. Speaker, this changes current law by not giving the discretion, by directing the housing authority to keep these certain criminals——

Mr. FRANK of Massachusetts. In what areas does it direct them? My understanding is that, for instance, the work requirement they have already got, the housing authority, that the restrictions on people with criminal backgrounds are already there. In what way does this recommit? Which I am sure the gentleman has seriously studied and is very familiar with it. He wouldn't legislate unseriously. Could he tell me what in this changes existing law?

I will yield to the gentleman from Louisiana.

Mr. JINDAL. Mr. Speaker, under current law, they have the discretion; they are not required. We are requiring the housing authority to do this.

Mr. FRANK of Massachusetts. The question is, in what area, since in the work requirement they don't have discretion. Check with whoever you have to check with. In what areas are you changing it from discretionary to mandatory?

I will yield to the gentleman from Lousiana again.

Mr. JINDAL. The underlying bill prevents the preferences that we have listed in this motion to recommit. This would direct the housing authority to give preference to those that meet the requirements.

Mr. FRANK of Massachusetts. Well, the point that we are directing the housing authority to give preference to people who follow existing law; Mr. Speaker, I wish we had had this before, we might have been able to understand it better. It appears to me to be simply a restatement of existing law.

And apparently Members on the other side are afraid that HUD, which is the housing authority, won't follow existing law. And I do have my own doubts about this administration's predilection for following existing law.

Mr. JINDAL. Will the gentleman yield?

Mr. FRANK of Massachusetts. No. I tried five times. I give up.

ANNOUNCEMENT BY THE SPEAKER

Mr. CROWLEY. The audience in not in order, Mr. Speaker. The gallery is not in order.

The SPEAKER pro tempore. Persons in the gallery are reminded to refrain from manifestations of approval or disapproval of proceedings.

The gentleman from Massachusetts may continue.

Mr. FRANK of Massachusetts. Mr. Speaker, I just have got to comment that some of my friends on the other side appear more concerned about enforcing the rules strictly than at other times. I asked several times to get an answer. I don't think the answer is over there. I don't think this is very well considered. It does not appear to me to change existing law.

And to say that we are going to tell them that they have to follow existing law, it seems rather odd. If it is so important, you know, if this had been offered as an amendment, we argued successfully all the subsequent amendments would be in order. To the extent that it changes anything, it changes only for New Orleans. So this is only for people whose houses were washed away.

Now, I don't know how it makes any change. I will take on faith the gentleman's assertion that it makes changes, even though he couldn't tell me what they were. But I would then say, why would we say only if your house had been washed away would you be subject to some restriction?

Mr. Speaker, I will now yield 2 minutes to the gentleman from Louisiana (Mr. MELANCON).

The SPEAKER pro tempore. The gentleman from Massachusetts must reclaim his time.

Mr. FRANK of Massachusetts. The gentleman is probably trying to figure out what the amendment says, and that is a hard job.

I will then repeat what he said to me, which is, and read this, this I do know, ''it is for New Orleans only.'' Now, we could not amend it for the whole area. What about Mississippi? I mean, was the gentleman afraid that if he included Mississippi, the gentleman, Mr. TAYLOR, would challenge him to come to Mississippi? I think the gentleman from Louisiana has already been to Mississippi. He wouldn't have to change his travel plans the way the gentleman from Georgia would have.

Why should only people who have suffered this enormous trauma, who live in New Orleans, be subjected to a special set of rules? By the way, we will send the Members long lists of rules already on the books, statutory and regulatory, that prevent public housing authorities from allowing people with criminal records to come in. You have the ''one strike'' situation where they can be easily evicted.

So this does not add, as nearly as we can tell, to the restriction on letting people in. To the extent that it imposes a greater work requirement, we are talking about people whose homes were

destroyed, whose jobs may have been washed away, who may be trying to find additional housing.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. FRANK of Massachusetts. Thank you, Mr. Speaker, for so has my patience.

The SPEAKER pro tempore. Does the gentleman from Massachusetts withdraw his reservation?

Mr. FRANK of Massachusetts. I withdraw my parliamentary reservation. I reinforce my substantive ones.

The SPEAKER pro tempore. The point of order reservation is withdrawn.

All time has expired.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

Mr. JINDAL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 249, noes 176, answered ''present'' 1, not voting 7, as follows:

[Roll No. 171]

AYES—249

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Chandler
Coble
Cole (OK)
Conaway
Courtney
Cramer
Crenshaw
Cubin
Cuellar
Davis (AL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doggett
Donnelly
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellsworth
Emerson
English (PA)
Etheridge
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Hall (NY)
Hare
Harman
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Hill
Hobson
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
Kildee
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Tancredo
Tanner
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weiner
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Yarmuth
Young (AK)

NOES—176

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Crowley
Cummings
Davis (CA)
Davis (IL)
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doyle
Ellison
Emanuel
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hastings (FL)
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Jones (OH)
Kagen
Kaptur
Kennedy
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Price (NC)
Rangel
Reyes
Rodriguez
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
Sires
Slaughter
Smith (WA)
Solis
Stark
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Welch (VT)
Wexler
Woolsey
Wu
Wynn

ANSWERED ''PRESENT''—1

Culberson

NOT VOTING—7

Davis, Jo Ann
Deal (GA)
Hall (TX)
Johnson, E. B.
Kanjorski
Pence
Young (FL)

□ 1440

Messrs. CAPUANO, LANTOS and LARSON of Connecticut changed their vote from ''aye'' to ''no.''

Ms. BEAN, Messrs. HARE, YARMUTH, COURTNEY, ELLSWORTH, SPRATT and RAHALL changed their vote from ''no'' to ''aye.''

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Mr. FRANK of Massachusetts. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report the bill, H.R. 1227, back to the House with an amendment.

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

The Clerk read as follows:

In section 202(c), strike ''to the extent that'' and insert ''that such Housing Authority or other manager shall prevent a household from occupying such a dwelling unit, and shall provide priority for occupancy in such dwelling units, as follows:''.

At the end of section 202(c), add the following new paragraphs:

(1) Notwithstanding any priority under paragraphs (4) through (6), a household shall be prevented from such occupancy to the extent that any other provision of Federal law prohibits occupancy or tenancy of such household, or any individual who is a member of such household, in the type of housing of the replacement dwelling unit provided for such household.

(2) Notwithstanding any priority under paragraphs (4) through (6), a household shall be prevented from such occupancy if it includes any individual who has been convicted of a drug dealing offense, sex offense, or crime of domestic violence.

(3) Notwithstanding any priority under paragraphs (4) through (6), a household shall be prevented from such occupancy on the basis of a determination that occupancy of any individual who is a member of the household may constitute a threat to public safety, including a threat caused by occupancy that would facilitate reunification of members of gangs involved in criminal activity.

(4) Priority in such occupancy shall be provided to individuals who are employed or households that include individuals who are employed.

(5) Priority in such occupancy in public housing dwelling units shall be provided to—

(A) individuals who agree to contribute toward community service, or to participate in an economic self-sufficiency program for, more hours per month than is required under section 12(c) of the United States Housing Act of 1937 (42 U.S.C. 1437j(c));

(B) individuals who, under paragraph (2) of section 12(c) of the United States Housing Act of 1937, are exempt from the requirement under paragraph (1) of such section; and

(C) households that include such individuals.

(6) A household that consists of a family or youth described in section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)(2); relating to family unification) shall be provided priority in such occupancy.

The Secretary of Housing and Urban Development shall issue regulations to carry out the exceptions under paragraphs (1) through (6).

Mr. FRANK of Massachusetts (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. FRANK of Massachusetts. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 302, noes 125, not voting 6, as follows:

[Roll No. 172]

AYES—302

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Buchanan
Burgess
Butterfield
Buyer
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fortenberry
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Heller
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Kagen
Kaptur
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 (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
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
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pickering
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
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
Simpson
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)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOES—125

Aderholt
Akin
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brown (SC)
Brown-Waite, Ginny
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis, David
Doolittle
Drake
Dreier
Duncan
Everett
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Lamborn
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCotter
McHenry
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Paul
Pearce
Peterson (PA)
Petri
Pitts
Price (GA)
Putnam
Radanovich
Rehberg
Rogers (AL)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walberg
Wamp
Weldon (FL)
Westmoreland
Wilson (SC)
Young (AK)

NOT VOTING—6

Davis, Jo Ann
Deal (GA)
Johnson, E. B.
Kanjorski
Pence
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. RAHALL) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1451

Mr. HALL of Texas changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

HAWAIIAN HOMEOWNERSHIP OPPORTUNITY ACT OF 2007

Ms. WATERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 835) to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 835

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 ''Hawaiian Homeownership Opportunity Act of 2007''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS FOR HOUSING ASSISTANCE.

Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4243), as added by section 513 of Public Law 106–569 (114 Stat. 2969), is amended by striking ''fiscal years'' and all that follows and inserting the following: ''fiscal years 2008, 2009, 2010, 2011 and 2012.''.

SEC. 3. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

Section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b), as added by section 514 of Public Law 106–569 (114 Stat. 2989), is amended as follows:

(1) AUTHORIZATION OF APPROPRIATIONS.—In subsection (j)(7), by striking ''fiscal years'' and all that follows and inserting the following: ''fiscal years 2008, 2009, 2010, 2011 and 2012.''.

(2) AUTHORITY.—In subsection (b), by striking ''or as a result of a lack of access to private financial markets''.

(3) ELIGIBLE HOUSING.—In subsection (c), by striking paragraph (2) and inserting the following new paragraph:

''(2) ELIGIBLE HOUSING.—The loan will be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing and are located on Hawaiian Home Lands.''.

SEC. 4. ELIGIBILITY OF DEPARTMENT OF HAWAIIAN HOME LANDS FOR TITLE VI LOAN GUARANTEES.

Title VI of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4191 et seq.) is amended as follows:

(1) HEADING.—In the heading for the title, by inserting ''**AND NATIVE HAWAIIAN**'' after ''**TRIBAL**''.

(2) AUTHORITY AND REQUIREMENTS.—In section 601 (25 U.S.C. 4191)——

(A) in subsection (a)—

(i) by inserting ''or by the Department of Hawaiian Home Lands,'' after ''tribal approval,''; and

(ii) by inserting ''or 810, as applicable,'' after ''section 202'' ; and

(B) in subsection (c), by inserting ''or VIII, as applicable'' before the period at the end.

(3) SECURITY AND REPAYMENT.—In section 602 (25 U.S.C. 4192)—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking ''or housing entity'' and inserting '', housing entity, or Department of Hawaiian Home Lands''; and

(ii) in paragraph (3)—

(I) by inserting ''or Department'' after ''tribe'';

(II) by inserting ''or VIII, as applicable,'' after ''title I''; and

(III) by inserting ''or 811(b), as applicable'' before the semicolon; and

(B) in subsection (b)(2), by striking ''or housing entity'' and inserting '', housing entity, or the Department of Hawaiian Home Lands''.

(4) PAYMENT OF INTEREST.—In the first sentence of section 603 (25 U.S.C. 4193), by striking ''or housing entity'' and inserting '', housing entity, or the Department of Hawaiian Home Lands''.

(5) AUTHORIZATION OF APPROPRIATIONS FOR CREDIT SUBSIDY.—In section 605(b) (25 U.S.C. 4195(b)), by striking ''1997 through 2007'' and inserting ''2008 through 2012''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATERS) and the gentleman from Arizona (Mr. RENZI) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

Ms. WATERS. Mr. Speaker, I yield myself 1 minute to introduce the real author of this legislation, a gentleman who has worked very, very hard on the Hawaiian Homeownership Opportunity Act of 2007, an extremely important bill that will provide housing for Native Hawaiians who have been without decent, safe and secure housing for far too long. I commend the gentleman for all of the work that he has put into this act.

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

Mr. ABERCROMBIE. Mr. Speaker, I am hoping that some of the misconceptions or misperceptions that might be out there can be alleviated, because I don't believe that this should be considered a controversial bill in any way. There are some issues with respect to questions about favoritism or reverse discrimination, et cetera. Some of these issues have been raised in other contexts.

But in this particular instance, simply because the word or the phrase Native Hawaiian is attached, I hope that it doesn't confuse the issue. I have just had the opportunity to speak with Mr. BOEHNER, and I believe that we have an understanding about what is at stake here.

Let me make very, very clear what we are talking about. It reauthorizes a Native Hawaiian housing block grant through 2012. Now, these funds are used for infrastructure development and homeownership assistance under a program that is administered by the State of Hawaii as the result of Federal legislation in the last century. The bill that is on the floor today did not originate with Representative HIRONO or myself, but is as a result of the request of the Hawaiian Homes Commission and its chairman, under the leadership of Governor Lingle, Governor Linda Lingle, who is a Republican.

The reason I bring that up is not to cite that for special consideration, but rather that this is not a Democrat and Republican issue. This is an institutional issue that whoever is Governor, and whoever are the commissioners, in this instance happen to be Republican, appointed by a Republican Governor. Those folks are obligated institutionally to bring these issues to the Congress for final adjudication because of the unique status, the unique legal status of the Hawaiian Home Lands.

The Hawaiian Home Lands were created by the Congress as a result of legislation put forward by the original delegate from the Hawaiian Islands to the Congress, Prince Kuhio, Prince Jonah Kuhio Kalaniana'ole, for whom the Federal building is named where I have my offices in Honolulu, the PJKK. Mr. RENZI may refer to the PJKK Federal Building. He was a Republican at the time, and as a result of his presentation, the original Hawaiian Home Lands were created.

It enables Hawaiian families on Hawaiian Home Lands under this unique legal status to be able to acquire private financing they otherwise can't get because they are under this legal admonition to go through the Hawaiian Homes Commission. So it allows the Hawaiian Home Lands, the Department, to be eligible for loan guarantees to borrow, issue bonded debt, enabling servicing up to five times their annual allocation.

This allows the Department to service low-income families without a large increase in Federal appropriations. That's the whole idea of it. It allows low-income Hawaiians to get their refinancing in addition to construction. It reduces the cost of homeownership, and it reduced risk by lowering monthly mortgage payments. That is what this is about. It's no special consideration. It is fulfilling the law as it exists.

Mr. RENZI. Thank you very much. I want to thank the gentleman from Hawaii and your colleagues for your leadership on this issue and your camaraderie in helping all Native Americans pushing forward in homeownership.

Mr. Speaker, I rise today in support of H.R. 835, the Hawaiian Homeownership Opportunity Act of 2007. This bill is a reauthorization of title 8 of the Native American Housing Assistance and Self-Determination Act commonly known as the NAHASDA. It's administered by the Department of Hawaiian Home Lands, and this provides native low-income families the opportunity for homeownership on Hawaiian Home Lands.

The Native American Housing Assistance and Self-Determination Act was passed in 1996. It reauthorized a system of housing assistance provided to tribes throughout the Department of Housing and Urban Development by creating the Indian Housing Block Grant program, which provides funds directly to tribes for housing services as determined by the tribes themselves.

In 2000, the NAHASDA was amended to include title 8 so that Native Hawaiians could receive block grant funding as well through a separate grant, the Native Hawaiian Housing Block Grant, which funds vital housing programs only on Hawaiian Home Lands through the Department of Hawaiian Home Lands, a Federal agency established by Congress in 1921 to administer trust land in Hawaii.

Title 8 funding has allowed the Department of Hawaiian Home Lands to target assistance at families at or below 80 percent of the median income. This funding is used for such assistance as infrastructure development, as my colleague Mr. ABERCROMBIE talked about, Habitat for Humanity in Hawaii, down payment assistance programs, self-help home repair programs and financial literacy programs.

□ 1500

Title 8 of the NAHASDA was originally authorized for 5 years through 2005, and has not been formally reauthorized since. Although appropriation acts have continued to provide de facto 1-year authorizations for this program, this bill will reauthorize the program through fiscal year 2012.

In addition to reauthorization, the bill makes two changes to existing law. First, it makes the Department of Hawaiian Home Lands eligible for loan guarantees authorized under title 6 in the NAHASDA. Giving the Department title 6 assets would allow the Department to help more low-income families become homeowners, without a large increase in Federal appropriations, by partnering with private markets.

Second, this legislation allows Native Hawaiians the use of HUD section 184(a) guaranteed loans for refinancing in addition to construction. Adding the

refinancing authority reduces the cost of homeownership for low-income families and can also reduce risk by lowering monthly mortgage payments.

Congress must continue to embrace initiatives such as the one we are currently considering that encourages Americans to own a home.

Again, I would like to thank Mr. ABERCROMBIE and his colleagues from Hawaii, and I thank Chairman WATERS on our subcommittee.

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

Ms. WATERS. Mr. Speaker, I yield to the gentlewoman from Hawaii (Ms. HIRONO) 5 minutes.

Ms. HIRONO. I thank the gentlewoman from California for yielding time.

Mr. Speaker, I rise in strong support of H.R. 835, the Hawaiian Homeownership Opportunity Act, which reauthorizes the Hawaiian Home Lands Homeownership Act of 2000. The act assists the State of Hawaii's Department of Hawaiian Home Lands, or DHHL, to provide opportunities for homeownership for low-income Native Hawaiians.

In 1921, Congress passed the Hawaiian Homes Commission Act with the purpose of establishing a homesteading program to place eligible Native Hawaiians on lands in Hawaii designated for such purpose. The law was passed at the urging of the Territory of Hawaii's Delegate to Congress, Prince Jonah Kuhio Kalanianaole. Some 200,000 acres were set aside for the purpose of providing Native Hawaiians with land.

With the passage of the Statehood Act of 1959, the control and administration of the Hawaiian Homes Commission Act was transferred to the newly formed State of Hawaii. The Department of Hawaiian Home Lands was created in 1960 to administer the Hawaiian Homes Commission Act. The mission of the Department is to ''manage the Hawaiian Home Lands trust effectively and to develop and deliver land to Native Hawaiians.''

Despite the good intentions of the Congress, progress of meeting the goal of delivering land to Native Hawaiians was slow. Most of the Hawaiian Home Lands were located in areas far from jobs, and infrastructure such as roads and utilities were nonexistent. Many individuals were on waiting lists for more than 30 years.

The Hawaiian Home Lands Home Ownership Act of 2000 has provided the Department of Hawaiian Home Lands with much-needed resources to expand opportunities for home ownership among low-income Native Hawaiians. Especially critical has been the ability to use these funds to develop the infrastructure that makes placing homes on these properties possible.

I urge my colleagues to support reauthorization of this important program, and I thank the Chairs, Barney Frank and Maxine Waters, for their leadership in bringing this bill to a vote.

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

Ms. WATERS. I yield 5 minutes to Mr. FALEOMAVAEGA.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I want to thank the gentlewoman from California and my good friend the gentleman from Arizona for their management of this important legislation, especially for the needs of our Native Hawaiian people.

This bill is simply to reauthorize this program to provide for the housing needs of our Native Hawaiian community in Hawaii, this bill, since its first authorization started in 1996. I do want to thank my good friend, the gentleman from Hawaii (Mr. ABERCROMBIE), and my colleague Ms. HIRONO for their leadership in bringing this legislation forward.

Unbeknownst to many of our colleagues here in the House, and especially also in the Senate, I might say, there are approximately 400,000 Native Hawaiians living in our country today. They are the largest indigenous group among our fellow Americans who live in this country. And I want to say that, as someone who has lived with the Native Hawaiian people in the State of Hawaii in my youth, I can testify and say personally that this program definitely is of tremendous need to meet the housing needs of our Native Hawaiian people.

I can also share with my colleagues, despite all the advertisements and the beautiful islands that we see on television and the ads that we see, and the islands are beautiful, I must say, but there is also another part of the State that I would like to share with my colleagues that the tremendous needs of the Native Hawaiians is exactly the same as the situation with the Native American community. They are the worst when it comes to their health needs. All the social and economic problems that we are faced with for our Native American community is exactly the situation that we are faced with our Native Hawaiian people.

Unbeknownst to our colleagues again, if I might add, Mr. Speaker, the people of Hawaii indigenous to the State of Hawaii, many of the people of our country do not know that there was a sovereign and independent nation of Hawaii that was ruled by a series of kings which started from the great King Kamehameha. From 1800, for some 19 years, he ruled his people, and on to the legacy of the King Kamehameha and his dynasty, which he founded for about 100 years before U.S. Marines of our government illegally and unlawfully took over that sovereign government that was ruled by that time by Queen Lili'uokalani.

I want to share that bit of history with my colleagues, and especially and I sincerely hope that they will understand and appreciate the fact that the Native Hawaiian community does definitely need this program, and I urge my colleagues to please support this legislation.

Ms. WATERS. Mr. Speaker, I yield to the gentleman from Hawaii (Mr. ABERCROMBIE), the author of this legislation, 4 minutes.

Mr. ABERCROMBIE. Mr. Speaker, what remains for me is to express my gratitude to Mr. RENZI and also to Mr. KILDEE and the Native American Caucus for helping all of us to understand what the issues are here. And also, I want to reiterate my thanks to Mr. BOEHNER for his open-mindedness and his attitude of being willing to listen on issues that might otherwise have been easily misunderstood. I am grateful also to Mr. COLE of Oklahoma for his participation and for his leadership in again helping us to discern issues that are of distinct advantage, not just to our particular constituents in Hawaii, but on the whole issue of how we are able to help people achieve homeownership, achieve an opportunity not to be dependent on government, but rather to be able to participate in the American Dream, the overall American Dream in a way that has genuine meaning for them and their families.

I am very pleased to see that this has not become a partisan issue, and that it has not ended up dividing us when we should, in fact, be united in our opportunity to minimize the effect of government having bad consequences for people, and maximizing the opportunity for the ordinary individual and the ordinary individual's family to be able to advance the family's cause.

In this particular instance then, Mr. Speaker, I am very, very pleased that we are able to move forward on this, and I hope that the vote will be a solid one and that we can move forward to other issues not only where homeownership is concerned, but advancing the capacity of families to be able to succeed in the American Dream.

I would like to express my gratitude to the gentlelady from California, and express my thanks to her for the leadership of her and her committee in bringing this forward. Again, Mr. Speaker, before I close, my deep respect for and gratitude to Mr. RENZI and for all those who helped bring this forward on the Republican side of the aisle.

□ 1510

Ms. WATERS. Mr. Speaker, may I inquire as to how many minutes we have left?

The SPEAKER pro tempore. The gentlelady from California has 7½ minutes left.

Ms. WATERS. Mr. Speaker, I yield 2 minutes to the gentlelady from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Let me, first of all, thank the gentlelady for being so timely in her yielding, and to congratulate her as well for this initiative.

Mr. Speaker, I would like to be allowed as well, as I compliment her overall on her commitment to housing, just to reflect on the last 2 days. This was a challenge, but it was the leadership of this Subcommittee on Financial Services that managed to get their

hands around what is confronting the gulf region, and particularly cities like Houston that are impacted by a large number of Hurricane Katrina survivors. And I just want to cite that, though I heard a good number of responses on the floor about how much, how long, and too much, frankly I am going to encourage all of the Members of this body to visit the gulf region and to recognize that no matter how much, too much and how long, they will see that people are still not settled, not in houses, and still are receiving eviction notices.

Homeownership is a viable part of our dreams. But, at the same time, we have to be the ''fix it'' people. And unfortunately, there was much debate on this floor that didn't understand that hurricane recovery for Hurricanes Katrina and Wilma and Rita had not yet occurred. Therefore, I hope that as we go forward and more bills may come to the floor on dealing with Hurricane Katrina, we will be sensitive that this is one of the largest evacuations in the history of America, and that we must continue our work. And so for that reason, I support the underlying bill.

But, likewise, I hope that we will have a heart and recognize that we are, in fact, our brothers' and sisters' keeper, and that we will take some time to understand that we are still healing, we are still repairing, and we are still helping.

Ms. WATERS. Mr. Speaker and Members, I thank the gentlelady from Texas (Ms. JACKSON-LEE). She had been very passionate about what we were doing on the last legislation, and she took this opportunity, not only in support of this legislation, but to add some remarks for the record on behalf of the people of Houston, and I appreciate that.

Let me just say that I want to thank the chairman, Mr. FRANK, for helping to focus our agenda in my subcommittee and in our overall committee, dealing with these very important housing issues, many of them that have been left unattended for far too long.

I want to thank Mr. RENZI for his attention to housing not only for Hawaiian Native Americans, but for Native Americans in Arizona where I had the opportunity to visit with him, where he is doing an awful lot for housing.

And so I am very pleased and proud about our Subcommittee on Housing and Community Opportunity, about the overall committee, and the way that we have been able to move so quickly and to have an agenda that we could bring to this floor on behalf of people who need us desperately, housing crises that exist not only in Hawaii but in other parts of the United States. And this is a representation of the work that we will be doing on this issue.

I know, again, that Mr. ABERCROMBIE has been working very hard. Ms. HIRONO came here with this on her agenda, and I just thank them all for being here on the floor with us this afternoon, and helping people to understand how appreciative they are for our help.

I would like to say that in addition to the work that he has done, he has invited many of us on more than one occasion not only to visit, but to understand that it is not just simply a beautiful island where people come to vacation. There are people who live there. There are people who live there. There are people who work there. There are people who need our assistance, people who have been without housing that they can afford for a long time.

And so, again, the work not only of our chairman and the members of my subcommittee, but the cooperation that we have had on the opposite side of the aisle, led by Mr. RENZI, is what gets us to this point today.

And I would urge all of my colleagues to please support this legislation. It is so important.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strong support of H.R. 835, the Hawaiian Homeownership Opportunity Act of 2007. I want to commend my good friend, Mr. ABERCROMBIE, for introducing this bill in the House of Representatives to reauthorize the Native Hawaiian Housing Block Grant through 2012. I commend the gentleman for his hard work and his leadership in helping our Hawaiian community in both his district and in all the U.S. I also want to commend Ms. HIRONO of Hawaii as one of the original cosponsors of this bill and particularly Chairman FRANK of Massachusetts of the esteemed Committee on Financial Services for his diligence in moving this legislation. I would also be remiss if I did not recognize Chairwoman WATERS of California of the Subcommittee on Housing and Community Opportunity of the Financial Services Committee for her contributions to this important bill and as a stalwart on national housing issues.

Mr. Speaker, this important piece of legislation will reauthorize important funding for the Native Hawaiian Housing Block Grant until 2012. In 1996, Congress passed the Native American Housing Assistance and Self-Determination Act without any specific provisions addressing Native Hawaiian communities. However, in 2000, Congress in a bipartisan effort amended the Native American Housing Assistance and Self-Determination Act by including Title VIII, creating the Native Hawaiian Housing Block Grant.

This program is vital for the Native Hawaiian families with low-incomes by providing grants to assist with affordable housing and it would also guarantee loans for those residing on Hawaiian Home Lands that were set aside by Congress in 1921 with the Hawaiian Homes Commission Act. These Native Hawaiians are disqualified because of their unique status living on these Home Lands. Today, there are more than 495,000 Native Hawaiians in all of the U.S. making them the largest indigenous group in America. It is only fitting that we continue to support such programs to address such essential needs.

As a former resident of the state of Hawaii, I can bare witness of the benefits and the impact this program has achieved throughout the state. There is a national stereotype of Hawaii as the islands with vast beautiful beaches and a remote vacation site but we fail to see the other side of Hawaii. With the growth in tourism and the rise in cost-of-living, Native Hawaiians have not been able to establish regular income to afford the high cost in housing within the state.

This legislation gives Native Hawaiians the opportunities for home ownership and will likely provide for more low-income families without making significant increases in federal appropriations. Mr. Speaker, with the support of the Native American Caucus, the Native American Indian Housing Council and Governor Linda Lingle of Hawaii, I am hopeful that we pass H.R. 835 today. I humbly request that my fellow colleagues support and pass H.R. 835 and again I thank my good friend from Hawaii for introducing this important legislation.

Ms. WATERS. 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 California (Ms. WATERS) that the House suspend the rules and pass the bill, H.R. 835.

The question was taken.

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

Mr. WESTMORELAND. 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.

JOSHUA OMVIG VETERANS SUICIDE PREVENTION ACT

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 327) to direct the Secretary of Veterans Affairs to develop and implement a comprehensive program designed to reduce the incidence of suicide among veterans, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 327

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 ''Joshua Omvig Veterans Suicide Prevention Act''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

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

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

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

(a) IN GENERAL.—

(1) COMPREHENSIVE PROGRAM FOR SUICIDE PREVENTION AMONG VETERANS.—Chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:

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

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

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

''(1) recognizing risk factors for suicide;

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

''(3) best practices for suicide prevention.

''(c) SCREENING OF VETERANS RECEIVING MEDICAL CARE.—In carrying out the comprehensive program, the Secretary shall provide for screening of veterans who receive medical care at a Department medical facility (including a center established under section 1712A of this title) for risk factors for suicide.

''(d) TRACKING OF VETERANS.—In carrying out the comprehensive program, the Secretary shall provide for appropriate tracking of veterans.

''(e) COUNSELING AND TREATMENT OF VETERANS.—In carrying out the comprehensive program, the Secretary shall provide for referral of veterans at risk for suicide for appropriate counseling and treatment.

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

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

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

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

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

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

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

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

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

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

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

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

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

''(4) help families of veterans with—

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

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

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

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

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

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

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

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

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

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

(b) REPORT TO CONGRESS.—

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

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

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

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

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

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

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker and my colleagues, today we have the first bills that are coming out of the Veterans Committee this year. We are going to have an ambitious agenda for our committee, an agenda that in fact is demanded by the American people.

We have seen in the last few weeks enormous attention paid to the treatment, or lack thereof, that is given to our Nation's veterans, whether they are from World War II, Korea, Vietnam, the first Persian Gulf War or now from Iraq and Afghanistan.

We have seen the Washington Post articles which detailed the problems at Walter Reed. We have seen news magazines have cover stories on how veterans are falling through the cracks of the system. We have seen on ABC News, Bob Woodruff, do a very moving piece on how brain injuries are treated, or perhaps not treated. We have seen stories in the press of homeless, already, from veterans of Iraq.

The American people understand that we are not treating our veterans the way we claim to be. The American people, I think, understand that the treatment of our warriors is a part of the cost of war, and we simply have to provide for those brave men and women who have fought for our Nation's freedom.

So we have an ambitious agenda in front of us, Mr. Speaker. These first items today address some specific areas that demand attention. I thank the Members from across the aisle for their support not only of these bills, but I think for the agenda that we are going to pursue in the future.

And it is time, Mr. Speaker, that we say as a Congress and as a Nation, no matter where we are on this war in Iraq, that when those brave young men and women come back we are going to treat them with all the love and respect and honor and care that American veterans should have. And we make that pledge on both sides of the aisle.

As I said, one of the top priorities of our committee is to address the needs of returning servicemembers from Iraq and Afghanistan, especially in the areas of mental health.

□ 1520

I believe that if we send our citizens off to war, we have to address their health care needs when they return. We cannot say, support our troops, support our troops, support our troops, and then forget them when they come home.

It turns out, I think unsurprisingly, that veterans suffer a higher risk of suicide than the general population. The stress of combat combined with the stigma that exists for servicemembers and veterans seeking mental health care can have disastrous consequences. It has already occurred for returning veterans, maybe a couple

hundred. We must do everything possible to improve the VA's mental health services and its ability to detect and help those veterans most at risk.

This bill, H.R. 327, is an important step in the right direction. It comes to us from our colleague from Iowa (Mr. BOSWELL), who has taken the tragedy from a family in Iowa and turned it into constructive measures so that tragedy will not be repeated in other parts of the Nation. And we thank Mr. BOSWELL and his colleague, Mr. BRALEY from Iowa, for bringing this to our attention.

This bill will provide important tools to the Veterans Administration to assist the Department in strengthening suicide prevention, education, and awareness programs within the VA by mandating a comprehensive program for suicide prevention among veterans.

Again, I thank Mr. BOSWELL for introducing this bill. I thank Mr. MILLER and his colleagues for supporting it.

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

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

Mr. Speaker, let me take this opportunity first to thank the chairman of the Subcommittee on Health, Mr. MICHAUD; as well as the chairman of the full committee, Mr. FILNER; and Ranking Member Mr. BUYER for their leadership in bringing this legislation timely to the floor.

The heavy burden of some of our servicemembers that they bear in coping with the aftermath of combat is tragically evident in the death of Army Specialist Joshua Lee Omvig. Specialist Omvig was a member of the U.S. Army Reserve 339th Military Police Company from Davenport, Iowa. He took his life in 2005 after returning from a deployment to Iraq. H.R. 327 is aptly named to remember this brave young man.

VA must be vigilant with a proactive mental health strategy to help our veterans and returning servicemembers readjust to stateside duty after their exposure to combat. H.R. 327 would require VA to implement a comprehensive program to reduce the incidence of suicide among our veterans. Specific steps included in this bill are: a campaign to reduce stigma surrounding seeking help or training for VA staff in suicide prevention and education; the creation of peer counselors to understand risk factors and to assist families during the readjustment process; and a 24-hour counseling line so that veterans, especially those in rural areas, could seek help whenever they need it.

VA is already fulfilling many of the requirements of H.R. 327. The Secretary of VA developed and has started to implement a similar suicide prevention strategy that is based on public health and clinical models with activities both in VA facilities and within local communities. For example, VA is fulfilling requirements of H.R. 327 by providing training for both clinical and nonclinical staff on how to assess and respond to patients that they may come in contact with that are at risk for suicide. And by April 1, the Department plans to have in place a Suicide Prevention Coordinator within each VA medical center.

The VA's Serious Mental Illness Treatment Research and Evaluation Center will be designated to guide prevention strategies and maintain data on suicide rates and risk factors. VA is also currently working to create a suicide prevention hotline by the end of this calendar year.

I urge my colleagues to join me in supporting H.R. 327. This legislation does put the full force of legal authority behind a comprehensive program to ensure that VA is taking all appropriate measures to prevent suicide among our Nation's veterans.

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

Mr. FILNER. Mr. Speaker, I yield 3 minutes to the chairman of our Subcommittee on Health, the gentleman from Maine (Mr. MICHAUD).

Mr. MICHAUD. Mr. Speaker, I thank the chairman very much for yielding, and I want to thank him for his leadership as we deal with Veterans' Affairs issues in this upcoming session. I also want to thank the ranking member, Mr. MILLER, for all his hard work on this legislation. I look forward to working with him over the next 2 years as we move forward with an aggressive Veterans' Affairs agenda.

I rise today in strong support of this important legislation.

One veteran taking their life is tragic. Joshua Omvig was one such veteran, and, sadly, he is not alone. There have been others such as Jonathan Schulze from Minnesota and many more, and that is unfortunate.

We must do everything we can to provide our veterans and their families with the support and care that they need to prevent more from going down the same tragic path to committing suicide.

H.R. 327, the Joshua Omvig Veterans Suicide Prevention Act, would assist the Department of Veterans Affairs in furthering its effort to identify veterans at risk of suicide.

Our returning servicemembers are under great strain and stress. H.R. 327 would improve early detection and intervention, provide access to mental health services for veterans who are in crisis, and help prevent the unnecessary deaths of the men and women who have served our Nation so greatly.

A recent study indicated that nearly one-third of OEF/OIF veterans seen at the VA facilities receive mental health and/or psychosocial diagnoses and that one in five have PTSD.

These veterans are at risk. According to reports, one in five suicides in this country is a veteran, even though veterans make up only 10 percent of our general population.

Joshua Omvig was one such veteran. Sadly, this legislation cannot help him, but this bill can help other returning servicemembers.

I urge my colleagues to support H.R. 327. And, in closing, I also want to thank Congressman BOSWELL for his leadership in this area. He has been pushing this bill for the last couple of years. He is a true leader, an individual who cares for our veterans, and I want to thank Mr. BOSWELL for bringing this legislation forward.

Mr. MILLER of Florida. Mr. Speaker, at this time I would like to yield 3 minutes to a valiant supporter of our veterans, a retired Marine colonel and a member of the Armed Services Committee, Mr. KLINE.

Mr. KLINE of Minnesota. Mr. Speaker, I appreciate the gentleman's yielding.

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

I would like to thank my friend, the gentleman from Iowa, for bringing this important piece of legislation to the floor. This bill bears the name of a constituent of Mr. BOSWELL's, Joshua Omvig, who tragically took his life.

I wish that I could stand here today and say that Joshua was the last soldier, sailor, airman, or marine to fall through the cracks, the last young life to end prematurely because the system was unwilling or unable to assist them. But if that were true, the gentleman would not have had to introduce this bill, and we would not be here today discussing it.

In January of this year, this tragedy repeated itself when Jonathan Schulze, a young marine from my district who had served honorably in Iraq, took his life after seeking assistance from two VA medical facilities in Minnesota. The loss of such a promising young life has sparked both sadness and outrage throughout Minnesota and the Nation; outrage not only at the loss of a young life, but because the VA system in which he was enrolled had apparently and tragically failed him.

In the months since Jonathan's unnecessary death, the VA has launched two investigations to find out why this marine did not receive the care he so desperately needed. An initial medical inspector's investigation was inconclusive, but it is my sincere hope that the ongoing VA Inspector General's investigation will fully explain the circumstances that led to his death.

Along with the full accounting of the VA's action in Jonathan Schulze's case, I am hopeful the passage of this bill today will provide the professionals of the VA medical system with the tools necessary to prevent the tragic deaths of young veterans like Joshua and Jonathan.

Once again, Mr. Speaker, I commend the gentleman from Iowa for introducing this vital legislation. I urge my colleagues, all of them, to support H.R. 327.

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

torch from the legendary defender of veterans' rights, Mr. Lane Evans, and is carrying that torch with distinction.

□ 1530

Mr. HARE. Mr. Speaker, I rise today in strong support of H.R. 327, the Joshua Omvig Veterans Suicide Prevention Act. I want to thank Congressman BOSWELL for introducing this important piece of legislation and Chairman FILNER for moving it through the Veterans' Affairs Committee. I would also like to extend my sincere gratitude to the family of Joshua, both for their tireless efforts to pass this legislation and for their son's service to our country.

Mr. Speaker, too many servicemembers return from war with invisible wounds. It is estimated that almost 1,000 veterans receiving care from the Department of Veterans Affairs commit suicide each year. This is a symptom of a larger problem.

A July 2004 Army study reported that one in six combat troops will suffer from post-traumatic stress disorder shortly after combat. Sadly, this is only a measure of the number of veterans who receive the help that they need. Many veterans suffering from post-traumatic stress and other mental problems don't seek assistance.

This bill strengthens cooperation between the U.S. Department of Defense and the U.S. Department of Veterans Affairs to provide better and more accessible mental health care for all of our veterans. This bill also creates a program to regularly screen and monitor all veterans for risk factors of suicide, and establishes a 24-hour counseling line so that veterans in rural and remote areas can receive the help whenever they need it.

Additionally, this legislation offers training in suicide prevention to medical personnel and support staff at our VA hospitals so they can identify veterans at risk. This bill also provides training and services to the families, helping them understand risk factors and working with them on the readjustment process.

Although our men and women come home safely, the war isn't over for many of them. Often the physical wounds of combat are repaired but the psychological scars can haunt a person for a lifetime.

I am proud to have had the opportunity to work on this legislation in the Veterans' Affairs Committee, and I will continue to do what I can to assure that we honor the sacrifices of our Nation's veterans.

I urge all my colleagues to join me in voting for the Joshua Omvig Veterans Suicide Prevention Act.

Mr. MILLER of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from Minnesota (Mr. RAMSTAD), a strong supporter of veterans issues.

Mr. RAMSTAD. Mr. Speaker, I thank the ranking member, my friend from Florida, for yielding, and also thank the chairman of the Veterans' Affairs Committee, Mr. FILNER, for his leadership, as well as the author of this important legislation, Mr. BOSWELL of Iowa, and all of those who have worked to bring this legislation to the floor.

I have talked, Mr. Speaker, to the mother and the stepmother of Marine Lance Corporal Jonathan Schulze of Minnesota. I have talked to the stepmother, who, along with Jonathan's father, took this young marine to the VA hospital seeking admission. Lance Corporal Schulze, back from the war in Iraq, was suffering from depression, post-traumatic stress disorder, alcoholism, and was suicidal.

I have talked to this mother and stepmother who, along with Jonathan's father, are absolutely heartbroken at the loss of their beloved son and this true American hero, Lance Corporal Schulze. He was told by the VA that he was number 26 on the waiting list and would have to wait several months to be admitted for treatment. Five days later, Lance Corporal Schulze hanged himself with an electrical cord.

This brave marine's tragic death demonstrates to all of us, to the Nation, the urgent need to provide greater access to mental health treatment for our returning troops and our veterans.

None of our brave troops, none of our brave troops, suffering from PTSD should ever be placed on a waiting list for treatment. It is absolutely, Mr. Speaker, outrageous, that mental health treatment is not readily available for our brave troops returning from war.

That is why I am proud and grateful to rise as a cosponsor of the Joshua Omvig Veterans Suicide Prevention Act. This legislation will provide necessary screening to our returning veterans for risk factors of suicide. It will make sure that those found to be at risk will receive the care that they need and deserve.

It is too late, Mr. Speaker, for Lance Corporal Jonathan Schulze of Minnesota, but it is not too late for thousands and thousands of other returning troops and veterans. It is time to pass this critical bill.

But we must do more. We must pass mental health and chemical addiction parity. There are 56 million Americans suffering the ravages of mental illness, most of whom are going untreated. There are 24 million Americans suffering the ravages of alcoholism and drug addiction, many, many veterans who are going untreated.

We must also, in addition to this important legislation, pass the Mental Health Equity Act to provide equitable treatment for people suffering from mental illness and chemical addiction; that is, to put them on the same footing as people suffering from physical diseases.

We also, Mr. Speaker, must pass the Lane Evans VA Reform Act, which is more comprehensive, provides more resources to the VA and more access to treatment for our veterans.

Mr. Speaker, as I said, it is too late for Lance Corporal Schulze of Minnesota. It is too late for Staff Sergeant Omvig of Iowa. But it is not too late for our other veterans.

Let's do the right thing. Let's pass this legislation.

I thank the gentleman for his leadership.

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

Mr. Speaker, I say to Mr. RAMSTAD, we thank you for your passion. On the Veterans Committee, we intend to use the concern of America now for PTSD of returning veterans to argue that we need parity for all mental health issues in America.

So we thank you for your leadership on this. Thank you for reminding us of Corporal Schulze. We will use this as a reminder of what we have to do for our veterans.

Thank you again for your passion.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. MCNERNEY), whose son now serves us in our Nation as a member of the Air Force Reserve.

Mr. MCNERNEY. Mr. Speaker, I applaud the chairman and the ranking member of the Veterans Committee and all members of the Veterans Committee for working together to provide our veterans with the services that they need.

The Veterans Administration health care system does, in most cases, provide outstanding health care to our Nation's veterans. Yet, as the brave men and women from our Armed Forces return home from Iraq and Afghanistan, we are seeing additional demands already being placed on the VA. Those demands include addressing the hallmark injuries of these conflicts, post-traumatic stress disorder and traumatic brain injury.

These conditions are often the root causes behind the large numbers of soldiers who have attempted or contemplated suicide. The Defense Department estimates that 114 Iraqi and Afghanistan veterans have already committed suicide, and that one out of every 100 veterans has considered suicide. We must quickly address this problem by equipping the caregivers at our VA facilities nationwide with the ability to recognize and prevent these needless tragedies.

I strongly support H.R. 327, the Joshua Omvig Suicide Prevention Act. It directs the Secretary of Veterans Affairs to develop and implement a comprehensive program to reduce the incidence of suicides among veterans. It trains VA staff to recognize the symptoms of PTSD and suicidal thoughts. It monitors veterans who receive medical care in the VA system for suicide risk factors. It provides for suicide prevention counselors at each medical facility, so that when the veterans need help they can get it immediately. And it establishes a suicide hot line for veterans to call.

Our brave men and women in uniform have served this Nation with honor. We

owe them more than a debt of gratitude. We must also provide them with the support and care they need to return to a healthy and productive civilian life.

Mr. MILLER of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. TIM MURPHY).

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, I thank the gentleman from Florida for yielding, and Mr. BOSWELL for working on this important bill.

As a psychologist, I have treated more than my share of those who have suffered from significant depression and have had risk of suicide, many of those veterans of various conflicts. This bill is extremely important in what it does in providing access to care, but there are so many things that we must utilize here as part of this bill.

One is to make sure that it is used to provide proper screening for soldiers during basic training and also prior to deployment. Also to make sure that there is ongoing support and availability of that support in combat theaters. There must also be training for officers and leaders in the military to be aware of signs of problems and to be aware of treatment options. That training is vital.

There also must be access to trained personnel both while the person is in a combat theater and when they return home and after discharge and in the years to follow, because many times the signs of these problems may not actually show up for years.

It is important that all of us are aware, for our friends, our spouses, our loved ones who come back from combat, to recognize signs of post-traumatic stress disorder, depression, anger, and drug and alcohol abuse as all signs that there may be a deeper mental illness behind that.

But it is important, above all of this, that we eliminate the stigma of mental illness. It is indeed a problem which is associated with biological causes with very real symptoms and very real available treatments. But many times soldiers do not seek treatment because they have a fear of being looked down upon by their peers, they fear a loss of rank, they fear discharge or loss of a chance for promotion. They feel there is limited access for trained professionals, and many also think the cost is overwhelming.

We have to give hope to those with mental illness. For those who have seen significant problems in their life, some remain mired in those problems and remain victims and do not move forward. We can help them. There are some who are able to survive despite their problems and move forward and flourish and work. And there are others who thrive with their problems and turn these into a source of inner strength.

There is a great deal of hope and compassion that we can bring to our soldiers. This bill is a wonderful mechanism to bring that. I applaud all those who helped on it, and I look forward to its passage.

Mr. FILNER. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. WALZ), another new Member, who happens to be the highest ranking enlisted man, as a command sergeant major, ever to serve in the Congress. We thank you for your service.

Mr. WALZ of Minnesota. Thank you, Mr. Chairman, and a special thank you to my colleague, the gentleman from Iowa (Mr. BOSWELL) for introducing this important piece of legislation in honor of Joshua Omvig and his family and the heroics and sacrifice they made for our country, and for bringing it to the attention of this body and this Nation, this painful problem of suicide amongst our veterans.

Mr. Speaker, you have heard a lot of statistics today already. Ten percent of the population in America are veterans, yet one in five people who commit suicide is a veteran. Since May of 2003, 93 of our brave soldiers and warriors from the wars in Iraq and Afghanistan have taken their own lives. Beyond that, 35 percent of returning Iraqi veterans are seeking counseling within 1 year. Over 73,000 have been diagnosed as a risk factor, and 39,000 have been diagnosed with post-traumatic stress disorder. Despite all of this, 100 local VA clinics offered no mental health care as recently as last year.

But these are far more than numbers. These affect individuals. These are our children. These are our soldiers. These are our marines. These are the patriots that answered the call of duty for this Nation. And when they return home, we need to provide them with everything this Nation can provide.

Suicide amongst veterans, and mental health issues as a whole, require our urgent and immediate attention. H.R. 327 will direct the Department of Veterans Affairs to start screening and monitoring for the exact problems, provide education to all staff, contractors, and medical personnel, and make available 24-hour mental health care for veterans found to be at risk.

Just last week, I saw a unique teleconferencing technology at the Rochester, Minnesota, VA clinic. It allowed veterans in remote rural locations to speak with mental health professionals any time of the day. This technology is innovative and unique. H.R. 327 is a crucial step to ensure that this type of technology is not unique but it is available at any time for our veterans.

I urge my colleagues to support this important piece of legislation. America's servicemembers make a profound sacrifice when they go to war. We owe them nothing less.

But, Mr. Speaker, we must not stop here. In Minnesota, 2,600 National Guard soldiers have had their deployment extended, probably until late 2007. They will come back facing these same issues. We must prepare for them.

□ 1545

Mr. MILLER of Florida. May I inquire as to the time left on both sides.

The SPEAKER pro tempore. The gentleman from Florida has 10 minutes remaining. The gentleman from California has 6½ minutes remaining.

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

Mr. FILNER. Mr. Speaker, I am honored to yield 3 minutes to the author of the legislation, the gentleman from Iowa (Mr. BOSWELL), who, as I said, worked with the family of Mr. Omvig, who took their tragic situation and turned it into something that could help our whole Nation. We thank you, Mr. BOSWELL.

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

Mr. BOSWELL. Thank you, Chairman FILNER, and all of you on the Veterans Committee that worked together on this, both sides of the aisle. We are doing the right thing, and we know that.

I would associate myself with all the comments that have been made from Chairman FILNER and Mr. MILLER and all the rest, so I will not try to repeat them. But I might just share a little bit to whoever might be watching about why this bill came to pass.

As we all know, a number of veterans returning from Afghanistan and Iraq, particularly Iraq, this phenomena is taking place, perhaps more so than ever before in our history. It is a concerning thing. All wounds are not visible. I think it has been a little hard for us to realize that we have to recognize this, and we are doing it.

I just want to share with you some many, many months ago, when I had the occasion to respond to the Omvig family in Grundy Center, Iowa, not too far from Waterloo, and you will be hearing from Mr. BRALEY shortly, I went and talked to them and realized the suffering they were feeling. This family, this father and this mother, Randy and Ellen, their son came home after 11 months, someone they loved very much, of course as all parents do, and they realized something was wrong, wasn't right. They wanted to do anything they could to help, but the frustration of not knowing what to do, trying to help, not knowing what to do, not having professional help, others reaching out in the community and so on, keeping Joshua as close as they possibly could, and knowing that things were not going well.

And then one tragic morning, as he left to go to work, and his mother was right there with him, and walked out to his pick-up truck, rolled up the window, with his mother standing just outside the window, and took his life. It should never have happened.

In this day of technology, we can test our young men and women going in and coming out of the services, and the technicians and the experts tell us that they can identify with a test they give that a person is suspect to this situation, the possibility of wanting to commit suicide. They say over 1 out of 100 give it consideration coming back from Iraq.

Now, if we have that ability to test, and we do, then it is appropriate that we take these steps that we are taking today to cause and affect our Veterans Administration to follow up and follow through and save every life we possibly can. We can't bring Joshua back, but we can do all we can possibly do to prevent it from happening to others.

So I am very appreciative today. I of course rise in strong support of this. And I do this in the name of Joshua, by the name of Randy and Ellen. I know the day I sat with them in a little restaurant in Grundy Center, we talked about what we were trying to shape into this bill. I wasn't sure I should, but then I asked them, I said would you mind if we named this after your son? They kind of looked at each other and talked about it, and they said they would be honored.

Now, they are continuing in their grieving, but they are reaching out to others. The calls they are getting to help others to get through this situation is a good thing. They are stepping forward and doing that, and I am very proud of them. So I hope we can get this message to them that we are responding, and the time is now.

Please support this bill. Thank you so very much.

With more and more veterans returning from tours of duty in Iraq and Afghanistan, many new issues have arisen regarding veterans' mental health care that has not received attention in the past.

Some estimates have found that almost 1,000 veterans receiving care from the Department of Veterans Affairs commit suicide each year and one out of five suicides in the United States is a veteran. We must do better for our veterans and I believe this legislation is a step in the right direction.

This legislation grew out of a great tragedy. Almost a year ago I learned of a young man from Grundy Center, IA, Joshua Omvig, who experienced undiagnosed PTDS after returning from an 11-month tour in Iraq. His friends and family, mother and father Ellen and Randy, knew he was having a hard time adjusting to civilian life but did not know how to help him. Help was not available. Then, in December of 2005, Joshua tragically took his life. He was only 22 years old. Over the past year I have learned that Joshua was sadly not a unique case. After I heard Joshua's story I was shocked to find that one in 100 Operation Iraqi Freedom veterans have reported thinking about suicide.

We treat their physical wounds; now it is time to also treat their mental ones. All wounds are not visible.

I'd like to say a few words about Joshua's parents, Randy and Ellen Omvig. Out of their personal loss they have championed a cause to help all veterans and their family members. I have met with the Omvigs on numerous occasions; most recently I saw them this past Sunday, and I'm so impressed by their commitment to help others—the young men and women who have served our country. They are true heroes.

I am proud to stand here in support of this bill and I encourage the House to pass H.R. 327 today and ensure all veterans receive the care they need. Not all wounds inflicted in combat are visible, now is the time to treat them.

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

Mr. FILNER. I would yield 1 minute to the gentlelady from California (Mrs. NAPOLITANO), who has been a fighter to elevate mental health to the consciousness not only to California, but our whole Nation for her whole career.

Thank you, Mrs. NAPOLITANO.

Mrs. NAPOLITANO. Thank you, Mr. FILNER and Mr. BOSWELL.

Mr. Speaker, I associate myself with the previous remarks of all my colleagues in regard to H.R. 327, of which I am in complete support. It is a bill designed to decrease suicide amongst our veterans. As you have heard, we have had the highest rate of suicide of any other war.

This is about soldiers like Michael, who returned from Iraq, went months on a waiting list from doctor to doctor without proper treatment, and when finally diagnosed, a week later he shot himself. This is about the two marines gathered at a muster in Long Beach just recently who were diagnosed on the spot with suicidal tendencies and were hospitalized immediately. This is about our local VFW seeing more and more young people seeking to get services for their mental well-being. This is also about our families becoming aware of signs to look for and where to find treatment. This is about providing the funding to help heal the mental wounds so that our warriors believe it is better to remain alive and not dead. What is more critical and more important?

I urge my colleagues to vote in support of 327.

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

Mr. FILNER. I would yield 2 minutes to the gentleman from Iowa, the neighboring district to the Omvigs, and a new Member, Mr. BRALEY.

Thank you for being here today.

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

Mr. BRALEY of Iowa. I thought it was important to come today and put a human face on the tragic story of Joshua Omvig. This handsome young man you see in this photograph is Joshua Omvig, and standing next to his headstone are his parents, Randy and Ellen.

It was Christmas in 2005 when I opened up the Waterloo Courier, my hometown newspaper, and saw the name Omvig, which jumped out at me right away because I have known Randy and Ellen for a long time.

Even though Grundy Center is just south of my district, I immediately was drawn to this tragic story. Joshua Omvig is not going to be reflected in any of the casualty totals from Iraq, but he and the other tragic stories you have heard today deserve to be included no less in the toll that has been taken on the lives of young men and women of this country. We owe them more. That is why I was so proud that my colleague from Iowa took the initiative to push this measure onto the House floor into committee so that it can finally receive the proper attention it deserved.

I came here with some prepared remarks, but I chose instead to speak from the heart today. Because when I was out at Walter Reed for the oversight hearings on the problems and the backlog of disability claims and the Surgeon General of the Army, Lieutenant General Kiley, tried to justify that backlog by saying that the science of post-traumatic stress disorder was still evolving in 2003 and that was preventing them from processing these claims, I had enough. Because I knew what people like Randy and Ellen Omvig have been going through, and I knew that this ability to prevent these tragedies from happening has been around for many years. And so I told General Kiley, with all due respect, that's hogwash.

It is important for this body to stand up and say that post-traumatic stress disorder is real, which is exactly what General Schoomaker said that day. That is why I urge you all to support this important bill and honor the memory of Joshua Omvig.

Mr. Speaker, I rise today in support of H.R. 327, the Joshua Omvig Veterans Suicide Prevention Act. This bill is named in honor of 22-year-old Joshua Omvig, a member of the U.S. Army Reserves 3398th MP Co. from Grundy Center, IA, who tragically took his own life in December of 2005 after serving an 11-month tour of duty in Iraq.

This legislation is an important step in ensuring adequate mental health care for our troops who return home from serving in combat zones and who, like Joshua, may be suffering from combat-related anxiety, depression, or Post-Traumatic Stress Disorder (PTSD). This bill is a necessary and overdue step in reaching out to veterans of all ages, and their families, in order to prevent the tragic deaths of heroes like Joshua Omvig.

Nearly 1,000 veterans receiving care from the Department of Veterans Affairs, VA, commit suicide each year, a number which is startling and unacceptable. Army studies show that around 25 percent of the soldiers who have served in Iraq display symptoms of serious mental health problems, including depression, substance abuse, and PTSD. These figures are expected to rise, as PTSD an other mental health problems often do not surface for months after soldiers have returned home. These mental health problems put our service personnel at higher risk for suicide.

When Joshua returned home from Iraq with PTSD, his family knew that he was suffering, but they didn't realize how completely his illness would devastate him. They didn't realize he had PTSD, or that he was at risk for suicide. And they did not know how to help him, because they did not have the appropriate resources available to them.

The Joshua Omvig Veterans Suicide Prevention Act will help prevent suicides like Joshua's by requiring the VA to develop and implement a comprehensive program to reduce the incidence of suicide among veterans.

This program includes educating VA staff about how to identify risk factors for suicide, and training staffers in the appropriate ways to respond to crisis situations and prevent suicide among veterans. The bill also requires the VA to provide mental health care to veterans 24 hours per day, and requires that a suicide prevention counselor be available at every VA facility. These counselors will provide direct assistance to veterans, and will also work with local emergency rooms, police departments, mental health organizations, and veterans' service organizations to provide outreach to veterans who may be at risk for suicide.

Additionally, the bill requires the VA to provide outreach and education for veterans and their families to give them the necessary skills to cope with mental illness, to reduce the stigma associated with seeking treatment for mental illness, and to know when and how to seek suicide prevention assistance.

It is my fervent hope that the passage of this bill in the House of Representatives today means that the tragic death of young Joshua Omvig will not be in vain. I would like to commend Joshua's parents for their advocacy on the behalf of their son and all veterans, and thank Congressman LEONARD BOSWELL for his leadership on this issue. I strongly urge my colleagues to join me in voting for the Joshua Omvig Veterans Suicide Prevention Act, and I look forward to the passage of this critical legislation today.

Mr. MILLER of Florida. Mr. Speaker, I would inquire of the chairman if he needs additional time.

Mr. FILNER. I would ask for the courtesy of yielding 2 minutes to the gentleman from Colorado (Mr. SALAZAR).

Mr. MILLER of Florida. I yield 2 minutes to the gentleman from Colorado (Mr. SALAZAR).

Mr. SALAZAR. I thank the gentleman for yielding. And I thank the chairman of the Veterans' Affairs Committee for bringing this important issue up to our attention.

I have been a proud cosponsor of this legislation for 2 years, and I want to thank Mr. BOSWELL for his leadership.

This brings up an important point. It brings up an important point because we are now seeing some underfunding of the VA committee and of VA health care initiatives. We have heard today statistics of how now, today, Vietnam veterans are still being affected by post-traumatic stress disorder. We haven't even been able to touch the beginning of the iceberg.

So today, Mr. Speaker, it is important to make it clear what the leadership of this House, the people's House, has said. The leadership of this House today has said that the most important issue for the veterans to be addressed are the issues of health care, both shortfall and VA funding, and it is also an important issue that today we push forward for full funding of VA health care.

Mr. MILLER of Florida. I would urge all of my colleagues to support H.R. 327.

I thank Mr. BOSWELL for bringing this legislation to the floor. He is a fine man, a great sponsor of this piece of legislation, and I urge all of my colleagues to vote in favor of it.

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

Mr. FILNER. Mr. Speaker, I just want to thank Mr. MILLER, the ranking member of the House subcommittee, for your courtesy today, for your leadership on these issues, and for bringing members of your caucus to the floor. I think it is very important that all of us have an understanding of these issues. And the more that we all understand it and communicate that to the American people, we are, I think, better as a Nation. So thank you for the cooperation and the support.

I think we all were moved by Mr. BOSWELL and Mr. BRALEY's presentations. In the name of Joshua Omvig, we ask for support from our colleagues.

Mr. LEVIN. Mr. Speaker, I rise in strong support of H.R. 327, the Joshua Omvig Veterans Suicide Prevention Act. I am proud to be a cosponsor of this important bill.

Estimates indicate that nearly 1,000 veterans receiving care from the Department of Veterans Affairs (VA) take their own lives each year. This should be a clear sign that more must be done to address the very serious and troubling issue of veterans' suicide. Many veterans continue to return from Iraq and Afghanistan with Post-Traumatic Stress Disorder (PTSD) and other mental health concerns, and we must equip the VA with the information and resources they need in order to ensure that our veterans receive adequate care.

When this legislation was first brought to my attention earlier this year, I happened to come across an Associated Press news story about a young man from Minnesota who served as a U.S. Marine in Iraq. Upon returning home from Iraq, he experienced nightmares and paranoia, often re-living his combat experiences in his sleep. On January 11, 2007, he told staff at a VA hospital that he felt suicidal. He mentioned this again over the phone the next day to VA staff. Despite these direct pleas for help, no action was taken, and 4 days later, he killed himself in his Minnesota home. He was 25 years old.

H.R. 327 takes a number of important steps towards reducing the incidence of suicide among veterans. This legislation directs the Department of Veterans Affairs to develop a comprehensive program to regularly screen and monitor all veterans for risk factors of suicide, set up a tracking and counseling referral system to ensure all veterans found to be a suicide risk will receive the appropriate help, and provide education and training for all VA staff, contractors, and medical personnel who have interaction with veterans. The legislation would also provide 24-hour mental health care for veterans who are believed to be at risk for suicide, so that veterans could seek assistance whenever they need it.

Our Nation's veterans fight for us overseas, and deserve proper care when they return home. This includes educating VA staff, veterans and their families about PTSD and suicide prevention in order to encourage service members to seek mental health assistance when necessary. Now more than ever, as service members return home with PTSD and other mental health issues, it is essential that we provide adequate mental health care that can help prevent suicide among our Nation's veterans.

I urge my colleagues to join me in supporting H.R. 327.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 327, as amended.

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

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

The yeas and nays were ordered.

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

IMPROVING COMPENSATION BENEFITS FOR VETERANS IN CERTAIN CASES OF IMPAIRMENT OF VISION INVOLVING BOTH EYES

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 797) to amend title 38, United States Code, to improve compensation benefits for veterans in certain cases of impairment of vision involving both eyes, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 797

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

SECTION 1. ENHANCED COMPENSATION BENEFITS FOR VETERANS IN CERTAIN CASES OF IMPAIRMENT OF VISION INVOLVING BOTH EYES.

(a) SHORT TITLE.—This section may be cited as the ''Dr. James Allen Veteran Vision Equity Act''.

(b) ENHANCED COMPENSATION.—Section 1160(a)(1) of title 38, United States Code, is amended—

(1) by striking ''blindness'' both places it appears and inserting ''impairment of vision''; and

(2) by inserting before the semicolon at the end the following: '', where the impairment in each eye is to a visual acuity of 20/200 or less or of a peripheral field of 20 degrees or less''.

SEC. 2. USE OF NATIONAL DIRECTORY OF NEW HIRES FOR INCOME VERIFICATION PURPOSES FOR CERTAIN VETERANS BENEFITS.

(a) USE OF INFORMATION IN NATIONAL DIRECTORY OF NEW HIRES.—Chapter 53 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 5320. Use of National Directory of New Hires for income verification purposes

''(a) INFORMATION FROM NATIONAL DIRECTORY OF NEW HIRES.—(1) The Secretary shall furnish to the Secretary of Health and Human Services, on a quarterly basis or at such intervals as may be determined by the Secretary, information in the custody of the Secretary for comparison with information in the National Directory of New Hires maintained by the Secretary of Health and Human Services pursuant to section 453 of the Social Security Act (42 U.S.C. 653), in

order to obtain the information in such directory with respect to individuals under the age of 65 who are applicants for or recipients of benefits or services specified in subsection (d).

''(2) The Secretary shall seek information pursuant to this subsection only to the extent essential to determining eligibility for benefits and services specified in subsection (d) and the amount of benefits specified in paragraphs (1) and (2) of that subsection for individuals under the age of 65.

''(3)(A) The Secretary of Health and Human Services, in cooperation with the Secretary, shall compare information in the National Directory of New Hires with information in the custody of the Secretary furnished pursuant to paragraph (1), and disclose information in that Directory to the Secretary, in accordance with this subsection, for the purposes specified in this subsection.

''(B) The Secretary of Health and Human Services may make a disclosure in accordance with subparagraph (A) only to the extent that the Secretary determines that such disclosure does not interfere with the effective operation of the program under part D of title IV of the Social Security Act.

''(4) The Secretary may use information resulting from a data match pursuant to this subsection only for the purpose of determining eligibility for benefits and services specified in subsection (d) and the amount of benefits specified in paragraphs (1) and (2) of that subsection.

''(5) The Secretary shall reimburse the Secretary of Health and Human Services for the additional costs incurred by that Secretary in furnishing information under this subsection. Such reimbursement shall be at rates that the Secretary of Health and Human Services determines to be reasonable (which rates shall include payment for the costs of obtaining, verifying, maintaining, and comparing the information).

''(b) NOTIFICATION TO BENEFICIARIES.—The Secretary shall notify each applicant for, or recipient of, a benefit or service specified in subsection (d) that income information furnished by the applicant to the Secretary may be compared with information obtained by the Secretary from the Secretary of Health and Human Services under subsection (a). The Secretary shall periodically transmit to recipients of such benefits additional notifications of such matters.

''(c) INDEPENDENT VERIFICATION REQUIRED.—The Secretary may not, by reason of information obtained from the Secretary of Health and Human Services under subsection (a) , terminate, deny, suspend, or reduce any benefit or service described in subsection (d) until the Secretary takes appropriate steps to verify independently information relating to employment and employment income.

''(d) COVERED BENEFITS AND SERVICES.—The benefits and services specified in this subsection are the following:

''(1) Needs-based pension benefits provided under chapter 15 of this title or under any other law administered by the Secretary.

''(2) Parents' dependency and indemnity compensation provided under section 1315 of this title.

''(3) Health-care services furnished under subsections (a)(2)(G), (a)(3), and (b) of section 1710 of this title.

''(4) Compensation paid under chapter 11 of this title at the 100 percent rate based solely on unemployability and without regard to the fact that the disability or disabilities are not rated as 100 percent disabling under the rating schedule.

''(e) LIMITATION WITH RESPECT TO INDIVIDUAL UNEMPLOYABILITY CASES.—In the case of compensation described in subsection (d)(4), the Secretary may independently verify or otherwise act upon wage or self-employment information referred to in subsection (c) of this section only if the Secretary finds that the amount and duration of the earnings reported in that information clearly indicate that the individual is not qualified for a rating of total disability.

''(f) OPPORTUNITY TO CONTEST FINDINGS.—The Secretary shall inform the individual of the findings made by the Secretary on the basis of verified information under subsection (c), and shall give the individual an opportunity to contest such findings, in the same manner as applies to other information and findings relating to eligibility for the benefit or service involved.

''(g) SOURCE OF FUNDS FOR ADMINISTRATION OF SECTION.—The Secretary shall pay the expenses of carrying out this section from amounts available to the Department for the payment of compensation and pension.

''(h) TERMINATION OF AUTHORITY.—The authority of the Secretary to obtain information from the Secretary of Health and Human Services under subsection (a) expires on September 30, 2012.''.

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

''5320. Use of National Directory of New Hires for income verification purposes.''.

(c) EFFECTIVE DATE.—Section 5320 of title 38, United States Code, as added by subsection (a), shall take effect 270 days after the date of the enactment of this Act.

SEC. 3. EXTENSION OF AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO PROVIDE AN EDUCATIONAL ASSISTANCE ALLOWANCE TO PERSONS PERFORMING QUALIFYING WORK-STUDY ACTIVITIES.

Section 3485(a)(4) of title 38, United States Code, is amended by striking ''June 30, 2007'' each place it appears and inserting ''June 30, 2012''.

SEC. 4. PROVISION OF BRONZE REPRESENTATIONS OF THE LETTER "V" FOR GRAVE OF ELIGIBLE INDIVIDUAL BURIED IN PRIVATE CEMETERY IN LIEU OF GOVERNMENT-PROVIDED HEADSTONE OR MARKER.

Section 2306(d) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(5) In lieu of furnishing a headstone or marker under this subsection, the Secretary may furnish, if requested, a bronze representation of the letter 'V' to be attached to a headstone or marker furnished at private expense. The Secretary shall make available two sizes of such representations for such purpose.''.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 797, as amended.

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

There was no objection.

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

As noted, this bill is ''as amended.'' And I want to thank the members on my committee on both sides of the aisle, particularly Mr. BOOZMAN of Arkansas and Mr. LAMBORN of Colorado, for their very constructive amendments. Mr. BOOZMAN will talk later on what he did, but we have extended the authorization for the work/study program at his request for 5 years, so thank you for your amendments to that. And we thank Ms. BALDWIN, who has brought this to our attention and is very committed to the health care of our veterans of this Nation.

So we are glad all to work together to get this to the House floor today. This has been introduced in previous Congresses, but we are glad it is on the floor now. It would allow veterans who receive veterans disability compensation for impairment of vision in one eye to be eligible to receive additional disability compensation for impairment of vision in the eye that is not service connected, where that impairment in each eye is to a visual acuity of 20/200 or less, or of a peripheral field of 20 degrees or less.

Suffice it to say that there was a great blind spot in the law that did not cover our veterans who would need the help.

It would direct the Secretary of Veterans Affairs and the Secretary of Health and Human Services to match and compare VA needs-based pension benefits data, parents' dependency and indemnity compensation data, health care services data, and unemployability compensation data with the National Directory of New Hires, maintained by the Department of Health and Human Services, for the purpose of determining eligibility for such benefits and services.

□ 1600

It would extend authorization of the veterans work/study program until 2012 at the suggestion of Mr. BOOZMAN, and allows for a bronze ''V'' marker in lieu of a government-provided headstone or marker for burials in a private cemetery, at the suggestion of Mr. LAMBORN.

It would affect an estimated 5 percent of the 13,000 veterans who have service-connected blindness or loss of vision in one eye. As of April 2006, the Walter Reed Medical Center alone has treated 140 returning OEF/OIF servicemembers for visual injuries.

I urge Members to support the bill. It is the least we can do for our veterans.

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

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

I rise in strong support of H.R. 797, as amended, the Dr. James Allen Veteran Vision Equity Act. I thank my colleagues, Mr. HALL of New York, the chairman of the Disability Assistance and Memorial Affairs Subcommittee, and Mr. LAMBORN of Colorado, the ranking member of that subcommittee.

I also thank the chairman, Mr. FILNER, and the ranking member, Mr. BUYER, for bringing this important legislation to the floor; and the prime sponsor, Ms. BALDWIN.

This bill would, in fact, allow veterans who receive a disability compensation for impairment in the vision of one eye to be eligible to receive additional disability compensation for impairment of vision in the eye that is not service connected.

This eligibility includes situations where the impairment in each eye is to a visual acuity of 20/200 or less, or a peripheral field loss of 20 degrees or less. This is the same definition of ''legal blindness'' adopted by all 50 States and the Social Security Administration.

The New Hires Act would save the government money by allowing the Secretary of the VA to consult with the Secretary of Health and Human Services regarding unemployment compensation data in order to determine the eligibility for VA needs-based pension benefits.

Also, CBO estimates that this section of H.R. 797, as amended, would save the taxpayers $15 million over 10 years. Also included in H.R. 797, as amended, is a provision that extends the types of work study jobs found in section 3485(a)(4) for 5 years through June 30 of 2012.

Current law allows work study recipients to perform a variety of duties throughout VA, as well as veteran-related paperwork at their schools.

We also extend the provision for 6 months in Public Law 109–461 to prevent canceling benefits in the middle of a school year. I am pleased we are able to extend this provision even further in this bill.

The last provision of this bill provides families with the option of choosing a bronze ''V'' denoting veteran status, in lieu of a VA headstone by graves already marked by a private marker. Many private cemeteries do not allow a second marker on a grave because it complicates routine maintenance. Therefore, that bronze ''V'' would identify a veteran's grave in a manner that is universally acceptable, and meet the family's desire to honor the deceased veteran.

The bronze ''V'' would also be readily identifiable to anybody visiting the cemetery, and a standard way to identify veterans who choose not to use a VA-provided headstone.

Once again, I express my strong support for H.R. 797, as amended.

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

Mr. FILNER. Mr. Speaker, I yield 5 minutes to the gentlewoman from Nevada (Ms. BERKLEY) who is an aggressive advocate for the veterans not only in Las Vegas but across the Nation.

Ms. BERKLEY. Mr. Speaker, I want to thank Mr. FILNER and Mr. MILLER for their steadfast support for this legislation, and Ms. BALDWIN for bringing this to our attention for quite awhile now, waiting for us to act, and act we should.

As Mr. FILNER is well aware, having been to my congressional district, southern Nevada has one of the fastest growing veterans populations in the country, with nearly 218,000 veterans living in Clark County. And when I first started serving in Congress, I only had 160,000 veterans, so our veterans population has increased quite dramatically. It is even more important that former service men and women have the health care and benefits that they have earned.

I am a cosponsor of this legislation which would allow veterans who have complete loss of sight in one eye due to a service-connected injury to receive increased disability compensation if they lose sight in the other eye, regardless of whether that loss of sight is service connected.

For some reason, and I don't understand why, the VA has a higher threshold for determining blindness than any of the States and for the Social Security Administration. Because of this, veterans like my constituent, retired Army Major General Roy Kekahuna, are not covered for deteriorating vision in both eyes, even though they are considered legally blind.

Let us through this legislation demonstrate our true appreciation to our veterans for their sacrifice on behalf of this Nation by meeting our promise to provide them with proper health care and by passing this important piece of legislation.

Mr. MILLER of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas (Mr. BOOZMAN), the ranking member of the Economic Opportunity Subcommittee.

Mr. BOOZMAN. First of all, I would like to associate myself with the remarks that were said in the previous bill regarding the Suicide Prevention Act. Again, I just appreciate, being a member of the Veterans' Affairs Committee, I appreciate the hard work on that. It really does make us all proud.

Mr. Speaker, for years the VA has awarded service-connected disability ratings, including increased ratings for the loss of use for paired organs, such as hearing, when only one organ was affected by military service. The exception is the body's visual sensory organs and it is time to remove that inequity. This brings the VA in line with eye disability as done by everyone else in figuring eye disability.

As an optometrist and as an eye doctor I am very, very familiar with this and used to help figure these things all of the time, the loss of visual acuity in one eye on the other eye and the long-term effects of that stress. To me, ignoring any loss of visual acuity due to nonservice-connected causes just isn't rational.

I would like to thank Congresswoman BALDWIN for her excellent work in bringing this forward to the full House, and for her advocacy. She has been a real bulldog, and I mean that in a very nice way, in just really staying after this. And due to her efforts, she has been instrumental in highlighting this problem. I have very much enjoyed working with her to improve the law to better serve veterans with visual impairments.

I am also pleased that the bill contains an amendment which was offered during the full committee markup to extend the VA work/study allowance benefits for 5 years. This is a follow-on to a short-term, 6-month extension we passed late last year, and will enable student veterans the ability to continue in a wide variety of work/study positions that directly benefit veterans while easing the workload on the Federal staff at VA and DOD.

Current law allows work/study participants to work up to 20 hours per week. Participants perform a variety of duties such as veteran-related paperwork at schools or VA offices. Some participants perform outreach services under the supervision of a VA employee. Others perform services at VA medical facilities or the offices of the National Cemetery Administration.

The VA work/study allowance is available to Americans training under many programs, such as the Montgomery GI bill, as well as the program for Vocational Training and Rehabilitation for Veterans with Service Connected Disabilities, and several other programs.

The work/study portion of H.R. 797 allows us to extend the work/study program without violating the PAYGO rules by using the offsets found elsewhere in the bill.

I really want to thank Chairman FILNER and Chairman BUYER for working together. This was a difficult thing to get all of the needs crafted together so we could kill two birds with one stone and rectify the visual impairment part.

Mr. Speaker, this is an excellent bill. I urge my colleagues to support H.R. 797.

Mr. FILNER. Mr. BOOZMAN, thank you again for having the initiative to extend the work/study program. You took the creativity of Ms. BALDWIN who was able to save money in this bill, not only meeting the needs of veterans, but by introducing a section to compare data which I hope you will explain, saved us money which can now be used to extend the work/study program for 5 years. Thank you for your amendment.

Mr. Speaker, I am honored to yield such time as she may consume to the gentlewoman from Wisconsin (Ms. BALDWIN), the author of this bill, who not only solved a problem but found some money.

Ms. BALDWIN. Mr. Speaker, I thank the chairman.

Mr. Speaker, I rise today in strong support of H.R. 797, the Dr. James Allen Veteran Vision Equity Act.

This bill fixes an inequity that has resulted in the denial of appropriate disability compensation to blinded veterans.

I wanted to share, first of all, the story of Dr. James Allen after whom

this legislation is named. Dr. Allen is a distinguished, caring professor of ophthalmology at the University of Wisconsin School of Medicine. He has worked at our veterans hospital for nearly 33 years and treated countless eye patients, including many veterans who are blind.

One such patient is a Mr. Donald May. Don is a World War II veteran who lost his right eye in a hand grenade explosion. A few years ago, Mr. May began losing vision and ultimately became legally blind in his other nonservice-connected eye. He applied to the Department of Veterans Affairs for help, but was denied further benefits. He was told that the current law in regard to paired organs did not apply to him even though he was legally blind in both his service-connected right eye and his nonservice-connected left eye.

After Dr. Allen brought the plight of Don May and many other patients to my attention, I began to research why these veterans were being denied the benefits that I felt they deserved, benefits that I believed Congress intended to grant them. Through my work with the Blinded Veterans Association, we discovered that while the current paired organ statute covers blindness in theory, in practice few if any veterans have been able to qualify for the additional disability compensation under its terms.

Congress has rightly recognized that some human organs and limbs are designed to work in pairs: our legs, our kidneys, our lungs, our ears, and of course our eyes. In the instance of eyes, blindness in one eye profoundly affects depth perception, even if sight is fully retained in the other eye.

The paired organ statute was written to assist those veterans who experience a service-connected loss of a paired organ or limb. This statute recognizes the interdependency of paired organs, and endeavors to treat the combined disability created by a nonservice-connected loss and injury or degeneration of the remaining paired organ or limb as though it, too, were the result of a service-connected disability. In general, the paired organ statute accomplishes this task except its treatment of loss of sight.

With regard to eyesight, the statute does not adequately define the term blindness, nor is any provision made for the impairment of vision in the nonservice-connected eye short of blindness.

Rather than using a visual acuity of 20/200 or a loss of field of vision 20 degrees, as is the definition of legal blindness that has been adopted by all 50 States and the Social Security Administration, the Department of Veterans Affairs uses a much more restrictive 5/200 rating for legal blindness. I was asked to describe exactly what that 5/200 means. Really, in layman's terms, it is the equivalent to having light perception only, but the specific definition is somebody with the ability to see at 5 feet what most of the rest of us could see at 200 feet.

As a result, few if any blinded veterans are able to qualify for additional compensation under the paired organ statute.

□ 1615

H.R. 797, the Dr. James Allen Veteran Vision Equity Act, fixes this problem. It defines blindness as impairment of vision where the impairment is to a visual acuity of 20/200 or less or a peripheral field loss of 20 degrees or less. This change in the law would only affect a small percentage, estimated to be roughly 5 percent, of the 13,000-plus veterans who are service-connected for loss of vision in one eye.

Yet, such a change would send a powerful signal to our Nation's blinded veterans that their hardships are not forgotten. Indeed, our Nation's blinded veterans face significant challenges in the labor market.

The National Institute on Disability and Rehabilitation Research found that for individuals with visual impairments, to the extent they are unable to read letters, that the employment rate is only 30.8 percent compared to 82.1 percent for people without disabilities. Given this employment trend, and the unique socioeconomic experiences of our veterans, it is even more urgent that Congress correct this one last inequity in the current paired organ statute and address the life-altering impact of blindness on our veterans.

I want to mention also that in compliance with our pay-as-you-go rules, section 2 of H.R. 797 fully offsets the cost of additional vision benefits. It directs the Veterans Secretary and the Secretary of Health and Human Services to match and compare VA needs-based pension benefits data, parents' dependency and indemnity compensation data, health care services data and unemployment data with the National Directory of New Hires maintained by HHS for the purpose of determining eligibility for such benefits and services. According to the GAO, the General Accountability Office, such data-matching project would help reduce fraud and waste within the VA system as it determines eligibility and benefits to those veterans thought to be unemployable, but who are indeed working.

I would like to thank Chairman FILNER, Subcommittee Chairman JOHN HALL, as well as Congressman BOOZMAN, Congressman SNYDER and Congressman MILLER for their unwavering support of this bill. I also want to thank the staff of the Veterans' Affairs Committee for helping advance this legislation.

H.R. 797 is a modest but very important step in restoring fair treatment to those blinded due to their service to our country and to further our commitment to them. Their sacrifices and service to this Nation should be matched by our desire to improve the quality of life for them and for their families.

I want to note that the Blinded Veterans Association has identified over 200 soldiers returning from Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom who are blinded in one eye due to service-related injuries and could perhaps in the future benefit from this legislation.

I strongly urge my colleagues to support H.R. 797.

Mr. MILLER of Florida. Mr. Speaker, I would like to thank the prime sponsor again of the piece of legislation she has. As my colleague Mr. BOOZMAN said earlier, she worked many long hours to bring this piece of legislation to the floor. I wish we could have done it sooner. I am glad to see it is moving forward at this time.

With that, I would like to recognize a new member to our committee. I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN).

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

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

I rise today in support of H.R. 797, the Dr. James Allen Veteran Vision Equity Act. I would like to thank Chairman FILNER, Ranking Member BUYER and my colleague Mr. HALL for their help in bringing this important legislation to the floor.

Mr. Speaker, I offered an amendment to this bill which would provide families the option of choosing a bronze V in lieu of a VA headstone for graves already marked by a private marker. I am happy to say that this amendment was accepted with bipartisan support during committee markup.

Many private cemeteries do not allow a second marker on a grave, but a bronze V would be accepted by all cemeteries and would identify a veteran's grave in the same manner as a VA headstone.

While not the intent of the amendment, it may also lead to a decrease in costs for the Veterans Affairs Department. The average cost of a VA headstone is about $100. Last year, the VA provided 6,534 second markers for a total cost of about $650,000 plus shipping. The cost for the same number of bronze V markers would have only been between $148,000 and $184,000.

Mounting of these second markers is at the family's expense, usually several times the cost of the stone. The bronze V, however, will avoid the need for professional mounting, thus reducing significant expenses for the veterans' families.

This amendment not only distinguishes our Nation's veterans on their headstones, but it also allows families to demonstrate their loved one's selfless service to our Nation in an efficient and cost-effective manner.

It provides a great solution to an unfortunate problem with the added bonus of saving money for veterans' families and the VA.

Mr. Speaker, this bill will help our veterans, and I urge my colleagues to vote in favor of H.R. 797.

Mr. FILNER. Mr. Speaker, again, I would like to thank Mr. LAMBORN for

this very important addition. It will give families added consolation, of course, on the burial of a loved one. So we thank you.

I have no further requests for time.

Mr. MILLER of Florida. Mr. Speaker, we have no further requests for time, and we yield back the balance of our time.

Mr. FILNER. Mr. Speaker, we urge support for H.R. 797, as amended, and I yield back our time.

The SPEAKER pro tempore (Mr. SALAZAR). The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 797, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2007

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1284) to increase, effective as of December 1, 2007, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1284

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 ''Veterans' Compensation Cost-of-Living Adjustment Act of 2007''.

SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—Effective on December 1, 2007, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2007, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) WARTIME DISABILITY COMPENSATION.—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts under sections 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount under section 1162 of such title.

(4) DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—

(1) PERCENTAGE.—Except as provided in paragraph (2), each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2007, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(2) ROUNDING.—Each dollar amount increased under paragraph (1), if not a whole dollar amount, shall be rounded to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85–857 (72 Stat. 1263) who have not received compensation under chapter 11 of title 38, United States Code.

SEC. 3. PUBLICATION OF ADJUSTED RATES.

The Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in section 2(b), as increased under that section, not later than the date on which the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2008.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. FILNER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 1284.

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

There was no objection.

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

Mr. Speaker, we all urge passage of H.R. 1284, the so-called Veterans' Compensation, COLA, Cost-of-Living Adjustment Act. It would direct the Secretary of Veterans Affairs to increase, effective December 1 of this year, the rates of veterans' compensation to keep pace with the rising cost of living in our Nation. The rate adjustment is equal to that provided on an annual basis to Social Security recipients and is based on the Bureau of Labor Statistics' Consumer Price Index.

Regardless, Mr. Speaker, of where any of us are on the current war in Iraq, we all believe that our returning young men and women who have served this Nation so courageously get all the attention, care, respect and love that we can give as a Nation. Nothing bothers any of us more than to see returning troops, whether it be at Walter Reed or any of our VA hospitals, have to face the bureaucracy that seems indifferent, and does not provide the services they need.

The cost of serving these veterans, which includes this annual COLA, is a continuing cost of war. We will have from Iraq and Afghanistan an increase in injuries and disabilities that will yield an increase in claims for compensation. Over 1.5 million servicemembers have been deployed to Iraq and Afghanistan without any end, it looks like, in sight, and the President calls for more troops. Therefore, the Veterans Administration, as well as the military hospitals, can expect a significant increase in the number of new claims for compensation and new demands on the health care system. I think that recent events have shown that neither system is adequately prepared for that onslaught, and, in fact, the systems are stretched to the breaking point.

We as a Congress, we as a Nation, have got to give our veterans all the care that they need, all the resources they need, and we as Congress have to provide accountability for the spending of those resources.

Let me say that certainly we on the Democratic side, and I am sure supported on the Republican side, have made major increases in the resources to our veterans care that is now demanded from our Nation. I am told that the budget resolution will have an additional $6.6 billion over what we appropriated last year for the Veterans Administration.

You know that we appropriated an additional $3.6 billion for fiscal year 2007, the year that we are in now, in the so-called continuing resolution, the biggest increase of any department in that continuing resolution.

The supplemental that we will be considering at the end of this week has $3.5 billion for military and veterans health care: we say if you are going to deal with the cost of war, deal with the costs of the warrior.

So just in 60 days, Mr. Speaker, the new majority in the Congress has provided an additional $13.5 billion for the care of our Nation's veterans, and that is a bigger increase than was totaled in the last 5 years combined.

So I think we are responding to the Walter Reed scandal. We are responding to the tragic suicides that came from indifference from the bureaucracy. We are responding to the needs of traumatic brain injury that have so increased in this war. We are responding to the needs of those who have post-traumatic stress disorder. We are responding to the needs of a Veterans Administration that is backlogged 600,000 disability claims.

So we are going to respond with the dollars. We also need to make sure we have accountability, and we will have more to say on that in the future.

Congress regularly enacts an annual cost-of-living adjustment for veterans compensation to make sure that inflation does not erode the purchasing power of veterans and their families who depend upon this income to meet their daily needs. This bill before us, in

fact, will benefit all veterans from the World War I era through the current conflicts.

So I hope that we will have support for this. I would like to add my thanks for the increases that I talked about just a second ago in this budget for 2008 and the continuing resolution for 2007 and the supplemental that we will be considering to our Speaker, NANCY PELOSI, who insisted that we care for our Nation's veterans; also, the chairman of the Appropriations Committee, Mr. OBEY of Wisconsin; to his chairman of the subcommittee that looks at veterans affairs, Mr. EDWARDS from Texas; and the chairman of our Budget Committee, Mr. SPRATT, all of whom said we are not going to fail this test that America is faced with today, the test of whether we are going to make sure that our veterans get the care they need.

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

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

I would like to yield just a minute for a question to the chairman, if he might. By your comments, am I to take it that the majority does now have the votes necessary to pass the supplemental later this week?

Mr. FILNER. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Florida. I yield to the gentleman from California.

Mr. FILNER. You are asking that of me? The lowest level of person in the House? No, I hope we will take up that supplemental at the end of the week.

Mr. MILLER of Florida. I thank the chairman.

□ 1630

I do rise in strong support also of this piece of legislation, thanking my colleagues, the new chairman of the subcommittee which I chaired last year, Mr. HALL, and also Mr. LAMBORN, the new ranking member; also, again, thanking Chairman FILNER and Ranking Member BUYER for helping move this important legislation to the floor as quickly as it has.

In this piece of legislation we increased, effective as of December 1 of this year, the rates of compensation for veterans with service-connected disabilities, the rates of dependency and indemnity compensation for the survivors of certain disabled veterans. Also, the COLA adjustment includes wartime disability compensation, additional compensation for dependents, clothing allowance, dependency and indemnity compensation to a surviving spouse, dependency and indemnity compensation for children.

Mr. Speaker, this is an important annual authorization bill which provides much-needed assistance to our Nation's veterans. I encourage and expect all of my colleagues to support this piece of legislation.

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

Mr. FILNER. Mr. Speaker, I yield as much time as he may consume to the new chairman of the Disability Assistance and Memorial Affairs Subcommittee of the Veterans Affairs Committee, Mr. HALL of New York.

Mr. HALL of New York. Thank you, Congressman, for yielding to me.

Mr. Speaker, I introduced H.R. 1284 earlier this month with the Chairman of the Committee on Veterans' Affairs, Congressman FILNER.

Chairman FILNER has been instrumental in moving this bill forward. I thank him for that. I also want to thank the ranking member of the Committee on Veterans' Affairs, STEVE BUYER, and our ranking member of the Subcommittee on Disability Assistance and Memorial Affairs, DOUG LAMBORN, who were both helpful in getting this bill moved expeditiously. The fact that we got this bill to the floor within the month shows the House leadership's commitment to our Nation's veterans.

As chairman of the Subcommittee on Disability Assistance and Memorial Affairs, I believe that America must uphold its promise to care for our veterans and their families, and I strongly support efforts to alleviate unjust financial burdens imposed upon our Nation's veterans and their survivors. This is why I am so pleased that H.R. 1284 is on the floor today.

H.R. 1284 would provide a cost-of-living adjustment to the rates of disability compensation provided to our Nation's disabled veterans and to the compensation provided to the survivors of veterans and servicemembers who died or who will die as a result of military service.

Every year since 1976, Congress has enacted an annual COLA adjustment for veterans with disabilities and their survivors. The regularity of Congress' action on COLA legislation underscores its importance. Without it, inflation would diminish and erode the purchasing power of millions of beneficiaries. According to VA, as set forth in its fiscal year 2008 budget, the Department estimates that it will provide disability compensation to 3,220,031 veterans with service-related disabilities in fiscal year 2008.

In summary, this legislation is critical to the lives of over 3 million beneficiaries who have served our country well and faithfully. I ask for your continued support for our Nation's veterans, and I ask for your support of the bipartisan Veterans' Compensation Cost-of-Living-Adjustment Act of 2007.

I would just like to say a few words also about another bill that is on the floor today and falls under the jurisdiction of my subcommittee, H.R. 797, the Dr. James Allen Veteran Vision Equity Act. As with H.R. 1284, I am proud of the speed and fashion in which this bill has come to the floor.

H.R. 797, which has the backing of the Blind Veterans Association, would put the Veterans Administration on a par with the Social Security Administration, the World Health Organization, and all 50 States in defining a visual impairment.

Furthermore, this bill allows certain veterans to receive a ''V'' on their gravestone and reauthorizes the VA's popular work/study program.

Mr. Speaker, this Congress faces a substantial task in dealing with the difficulties our veterans face. Currently there are more than 570,000 veterans claims pending before the VA, literally hundreds of thousands of veterans waiting on decisions that can substantially affect their financial situation.

On top of this, we have a new generation of veterans returning from Iraq and Afghanistan. The subcommittee I chair, the Disability Assistance and Memorial Affairs Subcommittee, recently held a hearing where we heard from experts and Iraq war veterans. They all agree that the VA is critically unprepared to deal with these new commitments and will be overwhelmed.

One witness privately compared the VA's current position to that of a person standing on a beach while a tsunami comes rushing towards the shore. These men and women deserve our support, and it is incumbent upon this Congress to act.

In the coming month, I plan to hold hearings on several pieces of legislation that will address this backlog. I have introduced one bill which would provide interim benefits to veterans who have waited over 6 months for a decision on their appeal.

While this will not fix the entire problem, it will help veterans pay their bills and buy their medicine while they wait for a decision from the VA. I look forward to working with colleagues on both sides of the aisle on these important issues, and I trust they share my sense of urgency on these matters.

It is my hope that H.R. 797 and H.R. 1284 are the first of many steps this Congress takes to ensure that those who have sacrificed so much for this country receive the benefits they have earned.

Mr. MILLER of Florida. Mr. Speaker, it is my pleasure now to yield 4 minutes to the gentleman from Washington, who although not on the VA Committee, is an active participant in much of the legislation that comes to that committee, and an Air Force veteran, Mr. REICHERT.

Mr. REICHERT. I thank the gentleman for yielding.

Mr. Speaker, we are here to, and I am honored to be here to support H.R. 1284, the Veterans' Compensation Cost-of-Living Adjustment Act of 2007. It sounds awful cold and mechanical when you rattle it off in that way, but it means a lot to the people who serve this country.

I was, as my good friend Mr. MILLER said, I was in the Air Force. I served 33 years in the King County Sheriff's Office in Seattle, Washington, and I had friends who were wounded in the line of duty, partners who were wounded, partners who were killed and sacrificed

their lives to protect their communities. I, myself, was nearly mortally wounded in serving our community as a sheriff's deputy.

I know what it means to have a community come behind you. I know what it means to have a family stand with you. I know what it means to have your friends, your relatives, and your local government to be there with you.

Our veterans deserve to know what that feeling is. They need to know the United States Government and Members of Congress are standing with them. We are soldiers here fighting with them, providing them with the benefits they need, the tools they need, the things they need to do their job, the things they need to do to protect their families, the things they need to have to provide for their families.

Two weeks ago I stopped and visited a marine in a Seattle VA hospital. This marine was wounded in the neck with a .22 caliber bullet. I stood in awe at his courage as he lay paralyzed from the waist down, and I asked him what his plans were for the future, and that I was honored to meet him, and sorry that he was wounded in battle.

He looked at me and smiled and said, Why feel sorry for me? Don't. I volunteered for this work. I want to protect America. You know what he said his plans for the future was? To go back to Iraq. He said, I will walk again and fight next to my brothers and sisters on the front lines.

I met another soldier at Madigan Hospital, the Army hospital in Tacoma, Washington, a soldier who was standing near someone who blew themselves up, a suicide bomber. He is now suffering from a blood viral infection. He has been treated for over a year at Madigan Hospital. I said the same thing to him. I am honored to meet you. What are your plans for the future?

He said, I will heal. Don't feel sorry for me. I am going back to fight with my fellow soldiers.

This cost-of-living increase seems mechanical to us as we sit here in this House floor. It means a lot to the soldiers that are fighting and dying for this freedom of our citizens, of all of us here today.

I am so proud to be here to stand before you and support this legislation.

One of the other things that we must do, not only pass legislation that helps them provide for their families and for themselves and their future, you must reach out and make sure that those veterans who are out in our community, 624,000 veterans in the State of Washington, know what benefits are available to them.

On March 31, we would hold a veterans fair just across the water from Seattle, Washington, and invite every veteran in the State to be there so they can learn how we can help them and we can honor them.

Mr. FILNER. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, I also would like to thank Chairman FILNER, Ranking Member BUYER, and subcommittee chairman, JOHN HALL, and ranking subcommittee chairman, Mr. MILLER, for their continued efforts to ensure the value of veterans benefits does not erode as the cost living increases.

H.R. 1284, the Veterans' Compensation Cost-of-Living Adjustment Act, will help our service-disabled veterans and their survivors maintain the purchasing power of their benefits in 2008.

Now, everyone that has spoken before me has been quite eloquent, and you don't need for me to reinforce all of the statements that they have already made. But I would like to let you know how this affects the people that I represent.

Last year, over 31,000 veterans and survivors received disability compensation or pension payments from the VA in the State of Nevada. The action we are taking here today will help the Nevada veterans and families who depend on these VA benefits. No amount of money can adequately compensate our veterans for the loss of their health, or families for the loss of a loved one. It is important, though, that these benefits do not lose their value over time, and that we demonstrate our genuine appreciation for the sacrifices they have made on behalf of our Nation.

Mr. Speaker, I ask that everybody vote in favor this measure.

Mr. MILLER of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Thank you, Congressman MILLER, for your leadership, as well as Congresswoman BERKLEY. I appreciate all of your leadership on this very important issue.

Mr. Speaker, I too rise today to speak in favor of H.R. 1284, the Veterans' Compensation Cost-of-Living Adjustment Act of 2007.

I think we all are indeed grateful for the services of our Nation's veterans. They have answered this country's call time and time again. As a matter of fact, just last week I visited a VA outpatient clinic in my own district of Allentown, Pennsylvania. I continue to be amazed by the spirit of our veterans. Many of whom I met with there were in the Vietnam War, and some of whom were still struggling with the issues that affected them since their return. But I am nevertheless amazed by their spirit.

I also recently visited the Walter Reed Army Hospital in the wake of events. But as a Nation, we are indebted to these veterans. We are indebted to them for their contributions to our freedom. We need to take every opportunity to let those veterans know that they are appreciated and that their needs will be met by a grateful government and a grateful Nation.

H.R. 1284 is an opportunity for us to help meet those needs. This bill provides for an increase in the rate of compensation for disabled veterans and in the rates of dependency and indemnity compensation for their families effective December 1.

The percentage increase in these rates would be equal to the increase for Social Security benefits, which would be calculated later this year. Veterans benefits must keep up with inflation. Veterans should not have to worry about losing their standard of living just because they may be living on a fixed income.

This bill will help to accomplish that particular objective. I strongly urge the Members of this House to show their support for America's veterans by voting in favor of the Veterans' Compensation Cost-of-Living and Adjustment Act of 2007.

Mr. FILNER. Mr. Speaker, I have no further speakers, but I would like to thank Mr. MILLER for his commitment to our Nation's veterans, for leading his side with civility, cooperation and friendship.

Mr. RODRIGUEZ. Mr. Speaker, veterans with service-related disabilities deserve not only our admiration, but also our support. This is why today I rise in strong support of H.R. 327, H.R. 797 and H.R. 1284, a series of bills assisting our service men and women.

H.R. 327, The Joshua Omvig Veterans Suicide Prevention Act will require the Veterans' Affairs Department to develop and implement a comprehensive program to reduce the incidence of suicide among veterans. Last year a survey study conducted among Army and Marine combat units returning from Iraq and Afghanistan found that one in eight troops reported symptoms of post-traumatic stress disorder (PTSD). Moreover, less than half of these soldiers experiencing symptoms sought professional help, primarily out of fear of being stigmatized by peers or hurting their military careers. With PTSD comes feelings of estrangement from others, loss of satisfaction in previously satisfying activities, and the feeling of hopelessness about the future. It is no wonder then, that veterans suffer a higher risk of suicide. This bill, H.R. 327, is an important step in the right direction to ending the soldiers' stigma for seeking help, and gives hope to thousands of veterans and their families coping with the costs of war.

Like H.R. 327, The Veterans Vision Equity Act (H.R. 797), is intended to providing our patriots with the care they deserve. H.R. 797 would change current law to provide veterans who receive disability compensation because of blindness in one eye, additional benefits if they are visually impaired in the second eye. This bill provides only a small change to the current code, yet it would aid an estimated 13,200 veterans in getting proper compensation for their disability. We blessed with vision often take our sight for granted, but the loss of one's sight no doubt requires an altering of lifestyle. Indeed, the sights that once filled eyes with beauty are regulated to memories and perceived only in the imagination. Many of our veterans are coping with such a change, and this bill is important in supporting their transition.

Finally there is H.R. 1284, The Veterans' Compensation Cost-of-Living Adjustment Act of 2007. This bill would provide an increase in the rate of compensation for disabled veterans, as well as provide an increase in rates

of dependency and indemnity compensation for these veterans' families. The baby-boom generation understands why this bill is necessary: costs are going up. When I was young five dollars could buy you dinner and take you to the movies—now it can buy you a can of soda and chips. Indeed, inflation is slowly but surely driving up costs for basic goods and services. It is important that we meet our obligations to our veterans by providing them with benefits commensurate to their service. H.R. 1284 would achieve just that.

We are a nation at war. As such, now more than ever, maintaining the well-being of our veterans is paramount. Already, we have asked for so much from our service men and women, and now it is time that we return the favor. I hope my colleagues will join me in supporting our troops and vote "yes" on H.R. 327, H.R. 797 and H.R. 1284.

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

Mr. MILLER of Florida. Mr. Speaker, we yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 1284.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1645

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H.R. 835 by the yeas and nays;

H.R. 327 by the yeas and nays;

H.R. 797 by the yeas and nays.

The postponed vote on H.R. 1284 will be taken later.

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

HAWAIIAN HOMEOWNERSHIP OPPORTUNITY ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion of the gentlewoman from California (Ms. WATERS) to suspend the rules and pass the bill, H.R. 835, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATERS) that the House suspend the rules and pass the bill, H.R. 835.

The vote was taken by electronic device, and there were—yeas 262, nays 162, not voting 9, as follows:

[Roll No. 173]

YEAS—262

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fortenberry
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastert
Hastings (FL)
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kingston
Klein (FL)
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
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
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Reichert
Renzi
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
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
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)
Wexler
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NAYS—162

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Carter
Castle
Chabot
Coble
Conaway
Crenshaw
Cubin
Culberson
Davis, David
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
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
Petri
Pitts
Platts
Poe
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf

NOT VOTING—9

Cummings
Davis, Jo Ann
Davis, Tom
Deal (GA)
Johnson, E. B.
Kanjorski
Pence
Snyder
Young (FL)

□ 1711

Mrs. CUBIN, Mrs. BLACKBURN, Messrs. RAMSTAD, EHLERS, CULBERSON and DENT changed their vote from "yea" to "nay."

Messrs. NEAL of Massachusetts, PICKERING, KINGSTON, ALEXANDER, GINGREY, CANNON and GILMOR changed their vote from "nay" to "yea."

So (two-thirds being in the negative) the bill was not passed.

The result of the vote was announced as above recorded.

JOSHUA OMVIG VETERANS SUICIDE PREVENTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 327, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 327, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 10, as follows:

[Roll No. 174]

YEAS—423

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
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
Burton (IN)
Butterfield
Buyer
Calvert
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, Lincoln
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)
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
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
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
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
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
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—10

Barton (TX)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Franks (AZ)
Johnson, E. B.
Kanjorski
Pence
Snyder
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1721

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop and implement a comprehensive program designed to reduce the incidence of suicide among veterans.''.

A motion to reconsider was laid on the table.

IMPROVING COMPENSATION BENEFITS FOR VETERANS IN CERTAIN CASES OF IMPAIRMENT OF VISION INVOLVING BOTH EYES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 797, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 797, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 9, as follows:

[Roll No. 175]

YEAS—424

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
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
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
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, Lincoln
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
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
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson

Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
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
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
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
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)
Thornberry
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
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—9

Cantor
Davis, Jo Ann
Davis, Tom
Deal (GA)
Green, Gene
Johnson, E. B.
Kanjorski
Pence
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE.

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

□ 1730

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to amend title 38, United States Code, to improve compensation benefits for veterans in certain cases of impairment of vision involving both eyes, to provide for the use of the National Directory of New Hires for income verification purposes, to extend the authority of the Secretary of Veterans Affairs to provide an educational assistance allowance for qualifying work study activities, and to authorize the provision of bronze representations of the letter 'V' for the graves of eligible individuals buried in private cemeteries in lieu of Government-provided headstones or markers.''.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

JUDICIAL DISCLOSURE RESPONSIBILITY ACT

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1130) to amend the Ethics in Government Act of 1978 to extend the authority to withhold from public availability a financial disclosure report filed by an individual who is a judicial officer or judicial employee, to the extent necessary to protect the safety of that individual or a family member of that individual, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1130

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 ''Judicial Disclosure Responsibility Act''.

SEC. 2. PROTECTION OF FAMILY MEMBERS.

Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in subparagraph (A), by inserting ''or a family member of that individual'' after ''that individual''; and

(2) in subparagraph (B)(i), by inserting ''or a family member of that individual'' after ''the report''.

SEC. 3. FINANCIAL DISCLOSURE REPORTS.

(a) EXTENSION OF AUTHORITY.—Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking ''2005'' each place that term appears and inserting ''2009''.

(b) REPORT CONTENTS.—Section 105(b)(3)(C) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in clause (ii), by striking ''and'' at the end;

(2) in clause (iii), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(iv) the nature or type of information redacted;

''(v) what steps or procedures are in place to ensure that sufficient information is available to litigants to determine if there is a conflict of interest;

''(vi) principles used to guide implementation of redaction authority; and

''(vii) any public complaints received relating to redaction.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. LINDA T. SANCHEZ) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I ask unanimous consent that all Members 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 California?

There was no objection.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in strong support of H.R. 1130, the Judicial Disclosure Responsibility Act. This legislation would amend the Ethics in Government Act by extending for an additional 4 years the Judicial Conference's authority to redact information, as necessary, to protect judicial employees and their families.

In 1998, Congress recognized the potential threats against individual judges and authorized the judicial branch to redact, as circumstances may require, information from financial disclosure reports before they are released to the public. This bill will allow the courts to continue taking necessary steps to protect judges, their staffs and their families.

Past incidences of violence against judges and their families demonstrate the need for this legislation. Most notable was the matter involving Judge Joan Lefkow. On April 6, 2003, a defendant was sentenced to 4 years imprisonment for soliciting the murder of Judge Lefkow. Two years later, that same judge returned to her home one day and found her husband and mother murdered by a former litigant whose case Judge Lefkow had dismissed.

We need to restore the judiciary's authority in appropriate circumstances to protect their personal information about residences and other frequented locations so as to better ensure their security and peace of mind.

The redaction authority has been used sparingly. In a report to the Committee on Homeland Security and Governmental Affairs, the Judicial Conference reported that of the 3,942 Federal judiciary employees required to file financial disclosure reports in 2004, only 177 reports were redacted before release, and those only partially. It is with the greatest care that these documents are redacted to maintain an appropriate balance between protection of judiciary employees and the public's right to know about potential conflicts of interest.

This legislation was favorably reported out of the House Committee on the Judiciary. It would ensure the protection of personal information of the judicial branch while ensuring that the public retains its right to access annual disclosure reports.

We cannot expect judges to effectively carry out their duties if they are

forced to expose themselves and their loved ones to danger. The effectiveness of our court system depends on ensuring they can take reasonable steps to protect their safety.

I strongly support this important legislation, and urge its adoption by the House.

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

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am an original cosponsor of this legislation and believe it is necessary to protect judges, their family members and the other courthouse personnel by preventing disclosure of personal information that can be used to target and retaliate against them.

This legislation extends the authority of Federal judges and court personnel to redact sensitive and personal information from financial disclosure reports for security reasons. The current authority to redact personal and sensitive information from financial disclosure reports expired at the end of 2005.

Recent assaults and threats against Federal judges and their family members demonstrate the need for this redaction authority to continue. I believe this is an important safeguard to prevent vindictive offenders and litigants from seeking their revenge by harming or intimidating judges, probation officers and others.

H.R. 1130 extends the authority for 4 years, expands the coverage to include immediate family members, and improves the annual reporting requirements on the use of this authority. Although I favor a permanent extension of redaction authority, I support a 4-year extension to ensure the bill's timely passage by the Senate.

Mr. Speaker, I urge my colleagues to support the bill.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. COBLE), the ranking member of the Courts, Internet and Intellectual Property Subcommittee.

Mr. COBLE. Mr. Speaker, I thank my friend from Texas for yielding.

Mr. Speaker, I rise in support of H.R. 1130, the Judicial Disclosure Act. The distinguished gentleman from Michigan and the distinguished gentleman from Texas, Chairman CONYERS and Ranking Member SMITH, should be recognized for their leadership and efforts to shepherd this bipartisan legislation.

Mr. Speaker, this is commonsense legislation that was unanimously approved by the House Judiciary Committee. It reauthorizes the Judicial Conference to redact certain personal and financial information that judges and judicial officers are required by the Ethics in Government Act to publicly disclose each year.

The authority was originally granted in 1998 and was subsequently renewed, but expired on December 31, 2005. This legislation extends the authority until 2009.

Under H.R. 1130, Mr. Speaker, Federal judges and judicial officers are still required to submit information required by the Ethics in Government Act. The Judicial Conference would be permitted to redact personal and sensitive information from public disclosure to protect the safety of our judges, judicial officers and their families. Examples of the information that may be redacted include where they reside, where their spouses work or where their children attend school.

The Judicial Conference reported in 2005 that 3,942 Federal judiciary employees filed financial disclosure reports. Only 177 reports were partially redacted prior to release. Four redacted reports were based on specific threats, and another 137 reports were redacted based on general threats. We know these threats are real, and it only makes common sense to ensure that we do not needlessly expose personal and sensitive information of the judiciary's top officers.

Mr. Speaker, I urge the House to support H.R. 1130, and hope that the other body will provide for its expeditious consideration.

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

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think this bill strikes the proper balance between protecting judges, their staffs and their families, and balancing that with the public's right to know. With that, I urge its adoption by this House.

Mr. GOODLATTE. Mr. Speaker, I rise in support of this legislation, which will help protect our Nation's judges against those who may want to harm them, or who may threaten to harm them in efforts to influence outcomes of cases.

Until recently, when a judge or court official needed to submit a financial disclosure report, personal information about that individual could be redacted to prevent those who may intend harm from obtaining such information as the individual's home address.

Unfortunately, this redaction authority expired at the end of 2005. A recent incident in which a convicted felon requested the financial disclosure records of a judicial officer and those records contained such items as the work address of the officer's wife—highlights the need to reauthorize the authority to redact this type of personal information.

H.R. 1130, the judicial disclosure responsibility act, would amend the Ethics in Government Act of 1978 to extend through 2009 the authority of the judicial conference to redact certain personal information from financial disclosure reports filed by judges. In addition, the bill would restrict disclosure of personal information about family members of judges when that disclosure might endanger them, in order to protect such information as the school location of a judge's children, the address of the workplace of a judge's spouse, and the like.

This narrowly tailored legislation will protect those that protect us—and I urge my colleagues to support this important legislation.

Ms. LINDA T. SÁNCHEZ of California. 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 California (Ms. LINDA T. SÁNCHEZ) that the House suspend the rules and pass the bill, H.R. 1130.

The question was taken.

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

Ms. LINDA T. SÁNCHEZ of California. 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.

NATIVE AMERICAN METHAMPHETAMINE ENFORCEMENT AND TREATMENT ACT OF 2007

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 545) 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, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 545

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 American Methamphetamine Enforcement and Treatment Act of 2007''.

SEC. 2. NATIVE AMERICAN PARTICIPATION IN METHAMPHETAMINE GRANTS.

(a) IN GENERAL.—Section 2996(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc(a)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting '', territories, and Indian tribes (as defined in section 2704)'' after ''to assist States''; and

(B) in subparagraph (B), by striking ''and local'' and inserting '', territorial, Tribal, and local'';

(2) in paragraph (2), by inserting '', territories, and Indian tribes'' after ''make grants to States''; and

(3) in paragraph (3)(C), by inserting '', Tribal,'' after ''support State''.

(b) GRANT PROGRAMS FOR DRUG ENDANGERED CHILDREN.—Section 755(a) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (42 U.S.C. 3797cc–2(a)) is amended by inserting '', territories, and Indian tribes (as defined in section 2704 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797d))'' after ''make grants to States''.

(c) GRANT PROGRAMS TO ADDRESS METHAMPHETAMINE USE BY PREGNANT AND PARENTING WOMEN OFFENDERS.—Section 756 of the USA PATRIOT Improvement and Reauthorization Act of 2005 (42 U.S.C. 3797cc–3) is amended—

(1) in subsection (a)(2), by inserting '', territorial, or Tribal'' after ''State'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting '', territorial, or Tribal'' after ''State''; and

(ii) by striking ''and/or'' and inserting ''or'';
(B) in paragraph (2)—
(i) by inserting '', territory, Indian tribe,'' after ''agency of the State''; and
(ii) by inserting '', territory, Indian tribe,'' after ''criminal laws of that State''; and
(C) by adding at the end the following:
''(3) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 2704 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797d).''; and
(3) in subsection (c)—
(A) in paragraph (3), by striking ''Indian Tribes'' and inserting ''Indian tribes''; and
(B) in paragraph (4)—
(i) in the matter preceding subparagraph (A)—
(I) by striking ''State's''; and
(II) by striking ''and/or'' and inserting ''or'';
(ii) in subparagraph (A), by striking ''State'';
(iii) in subparagraph (C), by inserting '', Indian tribes,'' after ''involved counties''; and
(iv) in subparagraph (D), by inserting '', Tribal'' after ''Federal, State''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I ask unanimous consent that all Members 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 California?

There was no objection.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in strong support of H.R. 545, the Native American Methamphetamine Enforcement and Treatment Act of 2007. This legislation establishes the clear intent of Members of Congress to assist Native Americans in combating the threat of methamphetamine.

This threat looms great in our country, and nowhere greater than in Native American communities. Studies have shown that Native American communities have more than double the methamphetamine use rates of other communities. According to surveys performed by the Bureau of Indian Affairs, over 70 percent of Indian tribes identified methamphetamine as the drug that poses the greatest threat to their reservation, and also estimated that at least 40 percent of violent crime cases investigated in Indian country involved methamphetamine in some capacity.

From hearings in the House and from other reports, we learn that current Federal laws and programs designed to prevent the spread of methamphetamine use have proven to be reasonably effective, but we identified serious gaps with respect to protecting our Native American communities from this dangerous drug. Unfortunately, the attempt to fix these gaps in the Combat Methamphetamine Epidemic Act of 2005, passed in the last Congress as part of the USA PATRIOT Improvement and Reauthorization Act of 2005, inadvertently left out tribal organizations, as well as territories, as eligible applicants for certain grants.

□ 1745

H.R. 545, the Native American Methamphetamine Enforcement and Treatment Act of 2007, corrects that oversight.

Included in the Combat Meth Act were provisions that authorized funding for three important grant programs within the Department of Justice: first, the COPS Hot Spots program; second, the Drug-Endangered Children program; and third, the Pregnant and Parenting Women Offenders program.

Although Native American tribes and territories were included as eligible grant recipients under the Pregnant and Parenting Women Offenders program, they were unintentionally left out as possible grant recipients under the COPS Hot Spots program and the Drug-Endangered Children program.

To correct this oversight, H.R. 545 ensures that territories and Indian tribes are included as eligible grant recipients under programs to, one, address the manufacture, sale and use of methamphetamine; two, aid children in homes in which methamphetamine or other drugs are unlawfully manufactured, distributed, dispensed or used; and three, address methamphetamine use by pregnant and parenting women offenders.

I strongly support this important legislation and urge its adoption by the House.

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

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 545, the Native American Methamphetamine Enforcement and Treatment Act of 2007, which provides urgently needed funds to Native American communities for the enforcement and treatment of methamphetamine addiction.

The Combat Methamphetamine Epidemic Act of 2005 was enacted last year as part of the U.S. PATRIOT Act Improvement and Reauthorization Act. It included three critical grant programs to assist States with America's escalating methamphetamine problem: the COPS Meth Hot Spots program, the Drug-Endangered Children program and the Pregnant and Parenting Women Offenders program. However, the act inadvertently omitted Native American communities from participation in two of these grant programs.

At a hearing before the Crime, Terrorism, and Homeland Security Subcommittee in February, Mr. Ben Shelly, vice president of the Navajo Nation, stated that methamphetamine is the drug of choice in Indian country.

In 2005, 40 percent of all calls seeking police assistance on the Navajo Nation were meth-related. Even more troubling is that 40 percent of all violent crimes committed on the Navajo Nation are directly related to methamphetamine use trafficking.

Mr. UDALL of New Mexico, the sponsor of H.R. 545, testified at the hearing that 74 percent of Native Americans surveyed in a recent study say that meth is the single biggest threat to Native American communities today. The Native American Meth Enforcement and Treatment Act corrects this oversight and gives Native Americans full access to all three meth grants. This legislation is critical to our continuing fight to eliminate the meth epidemic in America.

Mr. Speaker, I support this bipartisan legislation and urge my colleagues to do so as well.

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

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I yield 3 minutes to the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. I thank the gentlelady from California for her leadership and hard work on this important issue, and also the ranking member.

Mr. Speaker, first of all, I would like to take a minute to thank the gentleman from Michigan (Mr. KILDEE) who is the lead cosponsor of this legislation, not only for his support, but for his work on this issue during the last Congress. This is only one of many critically important issues he has championed as cochair of the Congressional Native American Caucus. I am also honored to be a co-vice chair on the caucus, and I am honored to work with him on this legislation.

I would also like to thank my colleagues who supported this bill by joining me as cosponsors.

The important legislation before us today, H.R. 545, allows tribal governments to apply for three programs vital to the fight against methamphetamine: the COPS Meth Hot Spots program, the Drug-Endangered Children program, and the Pregnant and Parenting Women Offenders program. These programs were authorized last year as part of the Combat Methamphetamine Epidemic Act, which was included in the U.S. PATRIOT Act reauthorization. Unfortunately, tribal governments were unintentionally left out as possible applicants for the Hot Spots and Drug-Endangered Children programs. And while tribes are included as eligible applicants for the Pregnant and Parenting Women Offenders grant program, clarifying language was needed to ensure there is ample coordination with tribal service providers.

This legislation simply insures that consistent with tribal sovereignty, tribes can apply for the Hot Spots and Drug-Endangered Children grant programs. It also ensures greater coordination with tribal service providers in the Pregnant and Parenting Women Offenders grant program.

The manufacture and use of methamphetamine is one of the fastest

growing drug problems in the Nation. Thousands of labs continue to be found across the country. And while the number is slowing and slowly decreasing, drug traffickers have supplanted this decline with meth produced in other countries.

Unfortunately, the meth situation has been disproportionately much worse in Native American communities. The 2005 National Drug Survey on Drug Use and Health reported a past-year methamphetamine use rate of 1.7 percent for American Indians, and 2.2 percent for Native Hawaiians. These rates are dramatically higher than Anglos and other ethnic groups.

Mr. Speaker, this situation is absolutely unacceptable. The persistent use of methamphetamine on tribal lands and across America may come to an end. And I believe that passing H.R. 545 is an important step towards achieving this goal.

I urge my colleagues to support passage of this legislation.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I want to just thank Mr. UDALL on his excellent work in helping to correct this oversight. I urge this bill's adoption.

Mr. CALVERT. Mr. Speaker, I rise today as a cosponsor and strong supporter of H.R. 545—the Native American Methamphetamine Enforcement and Treatment Act of 2007.

As a cofounder and co-chair of the bipartisan Congressional Caucus to Fight and Control Methamphetamine, I am keenly aware of the threat that is our Nation's meth epidemic.

Methamphetamine has devastating societal costs. It is the source of violent crimes against people and property; increased suicide rates; heightened risks of hepatitis C and HIV/AIDS; increased need for more foster care placements for children of users; and environmental impacts from manufacturing facilities.

This highly addictive drug is a killer that shows no deference to region, race or ethnicity—it preys on all mankind.

Unfortunately, meth use thrives in some communities more than others. Native Americans suffer from higher than average rates of drug use as found in a recent NIH study. The Department of Health and Human Services estimates that 1.7 percent of Native Americans used meth in 2004—a per capita rate more than double that of Whites—the largest user population.

It is imperative that we assist our Native American communities and that is exactly what this bill does.

A year ago the President signed into law the Combat Methamphetamine Epidemic Act of 2005 as part of the PATRIOT Act Reauthorization bill. The bill was a true bipartisan, bicameral effort that has provided comprehensive measures to address our Nation's methamphetamine problem. However, the bill did not specify that Native Americans would be eligible for funding within the three grant programs authorized and mentioned by my colleagues. H.R. 545 ensures that Native Americans will have access to the grant funds.

I urge unanimous support for this commonsense legislation.

Mr. KILDEE. Mr. Speaker, I rise in strong support of H.R. 545, the Native American Methamphetamine Enforcement Treatment Act of 2007. I am pleased to join my colleague, Congressman TOM UDALL, in championing this bill through the House. This bill allows Indian tribes to apply for three new grant programs—the cops hot spots program, the drug endangered children program, and the pregnant and parenting women offenders program.

Methamphetamine use in Indian country has reached epidemic proportions, which has led to an increase in crime in Indian communities. This bill will give Indian tribes the opportunity to apply for Federal funds to assist them in the fight against meth use.

I urge my colleagues to support this bill.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. 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 California (Ms. LINDA T. SÁNCHEZ) that the House suspend the rules and pass the bill, H.R. 545, as amended.

The question was taken.

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

Ms. LINDA T. SÁNCHEZ of California. 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.

PREVENTING HARASSMENT THROUGH OUTBOUND NUMBER ENFORCEMENT (PHONE) ACT of 2007

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 740) to amend title 18, United States Code, to prevent caller ID spoofing, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 740

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 ''Preventing Harassment through Outbound Number Enforcement (PHONE) Act of 2007''.

SEC. 2. CALLER ID SPOOFING.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

''§ 1040. Caller ID spoofing

''(a) OFFENSE.—Whoever, in or affecting interstate or foreign commerce, knowingly uses or provides to another—

''(1) false caller ID information with intent to defraud; or

''(2) caller ID information pertaining to an actual person without that person's consent and with intent to deceive the recipient of a call about the identity of the caller;

or attempts or conspires to do so, shall be punished as provided in subsection (b).

''(b) PUNISHMENT.—Whoever violates subsection (a) shall—

''(1) if the offense is committed for commercial gain, be fined under this title or imprisoned not more than 5 years, or both; and

''(2) be fined under this title or imprisoned not more than one year, or both, in any other case.

''(c) LAW ENFORCEMENT EXCEPTION.—It is a defense to a prosecution for an offense under this section that the conduct involved was lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States, or any activity authorized under chapter 224 of this title.

''(d) FORFEITURE.—

''(1) IN GENERAL.—The court, in imposing sentence on a person who is convicted of an offense under this section, shall order that the defendant forfeit to the United States—

''(A) any property, real or personal, constituting or traceable to gross proceeds obtained from such offense; and

''(B) any equipment, software or other technology used or intended to be used to commit or to facilitate the commission of such offense.

''(2) PROCEDURES.—The procedures set forth in section 413 of the Controlled Substances Act (21 U.S.C. 853), other than subsection (d) of that section, and in Rule 32.2 of the Federal Rules of Criminal Procedure, shall apply to all stages of a criminal forfeiture proceeding under this section.

''(e) DEFINITIONS.—In this section—

''(1) the term 'caller ID information' means information regarding the origination of the telephone call, such as the name or the telephone number of the caller;

''(2) the term 'telephone call' means a call made using or received on a telecommunications service or VOIP service;

''(3) the term 'VOIP service' means a service that—

''(A) provides real-time 2-way voice communications transmitted using Internet Protocol, or a successor protocol;

''(B) is offered to the public, or such classes of users as to be effectively available to the public (whether part of a bundle of services or separately); and

''(C) has the capability to originate traffic to, or terminate traffic from, the public switched telephone network or a successor network;

''(4) the term 'State' includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States; and

''(5) a term used in a definition in this subsection has the meaning given that term in section 3 of the Communications Act of 1934 (47 U.S.C. 153).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 47 of title 18, United States Code, is amended by adding at the end the following new item:

''1040. Caller ID spoofing.''.

SEC. 3. OTHER SPECIFIED UNLAWFUL ACTIVITIES FOR MONEY LAUNDERING.

(a) FRAUD AND RELATED ACTIVITY IN CONNECTION WITH ELECTRONIC MAIL.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting ''section 1037 (Fraud and related activity in connection with electronic mail),'' after ''1032''.

(b) CALLER ID SPOOFING.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting ''section 1040 (Caller ID spoofing),'' before ''section 1111''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I ask unanimous consent that all Members 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 California?

There was no objection.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 740, the Preventing Harassment Through Outbound Number Enforcement (PHONE) Act of 2007.

I would like to thank Chairman CONYERS for his leadership in moving this bill through the committee process and to the floor on a bipartisan basis, and also commend Mr. SCOTT and the leadership and assistance of the full committee Ranking Member SMITH and subcommittee Ranking Member FORBES, along with that of the chief sponsor of spoofing legislation in the last Congress, TIM MURPHY, in developing and moving this bill to the floor.

H.R. 740 is aimed at the practice that has come to be known as spoofing. To some, that name might conjure up harmless pranks, but spoofing is very serious. Spoofing occurs when a caller uses caller ID information to hide the caller's true identity in order to commit fraud or some other abusive act.

One of the witnesses at the hearing on the predecessor bill last Congress was Phil Kiko, the Judiciary Committee's chief counsel at the time. He had been a victim of caller ID spoofing when his home phone number was left falsely as the caller ID on numerous calls. Phil and his family were understandably irritated at the numerous calls from people mistakenly calling him back, and it could have been much worse.

Spoofing is also often used to commit identity theft. Call recipients sometimes are tricked into divulging personal and private information under the mistaken belief that the call is legitimate. For example, the AARP has reported cases in which people received calls claiming falsely that they had missed jury duty. They were told that to avoid prosecution they needed to provide their Social Security number and other personal information. The caller ID information that appeared on their phones was from the local courthouse, so they assumed that the caller was telling the truth.

H.R. 740 is intended to help protect consumers from harassment, identity theft and other privacy intrusions.

Recently, the technology needed to spoof has become readily available either through the purchase of Internet telephone equipment or through Web sites specifically set up to spoof. For example, Voice over Internet Protocol equipment can easily be configured to populate the caller ID field with information of the user's choosing. Some of the technology can block any back technology, such as Star 69. In addition, the bill contains a forfeiture provision allowing for the forfeiture of equipment used and proceeds gained by criminals in call spoofing.

Finally, section 3 of the bill has a provision which adds call spoofing to the list of unlawful activities associated with money laundering. Existing law provides that comparable crimes, such as violations of the Computer Fraud and Abuse Act, constitutes specified unlawful activities for the purpose of the money laundering statute.

Not all use of fake caller ID information is considered spoofing. When you receive a call from a U.S. House of Representatives number on an outside line, for example, the number that appears on your caller ID is a fictitious number to protect the security of House Members and staff. False caller ID information is also used legitimately for certain law enforcement purposes and by some businesses as well, and these nonmalicious users are not prohibited by the bill.

The bill we were considering last Congress would have made even this nonabusive fake caller ID use illegal. That bill also failed to make a distinction in penalties for spoofing that does not involve fraud or gain, such as the Phil Kiko case.

Further, comments from the Department of Justice were not available when last year's bill was being developed. This is why I opposed the bill last year, though I was in support of the concept of the bill.

We have constructed a bill that makes fraudulent commercial use of caller ID information a felony, with fines and imprisonment of up to 5 years. This commercial motive would require the use of false caller ID information; that is, caller ID information that is not your own. The bill also makes abusive use of caller ID information without fraudulent commercial motives a misdemeanor, such as the Phil Kiko situation. Finally, the bill exempts use of nonabusive fake ID information.

The Subcommittee on Crime, Terrorism and Homeland Security held a hearing and markup on the bill in February and reported it favorably to the full committee. At the subcommittee hearing, the DOJ provided testimony and recommendations which we did not have a chance to fully consider by the time of full committee markup. Ranking Member FORBES and Mr. SCOTT agreed to work together on considering those recommendations in a continuation of the fully bipartisan effort under which this bill had been developed.

After meeting with representatives of DOJ, they have revised the bill as reported out of committee to clarify the offense and punishment language in the bill. The change makes clear that felony penalties are reserved for egregious violations committed with intent to wrongfully obtain anything of value. They also made other technical changes to the bill for its introduction on the floor.

H.R. 740 is important and helpful legislation for preventing identity theft and other abuses of phone technologies. Accordingly, I urge my colleagues to support the bill.

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

□ 1800

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 740, the Preventing Harassment Through Outbound Number Enforcement Act, or PHONE Act, and I thank Chairman CONYERS and my colleagues on the other side of the aisle for their support of this bill which unanimously passed the House at the end of the 109th Congress.

Mr. Speaker, a new type of fraud known as ''spoofing'' is becoming more prevalent. Spoofing involves masking one's caller ID information to facilitate a fraudulent telephone call to the recipient. Those who engage in spoofing use incorrect, fake or fraudulent caller identification to hide their identity, and then obtain personal information from the victim.

Call recipients unwittingly divulge their names, addresses, or Social Security numbers under the mistaken belief that the caller represents a bank, a credit card company, or even a court of law.

Spoofing is not simply annoying; it is the latest tactic for committing identity theft and other types of fraud that costs victims thousands and sometimes hundreds of thousands of dollars.

Spoofing not only victimizes the phone call recipient, but also invades the privacy of those individuals whose caller ID is used to mask the fraudulent calls. To address this, H.R. 740 specifically prohibits the use of an actual person's caller ID information for spoofing.

Although the technology needed to spoof has been available for some time, it previously required special equipment and knowledge to use the masking technology.

Recently, this technology has become more accessible either through the purchase of Internet telephone equipment or through Web sites specifically set up for spoofing.

These Web sites claim to protect one's privacy. However, the use of this technology has been linked to fraud, prank phone calls, political attacks, and telemarketers' attempts to avoid ''do not call'' restrictions.

Additionally, calling cards can be purchased or accounts set up to facilitate multiple telephone calls. One of the greatest concerns related to spoofing is the use of the technology by criminals to mislead law enforcement officials and evade prosecution.

H.R. 740 addresses these concerns by creating a new Federal crime to prohibit the modification of caller ID with

the intent to deceive the recipient of a telephone call as to the identity of the caller.

The bill imposes a fine and/or a prison term of up to 5 years for violations. However, the legislation does not affect legally available blocking of caller ID technology, or lawfully authorized activities of law enforcement or intelligence agencies.

This legislation will help deter telephone fraud, protect consumers from harassment, and protect consumers and their personally identifiable information from identity thieves. I urge my colleagues to support this bipartisan legislation.

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

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I yield such time as he may consume to the author of the bill, the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, the PHONE Act is a strong bill that has gained bipartisan support. Members on both sides of the aisle have agreed that we need urgent reforms to protect privacy rights and to crack down on identity theft. With over 10 million Americans affected by some form of identity theft each year, we need to tackle this issue at every possible level.

Spoofing is one form of identity theft in which criminals coax victims into giving up their most sensitive personal information by making it appear that a call is coming from a legitimate institution such as a bank. Misleading caller ID information also allows a spoofer to cause a victim to accept a call they otherwise might have avoided, leading to harassment and further privacy intrusions. Advances in technology such as Voice-Over-Internet-Protocol have made caller ID spoofing easy and readily available.

H.R. 740 includes a number of important provisions to fight spoofing. The legislation creates a new Federal crime to prohibit using or providing false caller ID information with the intent to wrongfully obtain something of value. The section also prohibits using or providing the caller ID for information of an actual person without his or her consent and with the intent to deceive the recipient. It correctly targets spoofing done to perpetuate financial fraud, and reserves harsh punishment for such crimes, including felony penalties of up to 5 years in prison.

In addition, the bill significantly improves the tools available to law enforcement to fight noncommercial spoofing while preserving the legitimate uses of the technology. For example, women's shelters may use misleading caller ID numbers, and many businesses do if they are calling from one of many lines. They may want the caller ID information to just reflect the main line. The bill does not infringe on these instances because the caller would not possess the requisite intent to defraud or deceive.

Finally, the bill is narrowly tailored to permit caller ID blocking in which one prevents one's number from being known at all. Caller ID blocking is not used to mislead because a person knows he is not getting any number and it has been a standard telephone device for many years.

In sum, the PHONE Act will deter telephone fraud, protect consumers from harassment, and will enhance protection of sensitive personal information.

Mr. Speaker, let me conclude by saying this started as bipartisan legislation and has continued. The information was brought to us when the chief Republican counsel on the committee, Phil Kiko, received such harassment because his number had been used by somebody else making annoying calls. He got called back because his number was appearing as the caller ID.

Mr. MURPHY introduced the bill last year and we have worked to improve the bill and have made significant improvements since last year. Chairman CONYERS, Ranking Member SMITH, and Ranking Member FORBES, we all worked very closely together to make sure that we could have the best product possible. I urge my colleagues to join together and pass the legislation.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE) who is a member of the Intellectual Property Subcommittee of the Judiciary Committee and who is chairman of the House Republican High-Tech Working Group, and who is also the ranking member of the House Agriculture Committee.

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman for his leadership on the Judiciary Committee and on this legislation, and I also thank Chairman CONYERS and Subcommittee Chairman SCOTT, my colleague from Virginia, for their work on this legislation, as well as Congressman MURPHY and Congressman FORBES, and I rise in strong support of H.R. 740, the Preventing Harassment Through Outbound Number Enforcement, or PHONE, Act.

Consumer fraud and identity theft are serious problems facing our citizens today. While technology has provided access to vast amounts of information about products and services that were not even imaginable a few years ago, technology is also being used by criminals to commit new types of fraud and to steal personal information from unknowing consumers.

Like other technologies, caller ID devices have empowered consumers. These devices allow them to screen out calls they would prefer not to take. However, they also perform the important function of acting as an additional check to ensure that the individuals placing incoming calls are who they say they are.

Unfortunately, criminals have found a way to fake caller ID information in order to trick consumers about who is actually calling. Increasingly, thieves are using this tactic to extract personal information from unsuspecting consumers. For example, by faking the caller ID of a consumer's bank, a thief can lure a consumer into divulging bank account numbers, Social Security numbers, and other types of sensitive personal information which can then be used to commit identity theft and other criminal acts.

The PHONE Act will help stop this abusive practice. Specifically, this bill imposes criminal penalties on those that provide false caller ID information with the intent to defraud, as well as those that provide the caller ID information of an actual person without that person's consent, with the intent to defraud the recipient of the call.

The PHONE Act is an important tool in the fight against identity theft, and I urge my colleagues to support this legislation.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank the gentlewoman from California and I rise to support this bill as I support all legislation dealing with the problem of spoofing.

I too have an anti-spoofing bill which passed the House last Congress. It was the first bill passed this year in the Telecommunications Subcommittee of the House Energy and Commerce Committee, and passed the House Energy and Commerce Committee as well.

It is very important that we deal with this problem. My colleagues have highlighted so many incidents where people have looked down at caller ID, and fraud has been committed on them.

People should have confidence that when they look at the caller ID, that that caller ID is accurate. And crooks and other people that want to steal people's identity should not have carte blanche.

The problem with this is we are always catching up with the crooks. As technology develops, crooks can think of ways to subvert it. When we realize there is a problem, Congress catches up and works to close the loophole. This is a loophole that must be closed.

Again, my colleagues have highlighted many of different instances where elderly people have been defrauded, where people think that they have the confidence of their bank or Social Security, they look at the number of the Social Security office, and they have confidence and they give out their Social Security numbers or other kinds of personal information which can be used to steal their identity.

I want to commend my colleagues on the Judiciary Committee and assure them that we on the Energy and Commerce Committee will work with them. This whole Congress needs to be working together on this. This is obviously a bipartisan working together. This is not an issue where it is a partisan issue. All Americans need to have this loophole closed. The sooner we do it, the better.

Mr. SMITH of Texas. Mr. Speaker, I yield such time as he may consume to my colleague from Pennsylvania (Mr. TIM MURPHY) who, as Mr. SCOTT said awhile ago, is the original author of similar legislation. Were it not for Mr. MURPHY's efforts in the last Congress to pass his bill unanimously, we would not be here tonight. We thank him for his leadership and for his initiative last year.

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, I thank the chairman and my good friend, the gentleman from Virginia (Mr. SCOTT), for his work on this important bill. We worked together on it. On behalf of H.R. 740, I would like to urge all of my colleagues to vote for this.

The previous version, which I introduced last session and was passed unanimously in the 109th Congress as H.R. 5304, was the Preventing Harassment Through Outbound Number Enforcement Act, or the PHONE Act, or the PHONE bill at that time.

Chairman SCOTT and Ranking Member FORBES and others from the Judiciary Committee have taken a good bill and made it better.

Identity theft has become an increasingly critical problem for consumers. The Federal Trade Commission revealed that last year about 10 million individuals were victims of identity theft in all 50 States. The disastrous implications for identity theft includes damaged credit, financial ruin, and the effects can tear apart families and ruin businesses.

Congress has repeatedly acted to try and prevent identity theft. But, unfortunately, with new technologies, as soon as we outlaw one version, somebody comes up with a way around that, and once again harasses and harms citizens of this Nation.

One of these technologies used by thieves is the practice of call spoofing or caller ID fraud presented on Web sites as just an innocent game one can use, or perhaps use it to make sales calls, but they mask their identity and alter their outbound caller ID in order to mislead the call recipient. Some may call it a way to maintain caller privacy, but it is nothing less than fraud.

I believe Congress must enact a law to penalize caller ID fraud perpetrators. This bill is particularly necessary to protect American families, the elderly, and businesses because illegally using another person's phone number could have limitless, unlawful applications. It doesn't take much in the imagination to understand how dangerous this practice is and how it is being used now.

For example, a criminal could try to obtain personal financial information from individuals by using a bank's phone number. A person could harass a former wife or husband who has otherwise tried to block the calls from the ex-spouse's phone line. A pedophile could stalk children by stealing his school's phone number or the phone number of a friend of the child. A sexual predator could use a doctor's office phone number to gather records about someone. A terrorist could make threats from a government phone number, and the list goes on.

The criminal use of caller identity theft, however, is not just a possibility. Here are some real-world examples of how caller ID fraud is occurring.

In 2005, a SWAT team surrounded an empty building in New Brunswick, New Jersey, after police received a call from a woman who said she was being held hostage in an apartment.

□ 1815

She was not in an apartment. The woman had intentionally used a false caller ID. Imagine what might have happened if that was a site where people might have been coming out of the building and police might have thought that that person was a potential threat.

I might add that one of the things that these caller ID fraud sites use is they also will allow you to disguise your voice and switch it from a male voice or female voice or vice versa to further fool the person on the other end.

There also have been incidents where people have used stolen credit card numbers and posed as a person who owned the credit card to illegally wire money to someone else. Another case occurred where people claim they were the county courthouse, calling people, claiming that they had missed jury duty, and tried to use that situation then to have the people give them credit card numbers to pay a fine for something that had not even occurred.

For these reasons, I introduced this bill in the 109th Congress as the PHONE Act, to punish those who engage in the intentional practice of misleading others through caller ID fraud. Violators of this bill will be subject to penalties up to 5 years in prison and fines of $250,000 for these crimes. However, it also allows up to 1 year in prison for those who use this as a mechanism of harassing.

All those folks who are still using this system, be aware that this will be made illegal. We expect the Senate to pass this, and all the elderly and small businesses and families across the Nation who find themselves as victims of this, be aware that when the call you have today shows up on your caller ID, it may not be who they say they are.

Please, we need to make sure that until this bill is passed, people are still vigilant of that, protect their identity and never release a credit card number or other personal information, no matter what that caller ID number says, unless you are absolutely sure the person who you are talking to is who they are.

Again, I am pleased to work with the Judiciary Committee Subcommittee chairman on Crime, Terrorism and Homeland Security, Chairman Bobby Scott, who has reintroduced this bill. This bill, H.R. 740, adds the important criminal and financial penalties to those who prey on the identity of others.

This legislation will not stop crime, it will not prevent identity theft, but it will protect lives and protect others and close this loophole for identity theft once and for all. I urge my colleagues to vote for this important bill.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, may I inquire of the gentleman from Texas if he is prepared to yield back the balance of his time?

Mr. SMITH of Texas. Mr. Speaker, I am prepared to yield back as soon as the gentlewoman from California is ready to close.

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

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, it is clear that this anti-phone-spoofing bill is a thoughtful, well-crafted, bipartisan piece of legislation. I urge its adoption, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. KIND). The question is on the motion offered by the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) that the House suspend the rules and pass the bill, H.R. 740.

The question was taken.

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

Ms. LINDA T. SÁNCHEZ of California. 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.

PERMITTING USE OF ROTUNDA FOR A CEREMONY COMMEMORATING THE DAYS OF REMEMBRANCE OF VICTIMS OF THE HOLOCAUST

Mrs. DAVIS of California. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 66) permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 66

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF ROTUNDA FOR HOLOCAUST DAYS OF REMEMBRANCE CEREMONY.

The rotunda of the Capitol is authorized to be used on April 19, 2007, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. DAVIS) and the gentleman from California (Mr. MCCARTHY) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. DAVIS of California. Mr. Speaker, I ask that all Members have 5 legislative days in which to revise and extend their remarks in the RECORD on this concurrent resolution.

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

There was no objection.

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

Mr. Speaker, I rise today in support of House Concurrent Resolution 66, which authorizes the use of the Capitol rotunda for a ceremony on April 19, 2007, commemorating the victims of the Holocaust.

The United States Holocaust Memorial Council is entrusted with observing the Days of Remembrance. These Days of Remembrance and the solemn ceremony at the Capitol set the manner in which similar events across our country pay homage to the 6 million people who lost their lives during one of mankind's darkest periods in history.

When World War II ended in 1945, 6 million European Jews were dead, including more than 1 million Jewish children. While all Jews were marked for death, children were among the most defenseless.

This year, the Holocaust Memorial Council, which oversees the U.S. Holocaust Memorial Museum and organizes the annual Days of Remembrance, has selected ''Children in Crisis: Voices from the Holocaust'' as its theme.

In any day and age, among the most vulnerable targets are children, and most often they are the first victims of senseless deeds. The children of the Holocaust endured lives filled with fear and suffering. The emotional and physical cruelty forced upon them is unimaginable. It is estimated that over 1 million, and as many as 1.5 million, Jewish boys and girls were murdered under Nazi rule in Germany and occupied Europe. These children were murdered because they were Jewish, not because of any action they had taken; not because of any crime they had committed, but simply because of their religion and their ethnicity.

Mr. Speaker, I believe that a number of the Members have been to Yad Vashem, the Holocaust memorial in Jerusalem, and I have an enduring image there of the children, the stars which represent them, the luminaries which hang from the ceiling, those tens of thousands of luminaries which remind us all of this overwhelming reason for us to remember these children.

Many children of the Holocaust were confronted by overpowering and destructive forces, separated from their parents and coerced into hiding. Children who found themselves hiding in the shadows were faced with unyielding hardships, and some were subjected to dark, cramped conditions for weeks, for months and even years, while others wandered from place to place seeking refuge, never knowing who to trust.

For those who survived, the end of the war was rarely the end of the struggle. Many children found themselves alone, with no family to be reunited with. The devastating and heart-wrenching reality was that there were no surviving family members, and they would now face the future without parents, grandparents or siblings.

So, as we stop to reflect on this heinous event, let it serve as a reminder that there is no room for prejudice, oppression and hatred. As American and world citizens, it is important that succeeding generations are called upon to remember the atrocities of the Holocaust and the similarities in the hate crimes we see today.

The will of the human spirit indeed is unwavering in the face of adversity, and history has shown us that in times of despair, humanity prevails and always looks towards a brighter future.

There is no better place than the United States Capitol rotunda to embody the reverence and dignity so deserving and honoring the victims of the Holocaust, especially the children. The United States Capitol has stood as a symbol of freedom and liberty and a symbol of hopes and dreams.

It is important, Mr. Speaker, that we use the rotunda, the scene of so many historic events, to draw attention again to one of the immense tragedies in human history and to take this time also to honor our colleagues who were personally victimized by the Holocaust or whose families suffered and died, and to pledge anew that such a atrocities must not be permitted to occur. We recall the words, ''never again, never again.''

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

Mr. MCCARTHY of California. Mr. Speaker, I yield myself such time as I may consume.

I rise today in strong support of H. Con. Res. 66. The purpose of this resolution is to authorize the use of the Capitol rotunda on April 19 for this year's national ceremony to commemorate Holocaust Remembrance Day. I am pleased that with the passage of this resolution, the Congress will be able to, once again, provide a venue for those who wish to mark this solemn occasion in the peaceful setting that the rotunda provides.

The annual Days of Remembrance provide all Americans with an opportunity to reflect together upon the Holocaust, to remember its victims and to renew our commitment to democracy and human rights.

In order to help focus our reflections on the Holocaust, the United States Holocaust Memorial Museum selects a yearly theme. This year we reflect on Children in Crisis: Voices from the Holocaust.

Mr. Speaker, an estimated 1 million Jewish children died at the hands of the Nazi regime during the Holocaust. Being the most vulnerable, children were often the first of the victims to be targeted for death. Many times they were sent to the gas chambers immediately following their arrivals in the concentration camps because most were not old or strong enough to work under the forced labor conditions. But at the same time, this year's theme also recognizes the importance of remembering those children who were able to survive through their own courage and determination and the aid of dedicated individuals risking their own lives to help thwart the horrible intentions of the Nazi Party.

I think it is imperative that we never forget either the horrors of the Holocaust or the incredible courage and humanity that enabled some children to survive such awful conditions.

So, Mr. Speaker, I urge the support of this resolution.

Mr. WAXMAN. Mr. Speaker, it is an honor to be the sponsor of this resolution to authorize the use of the Capitol rotunda on April 19, 2007 for the annual congressional ceremony to commemorate the Holocaust.

The United States was one of the first countries to adopt a national day for Holocaust commemoration. It is one of the only nations in the world to observe Yom Hashoah, Holocaust Heroes and Remembrance Day, on the same day chosen by the State of Israel—the Hebrew anniversary of the Warsaw Ghetto uprising.

Each year, on Yom Hashoah communities around the United States come together to memorialize the millions who perished. We remember the heroism of those who fought back and pay tribute to the survivors and the tremendous courage and strength it took for them to rebuild their lives. We stand against the anti-Semitism and intolerance that fed the Nazi machine and sadly continues to resurface today.

While this resolution may be routine by nature, it is a testament to the commitment of Congress to make sure that the history of the Holocaust is never forgotten or repeated.

I would like to thank the House administration for its work on this legislation. I encourage all of my colleagues to participate in the ceremony in the rotunda.

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

Mrs. DAVIS of California. 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 California (Mrs. DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 66.

The question was taken.

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

Mrs. DAVIS of California. 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H.R. 1284, by the yeas and nays;

H.R. 1130, by the yeas and nays;

H.R. 740, by the yeas and nays.

Votes on H.R. 545 and H. Con. Res. 66 will be taken tomorrow.

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

VETERANS COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1284, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 1284.

The vote was taken by electronic device, and there were—yeas 418, nays 0, not voting 15, as follows:

[Roll No. 176]

YEAS—418

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
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, Lincoln
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
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
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
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)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
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
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
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
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
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—15

Brady (PA)
Castor
Davis, Jo Ann
Davis, Tom
Deal (GA)
Gordon
Hinojosa
Johnson, E. B.
Kanjorski
Moran (VA)
Myrick
Pence
Simpson
Stark
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1854

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

JUDICIAL DISCLOSURE RESPONSIBILITY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1130, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) that the House suspend the rules and pass the bill, H.R. 1130.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 177]

YEAS—415

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
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, Lincoln
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
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
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
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)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
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
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
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—18

Brady (PA)
Buchanan
Davis, Jo Ann
Davis, Tom
Deal (GA)
Gordon
Hinojosa
Johnson, E. B.
Kanjorski
Klein (FL)
McCrery
Moran (VA)
Myrick
Pence
Simpson
Stark
Waters
Young (FL)

□ 1903

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PREVENTING HARASSMENT THROUGH OUTBOUND NUMBER ENFORCEMENT (PHONE) ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 740, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) that the House suspend the rules and pass the bill, H.R. 740.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 1, not voting 19, as follows:

[Roll No. 178]

YEAS—413

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
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Capps
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Chabot
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Cleaver
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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, Lincoln
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
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
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Hastings (FL)
Hastings (WA)
Hayes
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Hulshof
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Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
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Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
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)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
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
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
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Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
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Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
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Thompson (CA)
Thompson (MS)
Thornberry
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
Wicker
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NAYS—1

Paul

NOT VOTING—19

Brady (PA)	Hinojosa	Simpson
Clyburn	Johnson, E. B.	Stark
Davis, Jo Ann	Kanjorski	Westmoreland
Davis, Tom	McCrery	Wilson (NM)
Deal (GA)	Moran (VA)	Young (FL)
Filner	Myrick	
Gordon	Pence	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE.

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

□ 1910

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. WILSON of New Mexico. Mr. Speaker, on rollcall No. 178, I was inadvertently detained. Had I been present, I would have voted "yes."

COMMUNICATION FROM DEPUTY DISTRICT DIRECTOR OF HON. LEONARD L. BOSWELL, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Marc Beltrame, Deputy District Director of the Honorable LEONARD L. BOSWELL, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 15, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by the District Court for Polk County, Iowa, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

MARC BELTRAME,
Deputy District Director.

COMMUNICATION FROM DISTRICT REPRESENTATIVE OF HON. LEONARD L. BOSWELL, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Ted Tran, District Representative of the Honorable LEONARD L. BOSWELL, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 15, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by the District Court for Polk County, Iowa, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

TED TRAN,
District Representative.

COMMUNICATION FROM STATE DIRECTOR OF HON. DENNY REHBERG, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Randy Vogel, State Director of the Honorable DENNY REHBERG, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 19, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a grand jury subpoena for documents issued by the U.S. District Court for the District of Montana, Billings Division.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

RANDY VOGEL,
State Director.

COMMENDING CONCORD HIGH IN CONCORD, NORTH CAROLINA FOR A DUAL CHAMPIONSHIP SEASON IN MEN'S 3A FOOTBALL AND BASKETBALL

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

Mr. HAYES. Mr. Speaker, I rise today to acknowledge and pay tribute to the Concord High School Spiders men's athletic team for making history by being the first 3A school in North Carolina to win State titles in both men's basketball and football in the same year.

The Spiders basketball team, who finished as the runners-up in 2006, defeated Kinston High School 85–79 for the 2007 championship title on March 10. The Spiders football team defeated Western Alamance last December, taking the State championship for the second time in 3 years.

Star players on both of Concord's teams include senior guard, Dee Bost, who scored 27 points in the championship game and earned the honor of Most Valuable Player for both basketball and football. Lance Lewis, a starter on the 2004 and 2006 football championship teams, scored 16 points and four rebounds, and was named Concord's Most Outstanding Player in the final.

The athletic program at Concord High is one of great tradition that dates back even further than my years of playing there. The nickname Spiders came from the athletic field at the old Concord High School, which was named after Principal and School Superintendent A.S. Webb. Concord's first State title was one in 1929.

I am extremely proud of the hard work and dedication of these young men from my hometown of Concord. Congratulations to Coach E.Z. Smith, Coach Andy Poplin and the Concord High men's football and basketball teams on your successful seasons, great teamwork and dual State championship victory.

OFFICER ANGEL CRUZ, NYPD

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

Mr. POE. Mr. Speaker, peace officers are the first line of defense between the law and the lawless. Those who wear the badge sometimes go to unbelievable efforts to capture the bad guys.

New York City peace officer Angel Cruz is one of those remarkable peace officers. Officer Cruz was trying to arrest Hugo Hernandez for a minor offense on a subway platform in Queens, New York when, without warning, Hernandez slashed the officer across the face with a knife, then stabbed him in the head, cracking his skull.

Even after being stabbed, Cruz, a 15-month rookie with NYPD, was able to shoot and wound the outlaw.

When backup arrived, Cruz, with blood spouting from his head, had chased Hernandez down the subway stairs, and was trying to handcuff him.

The criminal, Hernandez, was an illegal from Guatemala who had already been deported for assaulting six New Jersey police officers.

Our Nation appreciates the relentless work of Officer Cruz and NYPD.

And as for the illegal, he should go to jail, be deported back to Guatemala, and Guatemala should pay restitution to Officer Cruz.

And that's just the way it is.

□ 1915

DEMOCRAT IRAQ SUPPLEMENTAL

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

Mr. GINGREY. Mr. Speaker, I rise today in outrage over reports that Speaker PELOSI is threatening to revoke committee assignments and earmarks for Democrats who don't support the Iraq supplemental bill on the floor this week.

Talk about a culture of corruption. This is the lowest form of politics. But, sadly, while their strong-arming is audacious and unethical, it is not surprising. We know the Democratic leadership will go to extreme measures to garner votes for this bill, not only by tying troop funding to arbitrary deadlines for withdrawal, but by peppering it with so much pork, you would think our troops needed shrimp and avocados to beat the terrorists.

Mr. Speaker, it is little wonder Democratic leaders are scared to let Members vote their conscience on this bill. After all, even the Los Angeles

Times calls this ''the worst kind of congressional meddling in military strategy.''

But arm-twisting and threats have no place in this people's House, and Americans have every right to be outraged with the current leadership.

SPECIAL ORDERS

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

TRIBUTE TO THE HON. JACK METCALF

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

Mr. HASTINGS of Washington. Mr. Speaker, I rise tonight, along with my colleagues from Washington State, to pay homage to our friend and colleague who passed away last Thursday, Jack Metcalf.

Jack Metcalf represented the Second District of Washington from 1995 to 2001, and I have known Jack personally since 1968. I first met Jack when he first ran for the U.S. Senate. I was contacted by some people, and they said that he was coming into town and asked if I would meet with him, which I did, he ended up spending the night at my house and slept on the couch.

I only say that from background because that was typical of Jack. He was totally unpretentious. In fact, his history, electoral history, as a representative of northwest Washington goes back for many years. He first ran for office in 1958, unsuccessfully, I might add. Two years later he ran and was elected to the State legislature and served there for two terms and left. Then he got elected as State senator and served for 8 more years as a State senator, and left to run for the U.S. Senate again, and got beat and then came back and served as a State senator for 12 more years. He left that time to run again unsuccessfully for the U.S. House. But he was successful when he ran in 1994.

I point that out because that was four times that he ran for office in an endeavor to serve his constituents of northwest Washington. And it never bothered him, at least he never said it to me, that he was unsuccessful in the past. In fact, after he had lost in 1992 and was contemplating running in 1994, he was approached by the then Republican Central Committee chairman and suggested that maybe Jack ought not run because he was 68. And Jack replied to him, ''Well, I think I can win.'' And I can just hear Jack say that because that was so typical of him. He was totally unpretentious.

So I am here simply to say that he was a friend for many, many years. He was somebody that served his constituents well, and he was somebody, I think, that was really very, very true to his beliefs. And I think that is an asset that a lot of people probably don't have, but certainly Jack did. And I am very, very proud to have called him a friend for all these years.

And I can say that our thoughts and prayers are with Norma and his family, and he will be greatly missed.

With that I would like to yield to the individual that succeeded him in the Second District, my friend from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Speaker, I thank the gentleman from eastern Washington for yielding.

I rise today to pay tribute to the Honorable Jack Metcalf, who was my predecessor in Washington State's Second Congressional District.

Before Jack was a Congressman, and we have heard about his running for office, but he was a teacher for 30 years. Public service was more than a profession for Jack. It was very much a passion. He placed a premium on honesty and hard work, and he was admired for being a person of his word. He built relationships not only with traditional allies, but with anyone concerned with improving the quality of life for his constituents.

Jack forged a bipartisan alliance with Senator PATTY MURRAY to protect our marine habitat in Washington State. The work done by the Murray-Metcalf Commission continues today to benefit the people of Washington State. Jack's dedication to protecting our marine resources stands as a challenge to his successors and as a legacy to our State.

I personally had the pleasure of working with Jack on flood issues when I was a local elected official. Flooding had created terrible problems for Snohomish County, and Jack brought people together and harnessed Federal, State, and local resources to find solutions.

We will miss ''Gentleman Jack'' Metcalf. He had no need for partnership or grandstanding, and he stood out for his commitment to the people that he represented. And certainly tonight our hearts go out to Jack's wife Norma and to their children.

ON THE PASSING OF FORMER CONGRESSMAN JACK METCALF

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

Mr. DICKS. Mr. Speaker, I want to join the other members of the Washington congressional delegation today in expressing my sadness at the passing of our former colleague Jack Metcalf, who represented the Second Congressional District of Washington from 1995 to 2001.

Jack came to Congress later in his career, having served for 4 years in the State house of representatives and 20 years in the Washington State Senate. And throughout his career in Olympia, he continued to teach in the Everett area at the high school, as he campaigned twice for the United States Senate against a very popular Warren Magnuson and as he built a cabin retreat that became a bed-and-breakfast business that he and his family operated, which was a special place for Norma and him.

He campaigned in 1994 for an open seat in Congress and promised to be an independent voice for constituents in the Second District. Having served with Jack during his 6 years in the House, I am able to confirm that he was every bit as independent as he said he would be. He came here as a well-established politician with well-established views, and he freely expressed those views with vigor and conviction. But along the way he also did two things that distinguished him, at least from my viewpoint as a colleague of his in the Washington delegation. First he established a high priority for constituent service, which I believe was critical to his job as Representative. He fought hard to help individuals who couldn't get responses from a Federal agency.

□ 1930

He supported veterans' causes. And even when it came to voting against party positions in his own caucus, he was for the veterans. Jack also cared deeply about natural resource issues, particularly salmon issues. He worked with Senator MURRAY on the Northwest Straits Commission.

Second, he valued friendship, and he always sought to keep the often-heated debate from becoming personal. When he spoke against a position another Member espoused, he would often cross the aisle and speak with that person personally, so you never took any of his comments directly as a personal affront.

Consequently, he was well regarded within our delegation, and I appreciated his friendship and his willingness to help on major State issues whenever he was asked. He will surely be remembered for the independence he demonstrated as a Member of Congress, but I can assure my colleagues in the House today that I will remember him as a real gentleman and a good friend.

He will be missed, and our hearts go out to Norma and his family.

I would like to yield to my colleague Mr. MCDERMOTT, who served with Jack in the Washington State Legislature before he came to Congress.

REMEMBERING JACK METCALF

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, probably I knew Jack better than most in our delegation, because I did serve with him for a long time in the Washington State Legislature. And although

most Members would know me as somewhat liberal and Jack as being somewhat conservative, we were really good friends, because Jack was the kind of person you could sit down and talk to, and no matter what your political views were, he would sit and talk about whatever it was on your mind.

He told me a lot about his decisions to run for both the legislature and for the U.S. Senate, and he told me about how his first campaign worked.

Jack went out and planted a whole field full of pumpkins, and he took an instrument that was like a cookie cutter and had it made in his name, Jack Metcalf. He took all these pumpkins when they were small and scored them on the outside, and as the pumpkins grew, the name ''Metcalf'' appeared on the pumpkins. So by the time of the election, Jack went around and gave a pumpkin to every house in his district.

That is Jack Metcalf. That is the guy that was here, very unassuming, no airs about him whatsoever. He was a solid conservative, don't have any doubt about that, and he stuck to his principles. He was the kind of conservative you could talk to and find out what he thought. He would tell you exactly where he was, and that is where he was. You could try to convince him, and maybe it would work.

I had one experience with Jack which I have to tell about. I was the ways and means chairman of the State senate when Jack was there in the minority, and I had a bill that I needed an extra vote on. I needed somebody in the Republican Party. So I went over and I talked to Jack about it.

He listened to me and acknowledged that maybe that wasn't such a bad idea. But he was really concerned about the economic situation of the United States, and he really thought that we ought to be on the gold standard. So Jack and I had this long discussion about the gold standard, and I said, ''You know, Jack, we ought to have a hearing in the State senate on the gold standard.''

Well, as you might guess, this would have been about 1983, the gold standard wasn't exactly very high on most people's agenda, but we had a hearing, and we listened and we talked and we asked the questions and had a great long discussion about this issue, and a few days later, when I needed a vote, Jack was there.

That is the kind of person he was. He was somebody who would listen to you, he would tell you what he was concerned about; and if you listened to him, you made a friend, and you were able to work with him.

His wife and kids, I know, perhaps tonight are watching. You should have nothing but pride for your father and your husband.

They list all the bills that he got involved in. Jack was a very, very dedicated environmentalist and did many things here. But what will always remain will be he was a guy who came here and said, I believe in term limits; he served 6 years, and he left. No fuss, no muss. He didn't ask anybody. He had made a commitment to his people in 1994 that he would leave, and he did surely as soon as the time came.

So we will miss Jack. He is the kind of person that makes this place a really humane place. Jack I don't think had an enemy in this place, because, as Norm says, even if he was going to say something against you, he would either before or after come and talk to you about it and say, ''I didn't mean that personally, but I just think you are wrong on that matter.'' He had that way, and we would do well to have that spirit come back to this House.

We will miss you, Jack.

64TH DAY OF INCARCERATION FOR BORDER PATROL AGENTS RAMOS AND COMPEAN

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

Mr. JONES of North Carolina. Mr. Speaker, today is the 64th day of incarceration for two U.S. Border Patrol agents. Agents Ramos and Compean were convicted last spring for shooting a Mexican drug smuggler who brought 743 pounds of marijuana across our border into Texas.

These agents never should have been sent to prison. There are legitimate legal questions about how this prosecution was initiated and how the prosecutor's office proceeded in this case. To prosecute the agents, the U.S. Attorney's Office granted immunity to a known drug smuggler. While the Mexican drug smuggler waited to testify against our agents, DEA reports confirmed that he brought a second load of marijuana, 752 pounds, into the United States. But this information was kept from the jury and the public.

Over the past 8 months, dozens of Members of Congress and thousands of American citizens have asked President Bush to pardon these agents. In December of 2006, the President granted pardons to 16 criminals, including 6 who were convicted of drug crimes, but he would not pardon Agents Ramos and Compean.

The difference, Mr. President, is that these people you pardoned were criminals, and these two Border Patrol agents are Hispanic Americans who are heroes, heroes who were doing their job to protect our borders. Mr. President, it is not too late for you to use your authority to pardon these two men.

Not only are there concerns about the U.S. attorney's prosecution of these two border agents, but the same prosecutor's office in western Texas has just persecuted another law enforcement officer.

Deputy Sheriff Gilmer Hernandez was sentenced this week to a year in jail for shooting at a vehicle that was transporting illegal aliens. Hernandez stopped the car for running a red light and asked the driver to step out of the car, but the driver pulled forward to flee and turned the car toward the deputy. The deputy fired shots at the car's tires to protect himself.

Hernandez was charged for violating the civil rights of one of the passengers, an illegal Mexican national who was struck in the lip by fragments of a bullet or other metal. None of the vehicle's occupants were charged.

Mr. Speaker, there are many questions and concerns about the prosecutor's office that need to be answered. I want to thank Chairman JOHN CONYERS for considering my request and those of other Members of Congress for a hearing on the overzealous prosecution of these law enforcement officers.

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.)

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

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

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

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

REASONS FOR SUPPORT OF EMERGENCY SUPPLEMENTAL BILL

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

Mr. PALLONE. Mr. Speaker, I come to the floor this evening to voice my support for an emergency supplemental bill that will produce a significant change in the way the war in Iraq is being waged. This is not an easy decision on my part. Back in 2002, I opposed giving President Bush the authority to wage the Iraq war, and ever since, I have opposed every supplemental bill that has come to this floor to pay for the war in Iraq.

During each supplemental debate, I voiced concern that Congress was essentially giving President Bush a blank check to wage the war as he saw fit. I voiced frustration that the Bush administration was unwilling to face the realities on the ground in Iraq and that Republican Congresses refused to provide proper oversight of billions of dollars that were handed out to contractors like Halliburton.

Last November, the American people sent a clear message that the status quo in Iraq was no longer acceptable.

They entrusted Congress to Democrats in the hopes that we would help take our Iraq policy in a new direction so that we could bring our troops home soon.

Mr. Speaker, the emergency supplemental addresses the concerns of the American people. It is a serious piece of legislation that brings together into one bill the recommendations of the nonpartisan Iraq Study Group, military generals, the Pentagon, and even the President himself. It provides us the first real opportunity to change course, and therefore it deserves the support of anyone who believes the status quo is no longer acceptable.

The supplemental takes into consideration the views of military generals and military experts who have said for months now that there is no longer a military solution possible in Iraq. Instead, they say the only way to end the civil war that is raging in Iraq is through political and diplomatic means.

Tomorrow this House will have the opportunity to send the President a strong message that the war in Iraq will not continue indefinitely. The legislation states that American troops will be out of Iraq no later than August 31, 2008, and if the Iraqi Government does not meet certain benchmarks in the coming months, our troops will be home by the end of this year.

With this legislation, the fate of Iraq now truly belongs to the Iraqis themselves. It is time the Iraqi Government stepped forward and takes some responsibility. The Maliki government must realize that it has to meet political, economic and diplomatic benchmarks that the President himself set, and that if serious improvements are not seen in the coming months, then we will begin the process of redeploying our troops out of Iraq.

This only makes sense, Mr. Speaker. If the Iraqi Government continues to believe that U.S. involvement there is indefinite, what kind of pressure are they going to have to make the necessary political reforms? They are not, and that is why both this pressure and a date certain for responsible redeployment are so important.

This legislation also begins the process of redirecting the Bush administration's attention to the forgotten war in Afghanistan by adding $1 billion to the Defense Department's request for military activities there. This increase supports our efforts to suppress a likely spring offensive by the Taliban. In addition, it will reinforce our humanitarian efforts in that war-torn country. We must work to give poor farmers an alternative to the illicit opium trade that is rampant throughout Afghanistan.

Finally, the legislation provides more money than the Pentagon requested for critical health care needs for veterans and wounded soldiers. Specifically, the legislation provides $1.7 billion more for defense health care and $1.7 billion more for veterans' health care in the hope that we can eliminate the horrific conditions and the treatment our wounded soldiers receive at Walter Reed. The brave men and women who fought on behalf of this country should not now have to endure bureaucratic delays in order to receive the health care services that they were promised.

Mr. Speaker, this week we entered the fifth year of this unfortunate war. Tomorrow we must step forward and support a bill that brings our troops home within the next 18 months, exerts pressure on the Iraqi Government, prioritizes the forgotten war in Afghanistan and provides additional funds for veterans and military health care.

Tomorrow we have the opportunity to change the direction of the war in Iraq, and we should certainly take it.

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.)

MEXICAN GOVERNMENT NEEDS TO STAY OUT OF AMERICA'S BUSINESS

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 Mexican Government needs to stay out of America's business. Let me explain.

Deputy Sheriff Gilmer Hernandez of the town of Rocksprings, Texas, Edwards County, the size of Delaware, one of three deputy sheriffs on patrol at any given time in this massive area of west Texas, is on patrol in the middle of the night, and he sees a van with the lights off running a red light. He does what he is supposed to. He attempts to pull the van over. He notices as he approaches the van that numerous people are laying down on the floorboards.

As he gets closer, the driver speeds off, turns around and tries to run over Deputy Gilmer Hernandez. Deputy Hernandez pulls out his pistol, blows out two of those tires, and the vehicle finally stops. One passenger in the van was slightly injured, but the people in the van jump out and take off running because they are all illegally in the United States, seven or eight of them.

□ 1945

Deputy Hernandez immediately calls the sheriff of the county to show up. The sheriff shows up; he calls the Texas Rangers to make an independent investigation of this shooting. The Texas Rangers—there is probably no finer law enforcement group in the United States, or in the world for that matter—make an independent investigation and determine that Deputy Hernandez acted lawfully and within the law when he fired his weapon. But then the Mexican government gets involved, and in their arrogance, demand in writing from their consulate general to our Federal Government that Deputy Hernandez be prosecuted. And our Federal Government, like the cavalry, shows up later and reinvestigates the case; basically uses the same facts, talks to all of the illegals, and prosecutes Deputy Hernandez for shooting his weapon in self-defense.

It is ironic that the consulate general wouldn't even allow our government to talk to the illegals until the consulate general got them all together in a room and apparently got their story straight. And once that happened, they talked to Federal prosecutors, and the Federal prosecutors prosecuted Deputy Hernandez, where they were saying he should have stopped firing his weapon after the van went on by. How ridiculous a statement that is.

Deputy Hernandez was convicted, and this week he was sentenced to 1 year and 1 month in the Federal penitentiary. The Federal judge apparently did everything he could to get the lowest possible sentence under the Federal guidelines, even though Deputy Hernandez should not have been prosecuted. The illegals in the van should have been prosecuted. The human smuggler driving the van, he should have been prosecuted. But no, they got a deal; they got green cards to stay in the United States. It seems like our government is prosecuting the wrong people.

It is interesting that Deputy Hernandez was also ordered to pay $5,000 to the illegal who was slightly injured. That is nonsense. It is like someone who breaks into your home, you try to stop that person, they are injured in the scuffle, and the next thing you know you have to pay for their injuries when they illegally broke into your home. That is the same thing that Deputy Hernandez is supposed to do under this court order.

It sounds to me like the Mexican government ought to be paying restitution. They ought to pay restitution to the American taxpayers for the cost of the illegals that come into the United States and get all the social programs that the rest of us pay for. The Mexican government ought to pay restitution for their drug smugglers that come into the United States, bringing that cancer that has spread across our land.

Our Federal Government obviously needs to get on the right side of the border war, and that is the American side of the border war. It is interesting how our Federal Government is so relentless in prosecuting border protectors who are protecting the dignity of this country, doing everything they can to keep people from illegally coming into this country, while our Federal Government gives lip service to border control. Of course that is the

news that the drug smugglers and the illegals like, that our Federal Government prosecutes the border protectors rather than prosecute them.

And why does our Federal Government jump when the Mexican government arrogantly demands that our border protectors be prosecuted? Hopefully we are going to find out the answer to that. Who is driving the process, the Mexican government or our own government? And anyway, who cares what the Mexican government thinks, they are irrelevant to border security and what our border protectors do.

Mr. Speaker, the border war continues, and the Federal Government needs to get on the right side of the border war because right now they are missing in action.

And that's just the way it is.

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

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

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

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

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

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

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

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mrs. BLACKBURN 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 Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

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

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

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

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

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

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

(Ms. CORRINE BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

WAR SUPPLEMENTAL IS BAD POLITICS, BAD POLICY

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

Mr. KINGSTON. Mr. Speaker, I appreciate the opportunity to be here tonight.

I wanted to talk on the eve of what may be the most controversial bill that we have voted on since I have been a Member of Congress, and I have been a Member of Congress now for 16 years. In fact, sometimes I don't like to admit that in public because everybody gets so concerned about term limits, I don't want to be the poster child for my enemies on that subject. But I have been in Congress for the NAFTA vote, for the renewal of GATT, the General Agreement on Trade and Tariffs. I have been here for the impeachment vote. I was here for welfare reform, some very significant pieces of legislation, the Contract With America, and recently with the Democrats' 6 for 06 plan. Yet in all my years of Congress, I can say that this week, perhaps tomorrow, perhaps Friday, we will have what is the most controversial bill that I ever voted on and the largest supplemental appropriation bill in the history of the United States Congress, a bill which the President requested for our troops in Afghanistan and Iraq and the war on terrorism in general. His request level was $101 billion, but it is actually going to be about a $124 billion bill, because there are many things that aren't even related to the war that have now got stuck in the bill.

There are a lot of different views on this that I wanted to talk about. I have my friend, Mr. CARTER from Texas, who is a fellow appropriator on this Special Order. The thing that is interesting, though, is that a lot of the traditional allies of the Democrat Party, the Los Angeles Times, the Washington Post, and sometimes in fact those two newspapers are inseparable from the Democrat talking points, but they are squarely against this bill. The editorial pages have gone out of their way to say what a bad bill this is, to say do we really need a General PELOSI, which is what the Los Angeles Times said. And to quote the Los Angeles Times, ''After weeks of internal strife, House Democrats have brought forth their proposal forcing President Bush to withdraw the troops from Iraq, 2008. This plan is unruly, bad public policy, bad precedent and bad politics. If the legislation passes, Bush says he will veto it, as well he should.'' That is the Los Angeles Times.

Here is the Washington Post. The Pelosi plan for Iraq. ''The only constituency House Speaker NANCY PELOSI ignored in her plan for amending Bush's supplemental war funding bill are the people of the country that the U.S. troops are fighting to stabilize.'' That is real important.

''The Democratic proposal doesn't attempt to answer the question of why August 2008 is the right moment for the Iraqi Government to lose all support from U.S. combat units. It doesn't hint as to what might happen if American forces were to leave at the end of this year, a development that would be triggered by the Iraqi Government's weakness. It doesn't explain how continued U.S. interest in Iraq, which holds the world's second largest oil reserve and a substantial cadre of al Qaeda militants, would be protected after 2008. In fact, it may prohibit U.S. forces from returning once they leave.'' That is the Washington Post.

These are not what I would call mainstream moderate newspapers. The Los Angeles Times and the Washington Post are out there drumming the drums for the liberal causes, time and time again, and they are both squarely against this plan.

You know, I think one thing Americans have to ask themselves is, is there U.S. interest in Iraq? Rhetorical question. Is there U.S. interest in Iraq? Now, if there isn't, and the war is in fact in the tank as Speaker PELOSI and many of her followers believe, get out tomorrow. Get out. Get out yesterday. Now, this bill doesn't say that. It is more of a slow-bleed, sure-formula-for-defeat plan. But if you really think the war is in the tank, why spend another nickel there?

Now I understand, I haven't spoken to him, that my colleague from Georgia, JOHN LEWIS, has made that philosophical and principled position. JOHN is a liberal senior Member from Atlanta. And he says, I am against the war. Why should I vote to spend $100 billion more there? I respect that position. But if you are going to spend the money and give the troops some assistance, why are you tying their hands at the same time? Again, if there is a U.S. interest, then is there not a U.S. interest in victory? Is there a U.S. interest in defeat? And so often the critics of

the war always dodge those important questions.

And you can go back to 2003 and cite many things that have gone wrong. I am a Republican and I will tell you what, there have been many things that we have misjudged and done wrong, and it is regrettable. And I would also say that even prior to 2003, maybe some things should have gone in a different direction. I will say, as a Member of the House at the time, we were driven by the 17 United Nations resolutions, which the Iraqi Government ignored. We were driven by the best intelligence estimates at the time, which said that there were weapons of mass destruction and Saddam Hussein would use them. That was a view that was shared by HILLARY CLINTON, JOHN KERRY, TED KENNEDY, and all the other leading Democratic critics of this war. But they all had the same conclusion in 2001, 2002 and 2003, leading to our resolution to give the President the use of force to go into Iraq. But I understand politics. Backseat driving and revisionist history just comes with the turf.

So we can politically revise history. I understand there is a short-term memory and a convenience factor, and if you are running for the Democratic Presidential nomination, you have got to be dodging and weaving, as JOHN KERRY did last time, voting for it and then against it and having positions all over the court.

But we are here now. Whether you are Democrat or Republican, the last election, November 2006, put the Democrats in charge. They are no longer in the back seat of the car. The President may have driven the car to where it is, but the Democrat Party now has its hand on the steering wheel. And you can steer good policy. And this, as the Los Angeles Times says, is bad policy, very bad policy.

If you believe there is a U.S. interest and you think, what would happen with the U.S. out of Iraq suddenly? There would be chaos, there would be civil war, and it is quite likely that the second largest oil-producing nation in the world would fall into the hands of anti-American, anti-Western terrorists and become a nation state of terrorists, a haven for more terrorists.

I don't know of anybody in the Congress that thinks it is a good idea to ignore terrorism the way we did prior to 9/11, when the two embassies were attacked in Africa, when the USS *Cole* was attacked in Yemen, and when the 1993 bombing of the World Trade Center happened. We are not going to let that happen again. We understand that you just can't ignore terrorism, that you have to be engaged with it.

So if you believe there is an interest and there is a huge downside in sudden withdrawal, why would you vote for a bill that says we are going to withdraw but we are going to withdraw slowly? We are going to let our troops stay over there, but we are not going to give them the backup that they need.

Now, I have the honor of representing the 3rd Infantry Division, Fort Stewart, Fort Hunter, Georgia. I also have a couple other military bases. But Fort Stewart leaves this week on its third deployment there. And I don't see how I could be expected to represent those soldiers and tell them, you know, ma'am, your son is patroling the streets of Baghdad and I had the opportunity to send him 20,000 troops to cover his back and I voted no. Because it is a fundamental question. If you are in Iraq, do you want 20,000 more troops helping you or not? How can you say you support somebody if you are not going to give them additional troops to back them up?

Now, I don't believe this is a status quo vote at all, because General Petraeus, who is now our commander over there, has designed this plan as a way to ramp up our forces and clamp down on the violence and the attacks, train the Iraqi troops, and then stabilize the country and come home. I believe that that is an exit and a victory plan, and it is changing the status quo.

So why would you put the general in charge, who I think was approved by the Senate by a vote of 80 or 90 to zero, I don't think there was a dissenting vote, and then say to him, good luck, but we are going to micromanage the war because we have 435 Members of Congress who, General Petraeus, are mighty good military folks in own right. Maybe we should in fact move Congress to Baghdad, since all the generals seem to be in this room who have all the answers.

Mr. CARTER. Would the gentleman yield? I thank the gentleman for yielding.

Very good description of what we are looking at this week. And you are right; this may be one of the most critical votes that the people that hold these valuable seats that our people back home gave us are going to cast in their lifetime, because they are going to cast a life-and-death vote here.

You know, as you mentioned, the troops and the 1st Infantry Division that you represent over there in Georgia, I am very blessed to represent the folks at Fort Hood, Texas. We are the only two division posts in the entire world, as I understand it, and I am very proud to represent the 4th Infantry Division and the 1st Cavalry Division and III Corps.

As we meet here tonight, the 1st Cavalry Division is in Baghdad, and General Odierno and III Corps are in command.

□ 2000

Now, I have my soldiers from the 1st Cavalry Division, and I call them mine because I care about every single solitary one of those soldiers as they serve our country. I have them in harm's way tonight as we stand here, with great generals who know what they are doing, know their mission, and are ready to accomplish it.

I don't think the American people have really understood what General Petraeus is trying to do with what some are calling a surge, but more familiar to our soldiers is a call for more boots on the ground; or as Jack said, for somebody to take your back.

But the real issue here is what is the plan for victory that General Petraeus has painted for us. Well, the plan is to involve Iraq in their own defense. The plan is for one battalion of American soldiers to back up a brigade of Iraqi soldiers as they go in and execute a new policy in the neighborhoods of terror in Baghdad. The Army will be backing up a brigade with a battalion. There are five battalions in a brigade. So that means it is a 5 to 1 ratio is the plan for the Iraqis to be in the fight versus the Americans. The Americans will provide all of the great resources, all of the know-how, all of the skill, all of the training, all the can-do that our American forces provide to the fight. But the Iraqis will go in and they will take care of cleaning out the neighborhoods in Baghdad. They speak the language. They know the culture and the religion. They know the various groups. They can do this in a much more effective way, with the support of General Petraeus' troops. And he has told us that he needs the additional boots on the ground to make this plan work.

Now, I think the American people are a people that believe in winning. You know, I sit around this House in our off time, and what are we talking about, who is going to win the next basketball game competition that is going on in this country? And we are talking about who is going to win, not who is going to lose.

When it is football season, we are looking for a winning season. When we have a baseball team, we want them to have a winning year and to win the pennant. We are a Nation that likes winners. We have the most effective fighting force in the history of man on the ground today, and they can win. And they are telling us we have a plan.

One of the problems that we have run into in Baghdad, and I have learned this by visiting with these generals. I visited just recently with the general who brought the 4th Infantry Division back, and they are ready and training to deploy again next fall for their third or fourth deployment.

What was said was we have demonstrated we can clear out an area like Sadr City, for instance. The 1st Cavalry Division went in 2 years ago and cleaned out Sadr City, redesigned the sewer system, got the electricity system working slightly, got the garbage that had been in the streets for years under Saddam Hussein cleaned out, and they did this under fire. And they also killed or captured the bad guys that they found, and ran the rest of them out of Sadr City. But they didn't have the resources to hold Sadr City.

This plan is to clear, hold, and rehabilitate. That's the plan that General Petraeus talked to the Senate about. That's the plan he has, as I understand it.

And the Iraqis will set up like stations in the various neighborhoods to do the clear with our help; they will do the hold with our help; and then teams will come in from the Army and the Marine Corps and like from the State Department to do the rehabilitation of the area and give them services they practically haven't had under Saddam Hussein, and some have never had in their lifetime.

This is a plan that I think we owe to our soldiers and their sacrifice, to give them a chance to get done. I am heartsick that we have a plan that is supposed to be funding these troops to get this job done that is coming to the floor of the House, and it has provisions in that plan which it looks like to me are saying we don't think you can succeed. Therefore, we are setting up kind of a track to get you out because by a vote for the bill in its present state, we are saying to our soldiers overseas, we don't think you can get the job done and so here is how we are going to get you out, and here is the drop-dead date, August of next year, when you are getting out, like it or not.

You mentioned General PELOSI micromanaging. I have real problems with this bill, and I hope every Member of Congress will look at this bill and look at it in terms of human beings, i.e. our soldiers. It has a provision, and it has a provision which says no unit can go to the fight unless they are certified by someone, that they are fully trained, fully equipped before they are allowed to go. And if they cannot meet that certification on their demarcation date they will be by this bill defunded because they are not certified to go to the fight.

Meanwhile, there are troops in Iraq who are expecting to have a replacement coming in. They have been there for a year. But what does this bill say about those troops in Iraq? In this case, the 1st Cavalry Division from Fort Hood, Texas, next fall under this bill, once they reach 365 days in theater, this bill defunds those soldiers.

Now, if we fail to certify their replacements and we have defunded the soldiers and now you have a 1st Cavalry Division soldier who is short on gasoline and ammunition in the war, is that where we want that soldier to be? Is that caring for the American troops? And all of this is being managed from here, not from the generals that are in the fight?

I think it is a tragedy that we would even consider doing something like this, thinking we as a body have the military knowledge, superior to the people we just, by the example you gave, by a unanimous vote of the Senate hired a man to do the job.

Mr. KINGSTON. I think the genius of the U.S. Congress is not only can we solve health care and education and agriculture and transportation, but on the side, we can run a war. I am just saying, hey, with this kind of brain power, we all ought to go to Baghdad and put on a uniform.

Mr. CARTER. You go ahead. I have been there three times, and let me tell you, I like the professional soldier and the job he is doing.

Another interesting thing that is not being said that you need to know, and I think it is important and if you talk to the soldiers you will learn this, in the Anbar Province where the marines are operating with some of the airborne folks, and that is where the marines asked for 4,000 more troops to help them, for the first time we have had a change of support from the populace in Anbar Province. Al Qaeda is there. That is where our enemy that blew up our country, that is where they are. The marines are hunting them down, capturing or killing them. They are saying give us 4,000 more, and we will get this job done. Why is that? Because the sheiks are now cooperating. They are now saying to the marines, we will tell you where these guys are.

Mr. KINGSTON. Something curious is that the Speaker of the House said we need to get out of Iraq and go to Afghanistan where the real war on terrorism is.

It is kind of scary to think that someone who is third in line to the President would have that kind of a naive misunderstanding of the world we live in.

We have been joined by the gentleman from Texas (Mr. NEUGEBAUER), and I want to hear what he has to say.

Mr. NEUGEBAUER. I was listening to my friend from Texas's analogy about the sporting events, since that is on everybody's mind right now. I was thinking about two things. One, the proposal that is being put before this Congress, possibly this week, is to say, you know what, let's let the fans do the coaching. We hired us a head coach, but you know what, we have decided the fans know more about how to win this basketball championship, and so we are going to let the fans do that.

But the most compelling thing that I heard, and I want to talk a little bit about this trip, and the gentlemen both know, I just returned 10 days ago from being in Iraq for the third time. I was in Fallujah, was in Ramadi, and talked to General Petraeus, a four-star general who we have tasked to finish and win the war in Iraq, all of the way down to the privates. And one of the privates said to me, Congressman, it is like this. In sporting events, we have home games and we have away games. We lost one of our home games; let's win this away game.

He was referring to the attack on 9/11. That wasn't the first attack on home soil. So we have lost a couple of home games, we want to win the away games.

Also, the gentleman from Texas is exactly right. What we saw in Fallujah and Ramadi is that the sheiks are not only telling us where the bad guys are, but in one case, one of the sheiks from his particular tribe sent 400 or 500 of his young people from his tribe to enlist in the police force in the Iraqi Army, saying not only do we want to tell you where they are, but we want to help you take these people out of our neighborhoods.

I believe one of the turning points that is going on in Iraq today is the fact that the Iraqi people are tired of what these terrorists are doing to their own country. They are tired of the killing. And I notice the gentleman has a picture of a street scene. I know what that father and mother are thinking: Will my children ever be safe to walk the streets of the neighborhood they were raised in?

The good news is the answer to that is going to be yes.

Now, is it still dangerous over there? Absolutely. But we are at war. I think some people are under the misconception that one day we are going to wake up and we are going to have some utopic situation in Iraq. The Israeli people have been waiting for that utopic situation for many, many years. There is still going to be violence.

We have violence in our own country. We have violence in our own cities. But one of the things I felt was most compelling when I was over there, and I was visiting with all of the way from General Petraeus down to privates to boots on the ground, and each one of our stops in Fallujah, in Ramadi, in Baghdad, we had lunch or dinner with the troops. Those are the people that really will tell you how things are going.

What they said is what the gentlemen both have been saying: Things are getting better. We are able to go into these neighborhoods, and we have a different tactic. We used to have a post and we would go in with a convoy and we would tour that area, and at the end of the day we would go back out. Now we are putting security posts inside the communities. I call it kind of like community policing. Now we have a presence there.

And one of the things that people don't realize, for example, in Baghdad, that presence looks like this. There are three Iraqi security force officers, whether they be police or army, to every one American. So what is happening, those people are coming up to those people that are in their neighborhood and saying, Down the block two ways is a bad person. And you know what? On a number of occasions we have gone down to where the people say they were, and not only did we find some high-value targets, we also found huge caches of weapons and IED-making things.

□ 2015

So now I think the hearts of the Iraqi people are in this. I know that the hearts of our troops were because, as I shared with the conference, I believe, 2 weeks ago, those soldiers looked me right in the eye, and they said, Congressman, nobody has more invested in this war than we do.

One young man, this is his third tour. He said, sir, I have been in harm's way

three times for this country and for my country, and he said, nobody has more invested than I do. He said, Congressman, please go back and tell your colleagues, let us finish this job. This is a fight we can win.

And anybody that voted to send those troops over there just to go over there and play Army for a while and then come home with defeat made the wrong vote. When we send our young men and women in harm's way, we need to be sending them to win, not to place. We need to win those away games so that we do not have to fight any more home games.

I also shared with the conference, I believe, this week the story about a gentleman that joined me in the State of the Union for this year. His name is Roy Vallez, and Roy was sitting right back over here in this corner in a seat that my wife gave her ticket to Roy, and why Roy is so special is Roy has the distinction, unfortunately, of being the only father in America that has lost two sons in Iraq.

While Roy was here, he was going around telling everybody about how important it is for us to finish this war so that his sacrifice, his extreme sacrifice, that he made and his sons made was not all for naught. He had an opportunity to talk to the President of the United States who called him on his cell phone, and he and the President had a wonderful conversation. That is the message he said to the President. Now, if there is anybody that has a right to question whether we ought to pull out right now or quit or come home, I believe Roy Vallez probably gets a place at the top of the list.

Mr. KINGSTON. I do not think you will find Hollywood or the media clamoring around Roy Vallez the way they have Cindy Sheehan. I wonder what the difference is.

Mr. NEUGEBAUER. I think it is a very good point. Unfortunately, the rest of the world does not get to hear the good stories.

Mr. KINGSTON. I have found the same way. I have been to Iraq twice, and when I go there to talk to the troops, their biggest enemy is the American media. They will tell you it is so frustrating, and they never would have believed the media was so bad.

I want to show you some statistics that I think are important because you have just been there, but this was a poll that, again, good old American media covered up that was actually in Sunday's London Times, a British company, the largest poll in the history of Iraq, over 5,000 people were surveyed.

Now, I think so often when we hear polls that CNN reports, they poll their newsroom, 25 people, all whose minds have made up against the war and against George Bush. But this was the largest poll in the history of the country, largest poll during the war, of over 5,000 people.

They found this: That al-Maliki's, as a Prime Minister, approval rating is 49 percent. In September, it was 29 percent. That is a significant statistic.

The other thing is we keep hearing that we are caught up in a civil war. Well, the flip side is this: It is 70 percent of the people do not believe that they are in a civil war.

Now, is it not strange that the Iraqis do not believe they are in a civil war, but if you poll the Democrat Members of Congress, I bet you 90 percent would say they are in a civil war, and yet somehow the folks who live there do not believe they are in it. I find that a strange, just a very big difference, but, you know, who knows? I mean, we are politicians. We know everything. So certainly we know what the Iraqis are up to, and maybe they do not.

The other thing that that poll, and it is not on my chart, but the other thing that the poll showed is that 66 percent of the people say they are better off now than they were under Saddam Hussein, conveniently unreported in American news, but I would recommend to you all to check out Sunday's London Times.

One other statistic that was not in the poll, but this is just a fact. But the month before we started the surge, and the surge officially started the 14th of February, the month before, there were 1,440 civilian casualties. Since that time there have been 265. You cannot ignore that statistic.

Now, I also want to give everybody a homework assignment. This is just for the folks back home. I would love you guys to see what the Democrat leadership says about the bill they are introducing tomorrow. Remember, this is a bill that is their official war plan.

Go to www.gop.gov/news/documentsingle, and what do we have? Aspx? This, if we can get this on camera, if anybody would come call me, I would love you to see the Democrat leadership explaining their plan. I am telling you, it is absolutely, it is almost right out of Comedy Central. Are they really saying this? Because everything is, well, what date y'all call getting out? Well, I do not know, let me ask my colleague here. Well, I do not know, let me ask my colleagues. It was kind of like, okay, can anybody tell us the capital of Iraq? This is, yes, it is on a GOP Web site. That is the only thing partisan about it. It is absolutely not touched up one bit.

I want to be sure everybody has an opportunity to look this up, but go to www.gop.gov/news/documentsingle.aspx? And ask for the document ID is 60396, and if you cannot find it, just call my office and we will give it to you, but it is scary. It is on one hand hilarious. On the other hand, it is scary that here is a leadership of a party saying here is our plan, and they cannot even explain it on prime-time television.

I wanted to say the scary part is these are high-stakes stuff, but please, look this up and watch this news conference. If you still think that this is the right thing to do, well, you are seeing something I am not seeing.

Mr. NEUGEBAUER. I want to make the point, but I think that is one of the things that concerns me most is that this global war on terrorism is a real war. So when we talk about bleeding out or getting out or whatever you want to call it of Iraq, the thing that the other side has not brought to us is what they are going to do next, what is next on the agenda, what are they going to do if they pull out of Iraq, then how are we going to continue to keep these bad people from following us back to the U.S.?

I think that is a real concern, and I think that the fact that the gentleman, I did the see the copy of the press conference, and it is disconcerting that those folks that are the folks that have the next plan.

Mr. KINGSTON. The gentleman also knows, both you guys being from Texas, that last year the Border Patrol, I believe, caught 115,000 people coming through the Mexican borders who were OTM, other than Mexican, and the concern of terrorists coming over here is real because we do have terrorists right now inside the United States border. We do not know how many cells or what they meet or what their intentions are, but we do know that they are here.

Mr. CARTER. I think that is a very good point. I also think it is a very good point to note that we are talking about, we need to get back to what we set out to do here in Congress with this supplemental bill. I mean, what did the President and the generals who are in charge of this fight ask us to do as a Congress? Did they ask us to load up a bill with pork so that folks back home would have all kinds of pork projects? No. They asked us to give them what it takes for them to do their job. They did not ask us to run the war. They asked us to help them do their job.

People love to quote generals around here, and, in fact, today I have heard twice quoted generals. Of course, these were all generals that are no longer in the fight, but they quote them, and they are certainly valid sources, and I do not criticize the opinions of those generals. They love to quote them. But I do not hear anybody quoting the opinions of the generals that are in the fight today, and yet they are giving us their opinions.

One of the things that some folks back home ask me, and I think this is a valid thing to pass on to everyone here in the House and to whoever may be listening, General Petraeus was asked about an exit strategy from Iraq. He said, let us get this deal to work because we think we have the right formula to make it work, and as we stand up the Iraqi troops and they show what they are showing us in preliminaries right now that they are now ready to participate, as we have these successes, we can start drawing down the troops.

So he told an exit strategy. How many of us have heard that in the media? All we hear is we are going to war, it is never ending, and there is no exit strategy, and the man that we just elected or voted for in the Senate

unanimously to be in charge has told us, this is not a never-ending situation. It is all about standing up the Iraqis and standing down the Americans, and we can get there if we do this thing well.

This man is considered by everyone in the military as the counterinsurgency expert of the Army. That is why we have got him over there.

So let us get back to what we are doing here. American soldiers, one of the things that just amazes me what the soldiers and marines do, they strap on between 80 and 100 pounds of stuff, sometimes more than that, and they go out in 140-degree temperature in metal vehicles and fight for the freedom of those people in Iraq. But this Congress and this bill wants to load on their shoulders an additional $24 billion worth of pork, and it is a shame.

And why does this bill have this pork in it? What I mean by pork is things that have nothing to do with what we were asked to do, which is help our soldiers do their duty.

Mr. KINGSTON. Let me talk to you, for the $23 billion extra that are not related to the war but are on this bill, designed to bring in more people to support it, this is what it includes: avian flu, $969 million. We have already spent, I believe, $5.6 billion on avian flu. We have already spent $5.6 billion, but it is an emergency, we have got to spend nearly another billion.

Spinach, spinach recall, not spinach disaster, but recalling to the private sector, $25 million.

Minimum wage, well, we know that is an emergency. Hurricane citrus program because of Katrina and Rita, I guess like avian flu, Katrina's the gift that keeps on giving in terms of any time you need to pass something.

NASA, $35 million for exploration capabilities. Well, that is certainly emergency. We better deal with that on the backs of the soldiers.

Corps of Engineers, more repair to the levee system in New Orleans. I do not know how many times we are going to repair that levee system, but maybe the Corps of Engineers cannot get it right, and who knows, maybe we need to bring in the private sector.

And, of course, FEMA is going to get more money. I mean, what would an emergency bill be without the FEMA bureaucrats getting more money?

And then there is rental assistance for Indian housing, another emergency; crop disaster assistance, shrimp, $120 million; frozen farm land, $20 million; aquaculture operations, $5 million for aquaculture for shellfish, oysters and clams. It does not have to do with Katrina, to my knowledge.

Of course, the emergency at the FDA, $4 million for the Office of Women's Health. Big emergency. I guess you guys have been getting a lot of letters about that one.

National Oceanic and Atmospheric Administration, $60 million for fishing communities, Indian tribes, individual, small businesses, fishermen and fish processors, $60.4 million.

And then there is the emergency of Secure Rural Schools Act, $400 million for rural schools to offset revenues lost by the Bureau of Land Management owning timber.

And then low-income energy assistance program, a little confused about this one because, you know, with global warming, and it already being March, well, who knows? I digress.

Vaccine compensation, $50 million to compensate individuals for injuries caused by the H5N1 vaccine. Now, as you know, that is avian flu. And so of the $5.6 billion we have already spent, and of the $900 million we are about to spend, we still have to give $50 million extra on that.

□ 2030

Then, $50 million for the Capitol Power Plant. I mean, we have got to get that building renovated.

Mr. NEUGEBAUER. That and the Visitor Center are somehow tied together. I think they are having a race as to who can finish that project last.

Mr. KINGSTON. Yes, I think so. Then the children's health care program, the SCHIP program, the State Children's Health Insurance Program, there is a shortfall. But we have to ask ourselves, what is the shortfall? The gentleman Mr. CARTER knows, one of the big reasons is because the children's health system has been abused in many States because they have insured adults.

Mr. CARTER. We did discuss this last week, and this plan was good hearted. It was designed to help children. But some of our States said, wait a minute, here is our chance, this is free health care from the Federal Government for our State. Let's just include children and their parents, and maybe their brothers and sisters.

Mr. KINGSTON. And the grandparents.

Mr. CARTER. And the grandparents. In fact, let's just make it health care for everybody in our State that falls in this category. This is like the Federal Government, and now they have got a shortfall, which that is not kind of hard to figure out if you calculate it, what it costs to take care of the kids, and then you added all their extended family to the program, yes, they will have a shortfall. This isn't rocket science here.

Mr. KINGSTON. The gentleman will remember in committee last week, when we debated this funding, Dr. WELDON and I had an amendment. I pulled out a chart that showed the number of States that had put the majority of their money into adult health care rather than children's health care.

You know, if there is a problem out there, that should be addressed. I want to say for the record, these things aren't programs that don't have merit. All of these things that I have listed are, I think there are some valid arguments for them. Some reforms are certainly needed in many of them, but they don't belong in a war bill, a funding war bill.

Mr. CARTER. That's the key.

Mr. NEUGEBAUER. Doesn't the gentleman find it ironic, both of you, that in order to get support for this flawed plan where we are basically saying to our troops, we don't think you can get the job done, we are going to cut and run, we are going to slow-bleed this, that they have got to go out and start buying votes from their Members by offering up these projects, some of these pet projects from some of these Members in order to get support. Something as important as our national security is being bartered in the halls of the United States Congress.

I don't believe the American people think that's the way we ought to be doing business here. I don't think they think when we are making policy about keeping America safe, keeping America secure, making sure that when we send our troops somewhere, we support them 100 percent so that we can bring home the victory we send them to.

Now we are bartering for that progress with these projects. As the gentleman said, many of these things are worthwhile initiatives, but this is not the time nor the place nor the forum for those to be talked about.

Mr. KINGSTON. I want to read you this statement by the Speaker of the House, third in line for the President, March 19. This is NANCY PELOSI talking, ''When we do this, when we transition, when we change the mission, when we redeploy the troops, build political consensus, engage in diplomatic efforts and reform and reinvigorate the reconstruction effort, then we can turn our attention to the real war on terror in Afghanistan. I hear the voice of the future in the Chamber. What a beautiful sound. What a beautiful sound.''

Now, I guess that qualifies you to micromanage the war in Iraq because you have acknowledged there is no terrorism in Iraq, that it's all in Afghanistan. I guess if the real war is in Afghanistan, then the fake war is in Iraq. Therefore, it's okay, at the hands of the troop.

Mr. CARTER. We are sitting here with a concern that goes back 1,000 years between the Sunnis and the Shiites. That is why people talk about civil war.

Now, has anybody read what has been put in the Middle Eastern newspapers about if the Americans pull out, and it blows up in Iraq, the countries that will come to the aid of these two groups? The Iranians have said, we are not going to let Shiites be put down, we will come to their aid. The Saudis have said, we are not going to have genocide for the Sunnis who are the minority party, we will come to the Sunnis' aid.

I think Americans know that if you take Iraq, Iran and Saudi Arabia, that is the basic oil production region of the entire Middle East who could become involved in a region-wide conflict because of America's early pullout, as recommended by Speaker PELOSI. Then

you know how upset folks got about $4-a-gallon gasoline? So what happens when over two-thirds of the world's supply is involved in a civil war or region-wide war in the Middle East if you don't care about doing the right thing? We certainly know people care about having $10-a-gallon gasoline. It's kind of a sad, tragic thing to argue.

But let's get realistic about this. If we get stability in Iraq where there is not going to be this threat of genocide, if we can get there by them turning to their government for assistance rather than to militia and terrorists, that is our goal. If we get there, we keep a stable region, and America is affected by having stability in that region.

Mr. NEUGEBAUER. We are talking about this civil war. One of the interesting things in Fallujah is we sat down, and at the table, across the table, was the police chief of Fallujah. Sitting next to him was a colonel in the Iraqi Army. The interesting thing about that meeting, one is Sunni, the other is Shiite. Yet they are working side by side to make sure that Fallujah, the streets of Fallujah, are again a place where families can walk and commerce can take place.

One of the interesting things that I saw on this trip, each trip I have seen progress. On this particular trip, I saw a lot more people out in the farmlands. What a lot of people don't know about Iraq is that at one time they were an exporter of agricultural products. This is a region of the world that is rich in a lot of natural resources. One of those is water.

But more people were engaged in the streets. We flew at night. We flew from Ramadi into Baghdad, flying over the city, a lot more lights, a lot more electricity on, not just in the city but out in the countryside. These are the kinds of things that are going to build that Nation.

To pull the plug after we have invested all of the lives and the resources into this initiative at this particular point in time is really unconscionable for our country even to consider that. I am concerned that a lot of people don't realize, as you said, what is really at stake here.

Mr. CARTER. I think that Americans clearly have a stake in a stable Middle East. If they don't realize they have a stake, they will know it when they go to the pump, if that region goes into turmoil. They will know it. You know, it's sad to have to talk in those terms, but it's the truth.

Let's get back to why we are here. We are here to give our troops the tools they need, the weapons they need, and the fuel they need to continue this fight and to see if this new direction will bring victory for a bunch of folks that deserve a victory.

Mr. KINGSTON. Let's also say that the supplemental is needed for a lot of needed equipment for these troops, and there is a lot of good in this supplemental.

Mr. NEUGEBAUER. There is.

Mr. KINGSTON. I want to say also on a bipartisan basis, you have a lot of support for the good that is in the supplemental. I will hand it to the Democrat leadership, the Democrats on the Appropriations, for putting in things that we know the troops need such as the MRAPs, the Mine Resistant Ambush Protected Humvees the troops want; more money for the joint IED defeat fund. We had some really good testimony on that. Increases for the defense health care program, that is important; more money for equipment and training, more money for Afghanistan to counterterrorist-laden regions, money for a shortfall in the theater. There is some very good things in this bill that we believe, on a bipartisan basis, that the troops need.

But the part which requires the Iraqi Government to do certain things, which they may or may not be able to do by a deadline of July 1, really does tie up the Commander in Chief. I will say we are an equal branch of government, but the Commander in Chief is in charge of wars, not Members of Congress.

Just to give you an example, to rewrite the Iraqi hydrocarbon law, which has to do with revenue sharing of the oil, I think it's a good thing to do. But I think if you say it has to be done a date certain, July 1, they might not be able to do that.

Here we are in the United States Government, last year we could not pass a budget. Right now, we are having trouble passing a budget. Sometimes these things take longer than they do shorter.

We got to give a new government the opportunity to get things done and not micromanage their government. But I think the biggest concern is, among other things, that there is still a pullout. There is still a date certain for a pullout, August 2008, and it's possible Iraqis won't be ready. It's possible we could do it before then.

What General Petraeus has outlined for us is to go full-fledged with this troop surge, bring stabilization while ramping up the training of our Iraqis, so that we can hand them the baton in a way that we have continued stabilization, and then we can go home. I think letting General Petraeus call that shot in Baghdad is far more important than 435 wannabe generals here in the United States Congress and in Washington.

Mr. CARTER. I agree with you wholeheartedly. That is our issue here tonight. I agree with you. They worked hard to put a lot of the needs in here. Let's not say that these other things that have been, in my opinion, wrongly added to this bill in the way of pork, those things are still very important to this country. Many of those things are important to my district, but I would tell my folks back home, as important as some of those things are, our kids have enough to carry on their shoulders in Iraq without carrying the burden of these projects which can be dealt with in the regular appropriations process which is still to come, and the regular budget process which is still to come.

You know what? If passing legislation, if there were a drop-dead date we were told, we would be voting on this bill today. So if we were going to be having a drop-dead event in world politics today, it would drop dead today, because we didn't pass what we were promised we were going to pass today.

To put a time limit, to do it by the 1st of July or everybody comes home, when we are talking to them, that's the voice of a legislative body talking to another legislative body. And they know they can't meet deadlines in their Congress. We can't meet absolute deadlines in our Congress. Things happen. This is what's wrong with micromanaging from 6,000 miles away.

Mr. NEUGEBAUER. The gentleman is exactly right. I think the point was made, this is a young government. This is a young government that is basically about 8 months old. Basically they are learning how to govern because they have been an oppressed people for so long.

I think about our Nation, we are going to celebrate over 230 years of history of this country, this Republic. We are still learning how to govern in many ways. I think talking about drop-dead dates, wouldn't it be nice if we had a drop-dead date to go to a balanced budget in this Congress?

The gentleman talked about the splitting of oil reserves, and I think some of the positive things are there has been a tentative agreement reached within some of the Iraqi leadership, and they are going to hopefully bring that to a vote here fairly quickly. Prime Minister Maliki is making it very clear that there is no one that is a sacred cow in this war. If there are bad people out there, no matter what their affiliation is, that they have permission to go and do that.

□ 2045

And the list goes on and on of the positives. Yes, we still have fatalities; yes, we still have people being killed in that country. But we have never, I don't know of a war we have fought that there weren't those costs.

Mr. KINGSTON. I wanted to point out one more time: Civilian casualties a month before the surge, 1,440; casualties after the surge beginning February 15, 265. Bombings have dropped 40 percent, from 163 to 102. And that would just be general bombings, IEDs. And then car bombings are down 35 percent, from 56 to 36. That is progress we are already seeing because of the surge.

And I want to get the guys home, but you need to complete the job, you need to have victory and make sure that we do not have to go back, and an arbitrary pullout date would cause that.

I also want to say this: I really do believe the Democrats are right in having more oversight. Frankly, I think that, as Republicans, we did not get the

oversight that we should have. We should have been tougher on some of the testimonies that we received. And I think that their suggestions of what the Iraqi Government should do aren't far off. But I think giving them deadlines when we have trouble passing legislation ourselves, I think that is a little unreasonable.

But then the biggest part is the arbitrary pullout date of March 2008. And I think you are setting up failure when you are doing that. That decision has got to be made by our generals in Baghdad.

Mr. CARTER. I thank the gentleman for letting us have this discussion tonight and allowing us to participate in this discussion. It has been a good one. I hope that the folks that are looking at this bill very hard and trying to decide how they will vote, I hope that they will vote to give our American soldiers all the resources they need, and give the trained professionals the opportunity to direct the fight, not certain Members of the United States Congress. And if that happens, I believe that we are on the road to success.

But we will have to have oversight, and we will have to watch it closely, and I for one am in favor of that, because what I care most about is the lives of those soldiers that I get to say good-bye to and welcome back home on the planes in Texas. And they matter to us in Texas, they matter to us in the United States. And we are proud of them, and we owe them everything we can to keep them alive, healthy, and successful. And I thank you for allowing me to participate.

Mr. NEUGEBAUER. And I appreciate the gentleman's comments. And I also want to thank the gentleman from Georgia for allowing us this time tonight.

I think I would leave you and leave the American people not with my words and not with Members of Congress or even General Petraeus or some of the other military leaders, but I will leave you with the words I started off the evening with in my time here is the words of the young men and women that are boots on the ground, that have served not one tour, but two tours, and many of them three tours, when they looked me in my eye and they said, ''Congressman, we want to go home. We want to spend time with our families. We want to go back to our communities. But, Congressman, we have a lot invested in this war, probably more than anyone else, and let us finish this job.''

And so I urge my colleagues to listen to these young brave men and women that are doing phenomenal things for our country and for the people in Iraq. Listen to the soldiers: Let's finish this job.

Mr. KINGSTON. And, finally, let me say this: Let's defeat this bill. Let's come back on a bipartisan basis and come up with something better, something that gets Democrats and Republicans together in the name of the troops, America, and international security.

It is in our interests to get the politics out of legislation like this and come back with something better, something more noble. And I believe we can do it, because we are Americans. Thank you.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KLEIN of Florida). All Members of the House are reminded to address their remarks to the Chair and not to the television audience.

30-SOMETHING WORKING GROUP

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

Mr. MURPHY of Connecticut. Mr. Speaker, it is an honor to be here again to spend a small amount of time on behalf of the Speaker's 30-something Working Group. I thank the Speaker of the House for allowing us this opportunity to come and share with our colleagues and share with the American people some, I think, very important thoughts on what is happening today.

It was interesting, I got to hear the end of our colleagues' remarks from across this side of the aisle; and one of the things they have asked of this Congress, and you hear it over and over again as we talk about this war in Iraq, is that we have to finish the job. And I think there is a question that has to come before that subject. We have got to start asking a little bit more in this place what that job is. I think that is what this debate is about, in part, this week, and the debate that we have renewed here since we have brought the House under new leadership. What is the job that we need to be doing in order to keep this country safe?

The answers to that have come in piecemeal fashion, in dribs and drabs over the past year. But maybe the most substantial piece of information, new information that helped us decide what that job is, was when we got last summer evidence through the National Intelligence Estimate that started to tell us that if our job is what we think it is, which is to do everything we can to keep this country safe, then our own Intelligence Community, the dozens of intelligence officers and organizations that contributed to that report came up with one unfortunately startling conclusion, and that was that our efforts in Iraq are on more days making us less safe as a Nation than making us more safe.

Why? Because we have not only destabilized the region, but we have created what that report called a cause celebre in that country, where extremists and terrorists around the world now see Iraq as their proving ground, as their training ground, and as their breeding ground.

So what we are debating here today is, I think, exactly the question that is posed by the other side of the aisle: Let's start talking about finishing that job. That job is ridding this world of fundamentalism and terrorism and extremism that poses a threat to us no matter where it is. It is not confined by the borders of some country in the Middle East that we occupy today. It doesn't know the borders of nation states. It poses a threat to us in all forms and from all places.

And so this debate this week, the supplemental bill which this House will vote on shortly, is about refocusing our mission, starting to deal with the realization and the reality of a conflict against terrorism that goes far beyond the borders of Iraq.

Part of what this bill is going to do is not only redeploy our forces, but also bring our troops out of harm's way in that country. You can't ask them to be a referee in what has become a religious conflict in that country, one that military leader after military leader, our own commanding general on the field there, General Petraeus, has said himself just earlier this month that there is no military solution to what has become a civil and religious conflict on the ground.

Job number one is to recognize the limits of our brave men and women in Iraq. They do an unbelievably admirable job every day. We are so grateful, especially those of us in the 30-something Working Group who consider those men and women our contemporaries, that they have chosen to defend this Nation so that others of us are able to serve this country in a different way. In order to honor them, in order to support those troops, we need to bring them out of a fight that our military forces cannot win alone.

But this is also about refocusing that effort, and I think that is what we have to keep on coming back to here, is there are fights still worth fighting in other parts of the world, such as Afghanistan, where we are on the verge of losing control of that country back to the very forces that gave cover and umbrage to the people who attacked this Nation on September 11. Remember, it was not Saddam Hussein that flew planes into tall buildings in New York, it was Osama bin Laden's organization called al Qaeda that used Afghanistan and the Taliban as its place and center of operation. And that country, as we have shifted more forces away from Afghanistan into Iraq, is now falling back into chaos, and part of our mission here has to be a realization that there are places worth fighting, and there are places in which military forces cannot quell ongoing violence. Afghanistan is still a fight worth fighting.

But it is also about focusing our efforts back here at home. And one of the secrets starting to come out, and thanks in part to the work of Representative WASSERMAN SCHULTZ and

Representative MEEK and Representative RYAN, the work they did here on the late nights on the floor of the House, we were able to hear a little bit about this in the past year, was that this Congress over the last several years wasn't doing justice to the issues of homeland security, wasn't doing everything that we should be doing in order to protect our own people and our own borders here at home.

So this supplemental bill that everybody hears about that the Congress is going to vote on is not only going to finally do exactly what the will of the people have asked for in the election of last November, which is set a new course in Iraq, but it is also to start refocusing and redoubling our efforts back here at home.

The $2.6 billion in this bill will be rededicated to the efforts to make sure that terrorism does not find harbor on the shores of this Nation. Over $1 billion for aviation security, $90 million for advanced checkpoint explosive detection equipment, $160 million to increase air cargo screening, $1.25 billion for new port transit and border security, $150 million for nuclear security. We can go on and on and on. We are going to finally step up to the plate as a Congress and make sure that we are spending money to win the fight that matters to finish the job.

That job, Mr. Speaker, Ms. WASSERMAN SCHULTZ, has to be done with the recognition that Iraq has become now a place that, on more days than not, presents a greater danger to this country by creating a hotbed, a training ground, a proving ground for terrorists. We need to start refocusing our efforts on fights that matter.

This is going to be one of the more important pieces of legislation that will come before this Congress, and I think it will honor that job that we are entrusted with, which is to protect this Nation from those that would do harm to it.

Ms. WASSERMAN SCHULTZ. Thank you so much to my friend from Connecticut. It is a pleasure to join you in the 30-something Working Group once again.

And we need to remind our colleagues on the other side of the aisle, Mr. Speaker, that, on November 7, the American people sent us a very loud message. They sent us a loud message that they wanted us to move this country in a new direction. We began to do that. We heard them, and we began to do that in implementing our 100 hours agenda, our Six in '06 agenda, by adopting a bill that would establish an increase in the minimum wage, by having the student loan interest rate, by making sure that we hold pharmaceutical companies' feet to the fire and ensure that, for Medicare part D prescription drug beneficiaries, that we negotiate for lower drug prices. We wanted to make sure that we expand the research into uses of alternative energy.

So what do we do? We repealed the subsidies that were given away by the Republicans to the oil industry so that we can use that money more appropriately to fund alternative energy research. We passed legislation that would implement fully the 9/11 Commission recommendations.

And, on top of that, the other piece of the new direction pie was clearly the message sent by the American people, Mr. MURPHY, that they want a new direction in terms of the war in Iraq. They are sick and tired of the rubber-stamp Republican Congress that we used to have giving the President a blank check, allowing the administration to go unchecked in terms of its utter lack of accountability, allowing contracts to be let with no questions asked; no hearings during the course of the years. We have now completed 4 years of this war, and up until the time when Democrats took over this Congress no questions, no hearings about the direction that the administration was taking this country and this war. A total shift from the war of necessity, which was the war in Afghanistan, which really was in direct response and had the widespread support of the American people, that really and truly was a response to the 9/11 attack; instead, a shift to a war of choice in the war in Iraq. And that was utterly unacceptable when Congress was misled and was given a set of facts on intelligence 4 years ago, when they misled Congress into voting for this war.

Now, we are still mired in chaos there. The administration has allowed Afghanistan to descend back into chaos when we had brought them democracy, and we had beaten the Taliban, and women had been given an opportunity to have freedom. Girls could go to school again. It was a new day in Afghanistan. And that has essentially been squandered. In favor of what? In favor of civil war in Iraq? In favor of us intervening and trying to resolve a civil war between the Sunnis and the Shiites that has gone on for hundreds if not 1,000 years?

When is this administration going to recognize that when we say the word, when we refer to the troops, Mr. Speaker, it is very easy to think, let's examine the term ''troops.'' I think it is very easy to look at that word and not see it in a personal way. I think that we throw the word ''troops'' around so much that we forget that troops, a troop is a person.

□ 2100

We are talking about individuals who are fighting for this country and who are doing their duty. And most of them that are over there are on their third tour of duty, Mr. MURPHY.

I know I have told this the last few times that I have been here with my 30-something colleagues, but I went to Walter Reed. I cannot get it out of my mind, because I have two 7-year-old kids and a 3-year-old, and I can't imagine what this family has gone through.

But one of the soldiers that I visited when I went to Walter Reed before we voted on the escalation resolution and rejected the President's policy, when we voted to adopt that resolution, rejecting the President's policy on escalating this war, I went to Walter Reed before we voted on that. And one of the soldiers I met was with his wife and with his young child, who was 6 years old, this beautiful 6-year-old little boy. And that 6-year-old little boy was so excited that his dad's tour was going to be done in August, and he said, my daddy is coming home forever in August.

His dad was sick in Walter Reed. He had contracted a mysterious illness. But he had been through three tours of duty. Each were a year. And his only son, his only child was 6 years old. And that meant that he missed half of his son's life already.

So when we refer, you know, without thinking to the troops, the troops, if it is a brigade or any one of a number of military terms that we use for individual troops or a collection of troops, we are talking about people.

And if we do not make sure that this supplemental passes, the choice is a plan to get our troops home and provide them with the equipment that they need and an exit strategy and benchmarks to ensure that the we and the administration hold the Iraqi government accountable to meet those benchmarks. The alternative is a continued blank check and a directionless war that has no end in sight.

It is a pretty stark contrast. We can eventually see our way clear and had there been a light at the end of the tunnel and adopt the supplemental and, in addition to that, provide the support that our troops need, the equipment that they need, the plan to get them home, and support for our veterans, which is incredibly important; $1.7 billion in this bill for health care for our veterans.

We have this glaring, horrific problem at Walter Reed that went ignored by this administration. And thank God we had those, the heads that have rolled. But would they have rolled if Democrats weren't in charge of Congress? No. We know they wouldn't have, because, yet again another scandal would have been swept under the rug. The administration would have tried to ride it out, keep their fingers crossed, squeeze their eyes shut tight and hoped that they could endure until the next media news cycle went through.

No more, not now that we have balanced government, that we have the ability of this Congress to assert our oversight role and to reassert what the founding fathers envisioned, which was our system of checks and balances.

And I think we are all about third party validators here in the 30-Something Working Group. And I noted what this Washington Post article from Wednesday of last week, it was appropriately titled ''White House Finds Trouble Harder to Shrug Off.'' And it goes on to talk about how, in

the past, questions about its, meaning the White House's, actions might have died down without the internal administration e-mails being made public, referring to the U.S. attorney scandal.

There are many issues that would have just been swept aside by this administration in the past, allowed to occur and ignored by the then Republican leadership here. But not now that we have a democratic Congress that is going to make sure that we hold this administration's feet to the fire, and make sure that they are responsible for civil liberties for all Americans, and fiscal responsibility.

I would be happy to yield to the gentleman.

Mr. MURPHY of Connecticut. Ms. WASSERMAN SCHULTZ, you are exactly right. There is a new day here. And I don't have the comparative experience that you do. I watched this place as an observer for the last several years. One of the reasons that I ran was you sit around in coffee shops and local community halls, and people generally don't pay much attention to the division of labor down here. I mean, people aren't necessarily talking about in their daily lives the co-equal branches of government. They are not thinking too much about the separation of powers. But you know what? They were forced to talk about it in the past several years, because people didn't understand how, in record numbers they were turning out, not only in elections, but in community meetings, to tell their Members of Congress that they needed a change in Iraq, because, not only did they have moral and intellectual objections to what we were doing over there, but they were talking to the families of those troops who were being sent over there without body armor. 18 months it took until our forces over in Iraq had the body armor that they needed. They were looking at statistics like the one we just found out earlier this month which said that 88 percent of the National Guard and Reserve troops are so poorly equipped that they are rated not ready by the military; that we have not one active duty reserve brigade in the United States that is considered combat ready. And so people out there were hearing over and over again from the families of the troops, the troops themselves, which was backing up their own instincts about the backwards nature of our policy in Iraq. And they wondered where Congress was. And they watched this place sort of shut down for a number of years. And they couldn't understand why their elected Members of Congress weren't standing up and asking some questions. I mean, at the very least, asking some questions about what this president was doing over there.

Mr. Speaker, there were six opportunities since this war began for this Congress, on supplemental appropriations bills, to stand up and try to perform some perfunctory oversight over this war; four emergency supplemental bills, two emergency spending funds in the Department of Defense authorization bills, six times this Congress, under Republican leadership, had an opportunity to stand up and say, you know what? We are going to give you some more money to conduct this war, but we are going to put some strings on it. We are going to try to check your authority in some even elementary way. Not once. All six times this Congress stood down. Despite a lot of yelling and screaming from one-half of this chamber, this Congress stood down and gave President Bush virtually every single thing he wanted.

Now, listen. I understand you might have been lulled into a sense of complacency here. This Congress heard from this president over and over again that things were going well, things were going fine, everything was going to be better. We find out now that all along this administration knew that things weren't going well. In fact, they knew things were pretty terrible on the ground and they were plotting this new strategy, a very different one than I think the American people intended on Election Day. They wanted a new course of direction in Iraq. They didn't necessarily think that that policy was going to be escalation. I think they were counting on de-escalation. It was a slightly new direction, Ms. WASSERMAN SCHULTZ.

But here is the thing, is that people in this country became constitutional scholars over the last couple of years because they started scratching their heads when they picked up the paper every morning as this war was going nowhere but downhill, and there was deafening silence coming from Congress. And so there is a lot of commotion in here about this emergency supplemental bill because it has got some policy in it. We are actually, instead of rubber stamping the President's requests, we are actually saying, if we are going to give you another dime for this war, then we are going to make sure that you honor the will of the American people, that you step up to the plate and listen to the foreign policy community that this Nation has expressed through the Iraq Study Group; that you listen to your own generals, many of which who will tell you over and over again, that though there might be a political or diplomatic solution to what happens on the ground in Iraq, that it cannot be a purely military solution; that you start listening to the families of those troops who have cried out for years to equip them when they go over, to make sure that they are protected when they serve overseas, and to make sure that their health care is taken care of when they come back; that we actually conduct this war, redeploy our forces in a responsible manner. For the first time, Ms. WASSERMAN SCHULTZ, this Congress is stepping up to the plate and actually conducting that type of oversight.

Ms. WASSERMAN SCHULTZ. You know, you are absolutely right. And in addition to the oversight and accountability and new direction that the supplemental on Iraq seeks to provide for the direction that the actual conduct of the war is taking, it is really imperative that we focus on the portion of the bill that relates to what it does for our veterans because, clearly, this administration, and the former Republican leadership of this Congress, did a disservice to them. They spent, in the 2 years that I was here prior to your arrival, the careless disregard that I noticed for veterans coming from the former Republican leadership was just really unbelievable because so often, Mr. Speaker, I heard our colleagues and friends on the other side of the aisle stand on the floor and profess undying devotion to our Nation's veterans and how it was imperative that we support them.

Well, words are nice. But that is all they were because every opportunity that our colleagues had, in the time that I was here, when I first got here as a freshman, to help our Nation's veterans, the Republicans said no. No.

In January of 2003, which is actually prior to my getting here, the Bush administration actually cut off veterans health care for 164,000 veterans. Don't believe me? You have only to look at the Federal Register to see the documentation of that.

March 2003, the Republican budget cut $14 billion from veterans health care that was passed by Congress, with 199 Democrats voting no. That was H. Con. Res. 95, vote Number 82 on March 21, 2003.

Then we moved to a year later, March 2004. One would think that the Republicans had a year to think about it and would have finally realized that it was time to stand up for our Nation's veterans. They certainly said it a lot. When it came to doing it, they fell short.

The Republican budget shortchanged veterans health care then by $1.5 billion. That was passed by Congress with 201 Democrats voting against it.

In March of 2005, another year later, President Bush's budget shortchanged veterans health care by more than $2 billion for 2005, and cut veterans health care by $14 billion over 5 years, and passed with 201 Democrats again voting against it.

Now, let's go to the summer of 2005. And I was here by then. I could not believe that this happened, because for months and months the Bush administration denied that there was a shortfall, said that there was no problem, stalled and pushed back. And finally, in summer of 2005, Mr. MURPHY, after democratic pressure, the Bush administration finally had to acknowledge in Fiscal Year 2006 that there was a short fall in veterans health care that was their error of $2.7 billion. And we had to fight all summer to get it fixed and have an emergency supplemental bill just to address the shortfall. It took pressure and cajoling and shame to finally bring them to the table and get them to do that.

And then in March of 2006, President Bush's budget cut veterans funding by $6 billion, Mr. Speaker, over 5 years. That was passed by the then Republican controlled Congress.

Fast forward to January 31st of 2007. The new direction Democrats increased the VA health care budget by $3.6 billion in the joint funding resolution.

And now, I can tell you that in our supplemental that passed out of the House Appropriations Committee last Thursday, on which I sit, with none of the Republicans, zero voting for it, $1.7 billion to the request for veterans health care, including $550 million, Mr. Speaker, to address the backlog at the VA health care facilities so we can prevent similar situations like what happened at Walter Reed because certainly, if we didn't know what was going on in Walter Reed, we have to make sure we address the needs of our veterans in health care facilities across this country that are run by this administration's VA agency.

$250 million for medical administration so that we can insure we have sufficient personnel to address the rising number of veterans that are coming back from Iraq, and that we have to make sure we maintain a high level of services.

$229 million for treating the growing number of veterans. $100 million to allow the VA to contract with private mental health care providers to provide veterans, including Guard and Reserve members who so often are neglected, Mr. MURPHY, with quality and timely care; and $62 million so that we can speed claims processing for returning veterans.

When I went to Walter Reed, and when I have gone home and talked to my veterans, and I know that you have experienced this too, the bureaucracy and the red tape that our veterans have to go through to get care. It is like they put roadblocks, it is like the VA and this administration puts roadblocks in front of our veterans on purpose.

□ 2115

It is like they delight in stalling them. I mean, it is not their money. I don't get it.

Mr. MURPHY of Connecticut. Reclaiming my time for a moment, in Connecticut we have the same problem that you talk about. It takes hundreds of days for veterans simply to get qualified for the benefits once they return. I mean, of all the benefit programs that this government runs, it would seem that the veterans program would be the easiest to qualify people for, right? Because what is the qualification? You served in the military. You fought for this country. There is a record of it. It is not hard to find. And yet we have constructed so much bureaucracy and so much red tape.

And I understand that a lot of the folks in the Department are trying to do a lot with not enough funding to do the job, but it is time that we cut through it because we shouldn't be talking about a system that is of inferior care or equal care to that of what you or I get or people in this community get. Our veterans' health care system should be the gold standard of care in this country. We should accept nothing less than the best that our health care system can offer. And we know not only through the recent revelations at Walter Reed, but also simply in the conversations that we have door to door.

It was amazing to me in this last election, Ms. WASSERMAN SCHULTZ, as I went door to door over the summer and fall. I did it almost every night, and almost without exception if you knocked on the door of a veteran, someone that had served in World War II through the more recent conflicts, almost without exception health care came up, whether it was a personal problem they had had with the system or a problem that a family member or one of their brothers and sisters in arms had encountered when they came back. Almost every single veteran brought that up because they have a notion, and it is exactly right, that when they come back here, their community should be able to stand up for them and make sure that they continue to be healthy, certainly make sure that the injuries they received in defending this country are treated expeditiously, efficiently, and with the best care possible.

And so it was remarkable to me how often this issue came up, Ms. WASSERMAN SCHULTZ, just as you talked to people door to door. It was so real and so palpable because to the people who have served this country, there is no greater dishonor, and I am speaking as someone who has not served, but who has had the honor to know many that have, no greater dishonor to them than to come back to a country that doesn't express a deep and daily sense of gratitude for that service.

Ms. WASSERMAN SCHULTZ, for all the bad news that I heard on the campaign trail, the good news is this bill that we will vote on will honor that service, one of the biggest infusions of funding support for the veterans' health care system that this country has ever seen. And I can just hope that when I go back out there this summer, when I am going out just to knock on doors to check on people in a noncampaign environment, that you will hear a very different story, that they will feel finally their stories are being heard.

I yield to Ms. WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. Thank you. Because now they finally have responsive government, Mr. MURPHY. They finally know that the Members who represent them collectively in this Chamber, the Members that are leading this Chamber are hearing them, that it is not falling on deaf ears; that this institution is not of the special interests, for the special interests, and by the special interests any longer. Now we have restored this to actually be the people's House, and our leadership and our agenda is a reflection of the interests of the people.

And as much as they might like to say that that wasn't the case, privately in their heart of hearts when they went to sleep at night, our Republican colleagues had to lay down in the dark by themselves when they went to bed and know that they weren't addressing the needs of the American people.

I mean, I am not someone who lives and dies by polling, but look at the polling. Look at the numbers towards the end of last year and how the American people generally felt about the job that this Congress was doing. That is a reflection on all of us. It is just appalling that the American people would have confidence in the twenties in the likelihood that Congress was going to be responsive to them. They would express support for their individual Member of Congress, but collectively as an institution they have lost confidence in us.

Mr. MURPHY of Connecticut. Reclaiming my time just for one point. Before coming over here, I was reading a really interesting front-page article, and I think it was a recent Newsweek or Time, and it was entitled, sort of, The Downfall of the Right, and it was talking about how the sort of conservative ideology has really fallen by the wayside in the past several years. And one of the things it had talked about was that when the class of 1994 was ushered into office, there was a sort of purity to their ideology. You disagreed with a lot of the things they stood for, but they did come in here as reformers. I mean, they did come in here and set a whole new bunch of rules for this House, how this place was governed. They changed the franking rules. They put in term limits. And you could have disagreements with some of the results of that ideology, but they did come in here with some real ideas rooted in some intellectual discussion about how you change Congress.

And what this article was sort of pointing out was that over time, over the last 12 years, the ruling party of this Congress became one that was guided by a set of ideas to one that was guided by a collection of special interests; that it was simply kind of an amalgamation of different lobbyists and different industries that would sort of pull and push for control over this place, and it stopped being one that was guided by any real ideas about how to move this country forward.

And it was an incredibly interesting survey on how the Republican Party has changed over the years. And if you want to know why their reign ended after 12 years, in part I think it is a recognition from the American people that this place stopped being about ideas and in the end started being about those special interests.

Ms. WASSERMAN SCHULTZ. I want to segue to the U.S. attorney matter because what you just said brought something to mind. But before I do that, I do want to throw out yet another example of the neglect, of the

just stark neglect, that this administration has and has had for our veterans. I mean, take Walter Reed. I have a timeline in front of me, a neglect timeline for the treatment of the soldiers that are housed at Walter Reed and that seek services at Walter Reed, going back to July of 2004.

First I want to just put up this Newsweek Magazine cover, Mr. Speaker. This is a young woman who clearly has lost her legs, and I think the picture speaks all that it needs to without words. But the caption on the picture on the cover of Newsweek, which was the week of March 5 of this year, says: ''Shattered in body and mind. Too many veterans are facing poor care and red tape. Why we're failing our wounded.'' And Walter Reed, there is no better example of what this article spoke to, Mr. Speaker, than the neglect timeline at Walter Reed.

If you go back to July of 2004, again, Mr. MURPHY, in the summer before I was elected, you had Major General Kevin Kiley appointed Walter Reed Army Medical Center's Commander.

In mid to late 2004, you actually had our colleague from Florida (Mr. YOUNG) and his wife stop visiting the wounded at Walter Reed out of frustration; Mr. YOUNG, who has been a champion for veterans. Believe me when I tell you that our colleague from Florida Mr. YOUNG is a legend, an absolute legend, that is revered in a bipartisan way in this institution. But Mr. YOUNG said he voiced concerns to commanders, including Major General Kiley, over troubling incidents he witnessed, but was rebuffed or ignored. He said, ''When Bev or I would bring problems to the attention of authorities at Walter Reed, we were made to feel very uncomfortable.'' And the source of that was the Washington Post.

November of 2005, House Veterans' Affairs Committee Chairman STEVE BUYER announced that for the first time in at least 55 years, ''Veterans service organizations will no longer have the opportunity to present testimony before a joint hearing of the House and Senate Veterans' Affairs Committees.''

Now, talking about closing off access to the people that we are here to serve, can you imagine that they wouldn't let veterans service organizations testify in front of the Veterans' Affairs Committee? I mean, it is just mind-boggling.

August of 2006, Army Major General George Weightman assumes command of Walter Reed, replacing Major General Kiley.

September 2006, 13 Senators, 11 Democrats and 2 Republicans, sent a letter to urge then-Senate Appropriations Committee Chairman THAD COCHRAN, Republican from Mississippi, and Ranking Member ROBERT BYRD, Democrat from West Virginia, to preserve language in the House defense appropriations bill that prohibits the U.S. Army from outsourcing 350 Federal jobs at Walter Reed. A similar provision, introduced by Senators MIKULSKI and SARBANES, was defeated by a close 50–48 vote during the bill's consideration in the previous week.

Then in September 2006, Walter Reed awards a 5-year, $120 million contract to IAP Worldwide Services, which is run by Al Neffgen, a former senior Halliburton official, to replace a staff of 300 Federal employees. Halliburton again. Who headed up Halliburton, Mr. MURPHY? Do you recall who headed up Halliburton?

Mr. MURPHY of Connecticut. For a period of time, it might have been the gentleman that currently serves as our Vice President.

Ms. WASSERMAN SCHULTZ. Yes, I believe you are right. The gentleman that is currently our Vice President.

In February of 2007, just about a month ago, the number of Federal employees providing facilities management services at Walter Reed, Mr. Speaker, had dropped from 300. There were 300 Federal employees that were replaced with a $120 million private contract run by a former senior Halliburton official, and the 300 dropped to fewer than 60. The remaining 60 employees went to only 50 private workers; 300 to 50 private workers.

February 19, we know it was revealed by the Washington Post that there was an expose detailing mistreatment of veterans at housing on the grounds of Walter Reed Medical Center. And what has unfolded since then is resignations of top generals, resignations of the Secretary of the Army. Heads are rolling, Mr. MURPHY, as they should be, because of the profound neglect of our wounded veterans and our veterans that need assistance from that very fine institution.

Not only did the heads roll, but it led the Appropriations Committee last week to adopt an amendment offered by my colleague who sits on my subcommittee, Mr. LAHOOD, to ensure that Walter Reed Army Medical Center is not closed down because not only do we need to get to the bottom of what is going on there, but we need to make sure that that institution not only continues to serve our Nation's veterans, but serves them well.

Mr. MURPHY of Connecticut. Ms. WASSERMAN SCHULTZ, you talk to Members on the other side of the aisle, and I think they share that same concern for veterans. I mean, they do. We are not suggesting that anybody in this Chamber was sitting here intentionally deciding that they were going to create the situations that happened on the ground at Walter Reed. It is just a matter of choices. It is a matter of the choices that were made here. And whether they were made consciously or unconsciously, it resulted in an abysmal situation for veterans.

The choices that ended up getting made here when it came to the fiscal situation in this country was to hand out massive, unprecedented tax breaks to the top 1 percent of income earners in this Nation while we were fighting a war. While we were fighting a war. It never happened in this country. We have never asked this country to go into war without asking the entire country to sacrifice in order to pay for it, because here is the thing: The cost of the war isn't just the guns and the troops and the tanks and the armor. It is the health care for the people that come back here afterwards. The cost of the war is the whole thing.

And so we ended up short-changing our troops and short-changing the people that came back here because we decided that what was more important was to hand out another round of tax breaks, this last one to the persons in our districts, the rare folks who are lucky enough to make $1 million a year. They got $40,000 back from that tax cut.

I know if I showed up at their door and asked them, if you had to choose, if you had to choose as someone who is taking in income of $1 million or more a year, would you take the full value of that tax cut if you knew that that was going to leave the decrepit conditions that we have found at Walter Reed, that that was going to result in waiting times of up to a year for services for the men and women that fight to protect us overseas? I know what their answer would be, and it should have been the answer of this Congress.

It now does get to be the answer. The answer now gets to be that our priority is going to be making sure that those folks are taken care of when they come home.

And do you know what? We have already voted for tax cuts in this Congress. You can do both. You can still find a way to provide targeted tax relief to people who need it, as the small business tax cut bill here in the House a couple of weeks ago, and honor those commitments.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, it is essential that we honor those commitments. And I was stricken by what our colleague from Georgia said at the end of the last hour when he referenced the need to be bipartisan, to come together and work on bipartisan solutions and move forward together. I was really glad to hear him say that.

But the room was shockingly silent for the last 2 years that I served here, that there really weren't calls for bipartisanship or locking elbows together and finding the way to the best public policy on issues of mutual concern.

But be that as it may, we agree that we should move forward in a bipartisan way. And, in fact, the open government and ethics package that we adopted as part of our New Direction agenda on the first day that we were here was a commitment on the part of our leadership and on the part of our Speaker NANCY PELOSI that we would have the most inclusive, open, and honest Congress in American history. And we have steadily been doing that every single day.

□ 2130

Unfortunately, the administration doesn't seem to be buying into that same concept of bipartisanship. Again, very nice words are said. I have seen the President stand in the Rose Garden and stand on the South Lawn and stand in lots of different really attractive camera shots talking about the need for bipartisanship. And yet, again, when it has come to light that there was a proposal out of the White House to fire 93 U.S. attorneys and subsequently we have gone back and forth with the White House about what the actual truth behind those suggested and then eventual firing of eight of them was, we have not been able to get a straight answer.

In fact, we have had a concern that administration officials, including the Attorney General, have come before Congress and been less than forthcoming. I want to be careful about the words I choose, but it has gotten to the point where we have been told so many different things about what was behind those firings that we are at the-boy-who-cried-wolf point now.

Again, speaking as a mom, I know I have talked to my kids, and sometimes children will be less than truthful when they are concerned that they might get in trouble. I know that my kids sometimes are worried they are going to get in trouble and that the potential punishment is worse if they tell me the truth than if they kind of soft-pedal the actual facts, and maybe what happens to them will be not the worst thing. But I always find out. I always eventually know what really happened. And that is exactly what is going on here.

Any parent will tell you that they have sat their children down and counseled them, ''You know, it is always better to just tell me the truth, because I am going to find out anyway, and the consequences are going to be far worse for you when I do find out than if you were just up front with me in the beginning.''

Maybe we have to talk to the President and the White House and the administration like moms talk to their kids.

Mr. MURPHY of Connecticut. I feel like I should admit something to you now.

Ms. WASSERMAN SCHULTZ. Not to be your mother or anything now, but, seriously, maybe an elementary back-to-basics conversation is what is necessary, because clearly the process that they have been taking us through has been less than honest. We have had a lot of misleading excuses.

We have reached a point, and I sit on the House Judiciary Committee, Mr. MURPHY, where now our subcommittee has taken the step of feeling like in order to get to the bottom of it, we had to authorize the committee to issue subpoenas to bring the Attorney General and to bring Karl Rove and the administration officials associated with this scandal, with potentially being less than truthful to this Congress, with covering up what actually happened, maybe a subpoena may be necessary.

I think that is sad and unfortunate, but we cannot have less than truth when we ask administration officials questions when they come before this institution.

I am glad about the potential for bipartisanship. During the hearing we had in Judiciary yesterday, a number of our Republican colleagues indicated they were also unhappy with what was going on with this administration. In fact, specifically on the issue of the attorney firings, one of their top leaders, another good friend from Florida, Congressman PUTNAM, actually said that he questioned the Attorney General's ability to continue to serve. I will quote what he said in the Washington Post.

He said, ''His ability to effectively serve the President and lead the Justice Department is greatly compromised.'' During a lunchtime interview with reporters, he said, ''I think he himself should evaluate his ability to serve as an effective Attorney General.''

We are talking about the number four ranking Republican in their leadership on that side. Believe me, I know ADAM PUTNAM. He has served with integrity in our legislature in Florida, and does so here. If he is at that point, then you know there is something seriously wrong. There is seriously something wrong.

Mr. MURPHY of Connecticut. Ms. WASSERMAN SCHULTZ, I think it serves us well to sort of try to outline for people why this is such a big deal. Why do you have a senior member of the Republican leadership coming as close as you can come to calling for the resignation of the Republican sitting U.S. Attorney General? Why do you have the papers filled with this day after day? Why do you have the Judiciary Committee going to the unfortunate but necessary step of actually having to subpoena members of the administration to come before us?

It is pretty simple. If you are an average Joe out there, you want to know that if the guy next door to you commits a really bad crime, that he is going to go to jail, no matter who his political friends are, no matter what political connections he has; that justice should be blind. Justice should certainly be blind to politics.

Now, we can freely admit that when Bill Clinton came into office, he sent out notices that he was intending to get rid of all of the prosecutors and everybody was going to have to reapply.

Ms. WASSERMAN SCHULTZ. If the gentleman will yield for a second, when then-President Clinton did that, correct me if I am wrong, he was asking for the resignations of the Bush appointees, of the Republican appointees of his predecessor.

Mr. MURPHY of Connecticut. Correct.

Ms. WASSERMAN SCHULTZ. Now, my understanding when this scandal occurred, we are talking about a situation where the President, I believe, was considering asking for the resignation of 93 of his own U.S. attorneys. Subsequently, they decided maybe that was going a little too far, so I think the number is eight, they only fired eight.

Mr. MURPHY of Connecticut. That is correct.

Ms. WASSERMAN SCHULTZ. My recollection also is that there was some interference and some questions about specific cases for each individual U.S. attorney that were raised by some of our colleagues on the other side of the aisle during this process before those firings.

Mr. MURPHY of Connecticut. And there is the rub, Ms. WASSERMAN SCHULTZ, is that it is one thing to decide to clean house and say okay, everybody goes. I am not going to examine all of your pasts and your political connections and whether you have done what you have asked, because I haven't served one day. I am just going to come in as a new president, which is their prerogative, and just clean house.

That not what happened here. In fact, there is a reason why somebody within the White House actually recommended that they fire everybody, because they knew that if you are going to start firing prosecutors, people that are given by the public and by this government the very grave responsibilities of carrying out our system of justice, then you better not inject any politics into it, because the worst thing that can happen to the American justice system, and for all of the inefficiencies of government, one thing we can stand very proudly by, is our system of blind justice.

We do have a system of justice that by and large makes decisions without political influence. If you are my neighbor and you did something wrong, no matter who you know, now matter how powerful you are, now matter how much money you have, you are going to pay for it. You are going to be held accountable for it.

But if prosecutors throughout this country start having to look over their shoulder every time that they decide to try that rich guy or that influential guy or politically powerful guy, and they have to wonder whether the consequence of that decision is going to be the political boss somewhere decides their job shouldn't be their's anymore, then that has immense, immense consequences for our system of government and our system of justice.

I know it is just eight. I know it is just eight. But if that message that those eight guys, men and women, those eight men and women, who for some reason displayed some act of political disloyalty to the President, don't get to hold their job anymore, then that has an unbelievable chilling effect on the rest of our prosecutors, and I think it has dire consequences for our system of justice.

So it is a big deal, and it should be a big deal. I hope that the President sees the light of day and decides to put the people that were responsible for this decision before Congress so that everything can be aired out.

His offer now is obviously certainly not acceptable. As the chairman of the Judiciary Committee today said, Representative CONYERS, said we might as well go down to the bar down the street and have this conversation, because that is about as much meaningful information as you are going to get out of that conversation.

Ms. WASSERMAN SCHULTZ. If the gentleman will yield, we should point out the President believes he magnanimously offered was to offer that the officials associated with this scandal to speak with, essentially, the Judiciary Committee, not under oath, that there be no transcript, and that Congress would not subsequently subpoena them.

That is when Mr. CONYERS said, yes, we could just go have a drink and have that kind of private conversation which reveals nothing, which has no accountability whatsoever.

Mr. MURPHY, the other thing that I think is important to note is that the first answer that we were given about why, and these people do serve at the pleasure of President. Again, that is why I drew my kid analogy. Because I never understand when I ask my kids, and, fortunately, I have very honest children, so this doesn't happen often, but little kids, when they are learning as they are growing up, they do dumb things.

What brought this to mind was the first answer that the administration gave was that, well, you know, we were concerned. We lost confidence in their ability. They weren't up to snuff, they weren't very good attorneys and they weren't doing a very good job.

As you might imagine, these are eight pretty capable people who thought they were doing a good job. When they had their ability questioned, a bunch of them got mad. We are talking about very loyal Republicans here, some who had been longstanding supporters and contributors to the Republican Party. They went out there and defended themselves and said, wait a second. I am pretty darn qualified individual. How dare you.

Then we dug a little deeper. It turns out, well, it is not that they were not qualified. It is more that they weren't aggressively pursuing Democrats who were being investigated in their jurisdiction.

The bottom line is we really don't know. And then they started pointing fingers at each other inside the administration. First, it was really Karl Rove. No, it wasn't Karl Rove, it was Harriet Miers that called for the firings.

The bottom line is to restore the confidential of the American people in their government, which is what we absolutely need to do, and that is our goal. Because it was badly shaken by the Republican leadership, we need to get to the bottom of scandals like this.

I know we are getting closer to our end time and we want to make sure we have an opportunity to encourage people, if they have any questions or want to see the charts more closely we have seen tonight, we will give out the Web site.

Mr. MURPHY of Connecticut. I think, Ms. WASSERMAN SCHULTZ, it is part of a pattern. Political influence in the judiciary, we are finding that prosecutors are being fired for not being loyal to the President. We find it in some of our scientific agencies, where basic scientific accepted data is being suppressed by the administration because it doesn't meet their political goals within some of our medical approval agencies and boards. Decisions are being made based on ideology, rather than on science.

We have had hearings on a lot of these subjects in the committee that I sit on, the Government Reform Committee, and you actually get some indignation expressed, as you said, from both sides of the aisle, from Republicans and Democrats on this issue. I think there is a bipartisan frustration at the administration's willingness to inject politics into a lot of places where politics have no business.

But at the same time that I accept there is criticism coming from both sides, I also note that there were a lot of things we probably would never have found out about unless we were asking the questions, and the questions weren't getting asked for a very long time. They are getting asked now. Maybe the answers are terribly palatable.

Ms. WASSERMAN SCHULTZ. Or forthcoming.

Mr. MURPHY of Connecticut. Or forthcoming. When we get them, they are not the ones we want necessarily, but at least we are starting to get them, because we are asking them. And if you want to talk about restoring people's faith in government, we have to open it back up again. I hope that is something we can engage in on both sides.

I yield before we give the contact information.

Ms. WASSERMAN SCHULTZ. It has been a pleasure to join you, Mr. MURPHY. I have to tell you how thrilled I was that we expanded the 30-Something Working Group and we have now given ourselves a new chapter to talk about the issues that are important to the American people, and we have now the ability to hold the administration's feet to the fire and exercise Congress' oversight role which the Founding Fathers envisioned.

I would be happy to yield back to the gentleman to close us out.

Mr. MURPHY of Connecticut. I am happy my application was accepted, Ms. WASSERMAN SCHULTZ.

The 30-Something Working Group, we were given this opportunity by the Speaker of the House, who has been so generous to allow us time on the floor to talk about issues that affect folks not only in their thirties, but issues that affect people throughout this country.

You can e-mail the group at 30somethingdems@mail.house.gov, and you can always visit us on the web at www.speaker.gov/30something.

Ms. WASSERMAN SCHULTZ, it was a pleasure to share this hour with you.

□ 2145

IMMIGRATION

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

Mr. GINGREY. Mr. Speaker, I come to the floor this evening on behalf of the Immigration Reform Caucus of this House of Representatives. Hopefully, as we go forward with the Immigration Reform Caucus in a bipartisan fashion, and our new chairman hopefully will be joining me during this hour, and that is Congressman Brian Bilbray from the great State of California who is determined to make the Immigration Reform Caucus of this House a bipartisan organization, and I really look forward to that change.

As we reach out to our colleagues on the other side of the aisle, both Republicans and Democrats, I think we can solve this problem of immigration, and in particular, illegal immigration. We have to do that, Mr. Speaker.

This is a hugely important issue. It is an issue to our security, it is an issue to our economy, and it is an issue to this great country, this sovereign Nation, the United States.

Tonight I come to my colleagues to talk about a problem not regarding illegal immigration, we may have an opportunity tonight to discuss some of those issues which are so important and which we have worked so hard on in the 109th Congress and hopefully we will continue to do so in the 110th Congress; but my concerns tonight will be addressed toward a legal immigration problem, Mr. Speaker. Let me repeat that, legal. That is a situation that we refer to as chain migration. Let me try to explain that to my colleagues.

I have here to my left a first slide, if you will, in this presentation. As we look at it, Mr. Speaker, at first glance those in the audience tonight might think, gee, GINGREY is up here with a chart of his high school or college chemistry periodic table; or somebody else may say, no, that is his grandchildren's Pac-Man game. It is a confusing chart to look at, but I am going to hopefully be able to, in a short period of time, to simplify this rather arcane, complex looking first slide. But this really is what this whole problem, this legal immigration problem is about, this chain migration issue, Mr. Speaker.

If my colleagues will focus their attention at the bottom of this first slide, I point to this very prominent kiosk, this icon that would be a legal permanent resident in this country. That individual, man or woman, could be here through any one of several ways of entering this country legally. It could be a skilled worker. And that is indeed why we have an immigration policy, to make our country better, to bring in skilled individuals from countries throughout the world, as we have always done since we started this country. That is the whole purpose of being able to bring individuals in based on what they can contribute. Certainly we want to make their lives better as well, but we want them to be able to contribute to our great Nation and enjoy the privileges of citizenship eventually.

So this individual comes, maybe as one of those legal immigrants, as a skilled worker; or possibly this first person that I am going to refer to at the bottom of the slide is a part of somebody's nuclear family, maybe it is the wife of a legal permanent resident who has already come; or maybe it is a minor child who has grown up and become of age to marry and have a spouse; or possibly this is an individual, a third category, who has sought asylum in this great country. And certainly that is what the Statue of Liberty is all about, that is what the inscription of the bottom of Lady Liberty says in regard to opening our arms to the oppressed and the people that need safety in this great country. So any one of these three categories, Mr. Speaker, of legal permanent residence in this country can start this chain migration. Which clearly, clearly our country never intended that effect.

What happens is this legal permanent resident is able to bring in his spouse or her spouse. And they can legally bring in their minor children. And let's say, based on the current fertility rate south of our border, our southern border, it is three children, three minor children. Now, that is one individual that, by virtue of bringing in an additional skilled worker under the quota for that particular country, has brought in four additional people by virtue of genealogy. And this is, of course, a nuclear family so far. We are talking then about a nuclear family, a husband, a wife and their three children.

Now, once the husband and wife become citizens, then the real problem begins, because at that point then each of the husband and wife can bring in their parents. This is perfectly legal to do this. So there are an additional, assuming that both parents of both the husband and wife are still living, which is very likely, maybe it is a man and a woman on each side who are in their late forties or early fifties.

In addition to that, Mr. Speaker, in addition to that, again, this one individual that is in this country legally, as a legal permanent resident, hopefully has become a citizen. At that point, then all of his siblings and all of his wife's siblings can come into this country. And that is where the chain really takes off, because you repeat this over and over again. And at the end of 17 years, a short of 17 years and two generations, what you end up with under this insanity of legal chain migration is that one legal permanent resident who was brought into this country as a skilled worker, as an individual seeking asylum from a country in which they are suffering the devastation of oppression, or it happens to be a spouse of a legal permanent resident, that one person in a short span of 17 years can bring in 273 people, Mr. Speaker; 273 people. And that counts against the quota for that country.

So this is the problem, Mr. Speaker, that I think a lot of people just don't realize. We worry about a porous border. We worry about the fact that there are anywhere from 12 to 20 million illegal residents, immigrants in this country, many of them, of course, most of them probably are hardworking, Godfearing, good people, moms, dads, good families, and they are trying to do the right thing. And the only thing that they have committed, of course, is coming into this country illegally. But it is a huge, huge problem for us, as I said at the outset, in regard to the stress and strain on our economy, on our infrastructure, on our safety net programs, on our public school systems. But here we have something that is part of our legal permission to let people come into this country, and then bring in 273 additional extended family members. Not, Mr. Speaker, what we originally intended.

I want to go back and talk about the Jordan Commission. In the early nineties, Congresswoman Barbara Jordan from Texas, a very, very distinguished Member of this body, chaired that commission to study immigration reform and clearly said as part of the recommendations, there were a number of those recommendations, only some of which, Mr. Speaker, were implemented, but one of them was to say very specifically that it should only be a nuclear family, not this situation where because of this chain effect, that in a very short period of time of a couple of generations, or really a short period of 17 years, we end up with 273 people. And they may be good, hardworking, skilled men and women that can contribute to our society, can make their lives better, can make our lives better. But it is really not based on that, it is based totally on genealogy, by virtue of being related in some extended way, first, second, third cousins, aunts, uncles, grandfather or grandmother and on and on and on.

And what that does, other than just overwhelming the number of legal permanent residents who come into this country from a specific country on a yearly basis, indeed, Mr. Speaker, from Mexico to our southern border we are talking about maybe 30,000 a year, and that quota is surpassed in day one of the calendar year.

So you can't say, well, it just doesn't matter; that means maybe you are going to push these skilled workers a little bit further behind in the queue, but they will get there eventually. Well, they may get there eventually, but instead of 2 or 3 years, Mr. Speaker, it may be 15 years, it may be far beyond the time that it would be any advantage to them or us for them to remain in the queue. So this is the problem. We have a solution. I have a solution for it, and I want to talk about that as we go forward.

Mr. Speaker, this next slide that I have again just points out, and I hope my colleagues, I hope this writing is big enough. In case it is not for those in the back of the Chamber, I would be happy to go through it bullet by bullet. But this says ''Chain Migration Equals Inter-Generational Relocation Program.'' It gives visa priority to the cousins, to the adult children and distant relatives of legal immigrants. It creates a backlog of visa applicants. And it allows, and this is the final point on this slide, Mr. Speaker, and of course I have already alluded to these points in my opening remarks, but it allows genealogy, not job skills, not education, not English proficiency to determine who immigrates to our country. We just can't afford that. We absolutely must use common sense and go back to the Jordan Commission recommendation in regard to limiting genealogy entry into this country based not on skills at all, but on just who you happen to be related to. And I will get to that in just a few minutes.

My colleague from Iowa is with us tonight. We call on him a lot, but he is always forthcoming with very, very good, useful information on many subjects, not the least of which is the issue of immigration. I am talking about Representative STEVE KING, my classmate. I thank him for joining me during this hour, and I look forward to his comments.

I would like to go ahead and yield the floor to him now for however much time as he would like to take. We can colloquy back and forth. And I certainly appreciate him being with us this evening.

Mr. KING of Iowa. I thank my friend, the gentleman from Georgia, for stepping up here tonight and organizing this Special Order and bringing this subject matter before you, Mr. Speaker, and before the American people.

□ 2200

This immigration issue that is before America is I believe the most complicated and least understood piece of policy that I have seen debated in this country in my lifetime.

I have been involved in the immigration issue since well before I came to Congress 5 years ago. Today as ranking member of the Immigration Subcommittee, I sit through immigration hearings two times a week, sometimes three times a week, sometimes more than that. Witnesses bring a lot of information before the committee, and

we are required to read a lot of information. And then one has to read the press clippings to try to understand what the American people are trying to divine out of the things that we are wrestling with here in this Congress.

As I state how complicated this issue is, and I look at the chart that Mr. GINGREY had up, the one that I believe demonstrates the 273 people that could be brought into the United States under the chain migration program, the family reunification plan, the plan that presumes that all family reunions, however minor or major, are reunions that all must take place in the United States as long as there is any one person of one of those families that is here. That is quite a presumption, that you can't have a happy family reunion except in America.

And the 273 that can generate from one individual that is lawfully present in the United States and starts this process, this is a calculation that isn't something that we happen to know in this Congress, because Mr. GINGREY has presented that here tonight; this is a calculation that is done by illegal immigrants and legal immigrants across the world, not just across our southern border into Mexico and points down south towards the Panama Canal, but China as an example. So the going rate, if you are a pregnant Chinese lady, is $30,000 for a roundtrip ticket to come illegally into the United States, have the baby, get his little footprints put on a U.S. birth certificate and go on back to China. Then after the 18th birthday, that child can start the family reunification plan, and you start down the path of this chart that shows 273.

Mr. GINGREY. And the same thing, as I said at the outset, anywhere from 12 to 20 million illegal immigrants we estimate, and we hear talk about the need for a comprehensive bill that would include letting them pay a little fine and fess up and get a clear ID card, identify themselves, and all of a sudden become a permanent legal resident on a track to citizenship. Each one of those 20 million then could start this chain migration.

Mr. KING of Iowa. Mr. Speaker, that 273, that is the calculated number that one individual can bring in, and they might come in illegally and find the path to a legal lawful presence and then start the 273. When that chart was done, it was not really limited to 273 except space on the spreadsheet confined it to 273. The number could be 100 or more above that. And the size of the sibling unit, it might be 6 or 12. And if I remember right, the size of the unit for the chart was 3.1 siblings per family. A very conservative estimate.

So we have the automatic citizenship plan, the anchor baby plan, and that will yield 350,000 babies born a year to illegal mothers but on U.S. soil. Some argue their constitutional right to citizenship. I will argue that they also have to be subject to the jurisdiction of the United States when they are born. Therefore, it is a practice, not a constitutional right. But we have 350,000 new citizens that would not be citizens if we enforced our law on that. That is NATHAN DEAL's bill, another leader on immigration from Georgia. I certainly support that bill.

But the family reunification, the chain migration, 273, and this usurps the kind of policy that the United States of America ought to have. Every nation, and we are the most generous Nation in the world when it comes to immigration, by raw numbers, by percentage of the population, by having a standard there that isn't a very strict standard at all, but we need an immigration policy designed to enhance the economic, the social and the cultural well-being of the United States of America.

As the gentleman from Georgia alluded, we are not measuring in this chain migration plan the relative merits of the individual immigrants that would come in. We are simply letting that be set by genetics of the family, maybe that and marriage and whatever kind of familial relationship they want to have. I would submit that we need to establish in this Congress, first we need to get control of the illegal flow over our borders. That is about 11,000 at night.

I have sat on the border and I have heard the fence squeak at night, and I have watched the shadows go by me. It is twice the size of Santa Ana's army pouring across the border. And then we have the 350,000 automatic citizenship anchor babies that are born, and the family reunification plan. All of those things are out of the control of the Federal Government right now.

Because we have those elements and we have the overstayers of the visa that are not being enforced, because of that, the immigration issue has become so chaotic that we cannot engage in a rational immigration debate that can be designed to do the things I say and enhance the social, economic, and cultural well-being of America.

If we can get enforcement back under the control of the American people, then I believe we need to put together a matrix, a score system, a score sheet that rewards potential immigrants for their education level, for the capital that they bring into the country with them, for the business acumen that they might have, for the likelihood that they can assimilate into this broader, overall American culture that we have, so we can have some cultural continuity in the United States of America and assimilate and tie together and maintain this vision of one people, one people under God. As we sit today, it is out of our control.

Another thing that we are going to see, a White House initiative, a Senate initiative, and I believe a House initiative coming together trying to get a critical mass of voters between the Democrats and Republicans in the House and Senate to work with the White House on this bill that I believe clearly the American people understand, and that is amnesty. That is the bill which has been dropped in the House within the last day.

But the thing we must insist upon, however the issue of amnesty is resolved, however the issue of the national ID card is resolved, we must insist on an overall national cap. The aggregate of all of immigration components that are there, and I think there are 30-some different categories that people can come into the United States legally under, that needs to be capped.

So if a family reunification plan takes up to a million a year, fine, we hit the cap, we stop. No H–1Bs, no work permits. It is simply we hit the cap.

Mr. BILBRAY. If the gentleman would yield on that, I think the American people don't realize that we take more legal immigration than all the world combined. We are taking now more than we ever have.

But first, I want to stop a second and thank the gentleman from Georgia for hosting.

Mr. GINGREY. Mr. Speaker, I would also like to thank him, and I would like to do it formally. I would like to thank the gentleman from California (Mr. BILBRAY), who is chairman of the Immigration Reform Caucus in the 110th Congress. I look forward to his leadership on this caucus of the Congress, this bipartisan effort on his part. The gentleman from California certainly knows of what he speaks.

Mr. BILBRAY. I would thank the gentleman from Georgia for hosting our report on immigration to the American people tonight from the Congressional Caucus.

People have to understand how really, really we have bent over backwards to accommodate people to immigrate to this country. We have about 800,000 people become citizens. We have a million that are allowed to be permanent resident aliens every year, and then we have another million-plus that are allowed to come here to work in the United States. That is almost 3 million people a year that we are accommodating from overseas in one way or the other. And when people say we are a Nation of immigrants, we are a Nation of legal immigrants; but there is a reasonable level of immigration. When the American people realize that we just absolutely have our doors open, there is no excuse for illegal immigration, and we have to make sure that our legal immigration policies are reasonable.

I don't think it is much to ask, those of us who are sworn to represent the people of the United States, to make sure that the American immigration policy is for America first and for the immigrant second. We not only have a right, we have a responsibility to make sure that our immigration policy serves the American people. Like every other policy that the Federal Government is initiating, the American people should come first before anyone else.

This issue of the cost of just the legal immigration, let me give you one cost that most people don't think about. The cost just in one State of giving birth to the children of illegal aliens in California is $400 million a year. That is $400 million just for giving free birth to the children of illegal aliens. In San Diego County, it is $22 million a year just for birthing babies of people that aren't supposed to be in the country.

You add that up, the impact on the taxpayers, there is no way in the world I can believe that any man or woman can stand up in this Chamber and say I am for a balanced budget, I am for fiscal responsibility, but I am for giving amnesty that has been estimated to be $50 billion if Mr. KENNEDY and some people in the House get their way of rewarding people for being here illegally.

I think there is a basic issue that we ought to call down and say, since when does this country believe that those who follow the law should be punished and told to stay at home, but those who break the law get rewarded and get into this country?

And since when is it not the right thing to do to make sure that our immigration policy serves the people we are sworn to represent in this Chamber and in the Senate? It is a major issue that the American people need to be asking those that they have sent to Washington.

I, as the new chairman of the Immigration Caucus, look forward to working with Democrats and Republicans because I think in all fairness, immigration is not a Democrat or Republican issue, it is an American issue. And Americans across this country on both sides of the political divide believe it is time we address this issue reasonably and not make the terrible mistake we made in 1986 of rewarding people with amnesty and not doing something about enforcement.

I appreciate the chance to be able to address the issue. That chart scares me to death. And I just say this as a practicing Catholic with five children. Your numbers are a lot lower than for those of us that are in my Mass every day. I think we have to recognize this number as a huge threat of really overturning the entire concept we have of reasonable immigration levels, and those reasonable immigration levels are not only our right to set here in Washington, it is our responsibility to do that.

I yield back.

Mr. GINGREY. I thank the gentleman, and I hope the gentleman will be able to stay and continue as we have a colloquy on this issue.

Just by coincidence, we have the Catholic caucus here, as we have the gentleman from California and the gentleman from Iowa and myself, so we know about these large families.

But to put it in perspective, in regard to numbers, Mr. BILBRAY mentioned the fact that a million come into this country as permanent legal residents every year. It varies from country to country and hemisphere to hemisphere, the overall quota. And then that million additional that come in under all of the visa programs, the H–1B, et cetera, temporary agricultural workers and various skill levels, you are talking about an additional million.

But from 1776 to 1976, 200 years of our country's existence, the average number of immigrants was about 250,000. So that just shows you where we are today; and of course we are not talking about the 3 or 4 million illegals if we don't close down our border and secure our border. Not close it down, secure our border. Then you are going to have 3 or 4 million illegals in addition to that.

The gentleman from Iowa has been mighty quiet for the last few minutes, and I yield back to him.

□ 2215

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Georgia.

The thought that goes through my mind as I listen to that discussion about the cumulative total of legal immigrants in the United States, it occurs to me that the Senate bill that passed last year that they said was not amnesty, that the American people rejected because clearly it was amnesty, according to Robert Rector of the Heritage Foundation, would have legalized over the next 20 years, and that is the calculation period of time that we have for immigration, 66.1 million people.

It also occurs to me that back in 1986 when President Reagan signed the amnesty bill, that was supposed to legalize 1 million people, and that went over 3 million people.

Mr. BILBRAY. Actually, it was——

Mr. KING of Iowa. Reclaiming my time, I am happy to yield to the gentleman to make any clarification he likes, but I have a flow in my thought process here that I want to make sure I can stay with here.

The published numbers, though, was supposed to be amnesty for 1 million and ended up being 3.1 million the numbers I have. Then if you go up to 1996 in California, when President Clinton accelerated the naturalization of a group of citizens in the number of 1 million in 1996.

So I am pointing this out that 1 million people was an outrageously high number in 1986, was an outrageously high number in 1996, and last year, the Senate passed a bill that legalized 66.1 million people, and we swallowed that and talked about it not in terms of the magnitude of it but just simply is it amnesty or is it not amnesty.

But put this into the scope, that the point I want to make here is that my numbers show, my census numbers, from 1820 until the year 2000, and those would be the years when our census was keeping track of the naturalization, that period of time, 1820 to 2000, the sum total, the cumulative total of all naturalized citizens come into the United States was 66 million.

So the Senate would have legalized a number in one of the stroke of the pen equal to the sum total of all legal immigrants that have come into America in all of its history and still leave these kind of programs here. That is the essence of the point I wanted to make.

Mr. BILBRAY. I just remember I was involved with running the County of San Diego in 1986, and I remember that before the bill was passed the number estimate was 300,000. It was after the bill was passed that they said, oh, it might be as high as 1 million, and then they kept continuing the deadline and increasing those who qualified to apply, and it ended up being 3 million. So I just think people have got to remember, when the bill was passed, what was being told was 300,000, and what ended up being the final number was 3 million.

Mr. KING of Iowa. I thank the gentleman from California.

So, picking up on this point, I want to broaden this discussion, if I could, a little bit, too, and that is, the labor supply in the United States of America. We hear continually from the other side the specious argument that we do not have a labor supply in the United States, and so since there is a demand for more cheap labor, therefore, you ought to bring in more cheap labor, as if the United States of America was just a giant ATM and there was nothing more to our Nationhood than a giant ATM.

We are more than a giant ATM. In fact, we are a sovereign Nation based upon a constitutional foundation, and we have a whole series of foundations that have created and established American exceptionalism, and without going down into the components of American exceptionalism, I would point out that we do have a labor supply, Mr. Speaker. That labor supply is not something where you just go looking at an unemployment rate and say, well, traditionally, it is kind of low, it is 4.6 percent. How many does that make? A few million out there you could hire. You could add up a few that are on the welfare rolls.

It is more than that. Look at the whole United States of America as if we were one huge company. If you were going to establish a company in a locale, you would not just go into that locale to measure how many were on the unemployment rolls and count them and say that is the only available labor supply. You would hire a consulting company to go in and survey that region and find out how many people were underemployed, how many people were not in the workforce, and how many people were unemployed so that you could look at the universe that could be hired from.

I did that for the United States of America. It was not hard to do. I am kind of astonished those big business interests did not do that. So I went to the U.S. Department of Labor's Web site, and I started to add up what about the people that are not in the workforce.

Well, between the ages of 16 and 19, there are 9.3 million that are not even

doing part-time work, and then you go into the ages of 20 to 24, and there is a number there that I believe is 5.1 million. 9.3 million for the teenagers, 5.1 million for the 20- to 24-year-old, and you go on up the line. So I began adding up these available workforce, and I went on up to 65, and then I thought but you know Wal-Mart is hiring up to 74. They get greeters there to hand you your cart at 74. So they are available workforce, too, not a lot of them, but they are there. You add this up, there are 6.9 million working illegals in America, and there are 69 million nonworking Americans of working age.

So any company that is worth their salt would look at that and say all we have to do is go hire 1 in 10 of those that are not in the workforce. One in 10 is all it takes to replace the illegal labor that is in America.

If you want to look at it from another perspective, Mr. Speaker, I would submit this, that 4.7 percent of the workforce is illegal labor, and they represent 6.9 million workers but they are not as productive as more educated, more efficient and more effective workers that are the American workers. So they are really only doing 2.2 percent of the work. Well, if you wanted to replace 2.2 percent of the work, if this great huge megafactory of the United States of America got up in the morning and realized that 2.2 percent of your labor force was not going to show up for work, it could happen all at once but it will not, then you could make an adjustment on your production line and you would just say to the people, well, you know that 15-minute coffee break that you have in the morning and the afternoon, for the sake of this emergency that we are in, we are going to shorten that down to 9.5 minutes in the morning and 9.5 minutes in the afternoon, and you have picked up 2.2 percent of your productivity. Eleven minutes a day will more than recover all the illegal labor in America in the size of the economy that we have.

We are not in a labor crisis. We just simply always will have more demand for cheap labor as long as we have more labor that makes it cheaper.

Mr. GINGREY. I thank the gentleman from Iowa. I want to move back now for just a moment and focus again on the solution to this problem of chain immigration, and we will get into further discussion of some of the many things this Congress, and the 109th Congress when we were in the majority and led this great House of Representatives, some of the many good things that have been done in regard to controlling illegal immigration.

But let me just for the moment, before my colleagues some possibly have to leave, refocus on this issue of chain migration, Mr. Speaker, because we have presented the problem. We have spent maybe 20, 25, 30 minutes talking about the problem of chain migration, the one person bringing in 273 others, not based on skill, strictly being, I guess, based on the luck of your birthright, geneology, and how inappropriate that is and how we cannot afford to continue to do this. We have a solution.

But Mr. Speaker, first of all, I want to call my colleagues' attention to this next slide, and again, it depicts on this scale of justice, as we have here in the middle of this slide, on the one side you have an imbalance, too much emphasis, too much weight in regard to the second cousin of an immigrant, i.e., chain migration.

On the other side, however, not weighing so heavily in this scale of this balance of justice is the skilled laborer waiting to emigrate into this country.

This is what this hour is mainly about, Mr. Speaker, that we need to correct this. We need to get back to what Congresswoman Barbara Jordan recommended to this House back in the early 1990s as she chaired the Commission on Immigration Reform.

Basically, this is what she said, Mr. Speaker, in this next slide: Proposed tripartite immigration system, legal immigration. That basically, as I said at the outset of the hour, people come to this country first and foremost maybe as a skill-based worker, skill-based admission; or possibly on the far side of the slide, come in as a refugee for humanitarian reasons, a humanitarian admission; and then, finally, the nuclear family admissions that Congresswoman Jordan, the distinguished lady from the great State of Texas talked about, nuclear family admissions, Mr. Speaker.

That is the solution to this problem, and how we got away, how we did not follow her recommendation, there were a number of things that were recommended that were enacted by this body, but we missed the most important, and that is in regard to nuclear family admissions.

This print is far too small for my colleagues to see, even in the front of the room, so I want to point out, under nuclear family, the first priority would be spouses and minor children of United States citizens, under the nuclear family. The second priority would be parents of the United States citizens, and the third priority, as we talked about, would be spouses and minor children of legal immigrants. Of course, hopefully they will become and we want them to assimilate into our society. We want them to be part of this great country, the United States of America, and at that point of course they could bring their parents, both husband and wife, as part of this nuclear family.

Mr. Speaker, in my final slide, here is the result of that. Again, this is the initial skilled worker that comes in legally. This is her husband or his wife and their three minor children. That is a total of five people, one permanent legal resident and an additional four. Now, when husband and wife become citizens of the United States, then each of them under this new Nuclear Family Act, and that is what I want to present to my colleagues tonight, the bill that I have introduced, H.R. 938, remember that number, many of you on both sides are considering signing on to this bill. Many of you already have. I think we are up over 60 at this point, and hopefully, there will be many more when they understand the magnitude of this problem that we are presenting tonight.

So H.R. 938, the Nuclear Family Priority Act, taken almost verbatim from Congresswoman Barbara Jordan's recommendations back in 1990, again, a distinguished Democratic Member of this body, these two, husband and wife, when they become citizens, they can bring their parents. Assuming both parents are living, then that is four additional people, and then they in turn having become citizens can bring their parents in. There is a possibility that if the parents were divorced and remarried, that instead of two on each side, there would be four.

I do not want to confuse my colleagues with another arcane slide, but basically, this is the bottom line to take home. On this slide, if all of these people came in under the Nuclear Family Priority Act, you are talking about 35 people. Chain migration, which currently is the policy, you are talking about 273 people.

So, Mr. Speaker, we are talking about cutting that down by 87 percent, and that is not small change. That is a significant solution to this problem, moving in that direction to enact the Nuclear Family Priority Act.

So, again, it is straightforward. I leave this slide up and let my colleagues continue to look at it. I want to yield back now to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Well, I would just like to congratulate you on explaining exactly what your legislation is focused on. You articulated the problem, the challenge, and it seems to me not only a very common-sense approach but a very, very compassionate approach to the issue.

I think any American that thinks about hundreds of people coming to this country because one person was allowed in sort of boggles your mind saying why has not anybody brought this up before.

□ 2230

I think that look at your diagram there, and the level of legal immigration you are proposing per person, based on family relations, is quite reasonable. I don't think any of us, especially those of us that are a family from immigrants, my mother came from Australia, could say that is an unreasonable and an unfair proposal and unrational proposal at this time.

I really want to compliment you at actually addressing this issue, because we are talking about a lot of other difference issues. But this is one that is sort of below the radar, people aren't talking about, and I am glad you are able to bring it up. I think that is why

our Wednesday evening reports to the American people on the status of immigration is so important. I want to thank you sincerely for bringing up this issue and for introducing this bill.

Mr. GINGREY. I thank my colleagues, the gentleman from California, the gentleman from Iowa, for being with me tonight. The hour is getting late. I appreciate their sharing their knowledge. It is so important that our colleagues do that, because we have very bright Members of this body on both sides of the aisle. We are not all experts on every issue, but we help one another. We share our knowledge. We rely on each other.

I am very grateful to Mr. BILBRAY and Mr. KING of Iowa for being with me today, to help me talk about not just this issue of chain immigration, that's the main focus of the hour, but to discuss the overall problem of Georgia.

It is a huge problem. We can't really afford to turn our backs and shut our eyes and bury our head in the sand with regard to 3 or 4 million additional people coming in every year illegally on top of those 2 million that are coming, as the gentleman from California pointed out in his earlier remarks. There is no way, this country cannot sustain that.

He talked about the cost in California and their problem, indeed, as a border State, is a lot bigger than it is in the State of Georgia. Of course, their population approaches 55 million, and the population of Georgia is 9.3 million. But on a percentage basis, we have a huge problem in Georgia as well, maybe fourth or fifth number percentage-wise of illegal immigrations of any State in this country. I think the last count in Georgia was about 750,000.

We have got a problem. Certainly, we are a great country. I think that we have done some great things in the history of this Nation. Indeed in 1969, we put a man on the Moon. If we can do that, we can solve this problem. We just need to have the will. I think my colleagues are helping bring that to the attention of the Members of this House and this Congress, both House and Senate, to the administration, to the American people. I like it when we talk during these times to our colleagues in a bipartisan way and say that, look, we can do this together. We all worry about who has got the power and who is in control, and who is in the majority, and who is the Speaker, and who are the committee chairs, and who is the next President. Of course, that will be upon us pretty soon.

But in the meantime, there are so many things that we can do in a bipartisan way and really pat ourselves on the back, because I don't think our constituents care whether the Democrats solve this problem or the Republicans solve this problem. They want us to do it in a unified way.

We have got such a few more on the Democrats side of the aisle in this 110th, a few more on our side of the aisle in the 109th back to 1994, these things go back and forth. But we can't let that tie our hands and keep us from going forward and getting things done for the American people.

I know that my colleagues that are here with me tonight, and I think all the colleagues of this 435–Member body would hopefully say, right on, Gingrey, we agree with you on that.

Mr. BILBRAY. Let me say this as a Republican. I think the American people will be so pleased if the Democratic majority would bring a bill forward that addresses the major source of illegal immigration, and that is illegal employment. If the Democrats were brave enough to just come forward, not with an amnesty that rewards illegals for being here, not pandering to the illegals and the whole industry that has been built up around that, but went and actually did a project that addressed the real source of illegal immigration; and that is, have a simple employer verification system and a crackdown on the people that are profiteering from illegal immigration, and that's the employers. IF the Democratic Party did that, I think the American people would embrace that.

I think it's a real chance for them to show that they can get the job done and get this issue done that the Republicans didn't get done. You know, as an American, I think that is more important than Republicans having to take advantage of this issue. I just wouldn't be happy as an American to see the Democrats sit there and actually get the job done so I could join them, could vote with them at doing, actually getting the legislation through that the American people have been waiting for too long. I would sure love to be surprised, and I am sure the American people would love to see us working as Democrats and Republicans for America first, not our party first and our Nation second.

I just tell you, I think that our grandchildren would be well served, because all of us, I know the three of us here, if it meant somebody on the Democratic side getting credit for it, then God bless them. What's important is that we leave an America for our grandchildren that is worth our grandchildren living in, and taking care of this problem is going to be part of the important part of doing that.

Mr. GINGREY. You know who else would be pleased, and that is the employers in this country, and a lot of the industries. In Georgia, I mean we have got agriculture, we have the poultry industry, we have the carpet industry. We all have the homebuilding industry in every State, and I know that most of my friends that are in those businesses pay good wages, they pay good benefits, they are treating their employees in a compassionate way.

In return, they are getting a heck of a day's work for their wages that they pay, and I think they would welcome, I think that the employers would welcome. I know Representative KING, in a bill that he introduced in the last Congress and has championed in regard to an identification system that is foolproof, and we can do that, we can have a tamper-proof, biometric identification card. And I think our employers, and I have talked to many of them, and I commend them, but there may be a few that are paying low wages and gaming the system. You always have that problem. But we will ferret them out.

At the same time, kudos to those who are playing by the rules and doing the right thing.

Mr. BILBRAY. I think the key is the fact that every legitimate employer wants to have a simple system that lets them know who is qualified to work and who is not. The employer doesn't want to be the person having to make that determination.

We require every employer in this country now to get a Social Security number for their employee. All we are saying now, with the Silvestre Reyes-David Dreier bill, H.R. 98, is we will now give the employee a card to prove that it's their number, so that the employer, when they get this number, gets it from a card, doesn't just take somebody's word. It gives us, as legitimate citizens or legal residents, the ability to prove this really is our number, not 20 other people that are using that number somewhere else down the road.

This issue of upgrading the Social Security card seems so simple. We haven't done this since the 1930s, though every driver's license from every State has been upgraded since then. Now that we have done the real ID bill, where we are requiring finally that driver's licenses be upgraded, isn't it appropriate that the Federal Government do the same thing with our card, our Social Security, to upgrade it to be as tamper-resistant as the new driver's license would be?

Mr. GINGREY. There is no question about that.

Mr. KING of Iowa. I wanted to make the point that we tried mightily in this House last year to bring immigration reform, we passed H.R. 4437. It had a lot of the things in it that would clean up the problems that we have with an enforcement here, internally, domestically, with employment enforcement, as well as border enforcement. That bill, of course, didn't make it through the Senate. The Senate passed their amnesty bill, and we passed our enforcement bill.

We came back and we did the one thing that we could agree to, and that was provide the online border security at the fence. That was something the American people wanted and demanded, and it was right, and it was appropriate, and it was just.

But the reason that that was the one thing we could agree on, because there is a tug of war going on in this country, a tug of war would be going on between big business that wants to have a supply of cheap labor, and people that want to have a supply, a long supply of voters, or at least people in the

United States they can count for the census purpose. There is a lot of political power, most of that is on the left, and there is a lot of business power, most of that is on the right.

We have this, it's an unusual, odd and some would say an unholy alliance. I think of it as a set of barbells where you have the weight on the right of the business interests, where you have the weight on the left is the political power, and the barbell in the middle, that handle that you pick it up with, the bar, that's the middle class. The middle class is being squeezed ever more narrow because of the overload on the upside and the overload on the downside our economy.

We got to this point last year, and we did all we could do. But the American people became cynical because they weren't seeing legislation get to the President's desk that fixed the problem. Now we are faced again this year with trying to arrive at a consensus, trying to arrive at something that preserves the rule of law, does not provide amnesty, satisfies the interests on both ends of that barbell that I described, and doing it quickly. Because once we get past the summer, once we get past the August break, we are into the fast slide into the next Presidential race, as well as the elections here and a third of the Senate.

But the Presidential race, if it's done and if it's done right, we will take this issue up in Congress, and if we don't solve it first, it will be become the issue du jour of the Presidential debates. And I am looking forward to a Presidential candidate that will step forward with clarity on this issue and start that inertia towards the White House. That is the one thing that can solve this issue. That is my best hope.

Mr. GINGREY. The point the gentleman from Iowa is making is that we have really tried hard in this body to address this problem. We on this side of the aisle, when we were in control and had the majority in the 109th, felt very strongly that first and foremost to solve the problem and ultimately decide what to do with the 20 million that are estimated to be here illegally, is to stop the hemorrhaging. As a physician member, I use that expression a lot, having been a surgeon in my previous life, OB/GYN physician, but you have to stop the bleeding. If you sit there and let the patient continue to bleed, and that is analogous to the porous borders, the 3 or 4 million that continue to come in every year, in addition to the 2 million that the gentleman from California was talking about earlier, then the patient is going to die. That patient, as the lifeblood seeps out of us, is the United States of America.

So it is so important to do the things that we have done, tried to do in regard to Mr. SENSENBRENNER's legislation. He was a champion in regard to the REAL ID Act. Basically the REAL ID Act was just in response to the request of the survivors of the 9/11 victims. As they testified before the 9/11 Commission and made those recommendations, 41 or so specific recommendations, one of the most important ones was to say you have got States that issue driver's licenses without requiring any proof of legal residency. The 9/11 hijackers, 19 of them I think, had something like 53, a total in the aggregate of 53 legal issued driver's licenses from some 10 or 12 States.

So basically what we said is, look, we can't tell you, we the Federal Government can't tell the States how to run their motor vehicle department and how they issue driver's licenses and to whom and how long and how much you pay for driver's licenses, what age you have to be, whether you have to take driver's ed or not. That is a State prerogative, certainly. But if they do not have proof of legal residence, not citizenship, because a permanent legal resident certainly can be granted a driver's license, then they can't use that license from that State for Federal purposes, like getting on an airplane and blowing it to smithereens or using it as a guided missile.

I see Mr. Speaker is tapping me down. I didn't realize, I was having so much fun with my colleague from California, the chairman of the Immigration Reform Caucus, that all of a sudden our time has expired.

I appreciate his patience and indulgence. I continue to promote the Nuclear Family Protection Act. Let's all get behind it and thank you.

Mr. BILBRAY. Mr. Speaker, I appreciate our hour. I hope the people in Colorado enjoyed prime time back there.

RECESS

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

Accordingly (at 10 o'clock and 45 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 0103

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WELCH of Vermont) at 1 o'clock and 3 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1433, DISTRICT OF COLUMBIA HOUSE VOTING RIGHTS ACT OF 2007

Mr. CARDOZA, from the Committee on Rules, submitted a privileged report (Rept. No. 110–63) on the resolution (H. Res. 260) providing for consideration of the bill (H.R. 1433) to provide for the treatment of the District of Columbia as a Congressional district for purposes of representation in the House of Representatives, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1591, U.S. TROOP READINESS, VETERANS' HEALTH, AND IRAQ ACCOUNTABILITY ACT, 2007

Mr. CARDOZA, from the Committee on Rules, submitted a privileged report (Rept. No. 110–64) on the resolution (H. Res. 261) providing for consideration of the bill (H.R. 1591) making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. EDDIE BERNICE JOHNSON (at the request of Mr. HOYER) for today on account of medical reasons.

Mr. KUCINICH (at the request of Mr. HOYER) for March 19 and 20.

Mr. MITCHELL (at the request of Mr. HOYER) for March 19.

Mr. DEAL of Georgia (at the request of Mr. BOEHNER) for today after 1:30 p.m. on account of attending a memorial service.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. LARSEN of Washington, for 5 minutes, today.

Mr. DICKS, for 5 minutes, today.

Mr. INSLEE, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. SMITH of Washington, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

(The following Members (at the request of Mr. JONES of North Carolina) to revise and extend their remarks and include extraneous material:)

Mr. JONES of North Carolina, for 5 minutes, March 26, 27, and 28.

Mrs. BLACKBURN, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

Mr. HASTINGS of Washington, for 5 minutes, today.

ADJOURNMENT

Mr. CARDOZA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 5 minutes a.m.), the House adjourned until today, Thursday, March 22, 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:

911. A letter from the Secretary of the Army, Department of Defense, transmitting notification that the Warfighter Information Network-Tactical (WIN-T) Program exceeds the Nunn-McCurdy Program APUC and PAUC thresholds, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

912. A letter from the Deputy Secretary, Department of Defense, transmitting the Annual Report of the Reserve Forces Policy Board for Fiscal Year 2006, pursuant to 10 U.S.C. 113 (c)(2); to the Committee on Armed Services.

913. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Captain Thomas J. Eccles to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

914. A letter from the U.S. Global AIDS Coordinator, Department of State, transmitting a report on the President's Emergency Plan for AIDS Relief: Annual Report on the Global Fund to Fight AIDS, Tuberculosis, and Malaria, as requested in Pub. L. 108-25; to the Committee on Foreign Affairs.

915. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report entitled ''Country Reports on Human Rights Practices for 2006,'' pursuant to 22 U.S.C. 2304(b) Public Law 87-195, section 502B(b); to the Committee on Foreign Affairs.

916. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on ''Overseas Surplus Property,'' pursuant to Public Law 105-277, section 2215; to the Committee on Foreign Affairs.

917. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2007-14, Relating to the Largest Exporting and Importing Countries of Certain Precursor Chemicals under Section 490(b)(1)(A); to the Committee on Foreign Affairs.

918. A letter from the Acting Executive Secretary, U.S. Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

919. A letter from the Secretary, Department of Transportation, transmitting the Department's five-year National Intelligent Transportation Systems (ITS) Program Plan, pursuant to Public Law 109-59, section 5301; to the Committee on Transportation and Infrastructure.

920. A letter from the Board of Trustees, National Railroad Retirement Investment Trust, transmitting the National Railroad Retirement Investment Trust's annual management report covering FY 2006, pursuant to 45 U.S.C. 231n Public Law 107-90, section 105; to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee on Energy and Commerce. 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, with an amendment (Rept. 110–35 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Oversight and Government Reform. Supplemental report on H.R. 1433. A bill to provide for the treatment of the District of Columbia as a Congressional district for purposes of representation in the House of Representatives, and for other purposes (Rept. 110–52 Pt. 3). Ordered to be printed.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 1195. A bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; with an amendment (Rept. 110–62). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCURI: Committee on Rules. House Resolution 260. Resolution providing for consideration of the bill (H.R. 1433) to provide for the treatment of the District of Columbia as a Congressional district for purposes of representation in the House of Representatives, and for other purposes (Rept. 110–63). Referred to the House Calendar.

Ms. SLAUGHTER: Committee on Rules. House Resolution 261. Resolution providing for consideration of the bill (H.R. 1591) making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes (Rept. 110–64). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. KELLER (for himself and Mr. FORBES):

H.R. 1615. A bill to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes; to the Committee on the Judiciary.

By Mr. MCGOVERN (for himself, Mrs. EMERSON, Ms. KAPTUR, Ms. MCCOLLUM of Minnesota, Mr. SNYDER, Mr. MCCOTTER, Mr. BOUSTANY, Mrs. TAUSCHER, Mr. MOORE of Kansas, Mr. HINCHEY, Mr. BISHOP of Georgia, Mr. HASTINGS of Florida, Mr. SCHIFF, Mrs. CHRISTENSEN, Ms. JACKSON-LEE of Texas, Ms. MATSUI, Mr. MCDERMOTT, Mr. RUSH, Mr. HOLT, Mr. MORAN of Kansas, Mr. SKELTON, Mr. GRIJALVA, Ms. NORTON, Ms. LEE, Mr. PAYNE, Mr. FATTAH, Mr. OBERSTAR, Ms. HERSETH, Mr. LAHOOD, Ms. MOORE of Wisconsin, Mr. SMITH of New Jersey, Mr. WALSH of New York, Mr. KIND, Mr. STARK, Ms. WATSON, Mr. MCNULTY, Mrs. NAPOLITANO, Mr. MCHUGH, Mr. CROWLEY, Mr. BOUCHER, Ms. WOOLSEY, Mr. GEORGE MILLER of California, Mr. POMEROY, Ms. DELAURO, Mr. ENGLISH of Pennsylvania, Mr. LANTOS, Ms. CARSON, Mr. ETHERIDGE, Mr. SHIMKUS, Mr. LEWIS of Georgia, Ms. CORRINE BROWN of Florida, Mr. KILDEE, Mrs. BOYDA of Kansas, Mr. JEFFERSON, Mr. WEXLER, Mr. COHEN, Mr. SERRANO, Mr. BUTTERFIELD, Mr. COURTNEY, Mr. DELAHUNT, Mr. FARR, Mr. PALLONE, Ms. SCHAKOWSKY, Mr. HARE, Mrs. MALONEY of New York, Mr. MEEKS of New York, Mr. WELCH of Vermont, Mrs. CAPPS, Mr. OLVER, Ms. SOLIS, Mr. CUMMINGS, and Ms. BALDWIN):

H.R. 1616. A bill to amend the Farm Security and Rural Investment Act of 2002 to reauthorize the McGovern-Dole International Food for Education and Child Nutrition Program, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Foreign Affairs, 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. CARNAHAN:

H.R. 1617. A bill to designate the facility of the United States Postal Service located at 561 Kingsland Avenue in University City, Missouri, as the ''Harriett F. Woods Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. CAMP of Michigan:

H.R. 1618. A bill to amend the Internal Revenue Code of 1986 to provide a credit for the purchase of plug-in hybrid vehicles; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Mr. KILDEE, Mr. ROGERS of Michigan, Ms. KILPATRICK, Mr. MCCOTTER, and Mr. DINGELL):

H.R. 1619. A bill to require the Secretary of the Treasury to mint coins in commemoration of the Model T Ford Automobile and the 100th anniversary of the Highland Park Plant, Michigan, the birthplace of the assembly line, and for other purposes; to the Committee on Financial Services.

By Mrs. CUBIN (for herself, Mr. UDALL of Colorado, Mr. REHBERG, Mr. BISHOP of Utah, Mr. HERGER, Mr. CALVERT, Mrs. MUSGRAVE, Mr. CANNON, Mr. HELLER, Mr. SIMPSON, Mrs. MCMORRIS RODGERS, and Mr. RENZI):

H.R. 1620. A bill to provide permanent funding for the payment in lieu of taxes program, and for other purposes; to the Committee on Natural Resources.

By Mr. DAVIS of Illinois (for himself and Mr. SHIMKUS):

H.R. 1621. A bill to amend title XIX of the Social Security Act to provide individuals with disabilities and older Americans with equal access to community-based attendant services and supports, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TOM DAVIS of Virginia (for himself, Mr. MORAN of Virginia, Mr. GOODLATTE, Mr. BOUCHER, Mrs. JO ANN DAVIS of Virginia, Mr. GOODE, and Mr. WOLF):

H.R. 1622. A bill to provide a waiver from sanctions under the Elementary and Secondary Education Act of 1965 for certain States, local educational agencies, and schools; to the Committee on Education and Labor.

By Mr. HINOJOSA (for himself, Mrs. DAVIS of California, Mr. EMANUEL, Mr. EDWARDS, Ms. BERKLEY, Mr. CLEAVER, Mr. BERMAN, Mr. HONDA, Mr. ETHERIDGE, Mr. RUSH, Ms. JACKSON-LEE of Texas, Mr. GUTIERREZ, Mr. ABERCROMBIE, Mr. FILNER, Mr. TOWNS, Mr. SALAZAR, Ms. HIRONO, Mr. CONYERS, Mr. RANGEL, Mr. GENE GREEN of Texas, Ms. NORTON, Mr. JEFFERSON, Mr. RODRIGUEZ, Mr. FATTAH, Mr. JOHNSON of Georgia, and Mr. NEAL of Massachusetts):

H.R. 1623. A bill to improve graduation rates by authorizing the Secretary of Education to make grants to improve adolescent literacy, and for other purposes; to the Committee on Education and Labor.

By Mr. KENNEDY (for himself, Mr. MCNULTY, Mr. GRIJALVA, Mr. BOREN, and Ms. SCHAKOWSKY):

H.R. 1624. A bill to amend the Public Health Service Act to establish a program of grants for the detection and control of colorectal cancer; to the Committee on Energy and Commerce.

By Mr. LAHOOD (for himself, Mr. RUSH, Mr. JACKSON of Illinois, Mr. LIPINSKI, Mr. GUTIERREZ, Mr. EMANUEL, Mr. ROSKAM, Mr. DAVIS of Illinois, Ms. BEAN, Ms. SCHAKOWSKY, Mr. KIRK, Mr. WELLER, Mr. COSTELLO, Mrs. BIGGERT, Mr. HASTERT, Mr. JOHNSON of Illinois, Mr. MANZULLO, Mr. HARE, and Mr. SHIMKUS):

H.R. 1625. A bill to establish the Abraham Lincoln National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. TIM MURPHY of Pennsylvania (for himself, Mrs. DAVIS of California, and Mr. ALTMIRE):

H.R. 1626. A bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act; to the Committee on Energy and Commerce.

By Mrs. MYRICK:

H.R. 1627. A bill to amend title II of the Social Security Act to require that the Commissioner of Social Security notify individuals of improper use of their social security account numbers; to the Committee on Ways and Means.

By Mr. PALLONE:

H.R. 1628. A bill to amend the Immigration and Nationality Act to permit the admission to the United States of nonimmigrant students and visitors who are the spouses and children of United States permanent resident aliens, and for other purposes; to the Committee on the Judiciary.

By Mr. POMEROY (for himself and Mr. WILSON of Ohio):

H.R. 1629. A bill to amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program; to the Committee on Ways and Means.

By Mr. PUTNAM:

H.R. 1630. A bill to amend the Head Start Act to provide greater accountability for Head Start agencies; to the Committee on Education and Labor.

By Mr. RANGEL:

H.R. 1631. A bill to amend section 245(i) of the Immigration and Nationality Act to eliminate the deadline for classification petition and labor certification filings; to the Committee on the Judiciary.

By Mr. REICHERT (for himself and Mr. WALZ of Minnesota):

H.R. 1632. A bill to amend title 38, United States Code, to improve the annual report required on veterans' reemployment rights; to the Committee on Veterans' Affairs.

By Mr. ROTHMAN (for himself, Mr. PAYNE, Mr. HINCHEY, Mr. SIRES, Mrs. LOWEY, Mr. BISHOP of New York, and Mrs. MALONEY of New York):

H.R. 1633. A bill to amend the Homeland Security Act of 2002 to prohibit the Secretary of Homeland Security from prescribing regulations that preempt more stringent State regulations governing chemical facility security; to the Committee on Energy and Commerce.

By Ms. ROYBAL-ALLARD (for herself and Mr. SIMPSON):

H.R. 1634. A bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SALI:

H.R. 1635. A bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000; to the Committee on Agriculture, and in addition to the Committees on Natural Resources, and Appropriations, 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. VISCLOSKY (for himself, Mr. MCCOTTER, Mr. COHEN, Mr. DINGELL, Mr. EMANUEL, Mr. HASTINGS of Florida, Mr. HIGGINS, and Mr. LIPINSKI):

H.R. 1636. A bill to establish a United States-Poland parliamentary youth exchange program, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DICKS (for himself, Mr. INSLEE, Mr. MCDERMOTT, Mr. HIGGINS, Mrs. MALONEY of New York, Mr. CLEAVER, Mr. FARR, Ms. JACKSON-LEE of Texas, Mr. MORAN of Virginia, Mr. CHANDLER, Mr. ENGEL, Mr. PATRICK MURPHY of Pennsylvania, Mr. UDALL of Colorado, Mr. MCGOVERN, Mr. THOMPSON of California, Mr. HONDA, Mr. OLVER, Mr. HOLT, Mr. STARK, Mr. GILCHREST, Mr. WEXLER, and Mr. FILNER):

H. Con. Res. 96. Concurrent resolution expressing the sense of the Congress that there should be enacted a mandatory national program to slow, stop and reverse emissions of greenhouse gases; to the Committee on Energy and Commerce.

By Mr. ISRAEL:

H. Res. 258. A resolution expressing the sense of the House of Representatives that there should be established a National Autoimmune Diseases Awareness Month, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LOBIONDO (for himself and Mr. KENNEDY):

H. Res. 259. A resolution honoring and recognizing the work of the Meals On Wheels Association of America, its member senior nutrition programs throughout the country, and their annual March For Meals campaigns; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. ROTHMAN introduced a bill (H.R. 1637) for the relief of Malachy McAllister, Nicola McAllister, and Sean Ryan McAllister; 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. 39: Mr. KIRK.

H.R. 63: Mr. EVERETT, Mr. LAHOOD, and Mrs. SCHMIDT.

H.R. 177: Mr. GORDON.

H.R. 178: Mr. JEFFERSON and Ms. JACKSON-LEE of Texas.

H.R. 180: Mr. HIGGINS.

H.R. 192: Mr. BURTON of Indiana.

H.R. 260: Mr. PORTER.

H.R. 303: Mr. BACHUS, Mr. KIND, Mr. PAUL, and Mr. SOUDER.

H.R. 319: Ms. SCHWARTZ.

H.R. 333: Mrs. EMERSON, Mrs. GILLIBRAND, Mr. PAUL, Mr. UDALL of New Mexico, Mr. SOUDER, and Mr. ENGLISH of Pennsylvania.

H.R. 343: Mr. FILNER.

H.R. 346: Mr. SHIMKUS, Mr. COBLE, Mr. BUTTERFIELD, Mr. ANDREWS, Mr. BURGESS, Mr. CONYERS, Mr. DREIER, Mr. THORNBERRY, Mr. ROHRABACHER, Mr. GINGREY, Mr. GARRETT of New Jersey, Mr. WICKER, Mrs. TAUSCHER, Mr. LEWIS of California, and Mr. MICHAUD.

H.R 422: Mr. CUMMINGS.

H.R 471: Mr. WALBERG, Mr. LAMBORN, Mr. MOORE of Kansas, and Mr. BLUNT.

H.R 473: Mr. LAHOOD.

H.R 503: Mr. WELCH of Vermont and Mr. COURTNEY.

H.R 507: Mr. CLEAVER.

H.R 510: Mr. THORNBERRY.

H.R 511: Mr. CASTLE, Mr. BUCHANAN, Mr. JOHNSON of Illinois, Mr. WALSH of New York, and Mr. WELDON of Florida.

H.R 524: Mr. CUMMINGS, Mr. PATRICK MURPHY of Pennsylvania, and Mr. HALL of Texas.

H.R 552: Mr. UPTON, Mr. LATHAM, Mr. BOREN, Mr. EHLERS, Mr. SPACE, Mr. DOGGETT, Mr. UDALL of Colorado, Mr. BRALEY of Iowa, Mr. ROSS, Mr. HINCHEY, Mr. ROTHMAN, and Mr. PASTOR.

H.R 563: Mr. ADERHOLT.

H.R 566: Mr. CARNEY.

H.R 583: Mr. WICKER, Mr. TERRY, Mr. MITCHELL, Mr. GUTIERREZ, Mr. CASTLE, Mr. FOSSELLA, Mr. STUPAK, Mr. PASTOR, Mr. ALEXANDER, Mr. OBERSTAR, Mr. ROGERS of Kentucky, and Mr. MORAN of Virginia.

H.R 620: Mrs. CAPPS and Mr. HONDA.

H.R 621: Mr. PASTOR and Mr. HILL.

H.R 625: Mr. BILBRAY, Mr. GARY G. MILLER of California, Mr. NUNES, Ms. WATERS, Mr. DOOLITTLE, Mr. ROYCE, Mr. GALLEGLY, Mr. DREIER, Mr. HERGER, Mr. RADANOVICH, and Ms. PELOSI.

H.R. 676: Ms. NORTON and Mr. DOYLE.

H.R. 688: Mr. EMANUEL.

H.R. 694: Mr. BUTTERFIELD and Mr. RODRIGUEZ.

H.R. 695: Ms. LINDA T. SÁNCHEZ of California.

H.R. 698: Ms. MOORE of Wisconsin.

H.R. 704: Mr. TERRY.

H.R. 734: Mrs. NAPOLITANO.

H.R. 752: Mr. TOWNS, Mr. AL GREEN of Texas, Ms. MOORE of Wisconsin, Ms. LINDA T. SÁNCHEZ of California, and Mr. LAMPSON.

H.R. 768: Mr. GARY G. MILLER of California.

H.R. 801: Ms. SLAUGHTER, Mr. KUHL of New York, and Mr. CONYERS.

H.R. 822: Ms. NORTON.

H.R. 840: Mr. DELAHUNT, Mr. BLUMENAUER, and Mr. ABERCROMBIE.

H.R. 882: Mr. ABERCROMBIE, Ms. ESHOO, Mr. KELLER, and Mr. MARCHANT.

H.R. 916: Mr. BACHUS, Mr. FILNER, and Mr. RANGEL.

H.R. 923: Mr. SKELTON.

H.R. 971: Mr. BOUCHER, Ms. LINDA T. SÁNCHEZ of California, Mr. GOHMERT, Mr. DAVID DAVIS of Tennessee, Mr. TAYLOR, Mr. SHULER, and Mr. PAUL.

H.R. 980: Mr. ALLEN, Ms. MCCOLLUM of Minnesota, Mr. KIND, Mr. FARR, Mrs. NAPOLITANO, Mr. CHANDLER, Ms. LINDA T. SÁNCHEZ of California, and Mr. SCOTT of Georgia.

H.R. 988: Mr. FILNER, Mr. BECERRA, Mr. MCNERNEY, and Ms. ESHOO.

H.R. 991: Mr. SOUDER.

H.R. 1014: Mr. GONZALEZ, Mr. ISSA, Mr. WAXMAN, and Mr. HINCHEY.

H.R. 1017: Mr. MCNULTY.

H.R. 1030: Ms. HIRONO, Mr. BISHOP of Georgia, and Mr. SCOTT of Virginia.

H.R. 1031: Ms. HIRONO and Mr. STARK.

H.R. 1032: Ms. LORETTA SANCHEZ of California and Mr. ROSS.

H.R. 1059: Mr. POE.

H.R. 1076: Mr. TERRY.

H.R. 1078: Mrs. JO ANN DAVIS of Virginia, Ms. JACKSON-LEE of Texas, Mr. CLEAVER, Mr. HIGGINS, Mr. REYES, Mr. BERMAN, Mr. GRIJALVA, Mr. GORDON, Ms. BORDALLO, Ms. KILPATRICK, Mr. BOUSTANY, Mr. COHEN, Mr. MCNULTY, Mr. CLAY, Mr. BOUCHER, Ms.

SCHAKOWSKY, Mr. JEFFERSON, Ms. WOOLSEY, and Mr. HINCHEY.

H.R. 1084: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1104: Mr. CARDOZA.

H.R. 1108: Mr. RAHALL.

H.R. 1125: Mr. SESSIONS, Mr. PETERSON of Pennsylvania, Mrs. MUSGRAVE, and Mr. SMITH of Texas.

H.R. 1153: Mrs. DRAKE.

H.R. 1157: Mr. MCGOVERN, Mr. GRIJALVA, Mr. SCHIFF, Ms. SOLIS, Mr. RENZI, Mr. CAPUANO, and Mr. NADLER.

H.R. 1176: Mr. CROWLEY.

H.R. 1188: Mr. CLEAVER and Mr. SIRES.

H.R. 1193: Mr. HINCHEY, Mrs. TAUSCHER, Mr. MCCOTTER, Mr. LATOURETTE, Mr. GORDON, Mr. BURTON of Indiana, and Mr. WELLER.

H.R. 1214: Mr. ENGLISH of Pennsylvania, and Mr. PETERSON of Minnesota.

H.R. 1222: Mrs. CAPPS, Ms. LORETTA SANCHEZ of California, Ms. MCCOLLUM of Minnesota, and Mr. CARNEY.

H.R. 1223: Mrs. CAPPS and Ms. MCCOLLUM of Minnesota.

H.R. 1228: Mr. GRIJALVA.

H.R. 1237: Mr. ROGERS of Michigan, Mr. BURGESS, Mr. COHEN, Mr. ENGLISH of Pennsylvania, Mr. JEFFERSON, and Mr. BOUCHER.

H.R. 1261: Mrs. MUSGRAVE, Mr. FLAKE, and Mr. ROGERS of Michigan.

H.R. 1266: Ms. JACKSON-LEE of Texas.

H.R. 1270: Mr. GOODE.

H.R. 1279: Mr. FILNER and Mr. BRADY of Pennsylvania.

H.R. 1282: Mr. GENE GREEN of Texas, Mr. MCCOTTER, Mr. MCNULTY, and Mr. BOUSTANY.

H.R. 1289: Mr. DAVIS of Illinois.

H.R. 1303: Ms. SHEA-PORTER.

H.R. 1314: Mr. FORBES and Mr. KINGSTON.

H.R. 1324: Mr. KIRK.

H.R. 1330: Mr. BISHOP of New York, Mr. KAGEN, and Ms. SHEA-PORTER.

H.R. 1333: Mr. TANCREDO, Mr. WOLF, and Mr. PASTOR.

H.R. 1343: Mrs. CAPPS, Mr. ENGEL, Mr. ELLISON, Mr. HIGGINS, Mr. UDALL of New Mexico, Mr. CLEAVER, Mr. CAPUANO, Mr. BERMAN, Mr. SHAYS, Mr. TERRY, Ms. LINDA T. SÁNCHEZ of California, and Mrs. MALONEY of New York.

H.R. 1346: Mr. COHEN, Ms. SLAUGHTER, Mr. MEEHAN, Mr. OBERSTAR, and Mr. SIRES.

H.R. 1350: Mr. HIGGINS.

H.R. 1363: Mr. GRIJALVA, Mr. MOORE of Kansas, and Mr. ALLEN.

H.R. 1384: Mr. BERMAN, Mrs. BONO, Mr. CAMPBELL of California, Mrs. CAPPS, Mr. ISSA, Mr. DANIEL E. LUNGREN of California, Mr. SHERMAN, Ms. WATERS, and Mr. ENGLISH of Pennsylvania.

H.R. 1386: Mr. KIND, Ms. BERKLEY, Mr. MCNULTY, and Ms. MOORE of Wisconsin.

H.R. 1395: Mrs. MYRICK.

H.R. 1424: Mr. DINGELL and Mr. ALTMIRE.

H.R. 1428: Mr. TERRY and Mr. ENGLISH of Pennsylvania.

H.R. 1430: Mr. BOOZMAN, Mr. WOLF, and Mrs. MUSGRAVE.

H.R. 1439: Mr. KILDEE, Mr. CARNEY, Mr. KIND, Mr. BOUSTANY, Mr. FILNER, Ms. WOOLSEY, Mr. LAHOOD, Mr. GORDON, Mr. GOODE, Mr. ENGLISH of Pennsylvania, and Mr. CULBERSON.

H.R. 1441: Mr. HASTINGS of Florida, Mr. WEINER, Ms. WATSON, and Mr. ENGEL.

H.R. 1457: Mr. FORBES.

H.R. 1481: Mrs. BOYDA of Kansas.

H.R. 1497: Mr. HASTINGS of Florida and Mr. GRIJALVA.

H.R. 1498: Mr. WU, Ms. MATSUI, Mr. GRIJALVA, and Mr. INSLEE.

H.R. 1499: Mr. COSTA.

H.R. 1506: Mr. WAXMAN, Mrs. DAVIS of California, Mr. LYNCH, Ms. ZOE LOFGREN of California, Mr. STARK, Ms. LEE, Mr. BERMAN, Mr. HONDA, Mr. MCDERMOTT, Mr. BLUMENAUER, and Mr. LANGEVIN.

H.R. 1532: Mr. MORAN of Virginia.

H.R. 1535: Mr. RANGEL, Ms. CARSON, Ms. NORTON, and Ms. BORDALLO.

H.R. 1539: Mr. BONNER and Mrs. MILLER of Michigan.

H.R. 1543: Mr. MANZULLO.

H.R. 1560: Mr. ROSS, Ms. SCHAKOWSKY, Mr. CONYERS, and Mr. RAMSTAD.

H.R. 1566: Mr. MCGOVERN.

H.R. 1567: Mr. MCDERMOTT and Mr. HOLT.

H.R. 1576: Mr. UDALL of Colorado, Mr. GORDON, and Mr. BECERRA.

H.R. 1581: Mr. ACKERMAN.

H.R. 1594: Mr. CARNEY.

H.R. 1595: Mr. SENSENBRENNER and Mr. ABERCROMBIE.

H.R. 1604: Ms. WOOLSEY.

H.J. Res. 1: Mr. THORNBERRY and Ms. HERSETH.

H.J. Res. 12: Mr. CARNEY.

H. Con. Res. 33: Ms. WATSON and Mr. INSLEE.

H. Con. Res. 71: Ms. NORTON.

H. Con. Res. 75: Mr. ELLISON.

H. Con. Res. 83: Mrs. MUSGRAVE.

H. Con. Res. 92: Mr. COHEN.

H. Res. 25: Mr. NADLER and Mr. CROWLEY.

H. Res. 55: Mr. WU and Mr. ABERCROMBIE.

H. Res. 76: Mr. UDALL of New Mexico.

H. Res. 111: Mr. ENGLISH of Pennsylvania.

H. Res. 146: Ms. SCHAKOWSKY.

H. Res. 179: Mr. SIRES, Mr. BISHOP of New York, Mr. COLE of Oklahoma, Mr. PATRICK MURPHY of Pennsylvania, Mrs. DAVIS of California, Mr. ELLSWORTH, Mr. BERRY, Ms. MATSUI, Mr. CAPUANO, Ms. DEGETTE, Mr. ETHERIDGE, Mrs. CAPPS, Mr. PAUL, and Mr. BUCHANAN.

H. Res. 186: Mr. ORTIZ, Mr. GILCHREST, Mr. KING of New York, Mr. LANGEVIN, Mr. CAMPBELL of California, Ms. SCHAKOWSKY, Ms. HIRONO, Mr. HONDA, and Ms. CASTOR.

H. Res. 189: Mr. HONDA, Mr. HILL, Mr. MCDERMOTT, and Ms. BERKLEY.

H. Res. 221: Mr. GONZALEZ.

H. Res. 226: Mr. HASTINGS of Florida and Mr. GRIJALVA.

H. Res. 231: Mr. BURTON of Indiana and Mr. PAUL.

H. Res. 233: Mr. BLUMENAUER.

H. Res. 234: Ms. JACKSON-LEE of Texas, Mrs. CHRISTENSEN, Mr. MEEKS of New York, Mr. RANGEL, Mr. MEEK of Florida, and Ms. SCHAKOWSKY.

H. Res. 241: Mr. RUSH.

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PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, WEDNESDAY, MARCH 21, 2007 No. 49

Senate

The Senate met at 9:15 a.m. and was called to order by the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, today, give Your guidance to our lawmakers. Help them to seek first Your kingdom so that everything in time will fall into its proper place and their lives will honor You. As they seek greater intimacy with You, empower them to relate honestly with themselves and with one another. Lead them together to find solutions to the problems that beset this great land. Calm their fears and strengthen their faith. Use them to serve You and country with faithfulness. Let Your peace guard their hearts.

Lord, make us all ever grateful to You for burdens lifted, suffering assuaged, sins forgiven, life renewed, differences reconciled, and hopes restored.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SHELDON WHITEHOUSE 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, March 21, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WHITEHOUSE thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

THANKING THE CHAPLAIN

Mr. CONRAD. Mr. President, first, we thank the Chaplain for another outstanding prayer. The Chaplain serves this institution very well. We thank him and commend him for that.

SCHEDULE

Mr. CONRAD. This morning, the Senate will immediately resume consideration of the budget resolution. Under the order entered last night, Mr. ENSIGN, the Senator from Nevada, will offer an amendment. Following debate on that amendment, the majority will offer an amendment. Unless we arrive at a different understanding between the managers of the bill, I want to alert all colleagues that no votes will occur before 5 p.m. this evening.

We start today with 42 hours left of the 50 hours on the budget resolution. We want to alert colleagues that unless we are able to find a way to give back time, that means we will have to be in until at least midnight tonight and, perhaps, through the night on Thursday. I don't anticipate that occurring because I anticipate Senator GREGG and I will work out a means to avoid that. But colleagues need to know that because we started the budget resolution later this year than in previous years, because of other legislation, we are under great pressure if we are going to finish this on Friday. We simply must conclude by Friday.

So we alert colleagues we are going to try to move a series of amendments so our friends on the other side of the aisle have a full opportunity to get their amendments up, offered, and considered, and colleagues on this side of the aisle also get a chance for their amendments.

With that, I thank my colleagues and ask for their cooperation with the managers as we move forward on the budget resolution.

Now we will turn to Senator ENSIGN, who is a valuable member of the Budget Committee. Sometimes we disagree on specifics, but we always welcome his good nature.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. Con. Res. 21, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 21) setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012.

Pending:

Sessions amendment No. 466, to exclude the extension of tax relief provided in 2001 and 2003 from points of order provided in the resolution and other budget points of order.

Cornyn amendment No. 477, to provide for a budget point of order against legislation that increases income taxes on taxpayers, including hard-working middle-income families, entrepreneurs, and college students.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

Mr. ENSIGN. First, I compliment Senator CONRAD on his relationship with Senator GREGG. The cooperation they have displayed over the past several years should serve as an example to everyone in this body how the Senate can, and should, work. They battle fiercely, battle for their own ideas, but the collegiality they demonstrate and the respect they show one another is a good example for the rest of us in the Senate. One we should follow. It is really the way we should legislate around here. I offer them my compliments.

AMENDMENT NO. 476

Mr. ENSIGN. Mr. President, I ask unanimous consent that the pending amendment be laid aside so that I may call up amendment No. 476.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. ENSIGN] proposes an amendment numbered 476.

Mr. ENSIGN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To ensure that our troops serving in harm's way remain America's top budget priority by: ensuring full funding for the Department of Defense within the regular appropriations process, reducing reliance on supplemental appropriations bills, and by improving the integrity of the Congressional budget process)

On page 41, strike lines 9 through 11 and insert the following:

(2) for fiscal year 2008,

(A) for the national defense (050) function, $498,844,000,000 in new budget authority and $507,394,000,000 in outlays; and

(B) for all other functions, $443,468,000,000 in new budget authority and $514,013,000,000 in outlays.

Mr. ENSIGN. Mr. President, to briefly describe the amendment, it is a defense firewall amendment. This is not a new idea. We have had defense firewalls in the past. They have worked with some success. There have been a few problems with them, but overall they worked with some success.

We drafted the defense firewall in this amendment in a little different way than previous firewalls. These changes, I believe, will actually result in the firewall having its intended effect. That is, to make sure that the defense money in the budget is actually spent on defense.

In past years, a defense firewall has, frankly, been necessary. The chairman of the Budget Committee can attest to the fact that, under Republican control, this budget enforcement tool should have been in place. I have been very critical of Republicans when we chose to underfund defense purposely to shift money to other programs. Over the last several years, we used a kind of sleight of hand and budget gimmicks, and then restored defense spending later on in emergency supplementals. In effect, this raises overall spending for the Government.

Instead of honest budgeting and trying to increase certain non-defense programs in the open, we hid our spending habits from the American people. I have always said, that if you want to increase non-defense spending, have an honest vote to do so rather than using a gimmick. Fund defense honestly rather than what we have been doing, which is dishonest budgeting. We have not had the transparency under which I believe this institution should operate.

When the Democrats were campaigning last year, they criticized us in a lot of ways for using budget gimmicks, and I think rightly so. It is their time to keep what they have campaigned on—honest budgeting and true transparency. That is what we need in this place.

I want to take a minute to demonstrate what I have talked about for the last several years. Unfortunately, given how the new Democrat majority has chosen to fund BRAC, this Congress is continuing the bad habits of Congresses past.

What this chart shows is, in 2002, we added $1.9 billion in new spending. We took away from defense, about $1.9 billion, and then added that amount back in a supplemental. And this happens because everybody knows that Congress is going to fund defense to add that spending back later. We don't want to vote to actually cut defense, so we shift the money in the regular appropriations process and put it back in during an emergency supplemental. But what happens is that the $1.9 billion in 2002 gets added into the baseline for the next year. Then the next year, we underfunded defense by $11.5 billion, we shifted the money to other programs, and then added back the defense spending during the supplemental. The effect of this is to add on to the previous year—all of that in fiscal year 2004.

You can see the green bar at the bottom is the combination of the previous 2 years; that is added into the baseline. Then you do this again. Robbing from defense to once again add to the non-defense part of the baseline. This continues each year all the way up, and then you see what happens until we get to 2006. The cumulative effect of this is shown on the next chart.

I know the chairman of the Budget Committee likes charts, so we wanted to make sure we would have some of our own today. The cumulative effect of doing this each year for 5 years is a total of $84 billion. We don't have the new numbers for 2007 yet, but it is about an extra $40 billion. So we are probably well over $125 billion for a 6-year total in new spending. That really is the problem.

People are not being honest. If they want to increase spending, do it honestly. What our defense firewall says is that if you want to adjust defense spending, it cannot be done during the appropriations process; it has to be done during the budget process so that we are being honest with the American people. Since we assume a defense number in this budget, this amendment puts a wall around that amount so that it cannot be taken during the appropriations process. That wall says we will not take any more money out of defense to put into the other appropriations bills. This is transparency. This is honesty in budgeting.

When Republicans were in the majority, the Democrats claimed that we were fiscally irresponsible. They promised that they were going to come to power and be fiscally responsible. This is an amendment that will give them the opportunity to do just that. It gives them the opportunity to reject one of the budget gimmicks that has been used to add new spending.

I call on my colleagues in the majority to join with me in putting transparency into the budget process so we can help restrain Federal spending. Why do I say that? It is because when the Defense bill comes up as part of the process, no one, especially during a time of war, is going to vote to cut defense. So knowing that the Defense bill has to pass, the other bills get funded first. Defense comes up and it is slightly underfunded, so they know they have to make that up during an emergency bill. The emergency bill comes to the floor, and everybody knows it is going to pass. That is how this whole budget gimmick ends up increasing overall spending.

If you support fiscal responsibility, if you don't want to add a burden of debt and higher taxes onto young people and future generations, vote for this amendment. This is a fiscally responsible way to budget and to bring transparency into the Senate. This is the kind of amendment we need going forward. Both parties should operate under this kind of honesty when it comes to budgeting. I encourage all of my colleagues on both sides of the aisle to support this amendment.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I thank my colleague for this amendment. I don't favor this amendment, but it is a thoughtful, serious amendment, and it deserves thoughtful, serious consideration.

Let me just indicate that the budget resolution, as it stands with respect to funding for defense and funding for the war, is not affected by this amendment. The budget resolution has the President's full request for the war. So I wish to be clear that the Ensign amendment doesn't affect that. What the Ensign amendment does provide is a 60-vote point of order against any legislation that exceeds the budget authority, which he sets for defense and

nondefense discretionary spending, which is in the resolution. So what he is seeking to do is prevent money from going from defense to nondefense or the other way, from nondefense to defense. That is something we have done in the past.

My own analysis of it is that firewalls have not worked particularly well. We had them under the 1990 budget agreement. I think what we learned from that experience was they just didn't work as intended. Why not? Because instead of preventing games, I am afraid it encouraged games.

Let me say why I believe that is the case. No sooner were firewalls created for defense and international spending and domestic spending in the 1990s than our colleagues started to become very creative about how to jump over the firewalls.

For example, Congress started to dramatically expand the amount of medical research done by the Department of Defense. Instead of doing it at the National Institutes of Health, they tried to, in effect, evade the firewall—which, again, is absolutely well intended. But by doing the medical research not at NIH over in the domestic discretionary spending, they shifted the cost over into defense spending.

I am very strongly in favor of medical research, as I know my colleague from Nevada is. But does anyone in this Chamber really believe that we would have increased breast cancer research more effectively by not having it done at NIH rather than by the United States Army? And since firewalls were put in place, successive administrations have now started putting FBI budget authority over in the Defense Department. This is the kind of game that I think, in many ways, the Senator is seeking to prevent but I am afraid may just be encouraged.

Why has that been done? It has been done to evade the firewalls. It is not clear to me what problem this amendment would actually solve. We haven't had firewalls in the last several years. Yet defense spending has grown rapidly.

Since 2001, defense, as a share of gross domestic product, has grown very significantly. Here is a chart that shows what has occurred.

Defense, as a share of gross domestic product—which all the economists say is the best way to measure—has gone from 3 percent in 1999 to 4.2 percent of GDP now.

Seen another way, defense spending—this is not a share of GDP, but this chart is expressed in constant 2008 dollars so that we have a fair apples-to-apples comparison.

We can see that defense spending has gone up very dramatically. In fact, we are now past, in real terms, the spending at the President Reagan defense buildup peak, and we are now set to go beyond the Vietnam war spending peak.

The Ensign amendment will actually take away flexibility from appropriators about how best to live within their overall total allocation. They have a much closer perspective on the programmatic needs of the various agencies, and I don't think we should be reducing that flexibility.

If the Appropriations Committee were to move to eliminate $50 million in wasteful spending at the Department of Defense—let's presume for a moment that we found $50 million of waste at the Department of Defense—I think those of us close to this know that is not a theoretical possibility—that if $50 million of wasteful spending was found at the Department of Defense, it couldn't be easily reallocated to Homeland Security because it would face this defense firewall block. I think that is a mistake.

Finally, I note for my colleagues on the other side that a vote for the Ensign amendment is a vote to endorse and enforce not just defense, but also the nondefense discretionary spending levels in the Democratic budget resolution. My colleagues will be voting to endorse $443.5 billion in nondefense discretionary spending because this firewall works both ways.

If my colleagues think money ought to be transferred from domestic nondefense spending to defense spending, it would face this same firewall. It would have the same 60-vote hurdle.

On that basis, while I absolutely respect the constructive intention of the Senator from Nevada, I believe it would have precisely the opposite effect that he intends.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. GREGG. Mr. President, I yield myself such time as I will take.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I wish to speak in support of the amendment of the Senator from Nevada. I think it is a critical amendment as we look at the budget with which we are dealing.

We know the budget we received from the other side of the aisle is a classic tax-and-spend budget. It raises taxes by $900 billion. It raises spending $144 billion in nondefense discretionary. The practical effect of that is very clear. The size of Government is going to grow dramatically, and the American workers are going to have to pay a heck of a lot more in taxes.

But there is something else we need to be sensitive to, and that is—and I credit the Senator from North Dakota for doing this—the Senator from North Dakota has put in place the numbers the President asked for to fight the war—$145 billion I believe is the number; something like that—for the 2008 budget. The problem is that unless that money is secured in a way that it cannot be gamed or used or reallocated, it can be used to grow the Government in nondefense discretionary activity. We have seen that happen. We have seen that happen, regrettably, all too often around here where money, which is defense money, is taken out of the Defense Department, moved over to the social spending side of the ledger because there is some account somebody wants to spend money on, and then halfway through the year, the Defense Department starts to run out of money and everybody is going to vote to replenish the Defense Department with a supplemental. That is the way it works around here.

Regrettably, it happened last year that way. Regrettably, it happened the year before last that way. Regrettably, it happened the year before the year before last that way. That is exactly what happens around here. Money is taken out of the Defense Department, put into the social spending accounts, it grows the base of the social spending accounts, and then the Defense Department is replenished through a supplemental because everybody knows we have to fund the Defense Department, especially during a time of war.

What the Senator from Nevada is trying to do is make sure that where we have this massive amount of money sitting there, these warfighting funds, and where we have increased the defense base by so much money, we essentially protect that money from being raided for the purposes of being used for everyday accounts around the operation of Government and for building the base of the operation of Government.

When we look at the history of the Congress, that type of action is needed. We need that type of protection. So a defense firewall is absolutely critical to fiscal discipline, and, I would argue—and I think history stands with me on this argument—if we don't have a defense firewall, it is very clear that the social nondefense, nondiscretionary spending number isn't going to increase by $144 billion, which is the number which is in this bill, which is a pretty significant increase over the President's number, by the way—the President jumped it up by a significant amount—it is going to increase by a lot more because we know defense money is going to flow into those accounts throughout the appropriations process in order to take care of this issue or that issue that somebody believes is important to their agenda.

We heard yesterday the Senator from Massachusetts talk about how No Child Left Behind had to receive more money, how IDEA had to receive more money, how Pell grants had to receive more money. The Senator from North Dakota has put more money into those accounts, significantly more money, and the President has put more money into those accounts, significantly more money. But I can assure my colleagues that when that appropriations bill hits the floor with those dollars in it, it is going to go up even further because there is going to be money taken out of the Defense Department and put into the Labor-HHS bill for the purpose of expanding those programs because that

money is sitting there and the money is defenseless, to use a term of art. The money is defenseless. It is going to be raided and taken over to the social side of the ledger from the Defense Department.

The Senator from Nevada has the right approach to set up this firewall and make it clear that we are going to have fiscal discipline. That is what we need, fiscal discipline. This budget doesn't have much fiscal discipline in it. In fact, it doesn't have any to speak of. But as a practical matter, it shouldn't get worse. We should put in place some limits that allow us to make sure even with this massive increase in nondefense discretionary money, that is where it stops, and we don't end up with the Defense Department being used as the piggy bank to fund even more nondefense discretionary spending.

The Senator is on the right track. It has been done before. It was actually quite effective before. I disagree with the characterization of it by the Senator from North Dakota. It made life a little more difficult with the appropriators and others who wanted to take advantage of defense dollars in order to use them on the nondefense discretionary side of the ledger, for social spending or whatever projects were floating around they wanted to do.

It will also have a direct impact, quite honestly, on earmarks. It will make it more difficult to earmark because there won't be money available with which to earmark. If you are opposed to earmarks, for fiscal discipline, if you think the Defense Department should get the money we promised them to fight the war, you have to vote for the Ensign amendment.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, as the Senator from New Hampshire well knows, the war funding is secure. It is absolutely secure. At his urging, we put the war funding in a sidecar. Our cap adjustment for war costs is available only for war costs. That is a red herring of an issue, and he knows it.

Let's go back to this question of how things really work. I must say, I am sympathetic to the basic notion of trying to exert discipline and not having money that is appropriated for defense used for something else. I am absolutely sympathetic to that. The problem is, I don't think this works, and I am asking to have the list of earmarks that is in the Defense appropriations bill brought to me because I will then read that list. It will take me a good part of the day because we all know what is really happening around here.

The Senator talked about somehow suppressing earmarks. Please, do I really have to read the list of earmarks that has been put in the Defense appropriations bill that have nothing——

Mr. GREGG. Will the Senator yield at that point?

Mr. CONRAD. Let me complete the thought. I will be happy to yield. Don't we all know, haven't we all read the Defense appropriations bill and seen earmark after earmark after earmark put into that Defense bill that has nothing whatsoever to do with defense? I will be happy to yield.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. GREGG. Mr. President, my point was that this will increase the piggy bank available to nondefense discretionary to be used for earmarking because it will take defense dollars and move them over to nondefense discretionary accounts. I don't argue with the argument that there is a significant number of earmarks in the defense budget. I hope that as part of reading his Defense Department earmarks—which I will be happy to agree exists—he will at the same time list the earmarks that were added into the Labor-HHS bill over the last 4, 5, 6 years as a result of literally billions of dollars being taken out of the Defense Department to pump up the Labor-HHS bill. That is where the earmarks occurred.

Mr. ENSIGN. Will the Senator yield?

Mr. CONRAD. I will be happy to yield in a minute, if I may just respond to the Senator. I think we all know the truth of this institution is that as soon as we create something such as a firewall, very creative minds go to work in this institution to find a way around it. That is the hard reality. I am happy to yield.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. ENSIGN. Mr. President, first of all, the Senator from North Dakota made the point that defense funding is secure. We do not in any way think we are going to underfund defense or the war funding. The point we were making about defense spending is that because everybody is going to make sure defense spending is secure, once the money for defense is put in there, money is taken out and put into other spending programs, then later in the year it is filled back in for defense.

Everybody knows we are going to fund the war. Everybody knows we are going to do the critical needs of the Department of Defense. What we are arguing is that other spending is going to be increased because of the budget gimmicks because there is no transparency.

What my amendment does is put transparency back into the process. That is why the Senator from New Hampshire and myself are arguing how critical this amendment is if we want to actually have some fiscal restraint, if we want to not just continue to blow up the deficits and pass this huge debt on to future generations.

Without transparency, without all the budget gimmicks, the numbers that my colleagues saw that I put up and the charts I put up for the last 5 years—let's put those charts back up. For the last 5 years, $84 billion total has been added in nondefense, other types of social spending programs. And it was done, in a way, with budget gimmicks, where people, kind of sleight of hand over here, looked as though they were being fiscally responsible, but they were not. They said they were operating within the budget caps that were set out, but because then the Defense spending was declared as emergency, that allowed people to get around the Defense caps.

What we are trying to do is to install some fiscal discipline. That is why we put a 60-vote, supermajority, point of order against this kind of activity. There is still flexibility. If people wanted to argue: let's take the money out, let's increase these accounts the way it has been done in the past, at least there is a supermajority required to do so.

I keep going back to last fall's election and before that, when the Democrats accused Republicans in the majority of being fiscally irresponsible. This is a chance to fulfill their campaign promise of being fiscally responsible. It is time to step up, put mechanisms in place that will put the discipline into this body to help hold down the spending that goes on in this place.

I will not argue that games won't be played. What we are going to do, though, is to make it more difficult to play the games. There will always be people who will try to get around whatever budget discipline we put in. The appropriators are famous for that. What we are trying to do here is to put in budget discipline, to put in a steeper wall to climb over to get around these sleight-of-hand budget tricks.

That is what this amendment is about, to say let's for once be fiscally responsible around this place. Let's think about the children and future generations as far as spending is concerned. I ask my colleagues to support this amendment when it comes up to the full Senate for a vote.

Mr. BYRD. Mr. President, at Andrews Air Force Base in 1990, I helped to craft the first statutory firewalls as part of the budget summit that resulted in the Budget Enforcement Act of 1990. That act created three categories of discretionary spending—defense, international, and domestic discretionary.

At the time, the device of the three separate caps to protect each category from being raided by another category made sense. There was a definable military threat, and nondefense funds did not contribute significantly to the defense of the Nation. That is not the case anymore. The September 11 attacks blurred the line between defense and nondefense spending. Military threats can no longer be viewed as matters that are fought solely through the Defense Department. The enemy may attack our troops overseas or civilians here at home. Within a matter of weeks, the focus of our war against terrorism can shift from military efforts abroad, to our homeland security efforts here at home, and then back again.

To respond to this threat, the Congress should maintain maximum flexibility to shift funds to where they are needed most—whether for our homeland security needs here at home or for our troops overseas or for our veterans who need health and medical care. With so much uncertainty regarding the threat of terrorism and the war in Iraq, it makes no sense to limit how those funds can be spent.

Senators should know that firewalls in the past have forced the Congress to resort to all sorts of machinations to pass its annual spending bills. Firewalls were used in past years, as part of a partisan budget process, to hold nondefense discretionary spending at unrealistically low levels. These spending levels were set early in the year under different fiscal circumstances and at levels that neither the administration nor the Congress expected to stay within. The result was always unnecessary delays in the appropriations process and even more spending as nearly all budgetary discipline evaporates in the push to pass an end-of-the-year omnibus bill.

These kinds of budget gimmicks undermine the people's confidence in the Congress to manage the Nation's spending priorities.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. OBAMA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Who yields time?

Mr. CONRAD. Mr. President, how much time would the Senator like?

Mr. OBAMA. Mr. President, I was hoping for 10 minutes.

Mr. CONRAD. I will be happy to yield 10 minutes to the Senator off the bill.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized for 10 minutes.

THE IRAQ WAR

Mr. OBAMA. Mr. President, on Thursdays, Senator DURBIN and I hold a constituent coffee so we can hear from the folks back home. A young man came a few months ago who was about 25, 26 years old. He had been back from Iraq for a year. The first 6 months of that year he spent in a coma. An explosion had shattered his face, blinded him in both eyes, and has left him without the use of one arm.

He told us about how he was going through rehab, and he introduced us to his family. He has a wife and two young daughters like I do, and his wife talked for a bit about the adjustments they were making at home since dad got hurt. I found myself looking at not just him, but at his wife, who loves him so much, and I thought about how their lives were forever changed because of the decision that was carried out 4 years ago.

The sacrifices of war are immeasurable.

I first made this point in the fall of 2002, at the end of the speech I gave opposing the invasion of Iraq. I said then that I certainly do not oppose all wars, but dumb wars—rash wars. Because there is no decision more profound than the one we make to send our brave men and women into harm's way.

I have thought about these words from time to time since that speech, but never so much as the day I saw that young man and his wife.

The sacrifices of war are immeasurable. Too many have returned from Iraq with that soldier's story—with broken bodies and shattered nerves and wounds that even the best care may not heal. Too many of our best have come home shrouded in the flag they loved. Too many moms and dads and husbands and wives have answered that knock on the door that is the hardest for any loved one to hear.

And the rest of us have seen too many promises of swift victories, and dying insurgencies, and budding democracy give way to the reality of a brutal civil war that goes on and on and on to this day.

The sacrifices of war are immeasurable. It was not impossible to see back then that we might arrive at the place we are at today.

I said then that a war based not on reason but on passion, not on principle but on politics would lead to a U.S. occupation of undetermined length, at undetermined cost, with undetermined consequences. I believed that an invasion of Iraq without a clear rationale or strong international support would only strengthen the recruitment arm of al-Qaida and erode the good standing and moral authority that took our country generations to build. There were other experts, and leaders, and everyday Americans who believed this too.

I wish we had been wrong. I wish we weren't here talking about this at the beginning of the war's fifth year. Because the consequences of this war have been profound. And the sacrifices have been immeasurable.

Those who would have us continue this war in perpetuity like to say that this is a matter of resolve on behalf of the American people. But the American people have been extraordinarily resolved. They have seen their sons and daughters killed or wounded on the streets of Fallujah. They have spent hundreds of billions of dollars on this effort—money that could have been devoted to strengthening our homeland security and our competitive standing as a nation.

No, it has not been a failure of resolve that has led us to this chaos, but a failure of strategy—a strategy that has only strengthened Iran's strategic position; increased threats posed by terrorist organizations; reduced U.S. credibility and influence around the world; and placed Israel and other nations friendly to the United States in the region in greater peril.

Iraq has not been a failure of resolve, it has been a failure of strategy—and that strategy must change. It is time to bring a responsible end to this conflict is now.

There is no military solution to this war. No amount of U.S. soldiers not 10,000 more, not 20,000 more, not the almost 30,000 more that we now know we are sending—can solve the grievances that lay at the heart of someone else's civil war. Our troops cannot serve as their diplomats, and we can no longer referee their civil war. We must begin a phased withdrawal of our forces starting May 1, with the goal of removing all combat forces by March 30, 2008.

We also must make sure that we are not as careless getting out of this war as we were getting in, and that is why this withdrawal should be gradual, and keep some U.S. troops in the region to prevent a wider war and go after al Qaida and other terrorists.

But it must begin soon. Letting the Iraqis know that we will not be there forever is our last, best hope to pressure the Iraqis to take ownership of their country and bring an end to their conflict. It is time for our troops to start coming home.

History will not judge the architects of this war kindly. But the books have yet to be written on our efforts to right the wrongs we see in Iraq. The story has yet to be told about how we turned from this moment, found our way out of the desert, and took to heart the lessons of war that too many refused to heed back then.

For it is of little use or comfort to recall past advice and warnings if we do not allow them to guide us in the challenges that lie ahead. Threats loom large in an age where terrorist networks thrive, and there will certainly be times when we have to call on our brave servicemen and women to risk their lives again.

But before we make that most profound of all decisions—before we send our best off to battle, we must remember what led us to this day and learn from the principles that follow.

We must remember that ideology is not a foreign policy. We must not embark on war based on untested theories, political agendas or wishful thinking that has little basis in fact or reality. We must focus our efforts on the threats we know exist, and we must evaluate those threats with sound intelligence that is never manipulated for political reasons again.

We must remember that the cost of going it alone is immense. It is a choice we sometimes have to make, but one that must be made rarely and always reluctantly. That is because America's standing in the world is a precious resource not easily rebuilt. We value the cooperation and goodwill of other nations not because it makes us feel good, but because it makes all the world safer—because the only way to battle 21st century threats that race across borders—threats like terror, and disease, and nuclear proliferation—is

to enlist the resources and support of all nations. To win our wider struggle, we must let people across this planet know that there is another, more hopeful alternative to the hateful ideologies the terrorists espouse—and a renewed America will reflect and champion that vision

We must remember that planning for peace is just as critical as planning for war. Iraq was not just a failure of conception, but a failure of execution, and so when a conflict does arise that requires our involvement, we must do our best to understand that country's history, its politics, its ethnic and religious divisions before our troops ever set foot on its soil.

We must understand that setting up ballot boxes does not a democracy make—that real freedom and real stability come from doing the hard work of helping to build a strong police force, and a legitimate government, and ensuring that people have food, and water, and electricity, and basic services. And we must be honest about how much of that we can do ourselves and how much must come from the people themselves.

Finally, we must remember that when we send our servicemen and women to war, we make sure we have given them the training they need, and the equipment that will keep them safe, and a mission they can accomplish.

We must respect our commanders' advice not just when its politically convenient but even when it is not what we want to hear. And when our troops come home, it is our most solemn responsibility to make sure they come home to the services, and the benefits, and the care they deserve.

As we stand at the beginning of the fifth year of this war, let us remember that young man from Illinois, and his wife, and his daughters, and the thousands upon thousands of families who are living the very real consequences and immeasurable sacrifices that have come from our decision to invade Iraq.

We are so blessed in this country to have so many men and women like this—Americans willing to put on that uniform, and say the hard goodbyes, and risk their lives in a far off land because they know that such consequences and sacrifices are sometimes necessary to defend our country and achieve a lasting peace.

That is why we have no greater responsibility than to ensure that the decision to place them in harm's way is the right one. And that is why we must learn the lessons of Iraq. It is what we owe our soldiers. It is what we owe their families. And it is what we owe our country—now, and in all the days and months to come.

Mr. President, I yield the floor.

Mr. CONRAD. Mr. President, I commend the Senator from Illinois, Senator OBAMA, for the wisdom he has displayed with respect to the conflict in Iraq. I read a speech he gave when he was a State Senator warning about the dangers of going to war in Iraq. In many ways it reflected many of the same feelings and analysis I had given in my speech on the floor of the Senate.

I gave the last speech before that fateful vote to authorize going to war in Iraq. I believed at the time it was a mistake to go to Iraq before finishing business with Osama bin Laden. After all, it was Saddam Hussein in Iraq whom this administration decided to go after. But it was not Saddam Hussein or Iraq that attacked this country on 9/11, it was Osama bin Laden and the al-Qaida network that had attacked this country. We have still never held Osama bin Laden to account. I have always felt that was an extremely serious mistake, a military mistake for this country. I was so impressed that the Senator from Illinois, who was a State senator at the time, had the wisdom and the judgment to see that. I wish more had seen it.

I, again, thank the Senator from Illinois.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, so we can get the order, I understand we are going to go to Senator BUNNING next; is that the game plan? He is on his way to the floor.

Mr. CONRAD. Yes. I thank the Senator very much for his continuing courtesy as we try to move through this. Senator BUNNING, we are told, is on his way to the floor to offer an amendment. We are also asking Senator BINGAMAN to come.

I see Senator BUNNING is here now. We can go to his amendment.

Mr. BUNNING. Mr. President, what is the pending business?

The ACTING PRESIDENT pro tempore. The Ensign amendment is the pending question.

Mr. BUNNING. I ask unanimous consent the pending amendment be set aside.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 483

Mr. BUNNING. I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows.

The Senator from Kentucky [Mr. BUNNING], for himself and Mr. ENZI, proposes an amendment numbered 483.

Mr. BUNNING. I ask unanimous consent the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide a point of order against any budget resolution that fails to achieve an on-budget balance within 5 years)

At the end of title II, add the following:

SEC. ___. CIRCUIT BREAKER TO PROTECT SOCIAL SECURITY.

(a) CIRCUIT BREAKER.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit (excluding Social Security) for the budget year or any subsequent fiscal year covered by those projections, then the concurrent resolution on the budget for the budget year shall reduce on-budget deficits relative to the projections of Congressional Budget Office and put the budget on a path to achieve on-budget balance within 5 years, and shall include such provisions as are necessary to protect Social Security and facilitate deficit reduction, except it shall not contain any reduction in Social Security benefits.

(b) POINT OF ORDER.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit for the budget year or any subsequent fiscal year covered by those projections, it shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any conference report thereon that fails to reduce on-budget deficits relative to the projections of Congressional Budget Office and put the budget on a path to achieve on-budget balance within 5 years.

(c) AMENDMENTS TO BUDGET RESOLUTION.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit for the budget year or any subsequent fiscal year covered by those projections, it shall not be in order in the Senate to consider an amendment to a concurrent resolution on the budget that would increase on-budget deficits relative to the concurrent resolution on the budget in any fiscal year covered by that concurrent resolution on the budget or cause the budget to fail to achieve on-budget balance within 5 years.

(d) SUSPENSION OF REQUIREMENT DURING WAR OR LOW ECONOMIC GROWTH.—

(1) LOW GROWTH.—If the most recent of the Department of Commerce's advance, preliminary, or final reports of actual real economic growth indicate that the rate of real economic growth (as measured by real GDP) for each of the most recently reported quarter and the immediately preceding quarter is less than 1 percent, this section is suspended.

(2) WAR.—If a declaration of war is in effect, this section is suspended.

(e) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—Subsections (b) and (c) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(f) BUDGET YEAR.—In this section, the term ''budget year'' shall have the same meaning as in section 250(c)(12) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Mr. BUNNING. Mr. President, this amendment is almost identical to the language that was included in the fiscal year 2003 budget resolution that Chairman CONRAD authored. This amendment provides that, starting with the fiscal year 2009 budget, if

CBO's budget and economic outlook reports projections that the Social Security surplus will be spent for non-Social Security programs during any year covered by its projections, then the budget resolution must present a plan to protect Social Security by reducing those deficits.

As you can see by this chart, in 2009, 2010, 2011, and 2012, these are the Social Security dollars that are being used in this current budget that has been proposed for other purposes. From $423 billion up to $1.027 trillion. If the budget resolution fails to put the budget on a glidepath to protecting the Social Security surplus within 5 years, it will be subject to a point of order in the Senate. There is an exception for times of war and low economic growth, and it can be waived by a vote of three-fifths of the Senators.

The purpose of this circuit breaker is to put the budget on a path to balance without spending the Social Security money that is needed for the baby boomers' retirements. It ensures that Social Security trust funds will be used for their intended purpose and that is for retirement of the baby boomers and all after.

We all know the challenges the Social Security system faces as the first of the baby boomers start to retire very shortly. The effects of this demographic tidal wave will begin to grow rapidly as the years progress. Chairman CONRAD will point to a provision in this budget that he calls the ''save Social Security first'' point of order. However, this point of order does not—I say emphatically does—not protect the Social Security surplus the way my amendment will do it. In fact, the budget resolution before us spends, as I showed you, over $1 trillion additional of the Social Security surplus. My amendment says that just because we have been spending the Social Security surplus for decades doesn't mean we should continue. We have dug ourselves into a big ditch. The budget before us keeps digging.

My amendment says stop digging. It forces Congress to make a plan to protect the Social Security surplus. I urge my colleagues to think about the future of Social Security retirees and support this amendment. We have this amendment before us. It is almost exactly like the amendment the now chairman of the Budget Committee put in the 2003 budget resolution, and his rationale for knocking out the point of order in the budget markup was: ''Well, we have been doing it for years.''

Yes, we have been doing it for years, and it is time to stop. Stop spending the Social Security surplus for other purposes—other purposes being any other functions for which the Federal Government might need money. What does that do to my grandchildren and the grandchildren of everybody else in this body and those listening? It says to your grandchildren: You have to fend for yourself. We are going to leave you with this pile of debt, such that in 2017 we are not going to have enough money in the trust funds to pay off your Social Security benefits—in 2017, when we start spending this money out of the trust funds—with the interest we are supposed to be getting from it. By 2040, we will have spent down all the trust funds and all the interest. What does that mean? That means in 2041 those benefits in Social Security will be 74 percent of what we promised our recipients. That is the money that will be coming in, in Social Security taxes at that time. We will only be able to pay out 74 percent of the benefits because we have prespent the trust funds for other purposes.

My amendment says: Stop. Think about what you are doing, Members of the Senate, Members of the Congress. Stop digging the hole. We are going to bury our future generations in a massive debt situation where their benefits will not be able to be paid.

I ask support for this amendment when it comes up for the vote.

I yield the floor.

The ACTING PRESIDENT pro tempore. Who yields time? The Senator from North Dakota.

Mr. CONRAD. Mr. President, the Senator talks about Social Security money being spent in the Democratic budget resolution—and he is right. There is money spent, Social Security money, in the Democratic budget resolution. Why? Because our friends on the other side, in the 6 years they have controlled everything, have dug such a deep hole it is going to take us a while to climb out. Look at the President's budget. That is the only budget from the other side. The other side has not presented a budget other than the President's budget.

Here is what the President's budget does in terms of spending Social Security money. The President's budget spends $1.16 trillion of Social Security money over the next 5 years—every dime that is available. We use $1.03 trillion. So let's be clear. The only budget from the other side uses more Social Security money than does our budget. Both budgets use Social Security money because we are now in such a deep hole it is going to take time to dig out.

Here is the record from the other side. The record from the other side is they have so far spent $1.1 trillion of Social Security money and, if the President's budget is followed, they will have spent $2.5 trillion by 2017. Every dime of Social Security money that is available to spend will have been spent by our friends on the other side. That is their record.

Look, we inherited this mess. We have to climb out and we are making progress. Our budget balances by 2012, and over time we will end this practice of using Social Security money. Let me indicate that in this budget resolution, we have passed a ''save Social Security first'' amendment. It says there can be no new mandatory spending or tax cuts until the 75-year Social Security solvency is restored, unless it is paid for or gets a supermajority vote. That is in the underlying budget resolution to protect Social Security.

I say to my colleague, he has offered an amendment I previously offered. When I offered it, it was before we descended into this deficit and debt ditch. It was designed to prevent us from going that road, from going down the path of using Social Security money to fund other things. Unfortunately, our colleagues on the other side opposed it and defeated it. They prevented it from being put in force, which would have hopefully prevented all this from happening. But that was not the case. Now it is akin to closing the barn door after the cattle are gone. Now the Senator from Kentucky offers this amendment.

The upshot of this amendment, if it were to pass, would be to create a 60-vote hurdle against having a budget resolution next year. That is what the effect of the Bunning amendment would be. If people want to vote for it as a symbolic measure, that is fine with me. Members should know they are free to vote however they think is the right way when we vote on the Bunning amendment later this evening.

Ms. STABENOW. Will my colleague yield for a question?

Mr. CONRAD. I am happy to yield.

Ms. STABENOW. I thank you, as chairman of the Budget Committee, for bringing forward the ''save Social Security first'' amendment in committee. It makes it very clear in the budget resolution that we intend to come out of this hole and are committed to making sure Social Security moneys are restored.

Last night we heard from other colleagues on the other side of the aisle. Senator SESSIONS offered an amendment that basically would fly in the face of Senator BUNNING's amendment, wouldn't you say, because it essentially would take away the ability to have a 60-vote point of order as it relates to extending the tax cuts that created the hole in the first place. Because isn't it true that essentially the tax cuts were paid for by using Social Security surplus funds?

Mr. CONRAD. The Senator is certainly right. Senator SESSIONS' amendment would allow all of the tax cuts to be extended without having to be paid for, without having to be offset. So it does directly contradict at least the spirit of the Bunning amendment.

I must say, I am very much in sympathy with the spirit of the Bunning amendment because, after all, it was my amendment back in 2002 when it really would have done some good because that was before we went down this path of using Social Security funds to pay all kinds of other bills.

I have said many times that what is being done here in Washington is a basic violation of any kind of the sense of the trust fund because trust fund moneys that are in temporary surplus before the baby boomers retire are

being used to pay other bills. You could not do that in any other institution. You could not do that in any private business. You could not do that in any other private sector institution. You could not take the retirement funds of your employees and use them to pay your operating expenses. If you did that, you would be in violation of Federal law. You would be on your way to a Federal institution, but it would not be the Congress of the United States, it would not be the White House; you would be headed for the big house because that is a violation of Federal law. But that is the practice that has grown up. It has been, unfortunately, the case here for 30 years, with only 2 years of exception: The last 2 years of the Clinton administration, we were able to stop using Social Security funds to pay other bills. That was one of the greatest achievements of the Congress and the administration. Unfortunately, under this new administration, they went right back the other way, using every dime of Social Security money to pay other bills. Now we are in such a deep hole that it is going to continue for some period of time until we are able to dig out.

Ms. STABENOW. If I might ask a second question of my friend. Again, I will start by congratulating the Senator. I remember, as a new member of the Budget Committee, coming in in 2001 when there were record surpluses, that the Senator was warning us about what could happen. Actually, is it not true that at that time, the Senator was suggesting a third of the surpluses go to prefunding the liability of Social Security so we would not find ourselves in this mess? Would not that have had a very different outcome on where we are today?

Mr. CONRAD. Yes. I thank the Senator for remembering that. I did have a plan. Instead of giving the outsized tax cuts the President proposed, I proposed giving a $900 billion tax cut, very large tax cuts, but to use the rest of the money to strengthen Social Security, to either prefund the liability or pay down the debt.

Instead, a different judgment was made. Social Security money that really never was in what I would consider surplus—because it is all needed when the baby boomers retire—has been taken and has been used, every dime under the President's fiscal plan, to pay other bills and to finance tax cuts. I think that was a profound mistake. That is why I offered the amendment the Senator from Kentucky has now offered, an amendment I offered back in 2002, to prevent us from ever going down this path. Now we have gone down it. Both budgets, if we are to be honest, use Social Security funds. We use somewhat less than the President's budget. It is going to take time to dig out.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Kentucky.

Mr. BUNNING. Mr. President, two wrongs do not make a right. The fact is that the President's budget includes it, every President's budget has included it since Ronald Reagan. That includes Bush 1, Bill Clinton's budget for 8 years, and now George W. Bush's budget. They have included spending the Social Security trust funds that are in surplus in every budget for over 15 years that I know of.

Now that my good friends from the Democratic Party are in the majority, they are doing the same thing. They are spending our trust funds that the Social Security system must buy bonds with. That is the law. We do not have another law that says you can take the Social Security trust funds and you can put it in this little box and you must keep it. No. The law says—and I was on the Ways and Means Committee with the current chairman of the Senate when we tried to wall off Social Security trust funds. It did not pass over in the House at that time. So we have been spending them ever since. That does not make it right. It is still wrong to spend it.

The other side said they are going to fix the surplus problem. Well, they are not. I hope they do. This amendment gives some teeth to that promise because it holds the majority—whoever is the majority—accountable.

Now that they are in the majority, they do not want to hold themselves responsible for the Social Security trust funds. They say: Oh, because we have been doing this all this time, it is too late to stop. We can save $1.027 trillion if we stop now and do not include this in our 5-year projections.

I hate to tell you, if we moved this out to 10 years, what it would look like. I am not going to do that because the budget is a 5-year budget. But $1 trillion, to my grandkids and their retirement or Senator CONRAD's grandkids or anybody's kids, is a lot of money, and the more we can save for their retirement, the less we are going to have to borrow down the road.

So, please, when you are considering this amendment, consider the consequences of what we are doing here. We are doing more of the same. It is time we stopped doing it.

I ask for your support. This is a very important amendment. It is not a feel-good amendment; it is a substantive amendment that we actually are doing things to stop spending the Social Security trust funds.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. I thank the Senator from Kentucky, who may be one of the most effective spokespersons in the Senate on the issue of protecting the Social Security accounts and making sure that as we move forward, we are responsible in that area.

This amendment accomplishes exactly that. It is a brilliantly drafted amendment because it was, of course, drafted by the chairman of the Budget Committee and offered by him.

Mr. Chairman, it reflects that the times have changed. Well, they really have not; the numbers have changed. Instead of $2 trillion, we are now talking $1 trillion of Social Security money that is going to be used in this budget.

You know, the cattle are not out of the barn; they truly are in the barn. And we figure each cow is worth a dollar. We should be protecting them, and we should be at least addressing them. What I think the amendment does is it highlights the essence of one of the most significant problems with this budget; that is, although it spends a lot of money and it raises a lot of taxes, it does nothing on the issue of the long-term solvency of this Government, which is the most significant threat we face.

The chairman of the Budget Committee has held numerous hearings on this issue. I have congratulated him on being focused on this issue. But, unfortunately, he brought forward a budget which does not address this. We have created a government which is not going to be affordable to our children because the costs of Social Security and the costs of Medicare when the baby boomer generation retires is simply going to overwhelm their fiscal ability to support that generation.

We should be getting on right now and doing things that correct this. There were ideas put forward which would accomplish this that the President put forward in the area of Medicare. There are things you can do in the area of Social Security. For example, you can get the reimbursements correct on the COLA.

But what this budget does is nothing. It does nothing to protect or address this outyear problem. What it does do is aggravate the problem by digging the hole deeper by using $1 trillion of Social Security funds to operate the Federal Government over the 5 years of this budget.

So when the chairman of the committee drafted the amendment, he was thinking correctly. And when he said that—he was speaking here relevant to the use of Social Security funds by the administration in prior budgets—they included as the definition of a balanced budget one that raided the Social Security trust fund of every dime. Then he claimed that it was a balanced budget. That was no balanced budget; that was a budget built on massive borrowing disguised as balancing the budget.

Well, that is essentially a statement which could be applied exactly to this budget. So the chairman was right with that statement. Then he went on further and said: It threatens Social Security to take $180- to $190 billion of Social Security money, to use it, instead of paying down the debt or prepaying the liability, to use to it pay operating expenses of the Government, it threatens Social Security. That again is being done within this budget to the tune of $1 trillion.

So the Senator from Kentucky in his own way is once again highlighting the issue effectively and has put forward language which will accomplish the

goal. It was good language when it was offered by the Senator from North Dakota, and it is good language offered by the Senator from Kentucky. I certainly hope we support it.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, first of all, I want to say I have been put at a disadvantage here because the Senator from Kentucky, whom I like very much, whom I respect very much, has offered an amendment I drafted.

Unfortunately, they did not support it when I offered it back in 2003. It really would have helped us avoid this disaster of using Social Security money. So maybe we have here a coming around to support an issue at least at a later point. I am going to recommend to my colleagues that we vote for this amendment on the floor, as a symbolic measure if for no other reason.

When I drafted this amendment and offered it back in 2002, what a difference it would have made if it had been adopted. But, unfortunately, our colleagues who have just spoken so eloquently in favor of it now opposed it then. They opposed it when it actually would have done something. Well, I still appreciate the fact that they now, 5 years later, appreciate the wisdom of my words then. I certainly will not stand in the way of adopting this amendment tonight. In fact, my vote will be cast in favor of this amendment.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I don't want to prolong the debate because the Senators from New Mexico and Tennessee have an amendment ready to go. But I would note that the most recent inconsistency on this is not our side, it would be on the Democratic side, in that the Senator from North Dakota voted against this amendment in committee, which he now is going to vote for on the floor. I wanted to make that point. So the inconsistency is in the eye of the beholder.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Let me say that I cast that vote in committee because the practical effect of this amendment now is not going to protect Social Security. The practical effect of this amendment is to create a 60-vote hurdle to pass a budget resolution next year.

But, look, I am proud of the amendment I crafted 5 years ago. I think we have to send every message we can that it is wrong to be using Social Security trust funds to pay other bills. I believe that with every fiber of my being. Senator BUNNING has offered this amendment unfortunately 5 years too late. I am going to support it even though it is 5 years too late.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I will conclude my comments by saying that I hope the Senator from North Dakota is not cynical, because of his rather negative view of what this amendment will do. I hope it does not come to fruition.

I hope what the amendment does is force the people who bring the budget next year to look at Social Security and figure out how we are going to deal with it and thus put in place some entitlement reform which addresses this issue and gets us into a position where we are able to protect it.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, it is for that reason that I will support the amendment, because it may, even at this late hour, help build pressure for what the Senator from New Hampshire and I both want to do, which is somehow find a path to addressing these long-term entitlement challenges. It may help do that.

In that spirit, I will support the amendment tonight.

Now we have Senator BINGAMAN ready.

The PRESIDING OFFICER. The time yielded to the Senator from New Mexico?

Mr. CONRAD. How much time does the Senator from New Mexico seek?

Mr. BINGAMAN. I need at most 15 minutes. I know my colleague from Tennessee needs a comparable amount of time. I know there are others who wish to speak, but I don't know if they will be able to come to the floor at this point.

Mr. CONRAD. I yield 15 minutes to the Senator from New Mexico. And then the Senator from Tennessee, how much would the Senator seek?

Mr. ALEXANDER. Up to 15 minutes, please.

Mr. CONRAD. Would the Senator from New Hampshire provide the Senator from Tennessee with time off his side on this amendment?

Mr. GREGG. I would. I understand the Senator from South Carolina wants to speak on the Bunning amendment. Should we complete that debate?

Mr. CONRAD. I think in fairness to the other two Senators, we should let them go forward with their amendment. Then we could come back to the Senator from South Carolina for his comments on the Bunning amendment.

Mr. GREGG. Sounds good.

The PRESIDING OFFICER. Is the Senator from North Dakota seeking consent to set aside the Bunning amendment so we may proceed to this amendment?

Mr. CONRAD. Yes, I think we should set aside the Bunning amendment so that the Bingaman amendment may be offered. The Senator from Tennessee could speak on that. We did ask them to come at this time to do so. I apologize to Senator DEMINT. We were not aware that he was on his way to the floor. In fairness, that is what we should do.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Mexico is recognized.

AMENDMENT NO. 486

Mr. BINGAMAN. I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself, Mr. ALEXANDER, Mr. LIEBERMAN, Mr. DOMENICI, Mr. ENSIGN, and Mr. REID, proposes amendment numbered 486.

Mr. BINGAMAN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide additional funding resources in FY2008 for investments in innovation and education in order to improve the competitiveness of the United States)

On page 10, line 9, increase the amount by $1,008,000,000.

On page 10, line 10, increase the amount by $428,000,000.

On page 10, line 14, increase the amount by $345,000,000.

On page 10, line 18, increase the amount by $179,000,000.

On page 10, line 22, increase the amount by $35,000,000.

On page 11, line 1, increase the amount by $18,000,000.

On page 14, line 9, increase the amount by $11,000,000.

On page 14, line 10, increase the amount by $9,000,000.

On page 14, line 14, increase the amount by $3,000,000.

On page 26, line 12, decrease the amount by $1,019,000,000.

On page 26, line 13, decrease the amount by $437,000,000.

On page 26, line 17, decrease the amount by $348,000,000.

On page 26, line 21, decrease the amount by $179,000,000.

On page 26, line 25, decrease the amount by $35,000,000.

On page 27, line 4, decrease the amount by $18,000,000.

Mr. BINGAMAN. Mr. President, I am offering this amendment on behalf of myself and Senators ALEXANDER, LIEBERMAN, DOMENICI, ENSIGN, and REID. This is an amendment that I believe will go a long way toward ensuring that the United States maintains its preeminent status in our global economy.

On March 6, Senator REID and Senator MCCONNELL and many of the rest of us held a press conference on the introduction of a bill we called the America COMPETES Act. The bill represents recommendations from two reports on the status of our Nation's ability to compete in the global economy. Those reports are the National Academy of Sciences report on ''Rising Above the Gathering Storm,'' and the Council on Competitiveness report entitled ''Innovate America.''

Obviously, this is not the right time to try to enact that legislation. Let me make it clear to my colleagues that we are not proposing that legislation as an amendment to the budget resolution. What we are proposing, though, is an amendment that tries to make sure

that the budget ceilings, the overall amounts that are permitted for the various agencies and functions of the Government, are as high as possible so that there is room in this budget to actually go forward and appropriate the funds called for in that authorizing legislation. We hope we will bring up that authorizing legislation some time in the next couple of months and get it passed and sent to the President.

Let me describe briefly what this amendment would do. It would provide for the National Science Foundation to meet the President's requested funding level of $6.4 billion for the Department of Energy. It would allow the budget to meet the President's request for the Office of Science at $4.4 billion, as well as provide funding that would allow for a program similar to that administered by the Hertz Foundation for training a new generation of Ph.D. students in the physical sciences. For the National Institutes of Science and Technology, it will provide necessary funding to meet the $704 million authorization level in the bill, thereby strengthening programs such as the Hollings Manufacturing Extension Partnership to help small and medium-sized businesses compete in the global economy.

The reports I referred to were important in that they tapped into and identified a growing uneasiness that is being experienced throughout the country about our ability to remain competitive in world markets. It is clear that we are slipping in our world leadership role in science and engineering. We are losing site of the importance of long-term investments in creating the conditions for prosperity.

In 1995, Alan Greenspan was quoted as saying:

> Had the innovations of recent decades, especially in information technologies, not come to fruition, productivity growth would have continued to languish at the rate of the preceding 20 years.

Recent work that has been done by the Federal Reserve bears out that a broader category of such intangible investments now accounts for a full 11 percent of our gross domestic product and that much of our economic growth is attributable to these activities: research and development and information technologies. The statistics that we have bear out that while we are not yet at a point of crisis, we are approaching one. At the macro level, the fastest growing economies continue to increase their research and development investments at nearly five times the rate of the United States. Collectively, we have China and Ireland, Israel, Singapore, South Korea, and Taiwan increasing their research and development investment rates by 214 percent between 1995, when Alan Greenspan made his statement, and 2004. During that same period when they were increasing their investment by over 200 percent, the United States was increasing its investment by 43 percent.

A recent survey of several industries in the United States and Europe found that 48 of 235 recent or planned research and development facilities would actually be located in this country; 55 were to be located in China, 18 in India. Indeed, on a trip I took to India a couple years ago, we learned that the Intel Design Center for Intel Corporation in Bangalore is now designing chips that are fabricated by a manufacturing plant in New Mexico. It used to be the other way around. It used to be that we would do the design work, the high-end, value-added work here, and the manufacturing would occur elsewhere.

The achievement and interest level of U.S. students in math and science is a serious problem for all of us. In fact, the most recent NAEP assessments of educational progress in math reveal that only 23 percent of 12th graders in this country performed at or above proficient. That is in the year 2005. Unfortunately, this assessment in science reveals that the scores for 12th graders have declined since 1996 in each of the science areas—in the earth sciences, physical sciences, and life sciences. Only 18 percent of 12th graders scored at or above proficient in science.

So the issues are serious. They are ones about which more and more of the opinion leaders and thoughtful students of this subject have come to be concerned. These reports have been a major contribution to the dialog. Those of us in Congress are now called upon to actually put in place some solutions to these problems.

I believe passing this amendment to the budget resolution to ensure that there will be room in the budget for funding to meet these very important needs is extremely important.

Let me also acknowledge—and this is something for which I commend the chairman of the Budget Committee—the budget resolution before us increases funding for education by more than $6 billion over what the President proposed. Much of that increased funding is to allow for full funding in the appropriations process of some of these math and science education initiatives and also strengthening math and science teaching skills for our Nation's teaching workforce. That is clearly intended by the budget resolution. The amendment we are offering today does not propose increases in funding in that area because, in fact, the budget resolution itself does make room for the funding increases that America COMPETES calls for.

Let me acknowledge the extremely impressive leadership of my colleague from Tennessee, Senator ALEXANDER, in focusing the attention of the Congress on this issue. He has been the single most aggressive Member of the Senate in making sure we continue to address this issue at every stage. As I see it, our amendment is one step in that process. I know it has the support of Senator REID. I believe it also will have the support of the managers of the legislation. I hope it has the support of all Senators, Democratic and Republican.

I should point out that the offset that this legislation calls for is essentially whatever change in funding the Appropriations Committee chooses to make in so-called function 920. It gives them discretion to either do a very modest across-the-board cut in other funds or find some other way to locate the funds needed.

This legislation would add $1.9 billion that is currently not permitted in the budget for these essential items. It is important that we pass the amendment. I urge all my colleagues to do so.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I congratulate the Senator from New Mexico. He has been working at this a long time. He helped originate the report by the National Academy of Sciences to which he referred, ''Rising Above the Gathering Storm.'' He has also performed a service to the Senate and the country by doing some of the hard, less glamourous work, because he has worked his way through the budget process and, in his words, we are making sure with this amendment that we have room in the budget to appropriate funds to support what I believe is the single most important legislation before the Congress this year; that is the America COMPETES Act which has been introduced by the Democratic leader, Senator REID, and by the Republican leader, Senator MCCONNELL.

At one stage in its development over the last 2 years it had 70 Senators, an equal number of both parties, supporting it and has been vetted and worked on by at least a half dozen of our committees. I thank Senator BINGAMAN for his long-time leadership on this effort, especially for making sure there is room in the budget for it.

On this side of the aisle, we talk a lot about progrowth policies and progrowth investments. We usually mean tax cuts when we talk about that. I learned a long time ago that while low taxes and balanced budgets are one important part of a progrowth strategy, they are not the only important part.

When I was Governor of my State, the Senator from New Hampshire was Governor of his State. That is a low-tax State. It was nearly as low a tax State as Tennessee when we were both Governors. That was important. But we also found out in Tennessee that if we wanted an auto industry, we had to have good four-lane highways. If we wanted to grow new jobs, we wanted to have a good banking. That was part of a progrowth strategy.

But more than anything else, the most important part of a progrowth strategy in my State was schools, colleges, and universities. We learned that better schools, colleges, and universities meant better jobs.

So this legislation we are talking about is about America's brainpower advantage. It is the reason why we produce a third of all the money for

about 5 percent of all the people in the world. It is because of the big ideas that have come out of our country. From the automobile, to the electric light bulb, to Google—they have been created here. The jobs are here and the standard of living is higher here.

But the rest of the world has figured that out. They have the same brains we do, and suddenly China is recruiting the most distinguished Chinese professors from great American universities to come back to China to build up China. You heard what Senator BINGAMAN said about what is happening in India.

We are talking about a little money for progrowth investments here. We would make room for $1 billion the President requested—that the President requested—to restore funding for basic scientific research in math and science education so we can keep our brainpower advantage. This is the real way to keep our good jobs from going to China and India and other countries in the world.

It is important to keep that $1 billion over the next year in perspective. That is half what we spend in the war in Iraq in a week. We spent $237 billion on debt last year, $378 billion on Medicare, $545 billion on Social Security, at least $70 billion on hurricanes. We are going to be asked to pass a $100 billion supplemental request for the war in Iraq.

We will not have enough money to pay all these important bills unless we keep enough money in the budget for the investments that keep our brainpower advantage so we can keep our jobs. That is where we get all that money.

The Bingaman-Alexander amendment would help make room for the $1 billion requested by the President to fund basic research in math and science education.

Specifically, one, it would restore $398 million for the National Science Foundation, bringing the total to $6.429 billion, as requested by the President.

Two, it restores $610 million for the Department of Energy's Office of Science, bringing the total to $4.481 billion, which meets the President's request, and then adds $70 million extra for three programs that are part of the Reid-McConnell America COMPETES Act: Discovery institutes, PACE Graduate Fellows, and Distinguished Scientists.

It adds $11 million for the National Institute of Standards and Technology, as authorized for next year by the Reid-McConnell legislation.

The majority leader and the minority leader, in the midst of some contentious discussions in the Senate—which we have regularly—are rising above that and putting this piece of legislation into play. I know of no other piece of legislation that has that kind of bipartisan support that is that important to the future of our country. It is based on work Senator BINGAMAN, Senator DOMENICI, Senator MIKULSKI, Senator ENSIGN, Senator LIEBERMAN, Senator HUTCHISON, and many others have been a part of. Senator Frist and Senator REID put the bill in, in the first place, toward the end of last year.

It began because Senator BINGAMAN and I and others walked down the street to the National Academy of Sciences and said: Please tell us exactly what we ought to do, in priority order, to keep our brainpower advantage. Give us 10 specific things to do. They gave us 20, in priority order. That was put together with other important work done by the Council on Competitiveness. Then here we are today with the ''Rising Above the Gathering Storm'' report and with the Council on Competitiveness' report.

The bill, the America COMPETES Act, to which this amendment relates, authorizes $16 billion in new spending over 4 years. But this is a significant savings over the original legislation, the one that was sponsored by 70 Senators and reported by the committees. We took out $3 billion from the bills passed by Energy and Commerce. We avoided a number of duplicative undergraduate scholarship programs. We wanted progrowth investment, but we wanted to do it wisely and prudently.

I wish to conclude my remarks with some of the provisions of the America COMPETES Act. I know the Senator from South Carolina is waiting to speak, and others will be speaking, too, so I will conclude my remarks quickly. But it includes such matters as doubling funding for the National Science Foundation. It will set the Department of Energy's Office of Science on track to double in funding over 10 years. It will strengthen the skills of thousands of math and science teachers, and others.

As I said, provisions of the America COMPETES Act include double funding for the National Science Foundation, or NSF, from $5.6 billion in fiscal year 2006 to $11.2 billion in fiscal year 2011; setting the Department of Energy's Office of Science on track to double in funding over 10 years, increasing from $3.6 billion in fiscal year 2006 to over $5.2 billion in fiscal year 2011.

Another provision is to strengthen the skills of thousands of math and science teachers by establishing training and education programs at summer institutes hosted at the National Laboratories and by increasing support for the Teacher Institutes for the 21st Century program at NSF.

Another provision is to expand the Robert Noyce Teacher Scholarship Program at NSF to recruit and train individuals to become math and science teachers in high-need schools.

Another provision is to assist States in establishing or expanding statewide specialty schools in math and science that students from across the State would be eligible to attend—as they do now in North Carolina and other States.

Another provision is to expand Advanced Placement, AP, and International Baccalaureate, IB, programs by increasing the number of teachers prepared to teach these math, science, and foreign language courses in high schools. This would allow thousands of new students to take these outstanding college preparatory classes.

Another provision is to provide grants to universities to establish programs modeled on the successful UTeach program at the University of Texas—where students getting a bachelor's degree in math or science can concurrently earn teaching credentials and become the new generation of math and science teachers.

Another provision is to create partnerships between National Laboratories and local high-need high schools to establish centers of excellence in math and science education.

The challenge America faces today is really about brainpower and jobs.

We Americans—who constitute just 5 percent of the world's population—produced about 30 percent of the world's wealth last year. Yet we worry that America may be losing its brainpower advantage. We see what is happening in China and India and other countries, too, such as Finland, Singapore, and Ireland. We face a new ''flat'' world where more and more countries can compete with us, and we must rise to the challenge. That is why we must fund this progrowth investment in our economy and create the best new jobs here instead of shipping them overseas. That is why I hope all my colleagues will join in supporting this amendment.

One more point. We asked our National Academies what to do to keep our brainpower advantage. We worked 2 years through various committees and many changes to bring our legislation to this point. We still have some way to go, although a parallel path is being pursued in a bipartisan way in the House.

I believe we will get there, and get there soon, with this kind of leadership. But we should realize President Hu of China walked over to the National Academy of Sciences in China last July, and they do things in a little different way. He announced to his joint academy meeting in the Great Hall of the People exactly what China's innovation effort would be over the next 10 years, how they are going to increase their percentage investment in the gross domestic product, how they are going to improve their universities and elementary and secondary schools, and exactly what they would do to recruit distinguished Chinese leaders to come back, because they know their brainpower advantage, to the extent they can develop and improve on it, is the most important aspect of creating good jobs and a higher standard of living here.

So this legislation is a step in that direction for us. We have much more to do. We have the research and development tax credit to make permanent. We have provisions in the immigration legislation which have passed once,

which I hope pass again, to in-source brainpower, to give a preference to people with high skills in science, technology, engineering, and math. Let them stay here, create jobs here instead of in other countries. We are going to continue to work on that.

But Senator BINGAMAN has, by his leadership and persistence, come up with an amendment, which I join him in cosponsoring, which will make room for funding. We need to properly support the America COMPETES Act that Senator REID and Senator MCCONNELL have cosponsored, along with 40 of us right now. Hopefully, we will be keeping that brainpower advantage and, therefore, keeping our good jobs.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. CONRAD. Mr. President, I ask the Senator to withhold for 1 minute.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I wish to comment very briefly on the amendment that was offered.

I commend Senator BINGAMAN and Senator ALEXANDER for one of the most thoughtful amendments I have seen being offered on the budget resolution. It is bipartisan. It is something that has been very well thought through. It is almost a model for how things ought to be done in this Chamber. So I especially commend Senator BINGAMAN and Senator ALEXANDER for this effort, and many other colleagues who have been involved in it. I hope it serves as an example for everybody about how we do business around here. I thank the two Senators very much.

Mr. President, we now have Senator DEMINT who wants to comment briefly on the Bunning amendment and also lay down an amendment. We have an understanding we have the potential of a side-by-side amendment with the DeMint amendment, if that becomes necessary. Senator GREGG and I have talked about that.

IMPORTANCE OF EDUCATION

Mr. BINGAMAN. As the chairman knows, strong math and science education is critical if we, as a nation, are going to continue to have a skilled and educated workforce that can compete in the global economy.

Mr. CONRAD. Yes, I agree.

Mr. BINGAMAN. Does the chairman agree that we need to improve K–12 math and science education for all students in this country and do all we can to strengthen the math and science teaching skills of the teaching workforce?

Mr. CONRAD. Yes, these are both very important elements to maintaining our economic edge.

Mr. BINGAMAN. I am very pleased that the chairman's mark increases funding for education by more than $6 billion over the President's proposed budget, and I ask, was it the chairman's assumption that this increase should be used, in part, to fund provisions that will strengthen K–12 math and science education and strengthen the math and science teaching skills of the teaching workforce?

Mr. CONRAD. That is correct.

Mr. BINGAMAN. I thank the chairman and look forward to working with him to ensure these critical programs receive funding.

Mr. DOMENICI. Mr. President, today I join Senator BINGAMAN and other colleagues to offer an amendment to increase our investment in our Nation's economic competivenes.

Our amendment will provide just over $1 billion for the coming fiscal year to support world-class research in the physical sciences and for educating our next generation of scientists.

Just over a year ago, the National Academy of Science report, ''Rising Above the Gathering Storm,'' focused national attention on a challenge of enormous significance. We are not doing enough to harness, and develop, our national brainpower.

Earlier this month, I joined a bipartisan group of Senators to introduce the America COMPETES Act, S. 761. This act is the result of a remarkable cooperative effort, involving three Senate committees and valuable contributions from a number of Senators. We have the support of the majority leader and the minority leader, and we are going to make this happen.

All of us that worked to write this legislation are deeply concerned about maintaining our Nation's ability to compete in the high-tech, global marketplace.

Our bill increases our investments in science and mathematics education at all levels—kindergarten through high school, college, and graduate school. The America COMPETES Act will also build on educational programs at Department of Energy laboratories. These programs will strengthen the teaching skills of math and science teachers throughout the country.

The America COMPETES Act authorizes a doubling of research dollars to key research agencies, including the Department of Energy Office of Science, the National Science Foundation, and the National Institute of Standards and Technology.

The amendment we offer today will allow us to follow through on the promise of the America COMPETES Act. We need to devote the resources necessary to meet the goals of this important legislation.

We need to take action now to support our standard of living and ensure we continue to grow and prosper. If we do not, we can expect other nations to rival our global competitiveness—and one day to surpass us.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, I ask unanimous consent that we set the pending amendment aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 489

Mr. DEMINT. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 489.

Mr. DEMINT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish a reserve fund for Social Security reform)

At the end of title III, insert the following:

SEC. ____. RESERVE FUND FOR SOCIAL SECURITY REFORM.

If the Senate Committee on Finance reports a bill or joint resolution, or an amendment is offered thereto, or a conference report is submitted thereon, that provides changes to the Federal Old Age, Survivors, and Disability Insurance Benefits Program established under title II of the Social Security Act (42 U.S.C. 401 et seq.) by—

(1) requiring that the Federal Old Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund are to be used only to finance expenditures to provide retirement income of future beneficiaries of such program;

(2) ensuring that there is no change to current law scheduled benefits for individuals born before January 1, 1951;

(3) providing participants with the benefits of savings and investment while permitting the pre-funding of at least some portion of future benefits; and

(4) ensuring that the funds made available to finance such legislation do not exceed the amounts of the Chief Actuary of the Social Security Administration's intermediate actuarial estimates of the Federal Old Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund, as published in the most recent report of the Board of Trustees of such Trust Funds;

the chairman of the Committee on the Budget of the Senate may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for fiscal year 2008 and for the period of fiscal years 2008 through 2012.

Mr. DEMINT. Mr. President, as we all came into this debate on the first Democrat budget, a lot of us had high hopes. If you think back to the November elections, it seemed, at least for a few months, that Republicans and Democrats, in many ways, were saying a lot of the same things. We all decided it was very important we stop wasteful spending. We talked about reducing the debt. We even talked about keeping some of the tax relief that had gotten our economy going and created more jobs, although there is certainly some disagreement as to which tax cuts should be kept in place.

As we see the Democratic budget at this point, there are certainly a number of us who are disappointed, particularly as we see this budget allows crushing tax increases to hit Americans at every income level, as well as tax increases on the businesses that provide us all our jobs. Even more, there is nothing in this budget that does anything to cut spending. We all know there is wasteful spending

throughout this Federal Government. We need to get about the task of finding it and cutting it.

Perhaps the worst example of wasteful spending is when we take the taxes people pay for Social Security and, instead of saving them, we spend them on other things. For a number of years now, the amount of taxes all Americans pay in every paycheck for their future Social Security income—they have actually been more than we need to pay the benefits of current retirees. It is what we refer to as the Social Security surplus. But instead of saving this surplus over the years, we take that money and put it in the general fund and spend it on all kinds of things.

Even worse than spending Social Security on other things is we do not count it as debt when we talk about the deficit every year. So using the Social Security money is actually a way to hide even more wasteful spending without counting it as debt.

Now, for everything we borrow from Social Security, we put an IOU in this so-called trust fund, with this idea someday we are going to pay it back. But we need to try to remind the American people there are no plans in this Congress—and there never have been any plans—to pay that money back. Unfortunately, the Democratic budget that has been proposed over the next 5 years will spend over $1 trillion additionally in Social Security taxes, as well as the interest that is supposed to be paid on that money that has already been borrowed. So the money that should be saved for the future of Americans in their retired days is being spent every year, and it is being used to conceal more and more wasteful spending.

A lot of us have heard the news reports over the last year or two about the number of corporate pension plans that are going broke. The reason for that is, over the years not enough money has been put in those pensions to allow the companies to actually pay the benefits that have been promised. We call that an underfunded pension plan. It is creating huge problems for us throughout our country and for a number of workers who are counting on those pensions in their retirement.

But as we consider Social Security, it is a pension plan. It is a pension plan Americans pay into with the reasonable expectation that one day they will be able to get their promised benefits. But Social Security is not only an underfunded pension plan, it is a completely unfunded pension plan. Not one dime of all the trillions of dollars that have been put into Social Security over our lifetime is saved. As I said before, it is actually being used to obscure a bigger debt and to obscure more and more wasteful spending at the Federal level.

I commend Senator BUNNING for his amendment that would require our budgeting needs not budget these Social Security dollars for other spending. I think it is very important that we take this a step further. Not only should we not spend the Social Security surplus, but we should take that money and put it in a reserve account so we actually save it for the future instead of giving it to the general fund to spend on anything we in Congress can come up with. Take the Social Security surplus—the cash itself will be about $80 billion this year; if you count the interest, it gets well more than that—put it in a reserve account and not spend it.

The amendment I have offered would allow us, within the budgeting process, to set this money aside and not spend it. Unless we support this amendment as part of the budgeting process, when we bring this up to actually get it done some time this year, there will be a point of order against it and it will not be allowed to pass. So it has to be done now. That is the purpose of this amendment.

Now, what will happen if we pass this amendment and we take this money off the table and no longer allow Congress to spend it? Then we are going to have to be honest about our debt, and we are probably going to have to cut some wasteful spending because this money is not going to be available for us to spend. It will put a lot of pressure on both parties, Republicans and Democrats, to figure out how to cut wasteful spending and how to save the Social Security money we promised to future generations. If we put it in a reserve account, we will also start the process to create a funded Social Security system, a Social Security system that has real money so we can keep our promises to future generations.

So I support Senator BUNNING's amendment. I offer another that will take it a step further, so that the money we take off the table cannot be spent on anything else; it has to be in a reserve account and can only be spent on Social Security in the future. I wish to thank the Senator for allowing me to offer that amendment.

I yield the floor.

Mr. CONRAD. Mr. President, would the Senator be open to some questions with respect to his amendment so we might clarify it so we might have a floor understanding of the intention of the Senator?

Mr. DEMINT. Yes, I will.

Mr. CONRAD. Let me first say that in large measure, I am in agreement with what I hear the Senator saying. I have always thought we are engaged in ''funny money'' accounting around here, taking Social Security money and using it to pay other bills. That is the object of the Senator's amendment; is that correct?

Mr. DEMINT. Well, that is part of the goal. The goal is not to spend it on other things but to actually set it aside so we don't spend it. In the past, as the Senator knows, we talked about lockboxes, where we don't spend it, but in effect we do spend it, even if it is paying down the debt.

The goal of the amendment is to take money that is surplused for Social Security and say it will only be spent for Social Security. This amendment doesn't take it any further than that. It doesn't tell Congress how the money should be saved or invested; it doesn't get into the more controversial aspects of will it go into personal accounts. It does not establish individual ownership at all. These are the things that have divided us in the past.

But I think we agree with the basic concept: Let's take Social Security off the table and somehow save it in a way that we can't spend it so we can be more honest in our accounting.

Mr. CONRAD. That raises a whole series of questions, and that is another thing I wanted to ask the Senator about. If it is set aside, if it is not used to pay down the debt, how would those funds be invested under the amendment from the Senator?

Mr. DEMINT. My amendment doesn't specify. Congress would have to determine that. As the Senator knows, as part of the budget process, this does not affect it happening. We would still have to perform the act of taking the money off the table. I think, again, as a majority Senator, you would have a greater determination of how that money is saved. There is no intent in my amendment to direct how it is saved. It could be T bills or something within the Federal Government. But the hope is we will put it in some type of holding or savings that is not part of the general fund anymore. It is not spent.

Mr. CONRAD. Mr. President, is there anything in this amendment that would prevent it from being invested in some other securities other than Government bonds?

Mr. DEMINT. There is nothing that allows for it or prevents it. So I assume, again, with my colleagues in control of what comes to the floor, there is no danger of it drifting into any controversial area. I think we can certainly agree on some safe savings that would be risk free for the American people.

Mr. CONRAD. Is there anything that would prevent the funds from going to private accounts?

Mr. DEMINT. It does not allow for that in any way. That would have to be a separate piece of legislation, so that would be determined by—this legislation does not open the door for private accounts.

Mr. CONRAD. I thank the Senator for his answers to those questions. Has the Senator sent the amendment to the desk?

Mr. DEMINT. Yes.

Mr. CONRAD. I appreciate that. We have an understanding that if there is a desire to have a side-by-side amendment, that will be open to our side. I thank the Senator for answering those questions and for offering the amendment.

Mr. DEMINT. I thank the Senator.

Mr. CONRAD. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CONRAD. 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. CONRAD. Mr. President, in the interest of trying to move things along with some dispatch, we have now had a number of amendments offered, including the Bunning amendment, the DeMint amendment, the amendment by Senators BINGAMAN and ALEXANDER. We now want to make certain we are ready to go to the Allard amendment. We are told Senator ALLARD will be here momentarily. That would be the next amendment in order. We are trying then to go to the Baucus amendment. We are trying to reach his staff to see if that would be accommodated within his schedule. We also have Senator COLLINS. When would she be available?

Mr. GREGG. Mr. President, as I understand it, Senator COLLINS expects to be here by 11:45 to present her amendment. Then, as I also understand it, at 12:30, we go to an hour which is agreed to and under the rule they have an hour certainly available to them on the Humphrey-Hawkins, and that would be Senator BROWNBACK and Senator SCHUMER, I believe, who have that hour.

Mr. CONRAD. Let us check with Senator BAUCUS and see.

Mr. GREGG. We certainly want to accommodate Senator BAUCUS on our side.

Mr. CONRAD. All right. Let's see if we can't work that out in the next few moments. Until then, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CONRAD. 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. CONRAD. I see Senator ALLARD has now come to the floor. We want to thank him for helping expedite the consideration of the budget resolution. We very much appreciate his coming on short notice to the floor to offer his amendment.

Senator ALLARD's amendment is now in order.

The PRESIDING OFFICER. Does the Senator seek unanimous consent to set aside the pending amendment?

Mr. CONRAD. Precisely so.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Colorado is recognized.

Mr. ALLARD. Mr. President, while I am getting set up, I ask unanimous consent to set aside the pending business. I have two amendments at the desk, and I ask unanimous consent to call them up en bloc and send them to the desk.

Mr. CONRAD. Reserving the right to object, we have only been noticed on this side about one amendment.

Mr. ALLARD. Yes. I plan on calling it up—I wish to call up both amendments so I have votes on them. The first amendment, and then the second amendment I plan on putting in the group of amendments we will vote on at the end, which we only allow a few minutes for debate. The first amendment I was going to call up—this will be the one we will debate and take up floor time.

Mr. CONRAD. All right. Fair enough.

Mr. ALLARD. Mr. President, I wish to send up——

Mr. CONRAD. Could we get the second amendment?

Mr. ALLARD. I will be glad to get those to my colleagues. Here is the one on discretionary spending, the one we will be debating during this time period. Would the Senator like the second amendment before I send it up?

Mr. CONRAD. We have a procedure we try to follow so that we see amendments before they are sent to the desk. That would be very helpful to us. We were noticed on the Senator's first amendment. That is the amendment the Senator offered in the committee; am I correct?

Mr. ALLARD. That is the one that was offered in committee dealing with discretionary spending. The second amendment deals with mandatory spending.

Mr. CONRAD. I appreciate that. If the Senator could send up the one we have seen and withhold on the other until we have had a chance to look at that.

Mr. ALLARD. That would be fine.

Mr. CONRAD. I appreciate it very much.

Mr. ALLARD. I wish to make sure we get an opportunity to vote on the second amendment.

Mr. CONRAD. Yes, the Senator's right will be protected to have both of these amendments voted on.

Mr. ALLARD. I thank the Senator very much.

AMENDMENT NO. 491

The PRESIDING OFFICER. The clerk will report the single amendment.

The bill clerk read as follows:

The Senator from Colorado [Mr. ALLARD] proposes an amendment numbered 491.

Mr. ALLARD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT NO. 491

(Purpose: To pay down the Federal debt and eliminate government waste by reducing spending on programs rated ineffective by the Program Assessment Rating Tool)

On page 4, line 6, decrease the amount by $4,270,000,000.

On page 4, line 7, decrease the amount by $4,427,500,000.

On page 4, line 8, decrease the amount by $4,675,500,000.

On page 4, line 9, decrease the amount by $4,972,500,000.

On page 4, line 10, decrease the amount by $5,284,000,000.

On page 4, line 15, decrease the amount by $870,000,000.

On page 4, line 16, decrease the amount by $2,752,500,000.

On page 4, line 17, decrease the amount by $4,580,500,000.

On page 4, line 18, decrease the amount by $4,877,500,000.

On page 4, line 19, decrease the amount by $5,189,000,000.

On page 4, line 24, decrease the amount by $870,000,000.

On page 4, line 25, decrease the amount by $2,752,500,000.

On page 5, line 1, decrease the amount by $4,580,500,000.

On page 5, line 2, decrease the amount by $4,877,500,000.

On page 5, line 3, decrease the amount by $5,189,000,000.

On page 5, line 7, decrease the amount by $870,000,000.

On page 5, line 8, decrease the amount by $3,622,500,000.

On page 5, line 9, decrease the amount by $8,203,000,000.

On page 5, line 10, decrease the amount by $13,081,000,000.

On page 5, line 11, decrease the amount by $18,269,500,000.

On page 5, line 15, decrease the amount by $870,000,000.

On page 5, line 16, decrease the amount by $3,662,500,000.

On page 5, line 17, decrease the amount by $8,203,000,000.

On page 5, line 18, decrease the amount by $13,081,000,000.

On page 5, line 19, decrease the amount by $18,269,500,000.

On page 25, line 12, decrease the amount by $20,000,000.

On page 25, line 13, decrease the amount by $20,000,000.

On page 25, line 16, decrease the amount by $102,500,000.

On page 25, line 17, decrease the amount by $102,500,000.

On page 25, line 20, decrease the amount by $270,500,000.

On page 25, line 21, decrease the amount by $270,500,000.

On page 25, line 24, decrease the amount by $487,500,000.

On page 25, line 25, decrease the amount by $487,500,000.

On page 26, line 3, decrease the amount by $719,000,000.

On page 26, line 4, decrease the amount by $719,000,000.

On page 26, line 12, decrease the amount by $4,250,000,000.

On page 26, line 13, decrease the amount by $850,000,000.

On page 26, line 16, decrease the amount by $4,325,000,000.

On page 26, line 17, decrease the amount by $2,650,000,000.

On page 26, line 20, decrease the amount by $4,405,000,000.

On page 26, line 21, decrease the amount by $4,310,000,000.

On page 26, line 24, decrease the amount by $4,485,000,000.

On page 26, line 25, decrease the amount by $4,439,000,000.

On page 27, line 3, decrease the amount by $4,565,000,000.

On page 27, line 4, decrease the amount by $4,470,000,000.

On page 41, line 9, decrease the amount by $4,250,000,000.

On page 41, line 10, decrease the amount by $850,000,000.

Mr. ALLARD. Mr. President, I wish to make a few comments about the PART program in general, which is a program that has been put in place by the Congress through a piece of legislation that was passed more than a decade ago. This program directs the agencies to set up measurable goals and objectives, and then we go in later on and those goals and objectives are evaluated to see if the agency is actually meeting those goals and objectives.

The piece of legislation, which was passed more than a decade ago, was called the Government Results and Procedures Act. So these agencies have had time to work with this program for some time under the Clinton administration as well as the Bush administration.

When making funding decisions, Members of Congress should consider what they are buying for the taxpayer. Funded programs should be effective and efficient. The Federal Government has completed comprehensive assessments of the performance of almost 1,000 programs, representing 96 percent of the total program funding using this Program Assessment Rating Tool, which is referred to as PART. These detailed program assessments and the evidence on which they are based are available for the public to view at www.expectmore.gov. It is a very good reference for the public to use—for, in fact, Members of Congress or any agencies to know exactly where they stand as far as where their performance standards are concerned.

These assessments represent the combined wisdom of career officials. This is not a political process, these are objective evaluations done by career officials at agencies and OMB—the Office of Management and Budget—and are based on evidence of that program's performance.

Programs assessed with the PART receive an overall rating. The best rating they can get is ''effective.'' Then it goes to ''moderately effective,'' ''adequate,'' ''results not demonstrated'' or ''ineffective.'' While a program's overall rating should not be the sole determinant of its funding, Congress should prioritize funding programs that perform well. Ineffective programs, in particular, should be scrutinized to determine if the resources they use could be better spent elsewhere and if their goals could be achieved through another means.

When determining where to invest resources, Members of Congress can look to the PART for important information. No. 1: Does the program address an existing problem, interest or need, and those that do not should not be funded.

The other question to be asked is: Does the program have performance goals that relate to the outcomes the American people want? Those that do not may not be worthwhile investments of taxpayer dollars. Do independent, rigorous evaluations demonstrate that the program is effective? If not, Congress may want to reconsider whether to fund the program.

If evaluations have not been conducted, Congress may want to consider investing some money in an evaluation to determine if the program is having its intended impact.

Is the program working to improve its performance is another question we ask. A program that does not have an improvement plan in place or is not working aggressively to improve may not be the best investment of resources.

The other question: If an increase in funding is requested for a program, has the program explained how the additional funding will impact its performance? Programs that cannot articulate how they will use their resources simply aren't the best candidates for investment.

So that is what the PART Program is all about. It is a good program, and it is being implemented more and more throughout the agencies.

Some of the PART findings are programs that have been ineffective. Let's look at a few of those.

PART found that actual additional natural gas reserves attributable to technology developed by the Natural Gas Technology Program have been relatively small. Moreover, as noted by the National Academy of Sciences:

> It is difficult to separate the contributions made by the Department of Energy and contributions made by industry and others.

Another program rated ineffective by PART is the Migrant and Seasonal Farmworkers Program, which may not concentrate enough on providing training and employment. Each year, more than 60 percent of the program's approximately 30,000 participants receive only supportive services, such as emergency cash assistance. They don't carry on with the goal and objective, which is training and employment. Although these services are important, they are not contributing significantly to helping participants gain stable, year-round employment. If we want to train them, we need to look at that program.

PART found the same thing with the Health Professions Program. One study found that only 1.5 percent of the physicians trained by institutions receiving the program's family medicine training grant provided health care in areas with a physician shortage, compared to 1.1 percent of physicians trained by other institutions. There is only a four-tenths of a percent performance difference. What is that program accomplishing?

PART found no evidence that the Radiation and Exposure Screening and Education Program reaches the maximum number of beneficiaries or the beneficiaries who are at the greatest risk. There is not even an estimate of the number of people potentially affected by uranium and nuclear testing activities and where they might live.

Another program rated ineffective by PART is the Juvenile Accountability Block Grants Program. It was found ineffective because it has no measurable impact on either juvenile crime or the juvenile justice system to date.

These are only a few of the programs that have been looked at by the PART Program. I think they provide the information Members of Congress need to evaluate whether programs are ineffective.

The amendment before us just addresses a portion of discretionary spending. The full PART Program evaluates mandatory programs and discretionary programs.

I put forward two amendments. The amendment before us is the discretionary program where we will get a considerable amount of debate. The mandatory amendment is one the chairman asked be reviewed, and he assured me I will have an opportunity to offer that amendment at a later time.

So I rise today asking Members to support this amendment where we deal with the discretionary spending as the PART Program is being applied. The overall purpose of the amendment is to pay down the Federal debt and eliminate Government waste by reducing spending on programs rated ''ineffective'' by the Office of Management and Budget's PART program. This is through the career professionals in the agency. This is not driven by any kind of political agenda. PART is a Government-wide assessment of the performance of almost 1,000 programs, again, representing 96 percent of total program funding.

If we look at programs in the discretionary spending area which are rated ineffective, it amounts, over the time period of this budget, which is 5 years, to $88 billion of program spending. My amendment says we will reduce 25 percent of the spending in this area, which is about $17 billion over the period of 5 years. We will say that those programs are ineffective and we need to reduce spending for those so that we motivate the agencies to redo their programs, so they truly are accomplishing what was laid out for the original purpose of the program.

What happens in our budget that is before us is we have $900 billion in increasing taxes by default because we don't do anything to extend those tax provisions which are expiring in 2010 and before. So my point is this: We are forcing the taxpayers to pay more into the Federal budget, and at the same time we are spending $88 billion on ineffective programs.

My amendment says we are going to take a portion of the $88 billion—about $18 billion—out of here for a strong signal from the Congress that we want to support effective programs and we want the taxpayer dollars spent in a responsible way. My amendment doesn't take all of the $88 billion, realizing there may be points in time when another program is not meeting its goals and needs more money. So that flexibility is allowed in this particular amendment. It doesn't target any specific program. Those programs which I

recounted to you are just representative of some of the efforts that happen under the PART Program. It is a wonderful way for the Members of Congress to begin to evaluate whether a program is effective, and then not just leave it there but say, through the budget, to those agencies: You have to get your act together; we don't tolerate using taxpayer dollars—particularly when we are increasing your taxes—to allow those programs to go on in an ineffective manner.

Almost worse than being rated ineffective, we have programs out there that have made absolutely no effort at all to measure their results. I believe these are the worst offenders. In the following years, I hope Congress will look at those programs. They have absolutely refused to do anything to create accountability so that the Members of Congress can evaluate what is going on in those programs.

So that is what my amendment is all about. It is about saving taxpayer dollars in a responsible way; it is about forcing managers of these programs to put in effective goals and objectives so that they accomplish what the legislation intended. The budget authority is about $4.3 billion in each year, from 2008 to 2012. That comes close to about $18 billion or so, which is used to pay down the Federal debt.

I ask my colleagues in the Senate to join me in trying to bring forward more accountability in the programs we have passed. I think this is a wonderful tool we have for whatever administration is in control. This is a direct message to the agencies to get their act in order, because we are concerned about how taxpayer dollars are being spent. This is not an onerous amendment. It is trying to bring accountability to Government programs that we pass.

I reserve the remainder of my time, Mr. President.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I say to Senator ALLARD, as I expressed in the committee, the only problem I have with this amendment is that, unfortunately, a budget resolution cannot assure the right things would be cut. As you know, we don't really have that power. We just give a block of money to the Appropriations Committee and they decide how to spend it.

Mr. President, does the Senator need more time or could we go to Senator BAUCUS?

Mr. ALLARD. Mr. President, let me summarize my comments and respond. I think if we look at our budget process, we hopefully—maybe not this year but next year—will be able to put in some instructions to the committees. I understand we cannot specifically tell them but, as budgeteers, we have an opportunity to put in instructions to the various committees to participate.

I hope this passes, and maybe we can deal with this in conference. If not, maybe the chairman would look at it either in conference committee or in future years and we can put in some kind of instructions and say: Look at those programs under your jurisdiction and look at the ones classified as ineffective and begin to demand more accountability on those particular programs.

I hope we can get a ''yea'' vote on both of these amendments to send a message, if nothing else, to the conference committee to get it passed. If it doesn't work out this year, maybe we can work it out in future years.

I ask unanimous consent that a letter from Citizens Against Government Waste in support of both of my amendments be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COUNCIL FOR CITIZENS AGAINST GOVERNMENT WASTE,
Washington, DC, March 20, 2007.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: Soon you will be voting on S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008. The Council for Citizens Against Government Waste (CCAGW) believes there are serious fiscal problems with this budget proposal. It spends more money than the president requested; it raises taxes by allowing the tax cuts that have led to our robust economy to expire; and it doesn't address the looming financial crisis our Nation faces—the exploding costs of Medicare, Medicaid, and Social Security. Furthermore, it does not cut a single program, even those with questionable results, or go after waste, fraud and abuse.

The budget proposal needs substantial improvements. Two amendments, which will be offered by Sen. WAYNE ALLARD (R–Colo.), are a good place to start.

One amendment will help eliminate government waste by reducing spending on programs that have been rated ineffective by the Program Assessment Rating Tool or PART. The amendment cuts discretionary spending by $4.3 billion in the years 2008–2012 by simply reducing these ineffective programs' annual funding by 25 percent.

The other amendment will reduce mandatory spending by eliminating waste, fraud, and abuse by 1 percent. In a May 2004 Government Accountability Report (GAO), ''Opportunities for Congressional Oversight and Improved Use of Taxpayer Funds,'' several suggestions to find savings in mandatory spending programs were provided to Congress. The amendment saves $13 billion in the first year and $71 billion over 5 years.

In both instances, any savings from these amendments will reduce the debt and cannot be used for new spending.

On behalf of the more than 1.2 million members and supporters of CCAGW, I urge you to support these amendments. All votes on S. Con. Res. 21 will be among those considered in CCAGW's Congressional Ratings.

Sincerely,

THOMAS SCHATZ,
President.

Mr. ALLARD. I yield back my time.

Mr. CONRAD. Mr. President, I think now would be a good time to go to Senator BAUCUS. I apologize to the Senator from Montana for the miscommunication that occurred this morning. I apologize to him for that. As a result, he came at 10 o'clock seeking time, which we all agreed was to be his time. Through a miscommunication, we wound up going to another Senator. I very much thank the Senator for his acceptance of the apology.

The PRESIDING OFFICER. Without objection, the Allard amendment is set aside.

The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I thank my good friend from North Dakota, Senator CONRAD. He has done a super job, almost impossible job putting this budget together. It is tough enough to get agreements in this body, and it is more difficult when it is a budget resolution. I compliment my colleagues on both sides of the aisle for their excellent and diligent work. I also say to him I appreciate his offer of an apology with respect to the misunderstanding and miscommunication. This Senator is probably as much a part of the miscommunication as anybody.

AMENDMENT NO. 492

Mr. BAUCUS. Mr. President, I send an amendment to the desk and.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Montana (Mr. BAUCUS], for himself, Ms. LANDRIEU, Mr. PRYOR, Mr. BAYH, Mr. NELSON of Nebraska, and Mr. NELSON of Florida, proposes an amendment numbered 492.

Mr. BAUCUS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide tax relief to middle class families and small businesses and to expand health insurance coverage for children)

On page 3, line 13, decrease the amount by $200,000,000.

On page 3, line 14, decrease the amount by $52,700,000,000.

On page 3, line 15, decrease the amount by $126,916,000,000.

On page 3, line 22, decrease the amount by $200,000,000.

On page 3, line 23, decrease the amount by $52,700,000,000.

On page 4, line 1, further decrease the amount by $126,916,000,000.

On page 4, line 8, increase the amount by $5,000,000,000.

On page 4, line 9, increase the amount by $5,000,000,000.

On page 4, line 10, increase the amount by $5,000,000,000.

On page 4, line 17, increase the amount by $5,000,000,000.

On page 4, line 18, increase the amount by $5,000,000,000.

On page 4, line 19, increase the amount by $5,000,000,000.

On page 5, line 1, increase the amount by $5,200,000,000.

On page 5, line 2, increase the amount by $57,700,000,000.

On page 5, line 3, increase the amount by $131,916,000,000.

On page 5, line 9, increase the amount by $5,200,000,000.

On page 5, line 10, increase the amount by $62,900,000,000.

On page 5, line 11, increase the amount by $194,816,000,000.

On page 5, line 17, increase the amount by $5,200,000,000.

On page 5, line 18, increase the amount by $62,900,000,000.
On page 5, line 19, increase the amount by $194,816,000,000.
On page 18, line 20, increase the amount by $5,000,000,000.
On page 18, line 21, increase the amount by $5,000,000,000.
On page 18, line 24, increase the amount by $5,000,000,000.
On page 18, line 25, increase the amount by $5,000,000,000.
On page 19, line 3, increase the amount by $5,000,000,000.
On page 19, line 4, increase the amount by $5,000,000,000.
On page 49, line 6, decrease the amount by $15,000,000,000.

Mr. BAUCUS. Mr. President, I again commend the chairman for his able work in bringing this budget to the floor. He has done a superb job.

The budget resolution before us leaves a surplus of $132 billion in the year 2012. The amendment I now offer on behalf of Senators LANDRIEU, PRYOR, BAYH, and BILL NELSON would state the Senate's will on what we should do if that surplus materializes.

In sum, our amendment says that the Senate's highest priority for any surplus should be American families. Our amendment would put children first. It would take $15 billion out of that $132 billion and devote it to improving children's health care coverage under CHIP, the Children's Health Insurance Program. The budget resolution already recognizes this priority in a deficit-neutral reserve fund.

Our amendment would also reduce the amount in that reserve fund. So we are not increasing the net amount of spending on CHIP. It will be the same. We are just making that work on CHIP more likely.

We are saying if we have a surplus in 2012, then we ought to spend some part of that surplus on children's health, and we are saying if we have a surplus in 2012, we should not raise taxes to pay for all of the Children's Health Insurance Program. If we have a surplus in 2012, we should not cut Medicare to pay for all of CHIP. Rather, we should use some of that surplus to fund children's health; that is, put children first.

Then our amendment takes the rest of the surplus and returns it to the hard-working American families who created it. Our amendment devotes the rest of the surplus to the extension and enhancement of tax relief for hard-working American families.

Here are the types of tax relief about which we are talking. We are talking about making the 10-percent tax bracket permanent. That is a tax cut for all taxpayers. Obviously, if the 10-percent tax bracket is made permanent—that is, for all years—all taxpayers who pay income taxes, irrespective of their income, irrespective of their bracket, get a tax break.

We are talking about extending the child tax credit. That provides a $1,000 tax credit per child. This tax credit recognizes a family's ability to pay taxes decreases as family size increases. Unless we act, the child tax credit will fall to $500 per child. Currently, it is at $1,000. The child tax credit should be made permanent. We need to recognize the financial responsibilities of childbearing.

We are also talking about continuing the marriage penalty relief, which is a tax cut on which the American family has come to rely. It is going to continue. We know that. We should recognize that fact. Marriage penalty relief makes sure a married couple filing a joint return has the same combined tax liability as they would have if they were not married.

We are also talking about enhancing the dependent care credit. Clearly, this credit is very important to working families. It recognizes the additional cost for raising children in this fast-paced society.

We are talking about improving the adoption credit. The majority of adoptions cost over $20,000. This provision offers a credit of $10,000 for those willing to give a home to a needy child.

We are talking about providing combat pay under the earned-income tax credit, otherwise known as the EITC. Under current law, income earned by a soldier in a combat zone is exempt from income tax. That is good. This actually, however, hurts low-income military personnel under the EITC. If not for the EITC combat pay exception, combat zone pay would not count as earned income for purposes of determining the credit. This amendment makes that exception permanent so that military families can get the full benefit of the EITC.

We are talking about reforming the estate tax. We want to try to give American families certainty. We want to support America's small farmers and ranchers, and in this amendment, we have allowed room for estate tax reform that will do that.

And we talk about returning surplus revenues to hard-working American families.

That is what our amendment does. It is very simple, very straightforward. It says we should put America's kids and families first. It says if we have a surplus, these are the priorities it should be used for. I urge my colleagues to join me in supporting this amendment.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from North Dakota is recognized.

Mr. CONRAD. Madam President, they have changed presiding officers on me. It is good to have you in the chair.

Madam President, I thank very much Senator BAUCUS for his leadership on this very important amendment. This amendment is to reassure all those who have benefited from the middle-class tax cuts that those tax cuts will go forward, that those children who are not now currently covered under the SCHIP legislation will have the opportunity to be covered.

The Senator has also provided for small business because we have a number of provisions that are critically important to small business and, of course, to prevent the estate tax from having this bizarre outcome, which is now in the law, where the exemption would go down to $1 million from $3.5 million just two years before. That makes no sense. So the Senator provides for room in this amendment to deal with estate tax reform.

The precise contours of that will be up to, obviously, the Finance Committee. The Senator is providing the resources to provide for the middle-class tax cuts, to have estate tax reform, to have SCHIP funded so those kids will be funded, and to have critical elements of small business covered as well.

I appreciate very much the leadership the Senator has provided in putting this amendment together. All of us know if those provisions came to the floor, they would enjoy broad bipartisan support. In fact, they would probably get supermajorities. They might get 70 votes on the Senate floor. So it makes sense to have them in the resolution.

I thank Senator BAUCUS. He has spent a lot of time energy, and effort bringing colleagues together around this amendment. I, for one, appreciate it. I hope my colleagues will support the Baucus amendment. I know there have been dozens of colleagues—I think virtually every member of our caucus—who have been involved in the discussions about the elements of the amendment that the chairman of the Finance Committee has offered.

Madam President, would the Senator like more time?

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Madam President, I believe this amendment should be adopted by every Senator because essentially it is saying if we have a surplus in 2012, as contemplated by the budget resolution, these are priorities all of us support. If these were before the Senate today as actual tax provisions—and they will be, I am sure, at some future date because the current tax cuts don't expire until 2010—that we will vote for them anyway because it is the right thing to do.

Marriage penalty relief, child tax credit, the combat pay exception for soldiers, adoption credit, the 10-percent bracket—these are all provisions that are very important. The American public deserves them. I hope very much this amendment will be adopted by all Members because I think it is something all Members and all the citizens of our country support.

I see the ranking member is on the floor. I would be interested in knowing the degree to which he enthusiastically supports the amendment.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Madam President, I suspect I will support it, although I don't know, but I wish to ask the chairman

of the Finance Committee a few questions so I get more specifics on the amendment.

What is the total cost of this amendment?

Mr. BAUCUS. It is approximately $195 billion. It allocates the projected surplus that is in the budget resolution.

Mr. GREGG. If I might ask, Madam President, further, of the chairman, the surplus, however, is in the year 2012. So what happens to these rates in 2011 that will expire? Are those picked up?

Mr. BAUCUS. That is a good question. The answer to that is essentially this is a 5-year budget resolution, so we want to balance the budget in 5 years, in 2012. But because the tax cuts that are mentioned in the amendment currently expire in 2010, the Senator raises the question about 2011, 2012. If I understand the import of the question of the ranking member of the Budget Committee, it is what happens in 2011.

Mr. GREGG. Or 2010.

Mr. BAUCUS. In the earlier years, 2010, there would be a deficit, but by the time we finish the 5 years, there would be a surplus. We have written this amendment in a way to prevent a yo-yo, on-off effect of the tax provisions. To make it perfectly perfect, so there is not a deficit in any year, 2010, 2011, or 2012, we can have the tax cuts go up or down, and so forth, but I think it is best for the American people not to have a yo-yo effect, not go up and down, but to extend across the board those provisions which are contained in the amendment at the end of the day would not be a deficit.

Mr. GREGG. Would it be appropriate—if I can ask the chairman of the Finance Committee or the chairman of the Budget Committee—I want to get to what the tax cuts are specifically, but they would be extended if they expired in 2010, 2011, or 2012, they would be extended through that period. If that is the case, then the Senator must be using more than the surplus in 2012. He must be using some number in 2010 by which you increase the deficit and 2011 by which you increase the deficit.

My question is, what is the number the Senator is using for 2010 and 2011 to account for those extensions in those years?

Mr. BAUCUS. It is true, in those years there is deficit spending, but it comes in balance in 2012.

Mr. GREGG. But how do they score in those 2 years?

Mr. BAUCUS. I think it is $194 billion for those 3 years 2010, 2011, 2012.

Mr. GREGG. So there is another $60 billion on top of the surplus that is used; is that correct?

Mr. BAUCUS. Approximately.

Mr. ALLARD. I have a question, if the Senator will recognize me for a question, if the Senator will allow me to ask a question of Senator BAUCUS. I think the Senator from New Hampshire has the time.

Mr. GREGG. I think I have the time for the purpose of asking questions.

The PRESIDING OFFICER. The question by the Senator from New Hampshire is pending.

Mr. ALLARD. I have a question.

Mr. GREGG. I yield to the Senator to ask whatever questions he has. I have additional questions.

Mr. ALLARD. In effect, this adds to the debt?

Mr. BAUCUS. Sorry?

Mr. ALLARD. In effect, this amendment adds to the total debt?

Mr. BAUCUS. No, we are back in balance by 2012 at the end of the 5-year period contemplated by this amendment. In the meantime, we are in deficit for the years 2010 and 2011.

Mr. GREGG. I think the answer to your question, if I might interject, is it increases the debt by $195 billion.

Mr. ALLARD. I had $194 billion, but $195 billion. That seemed to me it did increase the debt. Maybe we can check that out.

Mr. GREGG. That would have to be what it does.

May I ask a further question of the Senator. It costs $195 billion over the 3 years to extend these tax cuts. Is the education tuition tax credit presumed in that number?

Mr. BAUCUS. There is an underlying answer to all these questions; namely, these are questions the Finance Committee is going to address and find the appropriate offsets and deal with the pay-go when it comes up at that time. But essentially, education tuition tax credits are not provided for in this amendment, but are in the budget resolution.

Mr. GREGG. If I may ask further, Madam President, would the expensing section 179 accounts be included in that number?

Mr. BAUCUS. Section 179 expensing is not contemplated.

Mr. GREGG. In this number. Is capital gains contemplated in this number?

Mr. BAUCUS. It is not.

Mr. GREGG. Is continuing the dividend rate contemplated in this number?

Mr. BAUCUS. It is not.

Mr. GREGG. I thank the Senator. I think that answers my questions. I am presuming what is contemplated in this number then will be the marriage tax penalty and the child credits; is that correct?

Mr. BAUCUS. Those two and some others, correct, including the 10-percent bracket.

Mr. GREGG. And the 10-percent bracket. I am presuming I certainly will be supportive of this amendment in its present form. However, I do suspect we are going to have an amendment which picks up the other extensions.

Mr. BAUCUS. I expect we will.

Mr. GREGG. It is the arbitrariness of the process around here that the Senator from Montana is first to the surplus that was left, but the practical effect of our amendment will be essentially the same as the Senator's, which is to extend the tax credit rates. That is tax deductions—tax rates. I also think the ones we are going to suggest we extend—and we will get to this in our debate—are ones which are more oriented toward economic activity, generating or creating economic activity, than the extensions which are included in the chairman's proposal, which are all good and appropriate but which don't translate other than through maybe greater consumption directly into economic activity, such as the capital gains and the dividend rate does, and the expensing, obviously.

We will have that discussion when we offer ours, and I appreciate the chairman's courtesy in allowing me to ask him these questions.

Mr. BAUCUS. If the Senator will yield.

Mr. GREGG. Madam President, I yield the floor.

Mr. BAUCUS. Madam President, I will say to the body, the world, and also primarily to the Senate and the ranking member of the Budget Committee, of course, these are all issues—that is, those issues raised basically by the ranking member of the Budget Committee—that the Finance Committee is going to work on over the next several years. It is up to us, up to the committee, and up to this body to find the offsets to pay for them. We will do the very best we can. I think we don't want to get into a deficit situation.

Mr. GREGG. Madam President, if the Senator will yield for one further question, what is the chairman, within his score, what is he anticipating as to how the death tax treatment would be dealt with?

Mr. BAUCUS. The estate tax provision.

Mr. GREGG. The death tax.

Mr. BAUCUS. Some people call it the death tax. We all know what we are talking about. This amendment contemplates extending the estate tax provisions that are in effect in 2009 permanently.

Mr. GREGG. If the chairman will yield further, and through the President, I would ask, in 2009, what is the exempted amount?

Mr. BAUCUS. Again, under current law I think the exempted amount is $3.5 million.

Mr. GREGG. That would be the minimum in 2009 also?

Mr. BAUCUS. The 2009 extension. The point is that the resolution also contemplates—well, it has an additional $4 billion that can be used for other tax purposes, including changing the provisions of the Federal estate tax.

Mr. GREGG. Madam President, I thank the chairman for his courtesy.

Mr. CONRAD. Madam President, I again want to thank very much Senator BAUCUS for offering this amendment, which is to protect the middle-class tax cuts and to make certain we don't have this anomaly of the estate tax being at $3.5 million in 2009 and

then going down to $1 million. That makes no sense. The Senator has said very well that the amendment he has provided would prevent that from occurring, and there are some additional funds that would be used to make those provisions even more attractive, or they could be used for other tax provisions.

The truth is, the budget resolution doesn't cite that. We give certain instruction to the Finance Committee and, ultimately, the Finance Committee is going to make these judgments. What the chairman of the Finance Committee has said is that it is his intention to have estate tax reform to protect the middle-class tax cuts and also to have the resources to extend children's health care coverage to every child in America. Every single witness before our committee, and I think it is fair to say virtually every witness before the Finance Committee, has said that covering children, as the Senator from Montana has so aggressively pursued—coverage for every child in America is the right thing to do substantively for this country. Covering children is the least expensive thing to do and has the greatest payoff as an investment because a child's entire life is then improved if they catch a health care problem when they are young.

I think the Senator from Montana has put together an amendment that deserves the support of every Member of the body.

Mr. BAUCUS. I thank the Senator. I might ask the question, Madam President: Basically, what are budgets? Budgets are an expression of priorities. This budget is designed to express what this body thinks, what so many of us think are the proper priorities for this country. Since the resolution has about a $132 billion surplus, we think the strong priority should be to use that to help middle-income Americans.

The provisions in this amendment provide for that and clearly help kids get health insurance. A major problem in this country, clearly, is health care. We spend so much on health care. Yet there is some question what we get out of it. This country spends $6,300 per person—that is per capita—on health care, which is almost twice as much as the next most expensive country. Yet we are not twice as healthy. The problem, clearly, is coverage; that is, not everybody has health insurance. Everybody in America should have health insurance.

The other question is cost, but this amendment addresses the coverage side of it; that is, trying to help more people get health insurance, people who do not now have health insurance. Where do we begin? We think we begin with kids. Currently, there are about 6 million children who are covered under the Children's Health Insurance Program. There are about 6 million others who are eligible but not covered. We believe, and this amendment states, that if we begin providing health insurance coverage for more Americans, we should certainly begin with kids. When we begin with kids, let's help those kids who don't have the same financial means that other kids have.

A lot of other kids, fortunate for them, their families, father and mother, have a good job and health insurance is part of the job. But we are talking about kids who don't have that. These are kids whose income levels, or their parents' income level, is just above the qualifying rate for Medicaid. Medicaid does provide health insurance for kids, but there are a lot of kids who don't get health insurance because their family's income is just above the Medicaid cutoff. That needs to be covered under the Children's Health Insurance Program, on which this amendment is designed to expand.

So I would summarize by saying that I think it is a proper set of priorities, given the resources we have, and I hope every Senator supports this amendment.

Madam President, I yield the floor.

AMENDMENT NO. 480

Ms. COLLINS. Madam President, I call up amendment No. 480, and I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside, and the clerk will report the amendment.

The bill clerk read as follows:

The Senator from Maine [Ms. COLLINS], for herself, Mr. WARNER, and Mr. SMITH, proposes an amendment numbered 480.

Ms. COLLINS. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for a deficit-neutral reserve fund for permanently extending and increasing the above-the-line deduction for teacher classroom supplies and expanding such deduction to include qualified professional development expenses)

At the end of title III, add the following:

SEC. _____. DEFICIT-NEUTRAL RESERVE FUND FOR EXPANSION OF ABOVE-THE-LINE DEDUCTION FOR TEACHER CLASSROOM SUPPLIES.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would permanently extend and increase to $400 the above-the-line deduction for teacher classroom supplies and expand such deduction to include qualified professional development expenses, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

Ms. COLLINS. Madam President, the amendment that I have proposed, with my colleagues, Senator WARNER and Senator SMITH, would establish a deficit-neutral reserve fund to allow for the expansion of an existing tax credit for schoolteachers and other educators who buy supplies for their classroom. The reserve fund that our amendment creates would allow for an increase in the current $250 deduction to $400, and it would make it permanent. This tax deduction is available to educators who incur out-of-pocket expenses in order to improve the educational experience of their students.

The amendment would also allow this above-the-line tax deduction to be claimed for expenses related to professional development.

This amendment builds upon a $250 tax deduction in the current law that Senator WARNER and I authored in 2001. It became law as part of the tax relief package that passed that year. This tax relief was later extended through the end of this year, and I would suggest that there is no reason for us to have the uncertainty about the continuation of this valuable tax deduction. We should move to make it permanent.

Teachers who buy classroom supplies in order to improve the educational experience for their students deserve more than just our gratitude. They deserve this modest tax incentive to thank them for their commitment and their hard work. So often teachers across this country, and certainly in the State of Maine, earn modest salaries. Yet they dig deep into their own pockets to spend money to improve the classroom experience of their students.

A survey by the National Education Association found that teachers spend, on average, $443 a year on classroom materials. Other surveys show that they are spending even more than that. In fact, a survey conducted by the National School Supply and Equipment Association has found that educators spend, on average, $826 to supplement classroom supplies, plus an additional $926 for instructional materials on top of that; in other words, a total of $1,700 out of their own pockets.

I have spoken with literally dozens of teachers in Maine who tell me that they routinely spend far in excess of the $250 deduction limit that is in current law. I have made a practice of visiting schools all over Maine. In fact, I visited approximately 160 schools during the past 10 years, and I have seen firsthand the dedication of our schoolteachers to their students. At virtually every school that I have visited, teachers are spending their own money to benefit their students.

Year after year, teachers spend hundreds of dollars on books, bulletin boards, computer software, construction paper, stamps, ink pads, just about anything you can think of. Let me give a couple of examples. There are two elementary school teachers in Augusta, ME, Anita Hopkins and Kathy Toothacher, who purchased books for their students so they could have a classroom library, as well as workbooks and sight cards. They have also purchased special prizes to give to their students as positive reinforcement. Mrs. Hopkins estimates that she spends between $800 and $1,000 of her own money on extra materials to make learning more enjoyable and to create

a more stimulating classroom environment.

In addition to increasing the amount of this deduction, I think we should also expand it so that it can be used by educators who are paying for their own professional development. We hear a lot of discussion about the provisions of the No Child Left Behind Act and about the need for highly qualified teachers. One of the best ways for teachers to improve their qualifications is through professional development. Yet in towns in my State, and I expect throughout the country, school budgets are often very tight and money for professional development is often very small or even nonexistent.

That is why I think we should allow this tax deduction to also be claimed when a teacher takes a course or attends a workshop and has to pay for it out of his or her own pocket. In my view, it is the students who are the ultimate beneficiaries when teachers receive professional development to sharpen their skills, or perhaps teach them a more innovative way to teach the material and present it to their students.

Studies have consistently shown that other than involved parents, the single greatest determinant of classroom success is the presence of a well-qualified teacher. I know from talking to educators across Maine that they are eager to take advantage of professional development opportunities in order to make an even more positive impact on their students.

The teacher tax relief that we have made available since 2001 is certainly a positive step, and I am very proud, along with my colleague, Senator WARNER, to have authored that law. Today, we can set the stage for making that deduction permanent, for expanding it to include professional development, and to increase it to $400 to more accurately reflect what educators really spend in the classroom.

This amendment is a small but appropriate means of recognizing the many sacrifices that teachers make each and every day to benefit children across America. I am very pleased that the National Education Association has endorsed this amendment, and I ask unanimous consent that a letter from the NEA supporting the amendment be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL EDUCATION ASSOCIATION,
Washington, DC, March 21, 2007.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: On behalf of the National Education Association's (NEA) 3.2 million members, we urge your support for an amendment (S. Amdt. 480) to be offered by Senators COLLINS (R–ME), WARNER (R–VA), and SMITH (R–OR) to the Senate Budget Resolution that would increase, expand, and make permanent the tax deduction for educators' out-of-pocket classroom supply expenses. Votes associated with this issue may be included in the NEA Legislative Report Card for the 110th Congress.

The educator tax deduction helps recognize the financial sacrifices made by teachers and paraprofessionals, who often reach into their own pockets to purchase classroom supplies. Studies show that teachers are spending more of their own funds each year to supply their classrooms, including purchasing essential items such as pencils, glue, scissors, and facial tissues. For example, the National School Supply and Equipment Association found that in 2005–2006, educators spent out of their own pockets an average of $826.00 for supplies and an additional $926 for instructional materials, for a total of $1,752.

The amendment would add a deficit neutral reserve fund to the Budget bill, directing funding sufficient to increase the deduction to $400, make it permanent, and expand it to cover professional development expenses. This expansion is critical as teacher quality is the single most critical factor in maximizing student achievement. Ongoing professional development is essential to ensure that educators stay up-to-date on the skills and knowledge necessary to prepare students for the challenges of the 21st century.

The current deduction was extended at the end of 2006, but will expire again at the end of this year absent additional congressional action. Increasing, expanding, and making the deduction permanent will acknowledge the sacrifices made by those who have dedicated their lives to educating our children and will alleviate the uncertainty they face as they wait each year to see if the deduction will be extended.

We urge your support for this important amendment.

Sincerely,

DIANE SHUST,
Director of Government Relations.
RANDALL MOODY,
Manager of Federal Policy and Politics.

Ms. COLLINS. Madam President, I hope the managers of the bill might be willing to act on this amendment shortly.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The journal clerk proceeded to call the roll.

Mr. GREGG. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Madam President, we have a unanimous consent request we are working on. I do not yet have that printed version before us so that Senator GREGG and I might be able to enter into that.

I would like to talk for a moment to the Senator from Maine about her amendment. If the Senator from Maine could tell me, what is the cost of her amendment and what is the proposed way of paying for it?

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Madam President, the way I have drafted the amendment is to use a technique that has been commonly used in the budget resolution of creating a deficit-neutral reserve fund. That means the committee of jurisdiction, the Finance Committee in this case, would be required to come up with an offset for the cost to avoid an impact on the budget. I do not have a cost estimate from CBO yet on the proposal. It is not an expensive tax incentive, but we have followed the wisdom and advice of the leaders of the Budget Committee by drafting it in such a way that it would not have a budget impact.

Mr. CONRAD. I thank the Senator. Does the Senator have a rough, even back-of-the-envelope estimate of the cost?

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Madam President, I would say to the chairman of the Budget Committee that we have requested an estimate, but we have not yet received one. Because of that uncertainty, we did go the route of the deficit-neutral reserve fund so that, regardless of the cost, it would be offset by the decisions made by the Finance Committee.

Mr. CONRAD. I thank the Senator for the thoughtfulness of her amendment. I thank her for doing it as a deficit-neutral reserve fund so it does not impact the budget and says to the committee of jurisdiction that, if they come forward with the proposal, they will find a way to offset the costs. I certainly appreciate what the Senator has done so as to not have an adverse impact on the budget. We do appreciate that.

Madam President, does the Senator require a rollcall vote?

Ms. COLLINS. Madam President, I do not.

Mr. CONRAD. Madam President, we have to check with the Finance Committee before we can take this on a voice vote, but it is my intention, if we get clearance, to try to do that at the appropriate time. I thank the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I thank the chairman and ranking member for working with me on this issue. I think it is a modest approach that can make a real difference to the thousands of teachers across this country who dig deep into their own pockets in order to enrich the classroom experience for their students. It is a modest but appropriate way for us to recognize their financial sacrifice. I hope the two managers of the bill will be able to clear the amendment.

Mr. CONRAD. 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. GREGG. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Madam President, I have given an amendment, which I hope to bring up at this time, to the majority as a courtesy. I am waiting for them to take a look at it before I offer it.

Essentially, this amendment deals with reconciliation. Reconciliation is a fairly arcane exercise, but it has significant impact around here. Reconciliation is the tool the Budget Committee has, to put some teeth into our efforts to try to control spending. There are no reconciliation instructions in the majority proposal. I wish there were. I wish there were reconciliation instructions on entitlements, and I wish those reconciliation instructions had followed the suggestions of the President, as I said in my opening statement, where he made recommendations that were very reasonable and would not have affected beneficiaries but would have saved $8 trillion over the 75-year life of Medicare and would have helped move them toward balance by getting the providers paid correctly and by having very high-income individuals contributing to the cost of their insurance, especially drug insurance.

But there is also another side to reconciliation, and that is, as committees are given reconciliation instructions which save money, sometimes they take that money and they spend it, which is not the purpose of reconciliation. Reconciliation should not be used for a cover event for the purposes of spending money.

The majority has put in place a point of order that would make it very difficult to use reconciliation for the purposes of reducing taxes. It is perfectly reasonable that we should also make it very difficult for doing that for purposes of spending money. I didn't want to eliminate the ability to spend money. Some money is going to be needed, at least that these programs as they get adjusted in reconciliation should have, maybe, some adjustment. For example, 2 years ago, when the HELP Committee received reconciliation instructions on education accounts, they basically reduced the subsidy that went to lenders by approximately $20-some-odd billion, I think $21 billion or $22 billion. At the same time, they took some of that reduction in subsidy and put it toward expanding the Pell Grant Program, especially for people who were going into the math and science disciplines.

That was a good policy decision, and I don't want to tie the hands of our authorizing committees excessively, but I think there has to be an understanding that reconciliation is primarily an effort to control spending and to discipline spending on the entitlement side of the accounts. It doesn't deal with discretionary spending.

This amendment will essentially say that for every $10 you save under reconciliation expense, no more than $2 could be actually spent. So it says you can't spend more than 20 percent of the savings that are generated in a reconciliation exercise. It is an attempt once again to put some discipline in here.

Why is it relevant to a budget that doesn't have any reconciliation at all? As I said, I wish this did have reconciliation. It is relevant because the House has put reconciliation instructions in, a very small amount. It appears to me the intention of the House honestly is to use reconciliation as a cover for spending, not as a cover for controlling spending—which would be, in my opinion, an inappropriate action. That is why I brought forward this language. I hope others would agree with me that that would be inappropriate and certainly inconsistent with reconciliation as a concept.

I am handed a note to point out that when we did the reconciliation instruction in 2005, we had net savings in that of approximately $40 billion, which was the most recent large reconciliation instruction we pursued in this Congress and which was constructive and which actually, in the outyears, turns into very significant savings.

This is basically to put in place a discipline which will allow us to be sure the Budget Act's purposes are not abused and it is not used to run interference and allow an easier path to greater spending on the entitlement side of the account.

It is a very reasonable approach. It doesn't totally bind the hands of the authorizing committees but makes it clear that a budget should be for the purposes of a budget, which is to discipline the spending of the Federal Government, and having this discipline in place is appropriate.

I would like to offer that amendment, hopefully in the near term, so we can get it in the queue here.

At this point, I yield the floor.

Mr. CONRAD. 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.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CONRAD). Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I rise today in support of the budget resolution currently before the Senate. I particularly wanted to speak in support of the additional funding that the resolution provides for the Veterans' Administration, funding that will help one of the most important challenges facing the Nation today.

That challenge is how do we repay our men and women in uniform who have sacrificed for us on the frontlines, on the battlefield, when they return home, and how do we ensure they have all the support and services they need to resume their lives.

But before I turn to the VA funding, I want to first speak about the current economic situation in America and how this resolution will help to even the economic playing field for the people of this country. When I would go around, especially in rural America, which I think you understand, Mr. President, and start talking about economic issues, I would be in a situation where I would think 10 people would come to a small cafe and 100 people would show up.

When the price of gas goes up over $3 a gallon, such as it did last summer, people who have a longer way to drive will feel it first. When they have two kids they are trying to send to college, and tuition at the University of Minnesota goes up 110 percent, they feel it first. When their health care premiums go up 60 percent in 7 years, such as they have been in our State, middle-class people feel it first. When it is their kids who are going to war and their neighbors and their cousins and their grandkids, they feel it first in their hearts.

That is what this is about, at the national level, the economic policies that produce record deficits and ever-mounting debt. What was a $128 billion Federal budget surplus in 2001 turned into a $258 billion deficit in 2006. A $5.6 trillion 10-year projected surplus in 2002 has turned into a $2 trillion projected deficit.

Federal deficits have gone up by $1.5 trillion, with most of it being held by Government and companies in China and India and many of our economic competitors. This resolution will begin the effort to restore fiscal sanity and responsibility to our Government. It includes a strong pay-as-you-go rule that requires that we pay for any new mandatory spending or offsets or else get 60 votes to approve it. There will be no more spend-as-you-like bills.

This does not mean there will be no new mandatory spending or tax cuts to help working families. In fact, the resolution includes a reserve fund for new tax relief measures but only if we find appropriate offsets. It means we have to work to implement them in a fiscally responsible way.

The resolution also makes it much harder to push through budget reconciliation measures that are now used in the opposite way than they were intended, to increase the budget deficit or decrease the budget surplus. This resolution signals an end to the spend-as-you-like policies that have created our current fiscal problems at the national level.

My colleagues and I have, in the Budget Committee, started reversing this trend and putting the interests of middle-class families front and center. This budget resolution is a good start.

I would like to address the veterans provisions in the resolution, which I think are also very important to the middle-class families in our country.

In the past 4 years, American military service personnel and their families have endured conditions that are unprecedented, including repeated deployments. I cannot tell you how many families I speak to where their kids have been asked to serve not once in the National Guard but to be repeatedly called back, and every time they say ''yes.''

One and a half million American service men and women have served in

Iraq and Afghanistan. These wars are creating a new generation of veterans who need their country to stand with them. These are men and women who have served our country on the frontline, and when they come back to the country, they are too often shunted to the end of the line waiting for health care, waiting for education benefits, and now as the shocking revelations from Walter Reed have shown us, some have been left waiting in the most squalid of conditions.

I wish to commend you, Mr. President, and members of the Budget Committee for recognizing that the President's request for fiscal year 2008 severely shortchanged the needs of veterans in this country. Passage of this resolution, with $3.5 billion added to the President's request for a total of $48.1 billion in discretionary veterans spending should be our highest priority.

At a time when we are spending billions on awards of reconstruction projects overseas, we can certainly afford this increase in veterans funding at home.

In addition to providing billions more for veterans health care and other support programs, this resolution rejects the President's apparent belief that now is the time to increase mandatory fees that veterans must pay under TRICARE. The President's budget called for an increase in TRICARE pharmacy copayments from $8 to $15. It calls for an annual enrollment fee based on a veteran's family income. It proposed to require veterans to cover their entire copayment for nonservice-connected disabilities. This budget resolution blocks those outrageous proposals.

This administration has shockingly underestimated the number of veterans who would require medical care. To give you an example, in fiscal year 2005, the Department of Defense estimated it would have to provide care for 23,500 veterans when they came home from Iraq and Afghanistan. In reality, Mr. President, more than four times that number required help.

Last year, the Pentagon underestimated the number of veterans who would require care by 87,000. That this administration underestimated and underfunded veterans programs should not come as a surprise. Ever since the war in Afghanistan and Iraq began, the administration has seemed oblivious to the fact that when you send hundreds of thousands of solders into battle, you must have a plan to provide for the hundreds of thousands of veterans whom you are creating and Active-Duty soldiers who will require substantial support when they return home.

With this additional discretionary spending, we can begin to seriously address the repair of traumatic brain injury and polytraumatic injuries suffered by the soldiers in Iraq and Afghanistan that have so tragically become the signature injuries of this war.

We can enhance and expand the recovery and rehabilitation centers for the 30,000 wounded Iraq and Afghanistan veterans. We can provide increased counseling and create greater awareness of the tens of thousands of veterans suffering from post-traumatic stress disorder and other mental illnesses. According to a Veterans Health Administration report, roughly one-third of Iraq and Afghanistan veterans who sought care through the VA have been diagnosed with potential symptoms of post-traumatic stress, drug abuse or other mental disorders.

On an issue that is particularly important to Minnesotans, we can increase benefits for National Guard members and Reservists who are being asked to play the role of Active-Duty soldiers on the battlefield but then are treated as second-class veterans when they return home.

This past weekend, I traveled to Iraq with three of my colleagues to visit our troops in the field and assess the situation on the ground. I was fortunate to have the opportunity to thank the brave men and women from my State for their sacrifice. The sacrifices our troops are making and the risks they are taking was driven home in a poignant and powerful moment at the Baghdad airport, when I stood with nine Duluth firefighters who are members of Minnesota's National Guard.

They were there to show their respect for fallen soldiers. They stood there and saluted as six caskets were loaded onto an airplane, all of them draped in the American flag. I watched these men stand stoically but sadly, and then I saw them return to their task at hand.

With all the political noise in Washington about the war in Iraq, we often lose touch with what the perspective is of the men and women on the frontline. I went to Iraq to find that perspective. I met marines in Fallujah from Roseville and Rochester. I met a Navy Seabee from Appleton, MN. I met Army soldiers assigned to help train Iraqi troops from Minneapolis and St. Paul. I met Army Reservists based out of Fort Snelling. I met National Guardsmen attached to the fighter wing in Duluth. These soldiers and National Guard members I met in Kuwait, Baghdad, and Fallujah, they did not ask about the resolution the Senate was debating, they did not ask me about what my plan was to bring them home to their families; they did not ask about the shortages in equipment and body armor; they did not ask about repeated tour extensions. They only asked about two things: First, they wanted to know what the results were of the Minnesota High School Hockey Tournament.

But they asked one more thing. They asked that we take care of them when they return home. I pledged to them, and I bring that point to the Senate floor today, that their sacrifice will not be overlooked, that their service will not be forgotten, and their debt will be repaid.

The VA funding in this resolution is the first in a series of payments toward the debt we owe these soldiers on the frontlines who have sacrificed for us. I have always believed when we ask our young men and women to fight and to make the ultimate sacrifice for our Nation, we make a promise we are going to give them the resources they need.

This has always been a country that believed in patriotism, and patriotism means wrapping our arms around those who have served us.

In his second inaugural address, President Lincoln reminded the American people that in war, we must strive to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan.

Today, Americans are again called to bind up our Nation's wounds and to care for those who have borne the battle, as well as their families who have shouldered their own sacrifice.

Let us live up to this solemn obligation to bring our troops home safely and to honor our returning soldiers and their families by giving them the care and the benefits they have earned.

That is why I support the veterans funding included in this budget resolution.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MENENDEZ). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CONRAD. 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. CONRAD. I ask unanimous consent that the time from 12:30 to 1:30 today be for debate only, equally divided and controlled between Senators SCHUMER and BROWNBACK—this is the Humphrey-Hawkins report that is part of any consideration of a budget resolution; that at 1:30, Senator GRASSLEY be recognized to call up two amendments, one relating to payment limits and one relating to the Smithsonian institution; that there be a total of 60 minutes for debate with respect to the two Grassley amendments, with the time controlled 30 minutes for Senator GRASSLEY and 30 minutes for the chairman of the Budget Committee; that no amendments be in order to either amendment during this debate time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. I thank my colleagues for their continuing cooperation.

On the Collins amendment, we could accept that amendment at this point.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. I can't speak for Senator COLLINS. I don't know if she needs a vote or not.

Mr. CONRAD. I asked her the direct question if she would require a rollcall vote. She said she did not.

Mr. GREGG. Then let's proceed.

Mr. CONRAD. Mr. President, I ask unanimous consent, on the Collins

amendment creating a deficit-neutral reserve fund for a teacher classroom expense deduction, that that amendment be considered on a voice vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to amendment No. 480.

The amendment (No. 480) was agreed to.

Mr. GREGG. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CONRAD. The 12:30 hour having arrived, this is time controlled by Senators SCHUMER and BROWNBACK.

Mr. GREGG. Mr. President, we hope to also, later this afternoon, after Senator GRASSLEY has proceeded with his two amendments, proceed potentially to amendments from the other side of the aisle relative to SCHIP and from our side of the aisle relative to SCHIP and then an amendment in response to the amendment of the Senator from Montana, the chairman of the Finance Committee. That would be the sequence I hope we can get to later today. Those are all important amendments. We would like to get them done. It would be constructive.

Mr. CONRAD. The Senator is correct. That is the intention. After the amendments of Senator GRASSLEY are discussed and debated, we would then be able to turn to a discussion of SCHIP with both sides participating, Senator KYL thereafter to be recognized to offer an alternative to the amendment offered by the Senator from Montana.

We await the Senators whose time has been reserved. 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. SCHUMER. 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. SCHUMER. Mr. President, I rise to speak as chairman of the Joint Economic Committee in terms of our Humphrey-Hawkins budget debate time.

Today, we are going to begin putting the Nation's fiscal house back in order and to get our economic policy priorities straight. I salute the chairman of the Budget Committee, the indefatigable KENT CONRAD, for the great job he has done over the years in trying to get our country back on the right fiscal track.

For the last 6 years, we have been governed by a shallow economic strategy, guided by deep and indiscriminate tax cuts. The strategy has produced burgeoning deficits, mediocre economic performance, and a serious global trade imbalance. My colleagues and I on this side of the aisle have a different policy vision. We believe the middle class is the backbone of the country and that when we pursue policies to help the middle class feel confident about their economic future, we produce a strong economy, capable of meeting just about any challenge.

We have not had those kinds of policies or that kind of economy over the past 6 years. The economy went through the most prolonged jobs slump since the 1930s, as it struggled to recover from the 2001 recession. Then, while the economy was growing, it was not producing enough jobs. In the summer of 2003, job creation began to turn upward again but not as rapidly as we were used to in past economic recoveries. Something was still missing—growth in real wages.

In the past, increased productivity meant real wages increased. In recent years, American workers have continued to be remarkably productive. However, while our output per hour grew 18 percent from 2001 through 2006, after adjusting for inflation, workers' pay and benefits grew only by half as much—8.7 percent. That is serious stuff. When output goes up and workers only retain less than half of it, something is the matter.

Even that modest growth in compensation came much more from benefits than from wages. It is not that employers were becoming more generous in providing benefits. To the contrary, benefit costs have been increasing because health care insurance costs are rising, and employers have had to make contributions to restore the solvency of their pension plans. Those higher benefit costs squeezed take-home pay, but workers have not been getting more generous benefits in return. They are shouldering more of the burden for their health insurance, and their pensions remain in jeopardy.

So where have the benefits from economic growth been going? They have been going to profits and salaries and bonuses of top executives. Profits as a share of national income are at an all-time high, and incomes at the very top of the economic scale have been soaring. At the same time, middle-class families and families striving to get into the middle class have been struggling to get ahead.

I wish I could say businesses have been investing their profits to make the economy grow, but another remarkable feature of the current economic recovery is how slowly business investment is growing relative to profits. Business profits have been flush, yes, but business investment spending has been weak. There hasn't been any real trickle down from the President's huge tax cuts to the rest of the economy. We had a small growth spurt for a couple of years, but the most recent news paints a picture of an economy that is growing at a pace below its long-term sustainable potential.

The main results of the President's tax cuts have been, A, larger budget deficits, and B, reduced national savings. With less of our own savings, we are borrowing more from the rest of the world to support our current standard of living. The record current account deficit last year—the amount we had to borrow from the rest of the world to finance our trade deficit—was equal to a stunning 6.5 percent of the entire GDP; 6.5 percent of the GDP goes to financing our trade deficit. We are borrowing more than ever from the rest of the world. Those debts will be paid back with interest from the income of our children. The Federal Government is increasingly reliant on the rest of the world to buy our public debt, and who knows what kind of financial crisis would ensue if the rest of the world decided they no longer wanted to hold such vast quantities of U.S. debt. Even if they don't, the idea that we are saddling our children to repay this debt is not fair to them and not good for the future of America.

To conclude, it is no wonder that middle-class families do not give President Bush much credit for the economy. They are paying more for gas and utility bills. Their health insurance and prescription drug costs are rising much faster than their pay, and college tuition costs are through the roof. They see good manufacturing jobs disappearing and a wave of new competition from economies such as China and India. They are also less likely to support expanded trade because they sense that the Government is not on their side when it negotiates trade agreements, and they see that some of our largest trading partners regularly flout the rules of free trade. They see a Federal Government that doesn't pay its bills and is building up foreign debt that will be a burden on our children and our grandchildren.

I commend Senator CONRAD for crafting a budget resolution that gets us started on the road to recovery from these misguided policies. There is much work to do, but we are off to a good start with this budget resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I thank my colleagues for having this discussion on the budget.

I am ranking member on the Joint Economic Committee. I wish to discuss some of the things Senator SCHUMER was talking about on economic performance. What I would like to do in making this presentation—I will speak for 10 minutes now and 20 minutes later—is to talk first about what has taken place in the economy recently and then to talk about human capital development that is important for us to develop more and into the future.

I think we have a bit of a different presentation on the factual setting of what has happened as a result of the tax cuts. I believe there would be agreement that if the economy has not substantially performed as well as some may suggest, as the Senator from New York suggested, then the answer is certainly not a big tax increase. That would clearly not be the case if what we want to do is stimulate economic growth. I believe there would be

a broad basis of support and a realization of that from economists and people around the world. If your economy is not performing well, the answer is certainly not to put on a trillion-dollar tax increase to try to stimulate that economy to perform better. That would be clearly the wrong answer. Yet we are finding that in this budget.

I am here to discuss what has taken place in the economy. One of the key questions the Senate will address during this debate is what procedural rules to put in place to help instill budgetary discipline on this institution. Unfortunately, those proposed fiscal discipline measures which appear in this budget amount to a little more than a guaranteed tax increase for the American public on the magnitude of $900 billion to $1 trillion.

As my colleague from New Hampshire has noted, it is the largest tax hike ever on American workers and their families—the largest ever. That certainly would not be the prescription I would hear from most economists as to how to get the economy performing better, to put on a $1 trillion tax hike.

As part of the majority's rhetoric, we will hear much talk about how the fiscal policies—most notably the pro-growth tax policies—of the past 6 years have not benefitted everybody in this society. To substantiate that assertion, one can only rely on bits and pieces of data and not the full view and the big picture of what has happened in the economy, which is what I would like to cover, and cover now, and cover with charts, to let people see what the facts are and draw their own conclusions.

It is undeniable our Nation was heading into recession during the year 2000, the last year of President Clinton's administration. I was in the Senate, and one could certainly see that in the economic data. The dot-com bubble was bursting; economic growth turned negative in the third quarter of 2000. The unemployment rate bottomed out in April of 2000 and began its rise. In the period from January 2001 to August 2001—the first year of the Bush administration—only 1 month registered positive job growth. In that period, 700,000 jobs—nearly three-quarters of a million—were lost.

Then came the horrors of 9/11, and the Nation's economy tumbled further. It was like hitting a brick wall and falling. From September to December more than a million jobs were lost. We all remember the trauma to us as a country, and the trauma to the economy at that time.

I have a number of charts I will present today, and I hope they will put some perspective on our debate. We can argue about the degree to which pro-growth and pro-job tax relief enacted in 2003 caused the economic turnaround. I think that is a legitimate debate. I would note, however, that recent economic conditions display a striking contrast to the conditions that prevailed prior to enactment of pro-growth tax relief under the Jobs and Growth Tax Relief Reconciliation Act of 2003 that was passed in May of 2003.

Consider these charts and the data behind them, and then draw your own conclusion.

Let's look at this chart on economic growth since 2000: inflation-adjusted annualized GDP growth. You can see where we were prior to and then in 2000 and 2001 with negative economic growth rates taking place. You can see anemic growth rates taking place afterwards. You can see what took place: tax relief enacted in May of 2003 and the strong spike, continuous spike in growth that took place.

Since the enactment of tax relief in 2003, annualized growth in the inflation-adjusted GDP, our gross domestic product—that is, the size of the pie, the size of the economy in the country—has averaged a robust 3.5 percent growth rate. That compares with the relatively tepid average of 1.3 percent from the first quarter of 2001 to the second quarter of 2003.

So you look at this period before tax relief: 1.3 percent; you look at the period since the tax cut enactment: a 3.5-percent average growth rate. I would much rather have a 3.5-percent growth rate than a 1.3-percent growth rate.

What about investment? That is a key part of our growth, to make productivity grow, to make wages grow. Business investment is a key component of economic growth.

Since the enactment of tax relief in 2003, growth in real business fixed investment has averaged 5.7 percent. With tax relief enacted. You can see where we were beforehand, negative investment; afterwards, positive investment at a nice rate, 5.7 percent.

Prior to the enactment of tax relief, from the first quarter of 2001 through the second quarter of 2003, business investment declined at an average rate of 5.6 percent; but it increased 5.7 percent on average afterwards—a direct mirror opposite with the investment and tax cuts that took place.

Let's talk about unemployment rates. That is certainly a key. We want to have people employed in this economy, and employed at an aggressive growth rate. The unemployment rate has declined from a peak of 6.3 percent in June of 2003, when tax relief was implemented, to 4.5 percent in February of 2007.

So you can see again, with tax relief enacted, a decline in the unemployment rate takes place. At 4.5 percent, the unemployment rate stands below the average rate of the 1960s, the 1970s, the 1980s, and the 1990s. Where we sit today stands below those average unemployment rates.

Again, tax relief was enacted. We can argue about, did that cause it or not, but I think you have to clearly say we have had a nice improvement that has taken place in the time period following enactment of tax relief.

What about payroll employment changes since 2000? There have been 42 months of consecutive gains in payroll employment. Close to 7.6 million new payroll jobs have been created during the period since September 2003—again, that period when we did the tax relief.

From June of 2003 through February 2007, payroll employment gains have averaged a healthy 169,000 per month. In contrast, 91,000 jobs were lost on average in the period between January of 2001 and May of 2003.

Again, you get this mirror situation where you were losing jobs prior to this time period, and you are growing them at a nice, strong, clip and engagement rate which is taking place after the enactment of tax relief. Good, positive rates have taken place.

With that, Mr. President, I believe in our time agreement I had until 12:50, and then I have 20 minutes at a later point. I will go through a series of additional charts later, but my colleague from Pennsylvania, I believe, was going to speak. I do not know if the manager would like to take the time of Senator CASEY at this point in time.

Mr. President, I ask the manager of the bill if her side desires to have the floor at this point in time.

Ms. KLOBUCHAR. Yes, we would like to do that. We are awaiting the arrival of Senator CASEY. I thank the Senator.

Mr. BROWNBACK. Mr. President, if I could, I will yield to Senator CASEY as soon as he arrives on the Senate floor, if that would be acceptable to the manager?

Ms. KLOBUCHAR. That would be acceptable. He is on his way.

Mr. BROWNBACK. I thank the Senator.

Mr. President, let's look at these numbers, the Institute for Supply Management activity indexes. This indicates whether expansion or contraction is taking place. The Institute for Supply Management indexes of manufacturing and non-manufacturing activities signals expansion or contraction taking place in the economy. When it is above 50, there is expansion. When it is below 50, there is contraction. This, again, displays robust expansion following tax relief. In contrast, it displays contraction or tepid growth prior to tax relief.

So you can see, again, the tax relief point that took place, as shown on this chart. You had some growth. You had some decline taking place at this 50-percent point. Where it is below that 50-percent point, you have contraction. Where it is above that 50-percent point, you have expansion. After tax relief, you have a strong expansion rate, which is taking place in these numbers.

While correlations do not imply causality, there has been a clear and striking turnaround in a wide array of economic indicators from signals of contraction or tepid growth prior to enactment of the pro-growth tax relief in 2003 to signals of strong expansion and robust growth following tax relief taking place.

One final point. A key to increases in incomes, wages, and living standards is

growth in productivity, as this chart clearly shows.

Again, we have a period where there is productivity growth and real hourly compensation going up. Pro-growth tax relief, such as that enacted in 2003, lays a solid foundation for continued strong growth in the productivity of American workers. That growth is ultimately what boosts the wages, salaries, benefits, and living standards of American workers and their families—built on a solid economic basis. Raising taxes—raising taxes—as some on the other side are suggesting—is not a productive way to proceed in us increasing real wages, real incomes for individuals to stimulate the economy. In fact, the other route is the way to go: get the economy growing built on fundamentals and built on cutting taxes.

With that, Mr. President, I know my colleague from Pennsylvania is in the Chamber.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I thank the Senator for yielding.

Mr. President, I would like to speak today about the budget we are going to be debating and about our economic prospects as we go forward. I also want to thank those who have been working so diligently to put this budget package together. Senator SCHUMER has worked, especially as the chairman of the Joint Economic Committee, to focus our attention on some of the economic realities we face in the weeks ahead.

The fact is, when we look at the economic data, Wall Street has done pretty well over the last 6 years, but the average American, however, has not shared in that prosperity.

Since 2001, median household income is down after inflation. More than 5 million more people—a total of 37 million Americans—live in poverty today, including 1.3 million more children. So now we have some 12.9 million children in poverty.

Long-term unemployment is up 80 percent. Three million manufacturing jobs have been lost in that time period, many from my home State of Pennsylvania, like in manufacturing States across the country.

We also have to look beyond the data from where we are now and have been in the past. We have to look to the future. We all know we face a tremendous challenge when the retirement of the baby boom generation begins in earnest. The coming retirement of those Americans means the Social Security and Medicare obligations we owe them, because of their decades of work, are coming due. At the same time, this administration has been issuing debt, in my judgment, at an irresponsible and reckless pace—most of it being purchased by governments across the world and by individual countries we are competing against.

We hear a lot in the context of our energy policy about reducing our dependence on foreign oil. There is tremendous agreement about that goal. I think in the economic context we can use the same language. It is about time the U.S. Government, especially this administration, began to get on the road of reducing our dependence on foreign debt. We need to have policies that will do that.

For the last 10 years, prior to coming to Washington as a Senator, I was a public official in Pennsylvania—8 as auditor general and 2 as treasurer. One of the jobs I had, especially as auditor general, was to be one of the so-called issuing officials. We issued debt in State government. As part of that, one of my responsibilities, one of my basic requirements, by statute, was to certify that Pennsylvania was not only staying within its constitutional debt limit but was assuring it was not straining its borrowing capacity from an economic or fiscal standpoint because doing so would undermine Pennsylvania's debt rating and drive up the cost of future borrowing.

I do not think there is anyone in this administration, or in this Congress for that matter, who could certify or would certify the Federal Government is not straining its borrowing capacity today, and certainly for the last several years. The fact is, our debt is not just a piece of paper filed away in some cabinet. It is real. It represents a lot of things. It represents, first of all, a dependence upon other governments in terms of our foreign debt. It often represents a taking away from investments in very important programs for people.

I say to the Presiding Officer, you understood that in your work in the Congress and now in the Senate. You understand those critical investments. If you drive up the cost of borrowing, you make it more difficult for us to not only borrow money but to invest. All of our families will be the losers in that scenario.

So I think in addition to gaining control of our fiscal house and putting our fiscal house in order and beginning to reduce our dependence on foreign debt, we must also, at the same time—and I think it is obviously related—increase our investment in American families. We need to start to do that by keeping our promises to those of our families who rely upon good investments by the Federal Government.

We all know in a global economy—and certainly the newer global economy—it is very clear that goods can be moved all over the world. We are happy about that. It is amazing what technology and transportation have done to bring that about. Money can move in a matter of minutes now. We know that. But people, by and large, tend to be much more stationary in the sense that they do not move nearly as fast as money or goods.

America, in particular, has been able, over a long period of time, to develop our own talent—the talents of our people—and to attract talent from all over the world. But the only way we are going to maintain that, to maintain our competitive edge, to be able to invest in strategies that will work, is to actually focus our attention on the skills and the education and the advancement of the American people. In order to do that, we have to give the American people the tools they need to compete in a global economy.

We all know if we do that and we meet our obligations and keep our promises, we will ensure the global marketplace and trade are conducted on a fair basis and that we don't put our workers at an unfair disadvantage. But in order to do that, we have to invest. That is why, as the Presiding Officer knows from listening to our colleagues in the Democratic caucus, and certainly by analyzing the budget that was put together by the Budget Committee, especially under the leadership of Chairman Kent Conrad from North Dakota, what that budget has done, what the proposal does is puts together a budget that makes sense, that makes fiscal sense, that begins to reduce our deficit and brings us into balance by 2012. In fact, it brings us beyond balance. It gives us a $132 billion surplus.

Also, it realizes that right now we are in a hole because of how we have been conducting fiscal business in this town for the last several years. It realizes that when you are in a hole, as the old expression goes, you should stop digging. It realizes people are our most valuable resource. This budget invests in them in so many ways. One good example of that, or two actually, is the State Children's Health Insurance Program, the so-called SCHIP program, and the Presiding Officer knows in the State of New Jersey the benefit that program has had in his State and in the State of Pennsylvania and in so many others. We have to make sure we get that right, not only to maintain the coverage for the millions of children already enrolled and their families and their communities and the economy as a whole benefit when they are enrolled, so we have to keep them covered, but we also have to meet the larger challenge of insuring the 9 million other children who have no health insurance at all and won't even begin to be covered under the President's budget. That is an important investment this budget proposal makes.

It also increases education funding at the same time by funding No Child Left Behind, making sure our families get help with higher education and all the rest. This budget makes sure we are making the right decisions on Medicare and Medicaid. The Presiding Officer knows Medicaid increasingly and overwhelmingly is about making sure that older citizens have the opportunity to get quality care in nursing homes, and it is also ensuring we are covering poor children and poor families.

This budget does all of this while also being fiscally responsible by reducing the size of the deficit and by beginning

to lower our debt to foreign governments, and making sure we are doing this in the context of both reducing debt and deficit, but also making important investments. This budget focuses on the right priorities in an economic sense, but it also bears in mind that we have obligations. We have promises to keep. This budget goes a long way toward making sure we are being fiscally responsible and keeping our promises.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, I appreciate the chance to talk about some of these economic issues, and I join my colleagues from Minnesota and Pennsylvania in a discussion of these items.

I note from the discussion of my colleague from Pennsylvania that he focuses on human capital, which I absolutely agree with. I have a few charts I will cover in a few minutes about an investment in human capital I hope we can all agree on, and that is trying to encourage and rebuild the family structure in the country. This is something I have worked on across the aisle with my colleagues, particularly in the District of Columbia when last year I was chairman of the DC Appropriations Subcommittee. We were deeply concerned about the lack of family formation in the District of Columbia, so it became the key area and the initial place to begin to develop human capital being within the family structure.

We are finding in the District of Columbia and in many urban areas in particular, and all across the country, but in the District of Columbia in total we had 63 percent of our children born out of wedlock. This puts a child in a situation where it is more difficult to develop human capital. You can develop a child and a child can be raised well in that setting, but it becomes much more difficult. I worked with the Mayor at that time, Mayor Williams, and I worked with Delegate ELEANOR HOLMES NORTON, and we put together a program called the Marriage Development Account. If you were at 85 percent of poverty or below and got married, we would put in a Federal dollar, raise two private sector dollars, and you as a couple would put in a dollar. We would match this 3 to 1 to encourage the formation of married units—a family—around which to build a family.

This has broad bipartisan support, left and right support this, and I am hopeful we can look at ways in reforming welfare programs in particular to encourage the formation of families as one of the key and vital steps for human capital development and growth. This is something we ought to be able to agree on across the aisle. We have agreed previously, and I hope we can do that now, because we have to develop human capital. We particularly have to do it now, and the best place to start is the family and developing the human capital there. Clearly, one of the best ways we can break the poverty cycle is forming more family units. That shows up in all of the data. It is broadly supported in a bipartisan fashion and it is something where we need to change the welfare policies.

I wish to also look at this idea that tax policies since 2003 have been more beneficial to upper income households and less beneficial to lower income households in the United States. Here again, I have a series of charts. I will first start with conditions under the Clinton administration and look at impacts of Federal policies as far as a share of the overall economy. This is an instructive chart when you look at income, after-tax income, distribution data during the Clinton years. Let's consider the distribution. The data for all of these charts comes from CBO's December 2006 historical effective Federal tax rates. The data are from 1979 to 2004. First, it is interesting to look at what happened to after-tax income between 1992 and 2000. These would be the Clinton administration years. The only group of households that saw a share of the Nation's after-tax income increase was the top 20 percent. Their share during the 1992 to the 2000 time period—you see these arrows all going down: the lowest 20 percent, the second lowest 20 percent, middle, second highest, everyone is down, down, down; up is the top 20 percent. Their share of after-tax income went up during the Clinton administration years and their tax policy.

Now let's postulate the same question—because the charge is often made that the tax cuts have only benefitted—the wealthy in this country. I have seen the charts repeatedly, and it is important to discuss what the data have shown. What happened for 2000 through 2004 is the opposite of what happened during the Clinton years as far as who grew what share of after-tax income that happened during 1992 to 2004. It went the opposite. The only group that didn't see a share of after-tax income increase was the top 20 percent. Everybody else saw their share of the after-tax income grow: the lowest 20 percent, the second lowest 20 percent, middle, the second highest. The only people who went down were the top 20 percent.

It is important to point out, when we have talked about these things in generic numbers and phrases—about only the upper income households having benefitted—but we ought to look at the actual data we have available to us.

Again, I will go back to what happened in 1992 and remind people these are the Clinton years. The lower income all saw their share of after-tax income decrease; the upper income group saw theirs go up. In 2000 to 2004, we saw a reversal of those arrows under these tax policies that are being so castigated as being against lower income. The share of after-tax income received by the top 1 percent of households grew 42 percent, from 10.9 percent in 1992 to a peak of 15.5 percent at the end of the Clinton years. Again, we are talking about the Clinton years, the share of after-tax income, the top 1 percent of all households, up 42 percent during the Clinton era and the Clinton years. That is what took place.

What happened from 2000 to 2004 is after-tax income received in the top 1 percent of households actually declined. This declined at the end of the first Bush term. They do not support the assertion that there has been a massive shift of income to the highest income households since 2000. The data don't support it. The critics of the pro-growth tax policies enacted after 2000 assert that the highest income households have disproportionately benefitted. That simply is not supported by the data.

Let's look at the top 10 percent of households paying their share of income taxes. Since 1984, the top 10 percent of households have paid an increasing majority of all Federal income taxes. In 2004, the final year of data available in CBO's report, the share of Federal income taxes paid by the top 10 percent of households reached a high of 70.8 percent—70.8 percent. So you can see it was continuing to grow.

It is worth noting that in 2004, the bottom 40 percent of households paid a negative share of Federal income taxes. I want to show that chart. That is, they received resources from the income tax system. In other words, they were paid by the income tax system—not paid into. They received from the income tax system. Since 2000, the ''relative Federal income tax burden,'' or the share of all Federal income taxes paid compared to the group's share of all income, has declined for all income groups except the top 20 percent—except the top 20 percent. So again we have these tax lines going in a different direction.

Striking is the fact that the relative Federal income tax burden of the top 1 percent of households declined for 1992 to 2000 during the Clinton administration. So again we have this comparison of Clinton policies to Bush policies. This is the relative Federal income tax burden of the top 1 percent of family households income. That declined, the percentage, their share that they paid of the overall tax burden, and it went up in 2000 and 2004 in the Bush years. In 2004 it not only increased but it was higher than in 1992 when President Clinton took office.

The CBO's report also reveals that for the time period from 2000 to 2004, the effective total Federal tax rate reduction has been the highest on a percentage basis for the lowest income groups. In other words, you have the most decline as far as the Federal tax rates for the lowest income groups. I think that is as it should be. We shouldn't be critical of the tax policy saying it is harming low income and benefitting disproportionately high income when the data don't support that.

The same is true if you look at the income tax rate reductions. Again, the lowest 40 percent of households have a negative effective income tax rate and a negative income tax share. In other words, they were paid back by the Federal income tax system.

Clearly the tax policies enacted since 2000 have benefitted all income groups and have not resulted in a shift in income shares in favor of high-income households or in tax burdens toward lower income households. Indeed, the data say the opposite. The top 10 percent of households are paying a bigger share of total Federal taxes and total Federal income taxes than in any prior time covered by the report.

I appreciate my colleagues' indulgence, but the falsehoods about tax cuts and a bigger share of the pie for the wealthy need to be addressed. I think it is important that we do address these.

I also note in yesterday morning's Wall Street Journal in discussing this budget, it says the Senate Budget Committee chairman is pulling off a neat magic trick—and here I am quoting the Wall Street Journal:

> . . . of claiming his budget includes ''no tax increase,'' even as it anticipates repeal of the Bush tax cuts after 2010.

These are the same tax cuts I have been discussing, the tax cuts that have helped stimulate growth, that have helped stimulate employment, that have helped reduce the tax burden on the lower income people in the United States.

The Wall Street Journal goes on to say:

> How does he pull that rabbit out of his hat? By positing what amounts to a giant asterisk where the tax increase is supposed to go and hoping no one will notice.

In other words, the taxes go up after 2010, since the tax reductions put into place in the Bush tax cuts are not continued.

The article continues that the chairman has:

> . . . no intention of extending the Bush tax cuts, which he voted against and whose repeal would slap the economy in 2011 with the largest tax increase in U.S. history. But Senate Democrats don't want anyone to know this, at least not before the 2008 election. . . . All of this is really sleight-of-hand to disguise that Democrats are intent on repealing the Bush tax cuts.

What would the impact of that be? People talk about it in generic terms, but let's unpack it a little bit. The Wall Street Journal reports that:

> This would raise the tax on capital gains to 20 percent from 15 percent, more than double the tax rate on dividends to 39.6 percent from 15 percent, and sharply increase marginal tax rates at all levels of income.

This will hurt growth, this will hurt investment, this will hurt job creation, and this will hurt wages. This backdoor tax increase sends a bad signal to the economy. That bad news, if allowed to stand, will be bad news for the economy throughout for the working men and women of this country. This isn't fiscal responsibility; it is bad tax policy that hurts people.

This budget will only increase the burden on families. We need to step back and be willing to get control of entitlement spending and across-the-board spending. We need policies that encourage the formation of families, and support the preservation of traditional families, as a way of developing human capital.

We need to help those who need a hand, but we are quickly reaching a point where we are asking too few people to carry too much of a burden on the tax rates. We are on the verge of killing incentive and initiative.

We need to get serious about reforming a tax system that even the most educated Americans cannot comprehend. We need to put in place an alternative flat tax and let people choose a tax system. This current tax system is unintelligible, burdensome, manipulative, and it needs to be changed. We are in desperate need of a tax system that is simple, efficient, and globally competitive. We need to just have a fair system. Our tax system needs to treat everyone the same, not heap dizzying layers of regulation on top of regulation or carve out loopholes for the privileged who have the ability to hire lobbyists.

Despite the chairman's call for simplifying the Tax Code, there is nothing in his budget that promotes greater simplicity. Despite the chairman and his colleagues in the majority being fully aware of the need for entitlement reform, they choose to totally ignore our looming fiscal problem. They choose, in this budget, to completely ignore the urgent need to address entitlement reform, especially as the first baby boomers begin retiring next year. This budget does not contain any proposals that, on net, would reduce mandatory spending or the debt. The majority, evidently, wishes to simply wait for a fiscal train wreck to happen.

If we sit on our hands and let this budget and its ''magic act'' budget enforcement provisions take effect, all we will do is impose the largest tax increase in American history at the worst possible time—when the fiscal train wreck begins as the baby boomers enter their golden years of retirement. That is not a budget; that is recipe for disaster.

I look forward to further debate on this budget, and I really hope we can start working together on it in a bipartisan fashion to address the clear problems we have. We can do that, and we need to do it. Now is the time. The sooner we act, the more options we have.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, I am here to speak on behalf of the budget resolution and to share some statistics about what has been going on in this country for middle-class families. I have to tell you this before I show the statistics. Having met with people all over our State and having sat in living rooms and had meetings with people, they could not really understand why their kids who just graduated from college could not buy a house, and they could not understand why they were struggling to send their kids to college and why they were struggling to go on vacations because of the high gas prices.

While having meetings with these people, lightbulbs would go on in their heads about these things. That is what is going on with a lot of people in this country. That is what the statistics show. That is why it is so important to have a budget that gets these families and kids on a strong fiscal track. At least this budget brings us back to the pay-as-you-go rule. At a time when the wealthiest have been getting wealthier and wealthier, at least this budget says how can we help the middle class going forward.

Let's look at the statistics.

First, look at the productivity. Typically, real compensation for workers—the wages and benefits—tends to track productivity growth. That is what it did in the late 1990s. This hasn't really happened since the 2001 recession. Our productivity growth, as you can see, has been strong, as the blue line on this chart represents, but compensation growth has been relatively weak. That is the red line there.

Recent gains in real compensation have not significantly narrowed the gap that has been opened. Workers have a long way to go to catch up with the gaps they have missed out on so far in this recovery. So it is because of their work that we are seeing this productivity gain, but they are not getting their piece of the pie. That is what we see in the increasing gap every year.

We have to look at the next chart reflecting real earnings growth. This looks complicated at first, but it makes sense when you look at what the lines represent. The bluish-purplish bars are for the kinds of real earnings growth we saw in the late 1990s. If we focus on usual weekly earnings of full-time workers, we see only modest gains—and that is the red here—in the distribution from 2000 to 2006. This contrasts sharply with the gains you see in the late 1990s, which is the blue part of the graph, when productivity first accelerated.

I note this marked difference between what you saw from 1996 to 2000 and from 2000 to 2006. This doesn't even include bonuses of highly paid executives or capital gains and other nonwage income earned at the very top of the income distribution. This chart shows how real earnings growth has been weaker and more unequal than in the late 1990s. For me, when I think about those people in the living rooms in Brooklyn Park, MN, as they talk about how they could not afford health care, this is what it is about, because their real earnings growth has been much weaker and it has been harder for them to afford these important parts of

their expenditures, such as health care, gas, and those things. Those prices have gone up.

Now, at the same time we have this going on, we have this: CEO compensation, right now, is 350 times average work pay. I think the average person has to work an entire year to make up for what so many of our top CEOs make in the first day of the year. In 1980, the average CEO made about 50 times as much as the average worker. In 2004, that ratio was nearly 350. The average CEO made 350 times the pay of the average worker.

So you can see what has been going on with the share of wealth in this country and why we have these people all over the country who are working hard and who are the engine of the economy—the middle class—and it is harder and harder for them to keep up and to get by. That is what we are trying to do in this budget resolution—start the process of getting the country back on track so that we respect the people doing the work, the middle class, the hard-working men and women of this country.

The last thing I wish to share with you is about the distribution of wealth in this country. This is a similar way of looking at the CEO distribution issue. In 2004, the wealthiest 1 percent of households had more net worth than the bottom 90 percent of households. So here you have the top 1 percent. This is their portion of the pie, 33 percent. Here is the bottom 90 percent, the middle class people; 9 out of 10 people are here, and their wealth is actually less than this top 1 percent of the people in this country. Even when you go to the next 9 percent, which is about 36 percent of the wealth, when you include them until you have the top 10 percent, the wealthiest 10 percent of people in this country, they have more than two-thirds of the total wealth.

So statistics are important, but what really matters is the people in this country. When you look at the statistics, you understand why, for a student from the University of Minnesota, Jay Boler, it was hard to get by day after day and to afford college tuition when it had gone up 110 percent at 4-year colleges in the last 2 years. He is not in that top 1 percent. That is not where he is. You can understand why Jeanne O'Hearn, who owns a drycleaner in Robbinsdale, MN, is trying to get by with few employees. It is hard to afford health care for her employees. You can understand because she is not in that top 1 percent. You can understand why a mom in Mahnomen, MN, whose child had been called back to Iraq for the third time, cannot sleep at night and why she is upset because he is probably not going to get the benefits he needs when he gets back. She is not in that top 1 percent.

What this budget resolution does is at least acknowledge the fiscal issues of this country by putting back pay-as-you-go, because this interest doesn't hurt the top 1 percent, but it hurts everybody else in this country. It also says we are going to start helping the people who have helped us; that is, the middle class.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. 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. GRASSLEY. Mr. President, I rise to offer an amendment on the agricultural portion of the bill to provide payment limitations on payment to farmers. The American people recognize the importance of family farmers in our Nation and the need to provide an adequate safety net for family farmers. That is what a farm program is all about.

In recent years, however, assistance to farmers has come under increased scrutiny, and it should. Take a look at some of the headlines that ran last year on the front page of the Washington Post. The first headline reads:

> Farm program pays $1.3 billion to people who don't farm.

That is going to make any taxpayer, rural or urban, mad because the general assumption is that farm programs support family farmers and do not go to people who don't farm.

A second headline reads:

> Federal subsidies turn farms into big business.

In other words, the Federal taxpayers are paying to help big farmers get yet bigger.

The article goes on to say:

> The shift in subsidies to wealthier farmers is helping to fuel this consolidation of farmland. The largest farm's share of agriculture production has climbed from 32 percent to 45 percent, while the number of small- and medium-size farms has tumbled from 42 percent to 27 percent.

These were just a couple of headlines from a series of articles from the Washington Post on waste and abuse in farm program spending.

Critics of farm payments have argued that the largest corporate farms reap most of the benefits of these payments. What is more, farm payments that were originally designed to benefit small- and medium-size family farms have contributed to their own demise. Unlimited farm payments have placed upward pressure on land prices and have contributed to overproduction and lower commodity prices driving many family farmers off the farm.

The law creates a system that is out of balance. This is pointed out in the chart I have, which shows that we have a system where 10 percent of the farmers—10 percent of the farmers—maybe I should say just 10 percent of the farmers get 72 percent of the benefits, and the top 1 percent of the biggest farmers get almost 30 percent of the benefits. I believe we need to correct our course and modify the farm programs before those programs cause further concentration and consolidation in agriculture and lose the support of urban taxpayers because without their support, we could not have a farm safety net.

Today, most commodities are valued off demand. Markets dictate profitability. When farmers overproduce by planning for, according to the farm program, whether its a loan or the LDP Program or whatever it might be, then markets are not functioning.

I mentioned earlier that the Federal farm programs are influencing land prices across the country. Iowa land is now selling for between $4,000 and $6,000 an acre in counties near my home of New Hartford, IA.

When I was chairman of the Senate Finance Committee, before the last election, I was also a member of the Budget Committee and the Agriculture Committee. I have used those committee positions as opportunities to file amendments that I believe will help revitalize the farm economy for young people across this country.

My amendment today will put a hard cap on farm payments at $250,000. The average taxpayer listening to me might say: What planet did you come from—$250,000 is an awful lot of support. But I am saying in comparison to limits that are now in the bill of $360,000 and legal subterfuge to get around the law to allow some farmers to get millions of dollars. So this is a $250,000 hard cap—still too high for some family farmers but a compromise that has gotten through this body in the past and I am counting on getting through this time.

No less important, this will close those legal subterfuges or loopholes—whatever you want to call them—that have allowed large operations to evade even the $360,000 limit and, as a result, receive benefits many times larger.

To remind everybody, I voted against the conference report of the present farm bill in the year 2002, and this was one of my many reasons, because it did not have this hard cap in there, even though it passed the Senate. I have been fighting to reduce large-scale subsidies for over 30 years. If one looks at the CONGRESSIONAL RECORD in the 1970s, it will show I was leading in that area. More recently, I worked with the good Senator from North Dakota, Mr. DORGAN, on a similar measure in the 2002 farm bill, and it passed with bipartisan support of 66 to 31. That amendment, as I said, was taken out in conference. So I urge my colleagues to check their past votes on this issue during the last farm bill debate.

One section that was added in the farm bill was section 1605, which set up a Commission on the Application of Payment Limitations for Agriculture. The purpose of the Commission, after the failure of our legislation in 2002 in the farm bill because it didn't come out

of conference, was to set up this Commission. The purpose of the Commission was to study this issue. The Commission also said that the 2007 farm bill is the time for these reforms to be made as part of the change to permanent law. So that is why it is legitimate to have it as part of this budget debate.

Congress enacted the Agricultural Reconciliation Act of 1987, called the Farm Program Integrity Act, to establish eligibility conditions for recipients and to ensure that only entities engaged actively in agriculture receive farm payments. To be considered actively engaged in farming, that act required an individual or entity to provide a significant contribution of inputs—capital, land, equipment—as well as significant contributions of services of personal labor or active management to the farming operation. But people have been able to find loopholes around this act, facilitating huge payments that our hard cap is meant to overcome.

I held a hearing through the Finance Committee on a Government Accountability Office report that was released about 3 years ago, April 24, 2004. The GAO report recommended that measurable standards and clarified regulations would better assure that people who receive payments are, in fact, engaged in farming.

Of the $17 billion in payments the USDA distributed to recipients in 2001, $5.9 billion went to just 149,000 entities. Corporations and general partnerships represented 39 and 26 percent of these entities respectively.

Here is an example from the March 2005 Washington Post article of someone who qualified for payments. I quote from the newspaper:

> If the purpose of farm subsidies is to make family farms viable, it's hard to see why payments of more than $400,000 a piece should have gone to 54 deceased farmers between 1995 and 2003, or why residents in Chicago should have collected $24 million in farm support over that period.

This type of arrangement, and others such as that, raises questions about the interpretation and enforcement of the 1987 act's requirements that each partner be actively engaged in farming. This is why I wrote the Government Accountability Office to conduct that study I referred to on which we held a hearing in the Finance Committee. I encourage Members of this body to take a look at that report as well.

During past markups of the Senate Budget Committee, I was able, with the help of the current chairman, Mr. CONRAD, to include a sense-of-the-Senate amendment expressing support for stronger farm payment limits. The proposed amendment would cap Farm Commodity Program payments at $250,000 a year per person during any one year. This would encompass direct payments, countercyclical payments, loan deficiency payments, and marketing loan gains. Gains from commodity certificates will be counted toward limitations, closing another very abusive loophole, particularly those farming in cotton and rice.

By adopting this amendment, it could save the taxpayers over $500 million in savings over a 5-year period of time and more than $1 billion over 10 years. With these savings, the amendment that is being presented by Senator GRASSLEY and Senator DORGAN would put money toward conservation, nutrition, research, value-added agriculture, and renewable energy programs.

The budget resolution before us provides a very much needed reserve fund for the farm bill of $15 billion. Every penny of this fund will be needed if we are to adequately respond to the major needs and opportunities to increase energy independence, restore cuts in conservation, improve farm income through value-added grants, reduce hunger, and invest in the future of food and agriculture through cutting-edge research.

However, the reserve fund is conditioned on offsets. The amendment I am offering is part of the solution to this reserve fund dilemma. A vote for this amendment, then, will help us get a better farm bill done, not just to help farmers but to help the entire society as it includes so much that benefits people just beyond agriculture.

Not only has the Senate previously agreed to payment limit reform, but the President, in his past budgets—I think at least the last 3 years—has supported a broad set of savings proposals recommending reduction in subsidies for larger, more financially secure farmers and promoting more efficient production decisions, although this year the administration proposed that no one should get farm payments if they have an adjusted gross income of over $200,000 a year. That is just another way, and not a bad way, but another way of getting what I am trying to get through this hard cap. So I don't find fault in what the administration is proposing in that area. I think the administration is proposing a very good bite and another bite at the apple.

I have been hearing directly from producers for years exactly what the Secretary of Agriculture heard at his farm bill forums. We are hearing that young producers are unable to carry on the tradition of farming because they are financially unable to do so because of high land values and cash rents.

Neil Harl, a distinguished agricultural economist at Iowa State University and one of the contributors to the Payment Limitation Commission, wrote this:

> The evidence is convincing that a significant portion of the subsidies is being bid into cash rents—

Making the cash rents higher—

> and capitalized into land values.

All making it very difficult for new, young farmers to get started in farming. If investors were to expect less Federal funding or none at all, land values would likely decline, perhaps by 25 percent.

On March 20, 2005, the Atlanta Journal-Constitution printed this:

> As time has gone by, smaller farmers most in need have received less and less of the government's support and corporate-like farms more and more.

By voting in favor of this amendment, we can restore the cuts that were made to conservation, rural and renewable energy programs during the markup of the Ag section of reconciliation. We can allow young people to get into farming and lessen the dependence on Federal subsidies. This will help restore public respectability for Federal farm assistance by targeting this assistance to those who need it, where it has traditionally been over the 70 years of the farm program.

Before I close, I wish to remind everyone who voted against a similar amendment during the 2005 reconciliation vote, the argument that we need to wait until the farm bill debate is not going to work anymore—that was the argument some people who changed their vote used at that particular time—because this is the year of farm bill debate. This is the budget that contains the baseline for the farm bill that we are going to pass this year.

Let's stop kicking the can down the road and say we have to wait until the farm bill debate. The here and now is the here and now. How can you say you are for conservation or you are for renewable energy or you are for child nutrition—that you are for all those things and then come to the floor and vote the opposite way? This is an opportunity to show to the people of this country we are not going to subsidize the biggest farmers getting bigger, wasting taxpayers' money, keeping young people off the farms and out of the farming profession and bringing ill-repute to a farm program that it takes city folk, represented in the Congress, to vote for in order to sustain the safety net for farmers.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, my understanding is the Senator from Iowa has this half hour. I ask the Senator from Iowa if he will yield me 10 minutes?

Mr. GRASSLEY. I will yield 10 minutes, yes.

Mr. DORGAN. I am pleased to be a cosponsor, as I have been in the past. The Senator from Iowa is offering a budget amendment. It is a good amendment. The Senator from Iowa will join me in introducing some legislation on this subject following this discussion. Some will say: Let's have this during the farm bill. We will have this debate then, too, I assume.

Let me say, I don't think there is a bigger supporter or stronger supporter in this Chamber for family farmers than I am. I know my colleague from Iowa is a family farmer. It goes without saying he has been supportive. But I am not interested in supporting the corporate agrifactories that have grown up this country. That is not the purpose of a farm program.

I come from a rural State. I am proud to stand here and support farmers who have names, in my State: Olsen, Larson, Christianson, Johnson, Schmidt, Schmaltz, Cooper. I am proud to support them. They are out there living under a yard light, struggling, trying to make a living. They plant a seed and hope it will grow. If it grows, they hope it doesn't hail. They hope it rains enough and it doesn't rain too much. Finally, when they get in and get the seed off and the crop off and after that seed has grown into a plant, they put it through a combine, take it to the elevator, and then they hope and pray there is a decent price, so in the end, if everything went right, maybe they made a living for themselves and their families. It is a big struggle for them.

What is the value of having these families living out there? A friend of mine from North Dakota wrote a piece about that. He said: What is it worth? What is it worth for a kid to know how to fix a tractor, to plow a field, to hang a door, to butcher a hog, to pour cement, to weld a seam? What is it worth for a kid to know all those things? That university is on a family farm; that is where kids learn it. What is that worth to our country?

We have on the floor of the Senate this issue of a farm program. A farm program is a safety net, a bridge over troubled times when prices collapse, when the crops are destroyed. This is a bridge over price valleys, a bridge over difficult times. Regrettably, it has grown to become a set of golden arches for some of the biggest enterprises in the country, and we propose that we put some payment limits on here that are reasonable payment limits. I am pleased to be a cosponsor along with my colleague, Senator GRASSLEY. I think this is common sense.

Let me give some examples of what persuades us to come to the floor of the Senate. Ten years ago, the top 10 percent of recipients of farm program payments received just over half of all farm payments. Now, 10 to 11 years later, the top 10 percent get 72 percent. It has grown from about half to about three-quarters for the top 10 percent. The top 1 percent receive nearly a quarter of all farm payments.

Mr. President, a 61,000-acre operation in a southern State got $38 million in farm payment programs over 5 years. I didn't come to fight for that. I don't support that. The farm was organized into 66 separate corporations so its 39 owners could avoid payment limits. That is not farming the land. That is farming the farm program. I don't support that.

A 12,000-acre cotton farm took in $2.1 million, a cotton factory in California, $16 million over 8 years. This is not the farm program we ought to be supporting.

The U.S. Department of Agriculture pointed out that they paid $400,000 each to 55 farmers who were dead; 27 of the dead farmers received payments every year for 9 years—$400,000 each for dead people. That is unbelievable.

I support a farm program, one I can be proud of, one that says to families living out there: We want to help you. We know you take unbelievable risks, and when you run into trouble, into tough times, we want to reach out our hand to say we are with you, we want to help you. That is what the farm program is supposed to be about. But it is becoming a perverse program when millions of dollars are taken from taxpayers in the form of taxes and then transferred to big corporate agrifactories who get millions of dollars.

From the Government Accountability Office: Eleven partners ran an 11,900-acre farm and collected a million dollars, and every single one of the farmers lived outside the State where the farm was located. The only engagement they had in the farm was a telephone conversation.

Six partners received $700,000 in farm payments for a 6,400-acre farm. They said they provided daily management, living several hundred miles away.

I don't think we need to say more. It does not take much more to illustrate the absurdity of what is happening. My colleague and I are offering—get this—a proposal that limits program payments to $250,000. Let me say again, I come from farm country. No one here cares more about family farmers than I do. I believe in the farm program. I fought for a good farm program. But I have not fought for a program that hands over millions of dollars to people who reorganize into farm factories in order to farm the farm program and suck money out of what we put aside to help people during tough times.

It is beyond me why we would not take this step quickly and easily, to say payment limitations that would be effective are the right thing for us to do. This should not be controversial at all. This ought to be accepted by unanimous consent. That is what ought to happen. We ought to have a unanimous consent request.

I will say this. If there are those who argue that multimillion dollar operations need millions of dollars from the American taxpayer to continue their operations, then there is something horribly wrong with the farm program that accedes to that request. That is not why we created a farm program in this country. We said we want America's landscape to be dotted by yard lights that represent a farm. I understand that big corporate agrifactories could farm from California to Maine. I understand we have operations that milk 3,000 to 4,000 cows a day, three times a day. That has nothing to do with family farming. I understand you could farm from the west coast to the east coast and you would not have to have people living out there.

But I also understand that there is value to this country, cultural value to this country, where the seedbed of family values began, on the farm and in small towns, and rose to our big cities as a set of family values that this country has always appreciated.

That is the cultural value of having family farms. It is the economic value of having family farms. The way we will keep family farms is to have a decent farm program that says, when you are in trouble, when you have prices collapse, you have a safety net. That is what we are trying to do. We will try to save it. What will happen is we will lose the farm program one day with stories that say this program gives millions of dollars to people with millions of acres who do not need this help.

I am pleased be a cosponsor with my colleague, and I look forward to working with him on these issues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I thank the Senator from North Dakota for his support, not only this year but over the long period of time we have been fighting this battle.

I send this amendment to the desk, and I would then like to make a unanimous consent request and also a request of some abeyance by my colleagues—if I could have permission in the 5 minutes I have left—to, first of all, set the amendment I sent up to the side and then to call up another.

AMENDMENT NO. 464

The PRESIDING OFFICER. The Senator will suspend for a moment. The clerk will report.

The bill clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY], for himself and Mr. DORGAN, proposes an amendment numbered 464.

The amendment is as follows:

(Purpose: To limit farm payments to $250,000 per person per year and apply the savings to renewable energy/rural development, conservation, and nutrition)

On page 13, line 9, decrease the amount by $22,000,000.

On page 13, line 10, decrease the amount by $22,000,000.

On page 13, line 13, decrease the amount by $117,000,000.

On page 13, line 12, decrease the amount by $117,000,000.

On page 13, line 17, decrease the amount by $116,000,000.

On page 13, line 18, decrease the amount by $116,000,000.

On page 13, line 21, decrease the amount by $115,000,000.

On page 13, line 22, decrease the amount by $115,000,000.

On page 13, line 25, decrease the amount by $116,000,000.

On page 14, line 1, decrease the amount by $116,000,000.

On page 12, line 9, increase the amount by $8,000,000.

On page 12, line 10, increase the amount by $8,000,000.

On page 12, line 13, increase the amount by $39,000,000.

On page 12, line 14, increase the amount by $39,000,000.

On page 12, line 17, increase the amount by $39,000,000.

On page 12, line 18, increase the amount by $39,000,000.

On page 12, line 21, increase the amount by $39,000,000.

On page 12, line 22, increase the amount by $39,000,000.

On page 12, line 25, increase the amount by $39,000,000.

On page 13, line 1, increase the amount by $39,000,000.

On page 16, line 10, increase the amount by $7,000,000.

On page 16, line 11, increase the amount by $7,000,000.

On page 16, line 14, increase the amount by $39,000,000.

On page 16, line 15, increase the amount by $39,000,000.

On page 16, line 18, increase the amount by $39,000,000.

On page 16, line 19, increase the amount by $39,000,000.

On page 16, line 22, increase the amount by $38,000,000.

On page 16, line 23, increase the amount by $38,000,000.

On page 17, line 2, increase the amount by $39,000,000.

On page 17, line 3, increase the amount by $39,000,000.

On page 20, line 12, increase the amount by $7,000,000.

On page 20, line 13, increase the amount by $7,000,000.

On page 20, line 16, increase the amount by $39,000,000.

On page 20, line 17, increase the amount by $39,000,000.

On page 20, line 20, increase the amount by $38,000,000.

On page 20, line 21, increase the amount by $38,000,000.

On page 20, line 24, increase the amount by $38,000,000.

On page 20, line 25, increase the amount by $38,000,000.

On page 21, line 3, increase the amount by $38,000,000.

On page 21, line 4, increase the amount by $38,000,000.

AMENDMENT NO. 502

Mr. GRASSLEY. I ask unanimous consent to set that amendment aside for the consideration of an amendment dealing with the Smithsonian.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY] proposes an amendment numbered 502.

The amendment is as follows:

(Purpose: To ensure the appropriate use of funds provided for the Smithsonian Institution, and for other purposes)

On page 41, line 9, decrease the amount by $17,000,000.

On page 41, line 10, decrease the amount by $15,000,000.

At the appropriate place insert the following:

SEC. ___. ADJUSTMENT FOR SMITHSONIAN INSTITUTION SALARIES AND EXPENSES.

(a) IN GENERAL.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and discretionary spending limits for one or more bills, joint resolutions, motions, amendments, or conference reports that make discretionary appropriations for fiscal year 2008 for an amount appropriated, but not to exceed $17,000,000 in budgetary authority and outlays flowing therefrom, once the Comptroller General of the United States has submitted a certification to Congress that since April 1, 2007—

(1) the Smithsonian Institution does not provide total annual compensation for any officer or employee of the Smithsonian Institution greater than the total annual compensation of the President of the United States;

(2) the Smithsonian Institution does not provide deferred compensation for any such officer or employee greater than the deferred compensation of the President of the United States;

(3) all Smithsonian Institution travel expenditures conform with Federal Government guidelines and limitations applicable to the Smithsonian Institution; and,

(4) all Smithsonian Institution officers and employees are subject to ethics rules similar to the ethics rules widely applicable to Federal Government employees.

(b) CRITERIA FOR CERTIFICATION.—In making the certification described in subsection (a), the Comptroller General of the United States should take into account the following:

(1) The Smithsonian Institution is a premier educational, historical, artistic, research, and cultural organization for the American people.

(2) The Inspector General for the Smithsonian Institution recently issued a report regarding an investigation of unauthorized and excessive authorized compensation, benefits, and expenditures by the Secretary of the Smithsonian Institution.

(3) The Inspector General's findings indicate that the actions of the Secretary of the Smithsonian Institution are not in keeping with the public trust of the office of the Secretary of the Smithsonian Institution.

(4) Priority should be given to funding for necessary repairs to maintain and repair Smithsonian Institution buildings and infrastructure and protect America's treasures.

(5) Priority should be given to full funding for the Office of the Inspector General for the Smithsonian Institution so that the American people and Congress have renewed confidence that tax-preferred donations and Federal funds are being spent appropriately and in keeping with the best practices of the charitable sector.

Mr. GRASSLEY. Mr. President, this amendment, as I said, focuses on the Federal Government's support for the Smithsonian Institution. The American people, I believe, have been shocked and outraged to read in newspapers and see on their TVs a story about the out-of-control spending at the Smithsonian by the Secretary of the Institution: First-class air travel for the Secretary and his wife, a palace for an office, and hundreds of thousands of dollars spent on the Secretary's own home for things such as chandelier cleaning and pool heaters are impossible to justify. As my colleagues know, the Federal Government provides over 70 percent of the Smithsonian's approximately $1 billion budget. Most of the rest of the budget comes from tax-preferred charitable donations. Directly or indirectly, the Federal taxpayers pay for almost everything in the Smithsonian.

My amendment is very straightforward. The budget resolution provides for a $17 million increase for the Smithsonian. I commend the chairman of the Budget Committee for increasing the spending for the Institution, and I support that action. As a report issued today from the Smithsonian Arts External Review Committee made clear, there are very significant problems at the Smithsonian in terms of maintaining and protecting the Smithsonian infrastructure and exhibits. The Smithsonian is the keeper of America's treasures, and we want a museum we can all be proud of. So I support the additional $17 million.

But similar to many Americans, my reaction to the Secretary's spending is I want to make sure we are not having new money used to order another round of champagne. My amendment basically fences the $17 million increase but allows the chairman of the Senate Budget Committee to revise the allocations—effectively to release the $17 million in new spending—once and only after the General Accounting Office has certified the following:

No. 1, that no one at the Smithsonian is getting paid more than the President of the United States, as was proposed by the House Appropriations Committee last year; no more paying for French doors at the Secretary's home, in other words. There are many fine museums and charities that receive the same amount of charitable donations as the Smithsonian that are able to hire very able directors for what we pay the President of the United States.

No. 2, the Smithsonian must follow the travel expenditure guidelines of the Federal Government. No more first-class flights with wife and Secretary to Hawaii to enjoy Thanksgiving.

No. 3, the Smithsonian must have ethics rules similar to the ethics rules of Federal Government employees. No more sitting on corporate boards, making big, big money—corporations that have contractual relations with the Smithsonian and possible conflicts of interest.

The amendment also makes clear that the actions of the Secretary are not in keeping with the public trust of the office.

Finally, the amendment states that a priority should be given to funding for repairing and maintaining the Smithsonian and to fully fund the Office of Inspector General at the Smithsonian so the American people and the Congress can have renewed confidence that the $700 million-plus in Federal funds the Smithsonian has is used properly and appropriately.

I am still working with the chairman and with Senator GREGG to make certain this amendment is drafted in a manner that meets their concerns. I am confident we can do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, very briefly—because I know Senator LINCOLN is waiting and we will be giving her 15 minutes and giving Senator CHAMBLISS 10 minutes to respond to this—on the most recent amendment, I would say to Senator GRASSLEY, do you need a rollcall vote or is this something we can take on a voice vote?

Mr. GRASSLEY. We do not need a rollcall vote.

Mr. GRASSLEY. We do not need a rollcall vote.

Mr. CONRAD. That would be enormously helpful. If we could spend a little time working together so we make sure we get this drafted so this works with the larger resolution, I think it is something we can take on a voice vote. But let's make sure we have it drafted in a way all of us intend.

Mr. GRASSLEY. I am sure we will be able to work that out.

Mr. CONRAD. I thank the Senator from Iowa very much.

Now we are back to the question of payment limits. I yield 15 minutes to the Senator from Arkansas.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Arkansas.

Mrs. LINCOLN. I thank the chairman for his tireless work. He and his staff are remarkable in the way they go at this budget. They do a tremendous job of trying to balance so many different items of interest to this diverse body, and certainly to the priorities of the American people. I compliment him on the hard work he has put into this effort.

I know the Senator from Iowa knows the great respect I have for him. He and I have worked together on the Finance Committee on multiple things. Unfortunately we come today with a large disagreement. I rise today in strong opposition to the amendment offered by the Senator from Iowa regarding further payment restrictions, because we did deal with this issue in the 2002 farm bill.

We came to a compromise, and a compromise is just that: It is where two sides come together and figure out something that is reasonable for everybody. But this amendment goes farther on payment restrictions on the farm safety net offered by Senator GRASSLEY and Senator DORGAN. This issue of payment limitations is not a new topic of debate. Yet, unfortunately, it will no doubt be a topic of much debate as we work to craft a new farm bill this year. I have been here in the Congress during two debates, two farm bills. We have produced two farm bills, and I have been a part of that.

I realize that is an important avenue and the place where this debate should be taken. In my view, it is within the context of our farm bill, not the context of this budget debate, that this issue should be debated. We do not need to be here talking within the context of the budget about policy decisions that should be debated and decided in the farm bill through the Agriculture Committee.

This issue remains largely misunderstood for many both inside and outside the beltway. While I wish this were not the case, I gladly take this opportunity to provide some clarity to this issue, hopefully some passion as well, because as a farmer's daughter I take a tremendous amount of pride in telling others about the farmers whom I represent and what American farmers provide this Nation and this world.

Just as Senator DORGAN talked about the solidness of the names of his farmers, guess what. The names of my farmers are not any less American or any less solid. I have got to say, I am as proud of those farmers in my State who plant seed in the ground and help to provide food and fiber for this world and for our country as he is. It does not necessarily mean how wholesome your name might be whether you are a good American farmer.

They talk about 10 percent of our farmers get roughly 72 percent in terms of these payments. Well, I will also let you know the other side of that coin, and that is 10 percent of our producers out there represent 90 percent of what is produced in this country.

Yes, we have some large farmers. We have farmers who are hardcore and diligent and as red-blooded and as American as some of the smaller farmers are. Yes, they do produce a tremendous amount, 90 percent of the food and fiber we have in this country. It is critically important to remember that. It is not size that is important. The dollars, these dollars we talk about, do not go into their pockets, these dollars go to the banker, the local seed dealers and the implement dealers to pay off the notes it takes to farm, particularly in southern parts of this country because of the capital-intensive crops we grow.

Senator DORGAN brings up dead individuals who get payments. I would propose that that is illegal. That is not a problem this issue takes care of. That is a problem for USDA, and it is one that should be taken care of. But it misrepresents what the debate here today is all about. That is what I want to bring people back to.

Above all else, our farm policy seeks to do one thing for all of our farmers, whether you are in one region of the country or another. It seeks to provide for those producers of commodities a strong level of support, a safety net, not a hammock but a safety net, to protect these producers against low prices brought on by factors that are completely beyond their control, including but not limited to foreign tariffs and subsidies some five or six times greater than the help that is provided to farmers across this globe and what we provide our growers. Yet they still provide us with the safest, most abundant, and affordable food supply in the world.

One of the fatal flaws of the 1996 bill, which was called Freedom to Farm, was its lack of an adequate safety net in the face of foreign subsidies and tariffs that dwarf our support of U.S. producers.

I know Senator GRASSLEY and Senator DORGAN and many of my colleagues on both sides of the aisle recognize the challenges our U.S. producers and industries face in an uncertain and often, quite frankly, unfair global marketplace. I am proud to say the 2002 farm bill corrected that mistake. It was a hard-fought compromise, as I mentioned. We came to the table and we agreed each other had points to be made, and we came up with something that was in the middle of the road, and would at least be acceptable by both.

The amendment now before us would seek to further limit that very support at a time the producers need help the most, creating a gaping hole in the safety net for farmers. Furthermore, during hearings and listening sessions on the proposals for a new farm bill, most farm organizations support the compromises agreed to in the 2002 bill, and they recognize that future arbitrary limits on farm payments only serve to diminish our producers' ability to compete globally.

Proponents of tighter limits continue to sensationalize this issue by citing misleading articles about large farm operations receiving very large payments as a reason to target support to smaller farmers. Because my farmers are larger does not mean they are not family farmers or they are not young farmers; it means they are doing what they have to do to compete.

Unfortunately, sensationalized stories only serve to cloud this misunderstood issue further. Senators need to understand this amendment has very serious implications. Let me attempt to provide a bit of clarity on this issue of farm size.

First, payment limitations have disproportionate effects on different regions of this country; there is no doubt about it. Simply put, the size of farm operations is relative to your region. Put even more simply, a small farm in Arkansas may be a huge farm in another area of the country, which leads me to my next point. This amendment continues to unfairly discriminate on a regional basis because it does not differentiate between crops that are extremely cost intensive and those that are not cost intensive. In Arkansas, we raise rice and cotton, two of our largest commodities, and we do so because that is what we are suited to grow; that is what any farmer would grow. These crops happen to be the most expensive crops to produce in the entire country.

This amendment would lump cotton and rice into the same category with crops that require half as much of an input in terms of cost.

Finally, on the issue of size, farmers of commodities are not getting larger to receive more payments. They do not want to have to become larger farmers; it creates more of a challenge and certainly more obstacles for them. They get larger in an attempt to create an economy of scale, to remain competitive internationally. You can see it in business. How do they offer lower prices to their consumers? They create an economy of scale that allows them to be able to do that. That is exactly what our farmers are doing in the southern growing areas of the country. At a time when we were telling our

farmers to compete on the global market, we now hear of in this budget debate an amendment that would discourage farmers from acquiring the very economies of scale they will need to compete in that global marketplace.

If you limit the amount of support farmers may receive, you are placing on them a substantial domestic disadvantage before sending them out to compete in an international marketplace that is already unfair for our producers. This is not the case in Europe and other foreign markets where agricultural subsidies and tariffs are at a level far higher than we see in the United States.

Finally, I say to those who feel farmers are getting rich at the expense of the taxpayer, there is a reason why our sons and daughters are not rushing back to the farm and their family's heritage. It is because farming is a very tough business with a lot of challenges. Senator DORGAN mentioned the challenges his farmers face. My farmers face similar challenges, if not greater challenges, in terms of demographics and climate, in terms of pests and all of the many problems they face, as well as the international marketplace, trade barriers, and a multitude of other things.

Farms that have been in families for generations are being sold because farm income is insufficient to meet the rising input cost associated with raising a crop, particularly in our area. I have to tell you, I have a wonderful farm family farming 5,000 to 6,000 acres, which in some places would seem to be a very large farm. It is a farmer with two sons who farm the land of three widow women who live down the lane from him, and several, yes, inheritants of farm land who want to keep their farm in their family, perhaps for their children who do not live there any longer.

Do they not have the right to maintain their farms to ensure that if there is a farmer there who can increase his amount of land enough through rental property and others, to be able to keep that land in production, to keep his family farm alive and theirs as well? He reaches to that economy of scale because it is the only way he can survive, he and his two children.

I urge my colleagues to take this opportunity to send a strong message to all of our farmers, not one region of the country or another, one that tells them their Government will stand behind them and their rural communities they support.

I have to say, we are coming dangerously close to a trade deficit in agriculture. Do we want to see that happen? You know, it is unfortunate the American people have become very accustomed to almost taking for granted the fact we not only produce an abundant food supply but that we produce a safe and affordable one, the lowest per capita of any other developed nation in what we pay for food for our families, not to mention our growers grow our crops in regard to all of the regulations, whether it is the regulation of their chemical application and the tests they have to take, whether it is making sure they are meeting the guidelines of keeping wetlands conservation areas, making sure they are not stripping the land or not using the land properly, but they are doing it in the best sense of what it means to everybody involved to be good conservationists.

We do that, and we do that at a small cost, a small cost, which is a safety net program that is less than one-half of 1 percent of the overall budget, the agriculture budget. What an investment for our children to know they will be able to maintain not a trade deficit in agriculture but maintain domestic production of crops, food, and fiber that they know are going to be healthy and that are going to be grown with the kind of regulations that produce a crop that is safe, not an imported crop that is being grown with chemical applications that we banned 10 years ago, or practices that are less than phytosanitary conditions. We want to make sure—and this is the way we do it—to provide the safety net for all farmers in a way that they can maintain the economy of scale. They have to in order to be able to be competitive.

I have to say, if we do not stand behind the farmers of this country, the producers—all of them—and assure them their Government will support the production of food and fiber in this country, recognizing the regional differences and the challenges our producers face in the global marketplace, making sure that for them we will appreciate the safe and abundant food and fiber supply they provide, we will have made a sorry mistake.

We have to make sure that we assure them that we are not going to outsource our food production but, rather, that we are committed to ensuring that production stays here where it belongs. I urge my colleagues to think sensibly about this amendment, to vote against this amendment, and not to unfairly disadvantage farmers in one region of the country, in my State and elsewhere. Furthermore, the budget resolution is not the appropriate venue for this debate.

I ask my colleagues to oppose the Grassley-Dorgan amendment. Let's deal with this in the farm bill, the appropriate place. Let's come together. If there needs to be a compromise, we will come to a compromise as we did last time. We worked hard. We got a good one. I do not think this amendment is necessary.

I thank my colleagues for their time and attention. I hope they will thoughtfully review what we have presented today and not support the Grassley-Dorgan amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Georgia.

Mr. CHAMBLISS. I think I have 10 minutes.

The PRESIDING OFFICER. The Senator from Georgia is recognized for 10 minutes.

Mr. CHAMBLISS. Mr. President, I commend my colleague from Arkansas for a forceful, correct, and direct argument on this issue. Here we go again. This is the annual debate we have over whether the farm bill should be rewritten during budget resolution, which is what was tried last time, when the appropriate place to write the farm bill is during debate on the farm bill. That is going to take place later this year. Once this budget is completed, we will have the numbers to move ahead in deciding what the new 5-year farm bill will be like. We are in the sixth year of the current farm bill that was written in 2002. Yet here we are, in the last year of the farm bill, debating a major provision of that legislation.

Frankly, if one goes to farmers all across America—and I say this because I have done it. Senator GRASSLEY, who is my dear friend, has not. I held eight field hearings all across America last summer as chairman of the Senate Ag Committee in which we asked farmers: What do you think about the 2002 farm bill? We even got specific and talked about payment limits: What do you think about the payment limit provision?

There is a general, overwhelming consensus all across America that the 2002 farm bill is working exactly the way farmers and ranchers wanted it to work; that is, it has been a very market-oriented farm bill. In years when prices have been low, there have been Government payments to farmers. In years when prices have been high, there have been a minimal number of payments going to farmers.

As a result of that farm bill being very market oriented, we have saved $17 billion over the projected amount of the expenditure in the farm bill from 2002. Nobody is talking about that. Nobody is talking about the fact that our farmers have been very efficient. They have done whatever is necessary to go back and rework their operations to make sure they maximize efficiency. As a result, they have saved that $17 billion.

What Senator GRASSLEY has done today is to stand up and say: If you make this change, and we limit these big payments to farmers, we are going to save $486 million. The fact is, he is not going to save one dime because what he does is, he takes that $486 million and spends it elsewhere. So we are saving not one dime with the passage of this amendment.

What does this amendment do? It takes the 2002 farm bill and interrupts it during the last year of the farm bill so that farmers and ranchers across America, and the bankers who have financed those farmers and ranchers, now are going to be in a state of flux as to whether what we decided in 2002 was going to be proposed for our farmers and ranchers for a 6-year period of time will, in fact, be lived up to by the U.S.

Congress. The appropriate time and place to debate any payment limit proposal is during reauthorization. That is going to be coming up shortly.

The Farm Security and Rural Investment Act of 2002 authorized a commission on payment limitations for agriculture. That commission has already been referred to by Senator GRASSLEY. The purpose of this commission was to conduct a study on the potential impact of further payment limitations on direct payments, countercyclical payments, as well as the marketing assistance loan benefits on farm income, land values, rural communities, agribusiness infrastructure, planting decisions of producers affected, and supply and prices of covered and other agricultural commodities. In other words, this commission was to look at all aspects of farming and decide what would be the effect of changing payment limits on agriculture in general.

The first recommendation of the commission stated:

> Any substantial changes should take place with reauthorization of the next farm bill.

No other aspect of Federal farm policy has been studied as extensively as payment limitations. The top recommendation of those who studied this issue was not to make any change. I admit I come from a State where we would be negatively impacted by tighter payment limits.

I want to take note of the commission members. This was a balanced panel from all across the Nation. The commission consisted of 10 members. They were from Kansas, Texas, Mississippi, Illinois, North Dakota, Iowa, Georgia, Arizona, and USDA. They agreed to recommend that no substantial changes in payment limits should take place outside of the reauthorization of the farm bill.

Another recommendation of the commission stated as follows:

> Changes in payment limits should be sensitive to differences in commodities, regions, and existing agribusiness infrastructure.

We talk about where the major portion of the payment limits issue comes from. It actually comes from all over the country. But farmers in the Southeast will be negatively impacted, probably more so than most others. Guess where the largest number of payments goes to farmers. It doesn't go to my home State of Georgia. It goes to Senator GRASSLEY's State of Iowa. Do I have a problem with that? Absolutely not because I know he has farmers who get dirt under their fingernails. They know how to change oil in their tractors. They know how to farm their farms the way they can most effectively derive an income from them, and they deserve to have support when times are tough. I have no problem with that. They are doing exactly what the farm bill allows them to do and that is absolutely fine.

One common misconception in regard to farm program payments is that 10 percent of farmers—and this has been stated today—receive 80 to 90 percent of farm program payments. That is simply wrong. According to Kansas State University Economics Professor Dr. Barry Flinchbaugh, those numbers are far from the truth. It should be noted that Dr. Flinchbaugh was chairman of the USDA Commission on the Application of Payment Limits. Dr. Flinchbaugh makes the point that small farms, those defined with gross sales of less than $100,000, make up 84 percent of the farms in the United States. They receive 30.5 percent of the payments while producing 21 percent of the food supply. Medium-sized farms, which are defined as farms with sales between $100,000 and $500,000, comprise 12.2 percent of total farms while producing 28 percent of the food supply and receive 42.7 percent of farm program payments. Large farms that have sales in excess of $500,000 and consist of 3.8 percent of the farms, receive 27 percent of farm program payments and provide over 50 percent of the food supply.

In the words of Dr. Flinchbaugh:

> These programs are designed for the medium-sized farmers. They've done what they were supposed to do. So what's the issue? It's a farce.

My point is that Senator GRASSLEY's amendment is not simply a budget-saving measure; it is a complex issue that deserves thorough discussion when all farm policies are reviewed later this year, not during the budget debate. The Grassley amendment substantially alters farm policy rules that farmers and their bankers expect to be in place through the life of this farm bill. His amendment fails to recognize differences in commodities, regions, as well as agribusiness infrastructure. Senator GRASSLEY blatantly ignores the recommendations of the commission that studied this issue extensively, an issue that has been studied more than any other aspect of Federal farm policy.

Let me close by saying the Senator from North Dakota, who is also a great friend of agriculture and a good friend of mine and I have great respect for him, brought up the fact that dead farmers are receiving payments. I agree with my colleague from Arkansas. If that is the case, then that is the individual who ought to be gone after, not the payment limits in the farm bill. But if somebody is getting a payment that ought not to receive a payment, there ought to be a fraud charge filed and pursued against that particular individual. That is easy enough to do. If anybody has the names, if they get them to me, I will get them in the right hands, and they are going to be pursued from a fraud standpoint. That is the issue involved there, not whether payment limits are a problem with those particular individuals.

The other issue, we talk about farm payments in general. I think all of my farmers in the southern part of the United States would just as soon not get farm payments. The fact is, though, the Europeans pay subsidies, true subsidies in the amount of four times greater than the payments that are made under the farm bill.

I urge a ''no'' vote on the Grassley amendment at the appropriate time.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. 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. CONRAD. 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. CONRAD. How much time remains?.

The PRESIDING OFFICER. There is 2 minutes.

Mr. CONRAD. I yield 2 minutes to the Senator from Georgia, Mr. ISAKSON.

Mr. ISAKSON. Mr. President, I rise in full support of Senator CHAMBLISS, the farmers of Georgia, and farmers around the United States of America. This amendment, while I am sure it is well-intended, has the effect of destroying agriculture in the South and in particular in Georgia. The cost of operations in Georgia is tremendous. To have an arbitrary cap such as this will be absolutely destructive to our part of the State and to the No. 1 industry in the State of Georgia.

Why are we trying to hurt farmers who only wish to provide a decent living for their families? This is a diverse and distinguished Senate with Members who have all kinds of experience. But I doubt anyone here has ever bought a cotton picker—not one, not two. Many Georgians have to have two. When they buy them, they buy them at a quarter of a million apiece. That investment in infrastructure alone, added to the trucks, the pickers, the bins, and all the other facilities one needs, shows that this limitation would be absolutely punitive to the farmers of the South.

While I respect greatly the Senator from Iowa and those who bring this amendment forward, I strenuously object to it on behalf of the farmers of Georgia. I concur with the other Senator from Georgia, Mr. CHAMBLISS, that we should join other Members of the Senate in ensuring defeat of the Grassley amendment.

Passage of this amendment would result in many traditional family farms going out of business in many, many States.

The Farm Service Agency is already going to be overwhelmed by many of the new programs included in this bill. This amendment would result in increased costs to the government and to farmers.

Supporters of this amendment say that these payments go to the few and the big. I could not disagree more.

This amendment punishes the farmer whose livelihood depends solely on the

farm. In my part of the country, a farmer must have a substantial operation to make ends meet.

In the name of common sense, why should anyone want to punish family farmers who have made large investments in order to become competitive in an international marketplace?

Why are we trying to hurt farmers who only wish to provide a decent living for their families even though they are facing soaring cost of production?

As I have stated, this is a diverse and distinguished Senate with Members that have all kinds of experience. But I doubt anyone here has ever bought a cotton picker. You know what a cotton picker costs today? The average price for a new one off the John Deere lot in Albany, GA, is about a quarter million dollars.

If you're an average farmer in south Georgia, you're going to need two of them. That's just the beginning of the equipment needs. There's tractors, grain carts, trucks—are all needed to put a crop in.

By the way, you know where those cotton pickers are made? In a great State: Iowa. I wonder if those employees at that manufacturing plant support this amendment?

The cost of producing crops today costs several hundred dollars per acre. Reduced payment limits and increased benefit targeting flies in the face of skyrocketing production costs and record-low commodity prices.

In fact, this amendment would give less support to Southern farmers than the current farm bill does.

My colleagues, I will not stand witness to the demise of farming the South. Therefore, I oppose this amendment and ask my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I ask unanimous consent that the time until 3:15 be on the subject of SCHIP and controlled by our side; from 3:15 to 4:15 be controlled by Senator KYL, and that is equally divided.

Mr. GREGG. Do we equally divide the time? Why don't we give Senator KYL 40 minutes and your side 20 minutes.

Mr. CONRAD. All right, 40 minutes to Senator KYL, 20 minutes to our side. Then we have Senator CORNYN from 4:15 to 4:45.

Mr. GREGG. On SCHIP.

Mr. CONRAD. We may need 10 minutes in response to him. Then from 4:50, 5 minutes, to respond to Senator CORNYN, 4:50, Senator DORGAN, and then we are going to go to votes.

The PRESIDING OFFICER. Let's make sure we have that correct. Would the Senator repeat the unanimous consent request.

Mr. CONRAD. Mr. President, I would be happy to: that the time until 3:15 be controlled by our side on the subject of SCHIP; from 3:15 to 4:15 on the subject of the Kyl amendment, with 40 minutes for the minority, 20 minutes for the majority; then from 4:15 to 4:45 the time to be under the control of Senator CORNYN on SCHIP, with 10 minutes after that reserved for a response by our side on the Cornyn amendment; and then——

Mr. GREGG. The last 5 minutes.

Mr. CONRAD. The last 5 minutes under the control of Senator DORGAN.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Mr. President, we should also make clear we have not done second degrees. We are not doing second degrees. That is an understanding we have on both sides.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Without objection, it is so ordered.

The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I ask unanimous consent that all the pending amendments be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 504

Mr. BAUCUS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BAUCUS], for himself, and Mr. ROCKEFELLER, proposes an amendment numbered 504.

Mr. BAUCUS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To affirm the Senate's commitment to the reauthorization of the State Children's Health Insurance Program)

On page 48, line 19, before ''The'' insert the following:

(a) PRIORITY.—The Senate establishes the following priorities and makes the following findings:

(1) The Senate shall make the enactment of legislation to reauthorize the State Children's Health Insurance Program (SCHIP) its top health priority for the remainder of fiscal year 2007, during the first session of the 110th Congress.

(2) Extending health care coverage to the Nation's uninsured children is an urgent priority for the Senate.

(3) SCHIP has proven itself a successful program for covering previously uninsured children.

(4) More than 6 million children are enrolled in this landmark program, which has enjoyed broad bipartisan support in Congress, among our Nation's governors, and within state and local governments.

(5) SCHIP reduces the percentage of children with unmet health care needs.

(6) Since SCHIP was created, enormous progress has been made in reducing disparities in children's coverage rates.

(7) Uninsured children who gain coverage through SCHIP receive more preventive care and their parents report better access to providers and improved communications with their children's doctors.

(8) Congress has a responsibility to reauthorize SCHIP before the expiration of its current authorization.

(b) RESERVE FUND.—

Mr. BAUCUS. Mr. President, I am offering an amendment that I hope will garner unanimous support. The amendment simply puts children first in America's budget.

The amendment I am offering today, along with Senator ROCKEFELLER, says reauthorization of the State Children's Health Insurance Plan, otherwise known as SCHIP, is the top health priority of this Congress.

I applaud the work of Chairman CONRAD and other members of the Budget Committee for reporting out a budget that provides up to $50 billion over 5 years for reauthorization of CHIP.

I am hopeful that the Senate will adopt the other amendment that I offered earlier today. That amendment will move $15 billion of that CHIP funding from the reserve fund into the numbers of the resolution. It would make the funding even more likely to happen.

The $50 billion level of funding in the budget will ensure that CHIP can meet the demand for services. This funding will ensure that CHIP fulfills its promise of providing health coverage for children who are eligible for CHIP and Medicaid but not enrolled.

Congress has a historic opportunity to help millions of children and families this year. We must get this right.

As we look at CHIP's track record, we can be very proud of its accomplishments over the past decade.

Since 1997, the share of children without health insurance has dropped by one-fifth. Among the poorest children—those with family incomes less than twice the poverty level—one-third fewer children are uninsured today than in 1997. Just as Congress intended, the Children's Health Insurance Program is making inroads to help more children get health coverage.

The Children's Health Insurance Program has also helped to decrease racial and ethnic disparities in children's coverage. Today, the poorest African-American children are one-third more likely to have health coverage, and Hispanic children are one-quarter more likely to have health coverage than they were in 1997.

The Children's Health Insurance Program has also helped to improve the quality of care children receive by increasing the likelihood children have a ''medical home''—that is, a doctor, clinic, or HMO they routinely visit for care. Research demonstrates that 97 percent of children enrolled in CHIP and Medicaid have a ''medial home.'' That is much better than the 72 percent of uninsured children.

We can all agree—CHIP is a great program that has had tremendous benefit for millions of children. But we also know that we can do much better.

Today, three-fourths of the 9 million uninsured children in our Nation are eligible for—either Medicaid or CHIP; but they are not enrolled. CHIP reauthorization holds the promise of helping us make a difference in these children's lives.

CHIP provides a funding stream to help States provide health coverage to children in need. But that funding stream is often unpredictable and does not always track the demands for coverage in the State. We can do better.

But we will not be able to address these problems unless we move forward with reauthorization this year. And we must do so quickly.

If Congress does not enact a reauthorization bill before CHIP funding expires on September 30, we will lose the $25 billion in CHIP funds that are now in the Congressional Budget Office baseline.

We simply cannot afford to miss this deadline. We cannot tell States that we just could not get it done. We cannot tell millions of children that they will have to lose coverage. Failure is not an option.

CHIP is certainly not the only solution to the health care problems facing our Nation. I share the concerns voiced by so many of my colleagues about the need for broader health reforms. But CHIP can be a first step toward this broader goal of health reform.

This amendment commits the Senate to move forward to reauthorize CHIP before the deadline, this year. It is a simple statement about the program's importance and of our will to put children first in our work this year.

Let me be clear. CHIP is not a Democratic priority or a Republican priority. This program was created in a bipartisan spirit fostered by the late Senator John Chafee and Senator HATCH, working together with Senators KENNEDY and ROCKEFELLER.

Reauthorization must also be a bipartisan priority. I intend to continue in this spirit and work with my colleague, Senator GRASSLY, and other members of the Finance Committee to get this done the way it should be this year.

I urge my colleagues to join me in supporting this amendment to reinforce our bipartisan commitment to reauthorize CHIP this year. Our children are depending on us. We must not let them down.

I strongly urge adoption of this amendment at the appropriate time.

In conclusion, we can all agree this is a great program with tremendous benefit for millions of children. We also know we can do much better.

Mr. President, we have a list of cosponsors on this amendment which I do not have with me at the moment. We will get that later for the RECORD. But I strongly urge the adoption, at the appropriate time, of this amendment because we then would be putting children first.

Mr. President, I ask unanimous consent that my colleague from Montana be given 3 minutes at this time. He has been waiting very patiently.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Montana is recognized.

Mr. TESTER. Mr. President, I thank Senator BAUCUS for allowing me to speak. I also thank the good Senator from North Dakota.

AMENDMENT NO. 464

Mr. President, I rise to speak on amendment No. 464, the Grassley-Dorgan amendment on farm payment limitations, making those limitations max out at $250,000. That is a quarter of a million dollars. That is how much money that is going to be maxed out for individual family farmers to get. That is a reasonable request. I think it makes the farm bill more defendable to the American people.

I am a family farmer. I understand family farmers are the backbone of this country. They keep our food security there so we do not have people going hungry. What the farm program has meant to do, and has always been meant to be, is a safety net for farmers so when market prices drop they have that safety net to depend upon. There is not one farmer I know of who does not want to get their income from the marketplace. So we need to keep it that way.

We need to encourage fair trade deals. We need to encourage more competition in the marketplace. We need to make sure our freight rates are, what I would call, not abusive, if we are going to keep family farmers on the land.

Some 30 years ago, the student body in the high school I went to in a farming community had 160 kids in it. Today, that same student body is less than half that size because we have not had a farm bill that has worked for the farmers.

This amendment makes sense because it puts a cap of $250,000 on the benefits from farm program subsidies and eliminates those big agribusinesses that have been taking money they do not need, quite frankly. They do not need that safety net that the farm program subsidies provide in our farm program.

So with that, Mr. President, I ask that all the Members of the Senate support amendment No. 464, the Grassley-Dorgan amendment, because it is the right thing to do.

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDMENT NO. 504

Mr. ROCKEFELLER. Mr. President, I speak today in support of the budget resolution. I have many highly complimentary things I could say about Senator CONRAD, who has probably the toughest job in the Senate. He has proceeded brilliantly, fairly, calmly, and within the public interest. The public interest is, to me, the most important. He has shown that commitment by including $50 billion for the reauthorization of the Children's Health Insurance Program.

I reserve a note of personal privilege. I first became aware of what happens to children—in this case, in rural America—when I was a Vista volunteer in West Virginia in 1964 and 1965. I saw children and their families who had no concept of health care. Never in their lives did they have health care or most anything else that really counted in terms of giving them hope. So that has been kind of my moral compass ever since. It is the way I vote, it is the way I feel, and it is who I am.

I know this budget was not easy for the chairman of the Budget Committee. But I am so proud the chairman and the Democrats are standing up for children and making CHIP reauthorization the top health priority of this year. This is not a Democratic program. This is not a Republican program. If there is anything at all that was ever an American program—Governors, everybody—nobody can disagree on the power of this program, with the exception that it is now in deep stress. It has been cut by two-thirds from its present inadequate funding.

This amendment would not only restore the full 6 million children who are not covered—and, again, I want you to contemplate a child not covered, a child who develops a toothache, a child who develops a stomachache, a child who is miles from a hospital and whose family may not have a car to get that child there.

Children's health insurance means everything. Immunization, preventive care—CHIP is the only program that has ever done this. We did this with Medicare in 1965. We did it 30 years later with the Children's Health Insurance Program. I think it is the single most accepted Federal program in my State of West Virginia, with the exception, obviously, of Medicare, Social Security, and Medicaid.

The problem is the budget was cut. So of the 6 million who originally were covered, many are now not covered. We have many problems facing us. The budget chairman, Senator CONRAD, has corrected these problems. He has included not only the 6 million who were on it but many of whom were cut or would be cut, and then he has included the 6 million more who are eligible because they qualify in every way except there is not the money to cover them. There would now be the money to cover them.

I have never faced the problem, to be honest, could I make it in life in some way or another, where was my next meal coming from, what would happen if I had some kind of an illness. That is not the typical experience in lots of rural America and urban America. That is where my heart lies, with those people. I think we have a sacred responsibility as a Senate, on the most bipartisan issue I can possibly think of, to remedy this problem and to take care of it quickly by adopting this piece of legislation.

We remember, in 1977, there were 10 million uninsured children. The failure of health care reform in the early 1990s took away our will, took the wind out of our sails. It turned us into incrementalists. So we did not start thinking about the big picture, how to cover Americans broadly.

I can remember standing on the floor of the Senate with the senior Senator from Massachusetts. People were saying: Well, this is nationalized health insurance. We were waving our Blue Cross-Blue Shield cards. It did not make any difference, once it was labeled that was it: dead on arrival. That was a tragedy and now is a particular tragedy with respect to children.

So today we have almost 9 million children under the age of 18, and they still have absolutely no health insurance. How does one walk into this body, with the health insurance we have, with the people we represent, and allow a situation like that to continue? It is a profound moral issue. It takes the form of legislation, it takes the form of goodwill and determination, but it is a profound moral obligation of the richest country in the world.

So I am strongly for this Baucus legislation. I think we have an obligation to adopt it. I hope we have the courage and the skill to do so.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD. Mr. President, I ask the Senator from Massachusetts, how much time does he desire?

Mr. KENNEDY. Mr. President, 7, 8 minutes.

Mr. CONRAD. Mr. President, I yield 7½ minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, will the Chair let me know when there is a minute and a half remaining?

Mr. President, first of all, I think all of America ought to understand a basic and fundamental principle: this budget debate is really about national priorities. It is about a national priority. That is why we rise here.

Senator BAUCUS, Senator ROCKEFELLER, myself—it is not just the Democrats on this issue of the Children's Health Insurance Program, but Republicans as well—but we have been around here for many years, and what a difference a year makes because in this particular budget we are putting children first. We are putting children first. We are putting children's health care first, and we are putting children's education first. What a difference it is from the recent years where all we had is tax breaks, after tax breaks, after tax breaks. This budget is different. This budget is very different. It says children are going to be first.

Secondly, it says that we know there are probably 9 million children who do not have any kind of health insurance, but about 6 million of them are eligible for Medicaid and CHIP. We find that working Americans are having more and more difficulty affording health insurance. One of their great concerns is not just for themselves but for their children.

Help is on the way with this budget because with this budget makes a commitment of $50 billion, to help those working families get health insurance for their children. So if their child has an earache, if that child is suffering from asthma, if that child has intestinal flu, the parent will not have to stay awake all night and wonder whether that child is $225 sick, because that is what it is going to cost that working family to take that child down to the emergency room. They won't have to worry about sending that child to school sick while they go out to work. That day, the child will be able to get good, quality health care. That is what we stand for on this side.

We see the success of this program. We have seen over the period of these last years the growth of millions of enrolled children, up to 6 million children, and we know this program can work for an additional 6 million children.

But we are faced with a budget on the opposite side by the Republicans, and what would that do? It would effectively drop almost half of the children who are currently covered.

Here is a map which says 14 States will run out of SCHIP funds in fiscal year 2007 under what the administration has proposed. Big alternative. You asked about alternatives. Our budget would provide the full coverage. This is what happened in the red States on the chart. If you live in those red States and have children, you are in big trouble. Here it is in 2008, an increasing number of States that are going to be excluded.

Finally, by 2012, under the Republican budget—look at this—virtually 80 percent of the States will see a drop in the coverage for their children. With the program that has been put forward by Senator CONRAD and others, it will mean all of this will be white because we will make sure all of those children are covered.

Now, what is the impact in terms of health disparities? Let's talk now about the impact on children. We talked about the numbers. We talked about the budget. Let's talk about what the health impact is on the children.

The SCHIP program reduces health disparities. This chart shows the disparities between the various groups before the enrollment—between White, African American, and Hispanic—and after enrollment. Look at this dramatic reduction in terms of the disparities.

Health disparities are one of the principal problems we are facing in our health care system today. This is one of the best ways to resolve the health disparities, with the Baucus amendment, to try to make sure that there is coverage for every child in America, because of all of the long-range implications of reducing the costs of health care, but most of all because we care about the children.

This shows one particular disease: asthma. We have seen the rate of asthma virtually double over the period of the last 5 years. The principal reason for that is because this administration has relaxed environmental protections and increased numbers of toxins that are in the air. We have double the number of children who are dying from asthma now, this year, than we had 9 years ago.

But look at what this does for those children who have asthma, before enrollment and after enrollment—the dramatic reduction. Here are the number of asthma attacks, the number of medical visits, and we see the dramatic reduction of attacks in terms of the children of this country.

So it really comes down to this: This chart demonstrates the alternatives, what is included in the Baucus-Rockefeller amendment and what we have with the Republican proposal. Their proposal is less than half than what is needed to maintain the current services—the current services; not increasing and providing the health care coverage for children but just for current services—and the Senate budget resolution is the $50 billion to cover all eligible children. That is the issue. This budget puts the children first, and the most dramatic example of that is the strong commitment to ensure that all the 6 million children who are eligible for CHIP and Medicaid are covered. Those who are basically the sons and daughters of working families in this country will know that under this budget, help is on the way. This will be true in every State across this country.

This has been a success, and it has been bipartisan. I take my hat off to my colleagues and friends, Senator HATCH, Senator SNOWE, and Senator SMITH—all Republicans. Republicans and Democrats have worked together. But on this issue in terms of priorities, which is a key element in this budget debate and a key difference between the two views about the budget, this amendment is an essential aspect of the budget proposal, and I commend Senator CONRAD and those on the Budget Committee for supporting it.

I yield back the floor.

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD. Mr. President, let me thank the Senator from Massachusetts and thank those who have spoken on SCHIP.

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.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. CONRAD. Mr. President, could we do 5 minutes?

Mr. KENNEDY. Five minutes, yes.

Mr. CONRAD. I thank the Chair.

The PRESIDING OFFICER. The Senator from North Dakota yields 5 minutes to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, if you would let me know when there is 1 minute left.

I would like to take a few minutes to respond to the points the senior Senator from New Hampshire made yesterday regarding the track record of the administration and the Republican Congress on education funding.

Senator GREGG points to the historic increases in the No Child Left Behind Act funding under President Bush, but what he doesn't point out is that most of the increase happened after the first year of enactment of the No Child Left Behind Act when Democrats controlled the Senate and demanded a substantial increase. Since then, new funding for elementary and secondary education has plummeted.

These are the figures. The President's budget for fiscal year 2002 contained virtually no increase in funding for No Child Left Behind. In the two years following that, he actually proposed cuts in funding for No Child Left Behind. The year after that saw a minimal increase and then No Child Left Behind was actually cut. In fact, since President Bush has been in office, most increases in funding for education have come about due to pressure from Congressional Democrats.

No Child Left Behind is only half the story. Under Republican control of the Senate, increases in funding for education programs overall have gotten smaller year after year.

Two years ago, funding for education was actually cut by over half a billion dollars. Last year, the President proposed the largest cut to overall education funding in the history of the Department of Education—$2.2 billion—and again this year, the President's proposal is an overall cut of $1.3 billion.

So my colleague from New Hampshire is right. President Bush claims to include an increase of $1 billion in No Child Left Behind funding in his budget for this year, but that is not a real increase. First, it does nothing more than fill the cut that was enacted in 2006, and worse, as he has time and again, the President robs other education programs to pay for it.

As I mentioned, he proposes a $1.3 billion cut to education programs overall. That is not providing new resources for our schools; that is a shell game. But even more important than these points is the fact that the funding which has been secured is simply insufficient to fulfill the bipartisan promise to leave no child behind. That was a promise, not a political slogan. But year after year of broken promises by the White House and the Republican Congress have left 3.7 million children behind. Their budgets have meant larger, not smaller, class sizes. They've meant fewer teachers trained. This irresponsible neglect comes at a time when schools are being asked to do more.

We had the debate and the discussion yesterday, and my colleagues listened to my friend and colleague from New Hampshire talk about all the increases in education. Go ask any school board in this country, go ask any superintendent in the country, go ask any teacher in this country what has happened in their school and what has happened in their district and what has happened in their community on education. You will hear the answer: It has been cut, cut, cut, cut. That has been the answer. You can make all the charts in the world. But go out and ask the schoolteachers, go out and ask the superintendents of schools, and they know what has been happening. It has been as we have described here.

That has certainly been true as well in the Republican reconciliation bill last year, which my colleague from New Hampshire claimed provided $9 billion in student benefits and did not cut $12 billion from the student loan programs. The facts are that $22 billion was cut from the student loan programs. About $9 billion was spent by that bill more than half of it on sweetners for the banks, such as increased loan limits on federally subsidized loans and reduced origination fees which translate to increased profits for banks.

A small grant program was included, but as my friend from New Hampshire acknowledged yesterday, 90 percent of students are not eligible for that program. 4.7 million Pell eligible students were left out in the cold.

The Senate bill included $6 billion in grant aid for all Pell eligible students, but the Republicans jettisoned that proposal in a partisan conference. This program also wrongly limits eligibility to students enrolled in school full time. So forget it if you're trying to support a family and have to work while you're trying to get your degree. This limitation and others related to curriculum also exclude virtually all community college students.

But the most important fact is one conceded by the Senator from New Hampshire. The vast majority of the cuts to student loan programs were not dedicated to student aid. Instead, $12 billion was used to offset tax giveaways for the wealthy.

Our schools, children and families deserve more than accounting gimmicks. Our schools need new resources to make progress on reform, and families need real help to afford a college education for their children. Republican budgets have provided neither.

How much greed do those lending companies want? Has anybody read the New York Times recently about what is happening with the investigations of the student loan program, those billions of dollars going to the student loan program? Sallie Mae—the value of its stock was $3.17 in January 1995; it has traded above $50 per share for most of this year. That is coming from students and from low- and middle-income families.

But when you talk about investing in children, don't listen to the Senator from New Hampshire and don't listen to me; listen to your superintendent of schools, listen to the schoolteachers, listen to parents, and you will find out what has been happening and where the cuts have been over the past years. If there is a question about what has been happening in student loans, ask any middle-income or low-income family. Ask any students who are going to our fine public and private colleges. You will find out the tuitions have been going up through the roof, and a substantial part of that is by the fact that we have a student loan program that works for the banks and not for the students.

The PRESIDING OFFICER (Mrs. MCCASKILL). Who yields time?

Mr. CONRAD. Madam President, unfortunately, we have two Senators and we have about 12 minutes remaining. Senator REED, how much time do you need? Mr. REED. Five minutes.

Mr. CONRAD. Madam President, I yield 5 minutes to Senator REED and then the remaining time to Senator MURRAY.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Madam President, I thank the Senator for his gracious yielding of time and for his exceptional work on this budget.

I wish to speak particularly to the issue of SCHIP. Shortly, Senator CORNYN will offer an amendment that was offered in the Budget Committee and defeated there, and it should be defeated on the floor of the Senate. His amendment seeks to tie the hands of the Finance Committee and make policy determinations on a program that has direct impact on millions of American families and children.

Millions of low-income Americans receive their health care under the State Children's Health Insurance Program, SCHIP. This program is a safety net for low-income families. Rhode Island has provided extraordinary support to families working and struggling to provide health care for their children. By most estimates, the number of uninsured is going up in this country—most recently estimated at about 46 million. If we undermine the SCHIP program, those numbers will increase and particularly, obviously, in the ranks of uninsured children.

SCHIP provides approximately 20,000 Rhode Islanders with health insurance coverage. My State worked hard on a bipartisan basis—Republican Governors, Democratic Governors, and the Democratic assembly—to build a health care system for children that works. A few years ago, we had one of the lowest rates of uninsured children in the Nation because of SCHIP and local efforts. In the last several years, the rate of uninsured children, even in Rhode Island, has gone up.

We have to have the resources to keep this program going forward.

These dollars mean the difference between children getting access to health care and being denied health care. It affects their ability to learn in school and their long-term ability to be productive and contributing citizens. This is a vital program.

We see these shortfalls perennially in some States that aggressively support the SCHIP program. We have been able to make fixes in the past, redistributing funds. This time, we need a budget—and Senator CONRAD has provided it—that will give us the resources and flexibility to reauthorize SCHIP so it will work in the future.

Senators BOXER, CONRAD, and ROCKEFELLER have put forth responsible amendments to deal with the SCHIP policy issue. Unlike the proposed amendment of Senator CORNYN, the Baucus-Rockefeller amendment puts the needs and interests of children first in the context of reauthorization.

I believe this budget, including up to $50 billion to expand SCHIP, is exactly the right direction. When you go to Rhode Island, or any State, and you talk to particularly the working people who are struggling to make ends meet, the No. 1 issue on their minds is: How can I afford health care insurance?

I had a neighbor rush across the street last Friday morning, while I was clearing the snow off my car, who said: I don't know what I can do; my health insurance just went up 66 percent. That is the crisis real Americans face every day. This is a response—a very important response—but not a final answer to health care in the United States. Goodness gracious, if we cannot take care of children and give them health care, then what else should we do? What is more important than that?

I think we have to recognize that some States, such as mine, have been able to expand this program to include the parents of some of these children. That is a positive step because it provides better health care for the whole family. In fact, the statistics and analyses show if you can have a family treated as a whole, you have a better health outcome. Also, it provides, again, another way to stop the ever increasing number of uninsured Americans, be they children or adults.

I congratulate Chairman CONRAD for his work and commitment. I hope when we leave this budget debate, we can proclaim loudly and proudly we have expanded coverage health care coverage for children in this country. That is something I think we can all take great pride and claim satisfaction in doing. I urge us to reject the Cornyn amendment and support this budget. I commend Senator CONRAD for what he has done.

I will make several quick points about the budget. It restores fiscal discipline. I commend the chairman for that. It adds important assets and commitments to affordable housing funds. The language allows us to go forward on that. Education and veterans are important priorities. This budget is one of which the people can be proud. I know the people of Rhode Island will be.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Madam President, I rise to support the Baucus amendment as opposed to the Cornyn amendment. I am thrilled this budget before us addresses health care in a responsible way in the amendment from this side. We provide up to $50 billion for this critical Children's Health Insurance Program over the next 15 years that will allow eligible children, who are not today enrolled, to be able to get the coverage they so necessarily need, and it is a critical step.

I commend the authors on this side and Senator CONRAD for his tremendous work on that amendment. I rise also to thank Senator CONRAD for his tremendous leadership in finally bringing us a budget that redirects the priorities of America's working families. Our families across the country want us to focus on strengthening our country from within. That starts by investing at home in our schools, as Senator KENNEDY talked about, and in our infrastructure, and in our communities. That is exactly what this budget does. It still provides every dollar the President asked for for Defense spending over the next 5 years.

Americans want us to make investments in our future in a responsible way. Every family knows the importance of fiscal discipline and the importance of keeping a balanced budget. They expect the Federal Government to share that responsibility. With this budget, we are restoring an important pay-as-you-go rule that means we are being responsible today, and we are not burdening our grandchildren with new debt tomorrow.

American families, we know, also need relief from taxes that are too much today squeezing the middle class, and the budget Senator CONRAD has put forward provides relief from the alternative minimum tax for 2 years and avoids any tax increases. I commend him for his responsible approach.

With this budget, we are proving we can invest in our people and our communities and our security without sacrificing the future. It is important to note, as we debate the budget today, that it reflects a new direction for our country. I recall last November when the American people demanded a change, and this budget reflects that call. It says across this country that we will no longer see our veterans shortchanged on their medical care; we will no longer see our communities facing very painful cuts in housing; we will no longer have our ports having gaping security holes they have faced for too long; no longer will our schools be so underfunded; no longer will community health care be undermined continuously at the Federal level; and importantly, no longer will we keep forcing more debt onto our children and grandchildren, without a plan to bring this budget back into balance.

On this side, we have said for a number of years there is a better way, and this budget proves that. I recognize, as we all do, we cannot fund everything everybody wants. No budget can. But this budget, I believe, moves us in the right direction in a responsible way, and that is a dramatic new start for this Senate. Last year, we were struggling to protect critical needs. This year, we are investing in them.

I wish to highlight some of the national priorities in this budget. We know the Bush administration has not adequately funded veterans health care. Now, as we begin the fifth year of this war this week, that becomes more and more evident across the country—whether it is our veterans, who have been struggling to get mental health care, or are waiting in long lines for benefit claims, or a lack of focus on the signature issue of this war, traumatic brain injury, that we have seen highlighted in the press over the last several weeks, or seeing that veterans are shortchanged at medical facilities, as we saw with Walter Reed.

This budget we are presenting to America increases our support for veterans by $3.5 billion over the President's proposal. In fact, the total $43.1 billion we are now investing in veterans' care represents a full 98 percent of the independent budget. That is the budget that has been devised by our veterans service organizations that, as we all know, clearly have proven to be fairly accurate in what they have told us they needed over the last years.

Our budget also, importantly, rejects the President's proposal that would have imposed new fees and higher drug copayments on some of our veterans. Those fees would force more than 100,000 of our veterans to leave the VA health care system, and that was wrongheaded.

I have seen personally the detrimental effects of underfunding veterans health care. As everybody knows, I have fought very hard on this floor to fix the administration's funding blunders and had to work hard here to increase veterans funding by $3 billion in 2005 and 2006. By increasing funding for veterans, this budget finally does what the administration has failed to do, and that is recognize the service and sacrifice of those men and women who have paid the price of this war.

We heard Senator KENNEDY a few minutes ago make a strong statement on education. This budget begins to invest here at home in our schools. We have seen years of painful cuts. After that time, we have produced a budget today that addresses the needs of American families who worry so much about finding and affording educational opportunities for their children. This budget provides the largest increase in funding for elementary and secondary education programs in 5 years. That is going to make a real difference for families across this country. We increase funding for the Department of

Education by $6.1 billion above the President's budget and restore all of the painful cuts he proposed—in Perkins grants, Pell grants, Head Start, No Child Left Behind, and the Individuals with Disabilities Act. Those are not just names of programs; those are real children who are impacted by the lack of funding we have seen, and this budget restores that.

I can tell my colleagues that as a former educator and a parent, I know the importance of having the full partnership of the Federal Government in supporting our children and our students. I am so glad this budget strengthens the partnership and eliminates harmful cuts.

I also wish to mention the important investment in this budget in securing our ports. Last year, I worked with other Senators on both sides of the aisle to pass the Safe Ports Act. Unfortunately, even with the passage of that authorization, the President didn't adequately fund this vital program for the security of our country. We, in this budget, increased funding for the Safe Ports Act and provided $400 million for the Port Security Grant Program. That funding means more radiation detectors, more partners in safe trade, and more customs officials who are needed in order to facilitate our trade.

I am very proud that this budget takes real steps, concrete steps to improve port security, while also making sure we maintain and improve our trade efficiency.

Finally, I give my personal thanks to Senator CONRAD and his staff for their tireless work in leading the fight on this budget. It has been a privilege to stand at his side on the Budget Committee and to work with him to right this fiscal ship.

This budget, once again, invests in the true priorities of the American people while keeping the needs and aspirations of our future generations in mind. I look forward to passing this budget so we can move forward with the new direction the American people have demanded.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, it is my understanding that under the prior order, Senator KYL is now recognized for an hour, with Senator KYL having 40 minutes under his control and the Democratic side having 20 minutes under their control.

The PRESIDING OFFICER. That is correct.

Mr. KYL. Madam President, I thank the Senator from New Hampshire, the ranking member of the committee, for all his hard work and support for those of us who have prepared amendments and would like to offer them.

This is actually the Kyl-Graham amendment. The Senator from South Carolina will be offering this amendment and, incidentally, as soon as we have the exact text typed, we will present that for actual formal submission, but I can begin talking about it right now. Let me begin doing that.

The purpose of this amendment is to demonstrate, I believe, that there is sufficient ability in this budget to take care of a couple of problems that are very important and which we believe should be included within this budget before it gets passed: provisions that provide for the education of American children, provide for capital gains and dividend tax relief to continue to exist both for our families and businesses and the competitiveness of our economy, as well as other provisions which were not included in the underlying budget, such as death tax reform, which I think most of us acknowledge needs to occur and which we need to provide for in the budget.

This amendment Senator GRAHAM and I will be offering in a moment is designed to include these very important provisions which I think most of us support in the budget. Not to do so would clearly represent a very big hole, I suggest, in the budget.

There is a suggestion in the amendment that was offered by the Senator from Montana and others that what Republicans have been saying about this budget resolution—namely, that it raises taxes on every American taxpayer—is, in fact, the case because as approved by the Budget Committee on a party-line vote, I might add, this budget raises taxes by $916 billion over the 5 years of the budget, which would be, of course, the biggest tax increase in the history of the country.

The chairman of the Senate Finance Committee, the Senator from Montana, well understood this, and I suggest probably is the reason for his offering of the amendment to reduce the revenue that is projected by the budget resolution and then, in his case, purports to dedicate that revenue to middle-class tax relief. He wouldn't be offering this amendment were it not for the recognition that there is a huge tax increase in the budget that came from the Budget Committee.

So I submit, to begin this conversation, that Senator BAUCUS's amendment is a good start, but it leaves in place the tax hikes on millions and millions of Americans, and that is not something most Republicans want to see.

If the Baucus amendment is adopted, then Democrats will be proposing to raise taxes on hard-working Americans by $736 billion over 5 years, rather than the $916 billion, still the biggest tax increase ever. We don't think this is right.

Incidentally, on a technical note, according to the Republican Budget Committee staff, the Baucus amendment increases the deficit in 2010 and 2011. This is important. When the interest is factored in, the Baucus amendment would take the budget out of balance in 2012 by some $6 billion. In the past, the Budget Committee members have had an informal agreement that interest would not be computed for amendments because it would be too cumbersome.

While this amendment would take the budget further into deficit—preventing tax increases is more important than worrying about a small, manageable size deficit—it may be interesting to note that the Baucus amendment would have this effect.

In addition to raising taxes, we are talking about increasing the amount of deficit.

The Senator from Montana notes that his amendment would extend the 10-percent bracket, the child tax bracket, the marriage penalty relief, the adoption tax credit, the earned-income tax credit for combat pay, and provide modest estate tax relief. I agree with the Senator on all these policies except with the modesty of the death tax relief.

Senator BAUCUS and some of his cosponsors, especially the two Senators NELSON, have always supported repeal of the death tax, as have I. So it is disappointing to many family businesses and farm owners that we now have sponsors who had supported the repeal of the death tax endorsing an amendment that would set the death tax rate at what I believe is a confiscatory 45 percent and set the exemption at only $3.5 million, which most of us believe is too low. This leaves more than 22,000 families subject to the estate tax each and every year, according to the Joint Tax Committee.

Another one of the cosponsors of the amendment of the Senator from Montana, the Senator from Arkansas, says on his Senate Web site that he supports a $5 million exemption and a 35-percent rate. I am disappointed he would then be endorsing a proposal that would have a 45-percent rate. A 45-percent rate allows the Government—think about this for a moment—to take almost half a family farm or business over the $3.5 million exempted amount at the time of death.

There is a reason this particular policy has been supported by life insurance companies. I think everybody can understand that. It keeps the onerous death tax in place and would require these family businesses and farms to continue to pay exorbitant premiums to insurance companies.

One of the reasons we would like to eliminate the death tax is so we don't have to pay the burden of trying to avoid the tax, which a lot of these small businesses have to do.

As I said, the Kyl-Graham amendment we think substantially improves the Baucus amendment by modifying the year-to-year revenue numbers so that certain tax provisions that have been essential in helping families pay education expenses essential to our economic recovery, essential to savings for retirement, senior citizens, and families facing the death tax are provided for in this budget. Let me quickly go through them and then ask my colleague, Senator GRAHAM, to make further comments.

On the matter of education, the Baucus amendment fails to extend the many education tax provisions that are scheduled to expire. Our amendment, on the other hand, makes higher education more affordable for middle-class Americans by extending the tuition deduction, extending the modifications to the Coverdell education savings accounts, extending certain provisions for the student loan interest deduction, and for extending the exclusion for employer-provided educational assistance.

These are important provisions to American families. They need to be recognized in this budget.

Our amendment permanently extends the $250 deduction for expenses of elementary and secondary school teachers who, on many occasions, are required to pay for the very school supplies they feel are necessary and are important for educating the kids for whom they are responsible.

These are the education provisions.

On capital gains and dividends, who can argue that the capital gains and dividend tax rate reductions have been two of the most important reasons for the strong economic recovery that our country has made. Yet the Baucus amendment fails to prevent an increase in these two important tax rates.

An extension of the current rates would allow our economic recovery to continue. Allowing these rates to expire and to go back up to where they were would be devastating for our economy and for the competitiveness of our capital markets and, by the way, for the retirement savings of many Americans.

So the Kyl-Graham amendment permanently extends the reduced tax rate for qualified dividends and capital gains for nearly 18 million families and individuals every year. That, too, is an important component that should be in this budget.

Quickly on two items before I turn to the discussion of the death tax, this goes to competitiveness. What our amendment would do is prevent tax increases that would clearly hurt our competitive position in the world economy. We talk about outsourcing of jobs and competitiveness and the rest of it. If you want to know what will save American jobs and will allow us to continue to grow, it is the tax rates that Senator GRAHAM and I preserve in this budget.

America cannot be the home for worldwide capital markets if it is hostile to American investors. So the amendment makes the existing tax rates for long-term capital gains and for qualified dividends permanent tax policy. We understand that the lower tax rates that were implemented in 2003 and extended again in 2006 have been a tremendous success for our economy and have benefited a broad range of American citizens.

Growth, since the 2003 tax relief, has averaged more than 3.5 percent a year, while it averaged 1.3 percent from the first quarter of 2001 through the second quarter of 2003, before these tax rates were put into effect.

The Dow Jones industrial average has risen by 40 percent since the lower investment tax rates were enacted.

The average 401(k) balance has risen by about 65 percent since 2003, very good news for American families and investors.

Why would we want to destroy this tremendous growth in the economic wealth of Americans? All of this investment activity makes it easier for entrepreneurs and businesses to raise funds to expand and grow their businesses, create more jobs, and improve the standard of living for all Americans.

By the way, to answer the question of who benefits by all this, some of our colleagues are prone to suggest it is only the wealthy who benefit. Not so. It is interesting to note that most Americans who are benefiting from these lower tax rates are middle-income taxpayers. Fully 43 percent of tax filers in 2004 reporting capital gains had adjusted gross income of under $50,000. These are not the wealthy; these are not the rich. Just 9.5 percent of filers reporting capital gains had an adjusted gross income of $200,000 or above.

So the majority of Americans benefiting from these lower tax rates, the rates we preserve in the budget if our amendment is adopted, are average, middle-class Americans.

For lower income Americans, the current 5-percent rate for investments, which drops to zero in 2008, is another important but sometimes forgotten benefit, especially, important, I might add, to our senior citizens.

According to statistics calculated by the Joint Committee on Taxation, more than 75 percent of all elderly taxpayers' returns reporting capital gains income have adjusted gross incomes of less than $100,000; more than 40 percent have incomes of $50,000 or less. Again, wealthy, the rich? No, we are trying to preserve lower tax rates for middle-income Americans and for senior citizens who rely significantly on their investment income in their retirement.

Madam President, 79 percent of all elderly taxpayers' returns reporting dividend income have incomes of $100,000 or less, and 44 percent have incomes of $50,000 or less, adjusted gross income. So clearly, continuing these lower tax rates is important for our senior citizens and for middle-income Americans.

Incidentally, these lower tax rates, far from blowing a hole in the budget, have actually helped increase revenues far beyond the projections of CBO.

I note that since 2003, Treasury has collected $133 billion more in capital gains revenue than was originally projected by CBO and exceeded the official CBO projections by 68 percent.

In the meantime, all the additional tax revenue flowing into the Treasury from our growing economy has caused our budget deficit to shrink below 2 percent of GDP, which is below the historical average.

If we stay on this current path, we can see continued increase in revenues, continued reduction in the deficit, and continued growth of our economy, not to mention support for our families and retirees.

Last point. What happens if the budget is adopted without providing for the continuation of these lower tax increases? Last fall, Goldman Sachs conducted a very interesting analysis. They wanted to see how the economy would react if taxes were increased in 2011, as the Democrats advocate.

Their analysis showed that the tax increase, and I am now quoting, ''would almost surely mark the onset of a recession.'' Their analysis assumed that the Federal Reserve would step in and cut interest rates to boost the economy, and I am quoting here, ''In an effort to resuscitate demand, the Fed immediately cuts the federal funds rate, bringing it 250 basis points below the status quo level over the next year and one-half. Despite this, output growth remains well below trend over that period, putting downward pressure on inflation as slack in the economy increases.''

That is a projection of what would occur if this were to happen. We want to prevent this. We want to keep the economy strong and not allow anything that would cause it to go into recession.

Just a final point having to do with the death tax reform. We can't pass a budget that doesn't include an assumption that we are going to reform the death tax. We ought to be repealing the death tax. But what we have done in this amendment is to provide an amount of money that would accommodate the kind of death tax reform that has been supported by both Republicans and Democrats.

Last year, the senior Senator from Louisiana introduced a death tax reform bill, S. 3626, which would provide for a $5 million exemption per estate, indexed for inflation. It would provide for a family business ''carve out,'' a 35-percent rate to taxable estates, and it would begin in the year 2010. The Senator from Arkansas, Mr. PRYOR, has endorsed death tax reform that meets these specifics in a statement, according to his Web site.

Now, our amendment provides room in the year-by-year revenue numbers in the budget to accommodate death tax reforms such as those which were proposed by Senator LANDRIEU and endorsed by Senator PRYOR. There have been other Members on the Democratic side of the aisle who have supported proposals I have introduced on death tax reform.

What we are very much hoping is that all of the people, both Republicans and Democrats, who have supported these proposals in the past will remain true to their commitments to their constituents to make sure small farms and small business owners aren't going

to have to prepare for or pay the death tax and that we would make room for that in this budget. If we fail to do that, then clearly we are not going to be able to provide the kind of relief our constituents demand and deserve.

Our amendment provides room in the year-by-year revenue numbers to accommodate death tax reform such as that which has been proposed by our Democrat colleagues and, I would add, that I have proposed as well.

Now, of course, budget resolutions don't dictate policy to the Finance Committee, so it would certainly be our intention to work with a lot of different Senators. I worked with Senator LINCOLN in the past, and certainly we would want to work with Senators LANDRIEU and PRYOR and all of the others who have indicated they would be willing to support a kind of death tax reform. As long as we have provided the numbers in the budget as Senator GRAHAM and I propose here, then we can work to make those provisions law.

I would hope we could craft an estate tax proposal that would provide an exemption of at least $5 million, indexed for inflation, that provides workable relief for the smallest estates, and that provides for a top death tax rate which is no higher than 35 percent—no higher than 35 percent. Workable relief could mean a lower rate for the smallest estates; it could also mean a family business carve-out as long as it actually works for small businesses and farms and doesn't drive up their administrative costs and leave them with planning uncertainty.

All of these are goals both Democrats and Republicans have endorsed. We hope our colleagues on both sides of the aisle will therefore agree with us that it is important for us to accommodate in this budget room to extend the important tax provisions for education, capital gains and dividends, and for the estate tax.

AMENDMENT NO. 507

Madam President, I understand the amendment about which I have just been speaking is actually at the desk. I would like to call it up at this time, and I ask unanimous consent that Senator GRAHAM be added as an original cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL], for himself and Mr. GRAHAM, proposes an amendment numbered 507.

Mr. KYL. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To protect families, family farms and small businesses by raising the death tax exemption to $5 million and reducing the maximum death tax rate to no more than 35 percent, to extend college tuition deduction, to extend the student loan interest deduction, to extend the teacher classroom deduction, to protect senior citizens from higher taxes on their retirement income, to maintain U.S. financial market competitiveness, and to promote economic growth by extending the lower tax rates on dividends and capital gains)

On page 3, line 11 increase the amount by $390,000,000.

On page 3 line 12, decrease the amount by $184,000,000.

On page 3, line 13, decrease the amount by $3,796,000,000.

On page 3, line 14, decrease the amount by $31,544,000,000.

On page 3, line 15, decrease the amount by $36,398,000,000.

On page 3, line 20 increase the amount by $390,000,000.

On page 3 line 21, decrease the amount by $184,000,000.

On page 3, line 22, decrease the amount by $3,796,000,000.

On page 3, line 23, decrease the amount by $31,544,000,000.

On page 4, line 1, decrease the amount by $36,398,000,000.

On page 4, line 6, decrease the amount by $9,000,000.

On page 4, line 7, decrease the amount by $14,000,000.

On page 4, line 8, increase the amount by $78,000,000.

On page 4, line 9, increase the amount by $912,000,000.

On page 4, line 10, increase the amount by $2,552,000,000.

On page 4, line 15, decrease the amount by $9,000,000.

On page 4, line 16, decrease the amount by $14,000,000.

On page 4, line 17, increase the amount by $78,000,000.

On page 4, line 18, increase the amount by $912,000,000.

On page 4, line 19, increase the amount by $2,552,000,000.

On page 4, line 24, decrease the amount by $399,000,000.

On page 4, line 25, increase the amount by $170,000,000.

On page 5, line 1, increase the amount by $3,874,000,000.

On page 5, line 2, increase the amount by $32,456,000,000.

On page 5, line 3, increase the amount by $38,950,000,000.

On page 5, line 7, decrease the amount by $399,000,000.

On page 5, line 8, decrease the amount by $230,000,000.

On page 5, line 9, increase the amount by $3,645,000,000.

On page 5, line 10, increase the amount by $36,101,000,000.

On page 5, line 11, increase the amount by $75,051,000,000

On page 5, line 15, decrease the amount by $399,000,000.

On page 5, line 16, decrease the amount by $230,000,000.

On page 5, line 17, increase the amount by $3,645,000,000.

On page 5, line 18, increase the amount by $36,101,000,000.

On page 5, line 19, increase the amount by $75,051,000,000

On page 25, line 12, decrease the amount by $9,000,000.

On page 25, line 13, decrease the amount by $9,000,000.

On page 25, line 16, decrease the amount by $14,000,000.

On page 25, line 17, decrease the amount by $14,000,000.

On page 25, line 20, increase the amount by $78,000,000.

On page 25, line 21, increase the amount by $78,000,000.

On page 25, line 24, increase the amount by $912,000,000.

On page 25, line 25, increase the amount by $912,000,000.

On page 26, line 3, increase the amount by $2,552,000,000.

On page 26, line 4, increase the amount by $2,552,000,000.

The PRESIDING OFFICER. Who yields time?

Mr. KYL. I yield to the Senator from South Carolina, Madam President.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. GRAHAM. If that is acceptable with my colleagues, I will speak now, Madam President.

Ms. STABENOW. If I may inquire, Madam President, is the Senator speaking on this amendment?

Mr. GRAHAM. Yes, I am.

Ms. STABENOW. I would ask to be recognized after that.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Madam President, I really don't have much to add because Senator KYL has done an outstanding job in explaining our amendment and the benefits to the country if we pass this amendment.

To the people in South Carolina who might, by chance, be listening, the reason I am so passionate about trying to extend the tax cuts and making sure this budget does not deal a death blow to tax cuts that have been in place in some form or manner since 2003 is the evidence is overwhelming that they have helped our economy.

Just to kind of build on what Senator KYL has said, my belief is the global economy of the 21st century is going to require America to rethink across the board how we engage our global competitors. Americans have to ask themselves these questions: Is our tax structure going to be globally competitive? Are we going to have a tax structure that will allow capital to be welcome in this country so that people who take risk can be rewarded here or will we drive people somewhere else?

The regulatory side of government, the litigation side of our American experience here needs to be looked at anew out of a sense of a need to fit into a global economy and to be fair to all our citizens. In my opinion, the worst thing we can do is to create a tax structure that drives jobs overseas.

In this economy, where anyone can do business anywhere in the world, people do look at tax rates in making decisions about whether to invest here or somewhere else. From the Government's point of view, the evidence is overwhelming that the tax reductions in dividends and capital gains, particularly capital gains, have generated revenue to the Federal Government. As we have lowered the rate down to 15 percent, in some cases to zero and other

cases 5 and 10 percent, with a maximum capital gains rate of 15 percent, people have generated a lot of capital gains transactions that have been good for the economy and good for the Federal Treasury, and they are due to expire.

This budget, the way it is drafted, is going to deal a death blow to tax reductions that have been beneficial to the economy—and without a good reason, in my opinion. There is no good reason. The question is, Does this budget deal a death blow to tax cuts? The answer has to be yes, simply because Senator BAUCUS is trying to extend tax cuts by an amendment. And I wish to congratulate him. I am not here to play ''gotcha'' politics. What he is trying to do in his amendment is a wonderful thing. He is trying to make sure the 10-percent tax bracket is extended for a couple more years in this budget. He is trying to make sure the $1,000 child tax credit is extended as far as this budget applies and we don't revert back to a $500 per child tax credit. In South Carolina, a $1,000 per child tax credit for the families who have been eligible has made a world of difference to people.

My State, like every other State, has great success stories economically and where you have people living paycheck to paycheck. The marriage penalty relief has been good for families in my State. The dependent care credit has been good for people trying to work and raise kids. Adoption credits have been good, helping to create new families. There is nothing more exciting as a lawyer than to be involved in an adoption where you get a child who has no home and you marry them up with a family that wants a child. It is just a wonderful experience. There is combat pay and the EITC exemption.

None of us disagrees with those. Why not go forward into the other areas where we have cut taxes that have benefited the Treasury and benefited job creation? The only reason I can think of is there is a view that there are some Americans who are entitled to tax relief and some who are not. The ones to whom we don't want to give tax relief in this budget have been labeled ''the rich'' and are somehow unworthy of being included in this budget.

Class warfare is a time-tested political endeavor whose time has passed. We are in this together. There are about 270,000 people in my State who depend on capital gains income and dividend income. Senator KYL has gone through, in very detailed fashion, who benefits from capital gains and dividend tax reductions, and there are a lot of seniors.

At the end of the day, though, we have a choice to make as a Congress. We can do what Senator BAUCUS wants, which I wholeheartedly support, and we can stop believing that people on the other side of the river, when it comes to taxes, just make too much money or they do not need the help. I would argue that if you are in business today, creating a product for sale in the global economy, you need help when it comes to your taxes because some of your competitors have tax rates a lot lower than the United States.

When it comes to lowering dividend tax rates, how does that help America? People will invest in companies that pay dividends, they will buy stock, which helps American corporations capitalize, if the tax rates are lower. It is not just a theory; it is a fact. When you are trying to grow your business, you can get investors from the private sector or you can go to the bank and borrow money. It seems to me we would want to create an environment so that corporate America, whatever the size, could get money from the private sector to grow their businesses without being so debt laden, and the people who are receiving dividends, that would be income to help them in their retired years, which would be a win-win situation.

We can't afford to divide America any longer based on how much one makes or this concept that some of us are more worthy of protection from the Tax Code than others. The Tax Code is not going to allow us as a nation, in its current form, to survive in a global economy. But if we extend the tax cuts in this budget, it would be a good signal to the private sector in America that they are going to be able to count on—for at least a couple more years—some tax cuts that have worked to produce jobs.

The real challenge of this Congress lies ahead; that is, trying to find a way to simplify the Tax Code. That is a debate for another day. Our friends on the other side have been in charge of the Congress now for a couple of months, and this is a test, in my opinion, of how the Democratic Congress views the needs of America across the board in a global economy. Again, the evidence is overwhelming. There is overwhelming evidence that the dividend tax reductions and the capital gains tax reductions have been beneficial to the Treasury.

The amendment of Senator BAUCUS to extend tax cuts for working families, to extend marriage penalty relief, and the $1,000 child tax credit, to make sure it doesn't go to $500, should be applauded. I see the need, as a Senator from South Carolina, for what he is doing. It is frustrating that I cannot convince my friends on the other side that the need exists in abundance in South Carolina and everywhere else in the country to keep our tax rates low when it comes to the entrepreneurial spirit that has made us great, that the capital gains rates need not go up. They need to stay where they are, as long as we can keep them that low, until we find a new Tax Code. The dividend tax rates need not go up or double in a few years. They need to stay low because America needs jobs. The way you create jobs is you leave as much money as reasonably possible in the private sector and you have a tax structure that rewards people who decide to take risk and invest.

What America needs more than anything else is some certainty as to the death tax dilemma we created. There is a great debate going on in this country about the role of the death tax in the 21st century. It is indefensible, apparently, to say that the current rates and the current exemptions are fair. I think we have won the argument that the death tax, without change, is going to put a lot of people at risk who have made something of their lives, the family farm or the small business. As Senator KYL said, there is a lot of buy-in with our Democratic colleagues that we need to increase the exemptions fairly dramatically because people can be land-rich and cash-poor. I know in South Carolina there are a lot of people who have inherited tracts of land, and the death tax appraisal requires the family to break up the property and sell it. About 70 percent of small businesses, they tell me, never make it to the third generation—one of the reasons the business has to be bought back from the Government.

I think we have all bought into that as a body, that the exemptions need to change. I hope we have bought into the idea that the rates need to be lower because they are oppressively high. But here is the dilemma we have created for the country. It is my understanding, given the tax packages we have passed over the last several years, the death tax exemptions go up over time and eventually go to zero in 2010. In January 2011, unless we do something as a body, they go back to the old system.

I have been a lawyer for a long time. There are going to be a lot of mysterious deaths on New Year's Eve 2010 because if you live the next day there is going to be a big hit to the family when it comes to tax rates. It is not right for us to put the American business community and the family in that position. We need to help straighten this mess out. I am very openminded to compromises, but it is not fair for someone, if they live 1 day longer than they should, half of what they have worked for all their life goes to someone they don't know. We can do better than that. That is the place we find ourselves in America. The Congress has created the dilemma that if you die on New Year's Eve 2010—I think that is the correct date—your family has absolutely no estate tax liability. If you die the next day, almost half of what you have worked for in your entire life is gone through taxation. We can do better than that.

One way to start doing better is to pass a budget that would include what Senator KYL has described on the list of Senator BAUCUS.

I do believe the country is dying for us to come up with a rational system of how we tax the American people, including low-income, middle-income, and upper-income Americans. I am trying the best I can to express to a lot of

people in South Carolina, who live paycheck to paycheck, that we are all in this together. If I overtax the business owner, your job is threatened because his business may move offshore. People back home in South Carolina very much get that.

If you are in a manufacturing State, as I am, like Michigan, one of the reasons our jobs are leaving this country is because you can go to places such as China and other places and not have the burdens you have here. I do not want to chase China to the bottom, don't get me wrong. I want to put a floor on what China does. I think we will make a mistake chasing China to the bottom. But I think we would make an even bigger mistake if we do not address, in this budget, tax relief that has worked for Americans across the board.

We have a chance in this amendment to do something about death taxes that is extremely rational and would get America out of the dilemma of dying on the wrong day. We have something in this amendment that would allow the capital gains rate reductions to stay in place a couple of years longer and keep the dividend taxes low because they more than paid for themselves, and we have some education tax relief.

If we add this amendment with what Senator BAUCUS has done, I think we could say this budget does a very good job of trying to extend for the life of this budget tax relief across the board that has worked for all Americans.

Finally, if we buy into the idea that there is a certain group of Americans who are not worthy of tax relief, we are going to, over time, make it very difficult for the American economy to survive globally, and we are going to create a dynamic in the 21st century that I think will come back to haunt us over time.

With that, I urge my colleagues to vote for the Kyl-Graham amendment because when you marry it up with the Baucus amendment, we have done a pretty good job of extending tax relief across the board in a way that will help the American economy from top to bottom.

With that, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD. Madam President, might I inquire of the Senator from Arizona what the cost of his amendment is?

Mr. KYL. Madam President, may I say to the Senator, the chairman of the committee, our amendment is some four pages long, and it has the amounts increased and decreased stated. I am sorry I have not totaled up the exact amount and then subtracted out the cuts. I will be happy to try to do that for the Senator.

Mr. CONRAD. Does the Senator have some rough idea of what the amendment costs?

Mr. KYL. All of the provisions that we have in this amendment are accommodated by the budget that has been provided to us by the committee. Let me get the exact number.

Mr. CONRAD. Could the Senator tell us how he pays for the amendment?

Mr. KYL. Madam President, the so-called payment for this is the same as other things are paid for in this budget, by the assumption that revenues will be available. As a result, there is no specific cost, if that is what the Senator is asking.

Mr. CONRAD. That is the problem. I am told this amendment costs in the range of $75 billion and has no offset. Here is our problem. Senator BAUCUS has previously offered an amendment that extends the middle-class tax relief and also addresses the problem that the Senator from South Carolina addressed with the estate tax. We have this anomaly in the estate tax where we go to a 3.5-million-dollar-per-person exemption and then we drop down the next year to $1 million, going backwards.

Senator BAUCUS, in the amendment he has offered, does a series of things. The amendment addresses all the middle-class tax cuts—the 10-percent rate, the marriage penalty, the childcare credit. It extends those. It does it within the budget room that we have for 2012, so we still are able to achieve balance in 2012. It also deals with the problem of the estate tax going backwards, going from $3.5 million per person as an exemption back to $1 million. The Baucus amendment deals with that. It actually is a little better than that because the Baucus amendment also contains $4 billion that is not accounted for that would be available to the Finance Committee to improve the estate tax provisions. He also deals with the SCHIP, the need for us to fund SCHIP. He does that within the budget room that is available in 2012 so we do not have a deficit.

As I understand the amendment of the Senator from Arizona, that would take the budget into substantial deficit in 2012. And there is no pay-for; there is no offset. The money that did exist in the budget resolution, the money that was available, has been taken by the Baucus amendment.

Mr. KYL. Madam President, I now have a number. The Senator from North Dakota was very close in the estimate which he gave. I believe the number is $72.3 billion for 5 years, which is very close to the number that the Senator had. Of course, since the budget raises taxes by $916 billion, that more than accommodates what we provide.

Mr. CONRAD. The problem is, all the money is spoken for. So to add the Kyl amendment would drive us back into deficit, substantial deficit. I say to my colleagues, I think that would be a mistake. Unless the Senator provides an offset—there are things that are in his amendment for which I might have some sympathy. I personally believe we ought to have a goal of keeping rates low and having a broad base to our tax system so we can pay our bills and at the same time be a strongly competitive economy. In fact, my own conclusion from all of the debates on both sides is we need fundamental tax reform, and it is that, in part, for which this budget resolution tries to create an incentive.

We have some time because we do not face any of these tax measures expiring for the next 3 years. But during that time, I think we have to engage in a discussion of fundamental tax reform.

The bottom line is, I hope very much that colleagues will support the Baucus amendment. I hope very much they will resist the Kyl amendment at this point because it is not paid for, it is not offset, and it will take us back to the deficit in a substantial way.

How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 14 minutes.

Mr. CONRAD. How much time remains on the other side?

The PRESIDING OFFICER. They have 6 minutes.

Mr. CONRAD. Does the Senator from Michigan request some time?

Ms. STABENOW. Yes.

Mr. CONRAD. How much time?

Ms. STABENOW. I ask for 5 minutes.

Mr. CONRAD. I yield 5 minutes to the Senator from Michigan.

Ms. STABENOW. Madam President, to add to what the distinguished Senator from North Dakota indicated, we have tax cuts built into this budget. We are in a global economy. We need to be competitive. There are a number of ways in which we need to be competitive.

My friend from South Carolina and I are working together on the question of trade enforcement. That is a critical part of it—investing in education, a skilled workforce, innovation. That is a very big part of it. That is a big part of this budget, making education a top priority.

Changing the way we fund health care, getting it off the back of businesses, addressing health care costs is a big part of being competitive and is addressed in this budget.

We say every child in a family where the folks are working ought to have access to health insurance, and this budget finds a way to do that. We address other issues. Health information technology, that Senator SNOWE and I and others are working on together, is addressed in this budget. So we address a number of items, including tax cuts.

We address one of my biggest concerns, and I know my Democratic colleagues share this concern, of what is happening with the alternative minimum tax and how it is going to be shifted more and more to middle-income taxpayers and is becoming the alternative middle-class tax. We address that.

Through this Baucus amendment we say when we get into surplus, when we get out of the hole that has been dug in the last 6 years and actually begin to have a surplus, we are going to capture

that $132 billion, both to make sure that children's health care is funded and to expand on investments in tax cuts, including what has been talked about in terms of extending the exemptions on the estate tax for a certainty.

We want folks to know that once you get to 2010, you can keep living a healthy life, continue, and, in fact, the same rates, at a minimum, will continue. So the Baucus amendment is about making sure we can do that. We all come together around the education cuts and making sure that we have the child tax credit and the 10-percent tax rate and other areas that are very important to working families, middle-class families. But we do this within the context of another very important value that Americans hold, and that is we pay the bills. We do it within a framework of fiscal responsibility.

In the last 6 years we have seen this tax policy, we have seen a war that has not been paid for, we have seen other spending that has been rolled over onto the national debt creating the largest deficit in the history of the country. We are now trying—and with this budget we will succeed—to dig our way out of that. But this amendment adds over $72 billion back into the hole. It keeps on digging. That is what this budget resolution is committed to stop: fiscal responsibility, and to invest in the priorities of American families and American businesses and invest in middle-class tax cuts.

I have heard on the other side of the aisle over and over that we should not pick who receives tax cuts. That is exactly what the current policy has done. If you earned over $1 million last year, you received at least $118,477 worth of a tax cut. That is more than the average person in Michigan makes in a year, and that was the tax cut.

I suggest, looking at this chart, for someone earning less than $100,000, it was $692. We can go on down. If someone was, in fact, earning less than that, those numbers go all the way down to less than $100.

I would suggest that the priority was set the previous Congress, the administration deciding whom they wanted to get tax cuts—and they have been getting them—adding to the deficit, taking away from our ability to critically invest in those things that will allow us to be competitive; investments in science and education and changing the way we fund health care and doing the other kinds of things we need to do, including balancing the budget, to be able to address the costs of interest, et cetera.

So what we are saying is this picture of who receives tax cuts is not ours. This is not ours. We reject that. This budget focuses on the folks who have not been getting the tax cuts, it focuses on the folks who not only have not been getting the tax cuts, but they have been getting the wage cuts at the same time.

The average, the real median household income has declined by almost $1,300 in the last 5 years. Folks are working harder, the gas prices are going up, the cost of college is going up, health care costs are going up, maybe they lose their pension and hope and pray that they have a job, their income is going down, and to add insult to injury, they have not received the tax cuts that have been offered.

What we are about is changing that picture. This budget resolution is about a new direction, a new set of priorities, focusing on middle-class families who are working hard every day, businesses who are investing in America and want to keep the jobs here. That is what this is about. I hope we will reject the Kyl amendment.

Mr. CONRAD. Can the chair inform us how much time remains on each side?

The PRESIDING OFFICER. There is 6 minutes for the Senator from New Hampshire, 7 minutes for the chairman of the Budget Committee.

The Senator from New Hampshire.

Mr. GREGG. Madam President, I think it is important to note what this amendment does. First off, the chairman has said it is not paid for. Well, actually, the Baucus amendment hasn't passed, so you can argue it is paid for. If the Baucus amendment does not pass, this amendment would have the same funds available to it.

But that is a specious argument. It is straw dogs because the issue is the extension of the tax rates, which we have heard from the other side of the aisle are not going to be affected, that they are in favor of extending the tax rates.

Well, if that is the case, then they cannot make the case that the tax rate can't be extended, which is the case they are making. I mean it is a little inconsistent, to say the least. So I think that is inside-the-park baseball but not even good baseball, by the way—bad baseball.

But what is important to remember about these proposals which we have in this group is that first it addresses educational funding, tax breaks which benefit especially teachers who help out in their classrooms—very important.

It puts the death tax in a better position than what was proposed by the Senator from Montana, and it basically takes the language which I believe was developed by the Senator from Louisiana, Ms. LANDRIEU, and uses that as the basis for the death tax. It does not go to full repeal, as occurs under the present law, in 2011, but sets the ceiling much higher and makes it much more reasonable and I believe gives a stepped-up basis and capital gains treatment, essentially, to death taxes, so that people do not get wiped out when somebody who owns a farm dies; if the primary owner dies, the family does not get wiped out and have to sell the farm, or a small business does not get wiped out. This mostly involves that issue, quite honestly, because high estates are not affected by this. We are not talking about the founder of some technology company who is worth hundreds of millions or potentially billions of dollars avoiding estate taxes—just the opposite. That person will still be subject to the estate tax.

We are talking about setting the threshold high enough so that the family farm, the small business is not put out of business by the untimely death of an individual. You know, why should somebody be taxed for getting hit by a car? It makes no sense at all, but we try to straighten that out.

The most important element of this proposal, in my opinion—although I am sure others focus on education more than the death tax issue—is the fact that it continues the very positive proposals which were put in place relative to the formation of capital in this country and, as a result, the creation of economic activity and the creation of jobs. The dividend rate and the capital gains rate, as opposed to those which are in place today, have had a massive impact on creating economic activity in our society and as a result have created a huge number of jobs and as a result has caused the revenues of the Federal Government to jump dramatically.

The capital gains rate, for example, we have seen come in, and this chart shows it, at exceptionally high levels compared to what the estimates were going to be, dramatically high levels. We should have expected this because this is human nature. What happens is someone has an asset they have had significant appreciation in. Boom. What happens if they have got to pay a high tax on that asset if they sell it? They are not going to sell it, they are going to hold onto the asset. But if the tax rate is a fair tax rate, which is what we have in place today, then the person sells that asset. That has two very good effects. First, it frees up the cash from that event, and the person ends up paying taxes, which we would not have otherwise had because the person would have held onto the asset. Second, they will take that money and they reinvest it in a much more productive way. That is human nature.

Also, as a result those dollars are being more productively used, creating more entrepreneurial activity, so it works well.

The capital gains rate has produced dramatic increases in revenues. So we should keep it in place because it is doing what it is supposed to do. It got the economy going, creating jobs. But something which people do not focus on is that the cap disproportionately benefits senior citizens. If you raise the capital gains rate, you are basically raising the taxes on seniors in America because it is seniors who take advantage of the capital gains rate, because that, again, is human nature and logical.

Seniors basically are not earning money in the sense they are out working daily. Most seniors or many seniors, the majority probably, a vast majority are retired, but they have assets. As they take those assets and they convert them, they pay capital gains.

Those assets are usually at a pretty low basis since they were acquired when they were young or during their working years. So when you raise the capital gains rate, you are focusing a tax rate right on top of the seniors of this country. You have launched a torpedo at them. You are going to basically say to those seniors: You are going to have less money to use in order to make sure that your retired years work the way you expected them. Not only does that work for captal gains rate, it also works for dividends. The dividend rate is also disproportionately used by senior citizens. Well, that is again human nature; it tells you that seniors do not have earned income, what they have is dividend income because they have invested or their 401(k) has been cashed out or their IRA has been cashed out or their defined benefit plan is suddenly getting them some revenue. They get dividend income.

When you raise the dividend income tax rate, you are taxing, again, seniors. So it is totally reasonable, from a standpoint of continuing strong economic activity and from a standpoint of maintaining a reasonable tax burden on Americans, and especially seniors, that we continue these tax rates as they are. That is why this is a good proposal.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I understand I have 7 minutes remaining?

The PRESIDING OFFICER. That is correct.

Mr. CONRAD. Madam President, let me say briefly on this, you can extend all the tax breaks that have been described in this amendment if you pay for them.

The problem with the Kyl amendment is he does not pay for it. Over $70 billion is not paid for, goes on the deficit, which will drive this budget, which now balances in 2012, right out of balance. We will be going right back into the deficit ditch. Please, colleagues, let us resist this amendment. People could support it if it was paid for, but it is not.

I yield 3 minutes to Senator SCHUMER.

WHITE HOUSE PROPOSAL ON U.S. ATTORNEYS

Mr. SCHUMER. Thank you for yielding. I am going to talk a lit bit about the U.S. attorneys in response to the comments that have been made today from the White House.

The bottom line is very simple, to paraphrase ''The Godfather'': The White House has made us an offer that we cannot accept. We cannot accept it very simply because it is no way to get to the truth.

Mr. Snow said today that the White House wants to get to the truth. Well, if they want to get to the truth, what is wrong with testimony under oath? Do we not have oaths to ensure that truth is given?

Karl Rove was mentioned by Mr. Snow himself at one point, who stated incorrectly Karl Rove's involvement and then corrected himself. No one is saying there was any prevarication there. But with so many misstatements that have been out there, so many corrections, doesn't it make sense to interview witnesses with a transcript, under oath?

Because if we do not, we will never get to the bottom of this. We Democrats want to resolve this issue quickly. We want to get the facts. We want to find out what went wrong—it is clearer and clearer that many things did—and correct them and move on.

But when the President gives an offer that does not allow the truth to be gotten—no oaths, no transcript, no public testimony—it does not serve the purpose of finding out what happened, resolving it quickly, in a fair and nonpartisan way, and then moving on.

I hope the White House would reconsider its offer, would be willing to negotiate—they have stated they have not—and then we can finally get to the bottom of the matter.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I wish to thank the Senator from New York. I wish to go back, if I can, to the two amendments we will be considering soon, the Baucus amendment and the Kyl amendment. Let me, if I can, reframe this issue for my colleagues.

The Baucus amendment looked to the $132 billion surplus we had in 2012, I use that term ''surplus'' advisedly, but that is what our budget resolution shows, $132 billion in 2012. Senator BAUCUS fashioned on amendment to extend the middle-class tax cuts, addressed the problem of the estate tax going from an exemption of $3.5 million per person down to $1 million a person; in other words, going backward, and prevents that from occurring, as well as having some additional moneys, some $34 billion to be able to improve that package and perhaps provide for other measures, education tax credits or others, that the Finance Committee might decide.

It also provides funding for SCHIP, the proposal that will allow every child in America to receive health insurance. That amendment deserves our support.

Senator KYL then comes with an amendment to extend all of the other tax cuts, but unfortunately he does not pay for it. He does not have any offset. That would drive our budget back into deficit. Please, colleagues, let's not do that. Let's not take the country—after all this work of getting out of the deficit ditch, which this budget resolution does—right back into deficit. To me, it makes no sense. That is going in the wrong direction. We could extend all the tax cuts mentioned by Senator KYL if we pay for them, if we provide offsets for them.

I yield the floor.

THE PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, I understand at this time we go to Senator CORNYN; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. GREGG. I would ask Senator CORNYN to yield me 1 minute.

Mr. CORNYN. I yield 1 minute.

Mr. GREGG. What the Senator from North Dakota did was make a very good case for the Kyl amendment or a very bad case against the Baucus amendment.

The Baucus amendment was $195 billion, not $132 billion amendment—$60 billion-plus is deficit spending. The allegation that the Kyl amendment, under this present structure, is $70 billion of deficit spending matches apples to apples. The two amendments are essentially the same in the area of deficit spending, so you cannot argue that one is not deficit and one is deficit. It is the opposite. They both have the same practical effect on the deficit.

What the Kyl amendment does, however, is at least extend the tax cuts or tax rates that actually create significant economic activity, which we have shown through the capital gains rate have generated significant revenues to the Treasury. Whereas, although I agree with the Baucus tax rates, most of those taxes rates, in fact all of those tax rates, are socially driven. They are good social policy, but they do not generate economic activity.

AMENDMENT NO. 511

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I have an amendment and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN] proposes an amendment numbered 511.

Mr. CORNYN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide a deficit-neutral reserve fund for the reauthorization of the State Children's Health Insurance Program (SCHIP) that will cover kids first)

At the appropriate place insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR THE REAUTHORIZATION OF THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM (SCHIP) THAT WILL COVER KIDS FIRST.

In the Senate, if the Committee on Finance reports a bill or joint resolution, if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(1) reauthorizes and improves the State Children's Health Insurance Program (SCHIP);

(2) emphasizes providing health insurance to low-income children below 200 percent of the Federal poverty level;

(3) limits the use of SCHIP funds for coverage of non-pregnant adults unless States are covering their low-income children;

(4) allows parents to cover their children on their own health insurance plan with SCHIP funds;

(5) increases State flexibility so that States can use innovative strategies to cover kids; and

(6) improves and strengthens oversight of Medicaid and SCHIP to prevent waste, fraud and abuse,

then, provided that the Committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the Chairman of the Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate aggregates to reflect such legislation, to the extent that such legislation would not increase the deficit for fiscal year 2007 and for the period of fiscal years 2007 through 2012.

Mr. CORNYN. Madam President, this amendment establishes a deficit-neutral reserve fund for the Finance Committee if it reports a bill that reauthorizes the State Children's Health Insurance Program, better known as SCHIP, but the important distinction is that this bill must cover children.

One might ask: Why in the world would a program known as the State Children's Health Insurance Program, why would it be necessary to offer an amendment directing the Finance Committee to cover children? That is because the current proposal does not limit Federal funding to pay for health insurance for children. In fact, it creates a patchwork system which allows States to spend money that should go to cover children to cover adults and other individuals. While I certainly understand that, it leaves many children uncovered.

The chairman's mark, the base bill that is on the floor, states the SCHIP program of the budget is to expand coverage of the estimated 6 million children eligible but not enrolled in either SCHIP or Medicaid. This is a more limited goal than covering every uninsured child, as has been stated on the floor as the goal. It assumes $15 billion in new SCHIP funding and includes an additional $35 billion in an allegedly budget-neutral reserve fund for SCHIP authorization, for a total of $50 billion for SCHIP reauthorization. This triples the size of the current program. There are no offsets outlined in the Democratic budget, and they can either be from spending cuts or tax increases.

The Democratic reserve fund is for passage of legislation that meets three conditions. Let me point out the problem. The original purpose of the SCHIP program was to provide health insurance coverage for children below 200 percent of the Federal poverty level. However, today some States have expanded their programs using Federal taxpayer dollars to include children up to 350 percent of poverty, not 200 percent and lower, but up to 350 percent, which is currently about $70,000 for a family of four. States have used this money without covering all their children to cover adults, parents, and even childless adults. Nine States cover children at 300 percent and above of poverty level. Here again, it is not an effort any of us could necessarily criticize in the abstract, but to take money that is designed for children at 200 percent of the poverty level and below and to cover children from families with much greater income and to cover adults and other individuals who are not part of the SCHIP purpose is off track.

Twelve States will spend almost $807 million of their SCHIP money on more than 671,000 adults this year. The State Children's Health Insurance Program will cover 671,000 adults this year. Three States have more adults as enrollees than children. This is a matter of false advertising by the Federal Government. We have passed legislation, which I support, designed to cover low-income children, and the Federal Government has authorized a situation where now 671,000 adults are being covered, and people not from low-income families but middle-income families are being covered.

Here again, I don't begrudge them the coverage, but to take a program designed for low-income children and use it for a purpose other than advertised is simply not honest, and it is not what Congress intended.

Several States spend half of their SCHIP allotment on adults, so it is no surprise that more than one-third of the 14 States experiencing shortfalls have expanded coverage to adults. The other problem with the underlying SCHIP provision is, with more than 6 million SCHIP and Medicaid-eligible children still uninsured, shouldn't States cover the intended population before they expand their program? Why in the world wouldn't Congress support an effort to cover low-income children before we approve the use of that money to cover unintended and nontargeted populations? The SCHIP match rate is more generous than Medicaid's match rate. The children eligible for Medicaid and SCHIP should be covered by their respective programs.

The other feature in the underlying bill this amendment would correct is this underlying provision supports States in their efforts to move forward in covering more children, but it has no income level cutoff.

In other words, the stated objective of Chairman DINGELL and Senator CLINTON to cover children up to 400 percent of poverty level, which would translate to an income of $80,000 for a family of three, simply represents an unprecedented wealth transfer from the pockets of the American taxpayers to these families who should be expected to pay a portion of their own health coverage.

The SCHIP amendment which I offer would instead focus the reauthorization of the SCHIP program on its original intent—low-income kids—by creating a budget-neutral reserve fund for the passage of this legislation. It would reauthorize and improve the State Children's Health Insurance Program. It would emphasize providing health insurance to low-income children below 200 percent of the Federal poverty level. It would limit the use of SCHIP funds for coverage of nonpregnant adults unless States are covering their low-income children first. It would allow parents to cover their children on their own health insurance plan with SCHIP funds. That is an important feature. Some parents have no alternative but to basically drop their own health insurance for their children in order to get them to be eligible under their State SCHIP funds. This would allow parents to cover their children on their own health insurance if, in fact, they have health insurance, by allowing the additional cost to cover their children to be paid from SCHIP funds. It is important flexibility that I would think all Members would support.

It increases State flexibility so States can use innovative strategies to cover kids, and it improves and strengthens oversight of the Medicaid and SCHIP programs to prevent waste, fraud, and abuse.

I offered this same amendment in the Budget Committee last week, and it was opposed unanimously by my colleagues on the other side of the aisle. I think we need to make a clear statement that SCHIP is a program for low-income children. Otherwise we ought to call it something else. Let's be honest with the American people. Let's not take something called the State Children's Health Insurance Program and make it a program for adults. That is simply dishonest. I don't think it is appropriate. I am concerned that using SCHIP dollars to provide coverage for childless adults diverts limited resources from covering children first, which is the original purpose of this program, a laudable purpose which I support.

The fact is, more than 10 percent of those enrolled in SCHIP are now adults, approximately 639,000, according to the Government Accountability Office. These 639,000 adults are from nine States. The GAO agrees covering adults is not the point of SCHIP, certainly not what Congress said it intended to do. These State coverage expansions mean funds are being diverted from the needs of low-income children who go uncovered because those States choose to use it for other purposes. Adults accounted for an average of 55 percent of enrollees in the shortfall States compared to 24 percent in the nonshortfall States.

Congress needs to make a firm statement that SCHIP is for children. If States focused on covering kids, it would have been much easier for them to stay within their allotments. This amendment makes clear that in the SCHIP program, our priority must be for low-income children.

In addition, as I noted a moment ago, my amendment would allow States to continue to use innovative strategies to cover kids and will improve and strengthen the oversight of the SCHIP program to weed out waste, fraud, and abuse.

I hope my colleagues will vote in favor of this amendment. I know the ranking member of the Senate Finance Committee, Senator GRASSLEY, wants

to use a portion of the time we have remaining on the amendment. I certainly reserve the remainder of the allotted time for him.

I thank the Chair and the managers of the bill.

Mr. GREGG. Will the Senator yield?

Mr. CORNYN. I am happy to yield to the ranking member of the Budget Committee.

AMENDMENT NO. 466, AS MODIFIED

Mr. GREGG. Madam President, I send a modification of the Sessions amendment to the desk.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. GREGG. I ask unanimous consent that the amendment be so modified.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

At the end of title II, insert the following:

SEC. ___. EXCLUSION OF TAX RELIEF FROM POINTS OF ORDER.

Sections 201, 202, 203, and 209 of this resolution and sections 302 and 311(a)(2)(B) of the Congressional Budget Act of 1974 shall not apply to a bill, joint resolution, amendment, motion, or conference report that would provide for the extension of the tax relief provided in the Economic Growth and Tax Relief Reconciliation Act of 2001, the Jobs and Growth Tax Relief Reconciliation Act of 2003, and sections 101 and 102 of the Tax Increase Prevention and Reconciliation Act of 2005.

AMENDMENT NO. 511

Mr. GREGG. Madam President, I support the amendment of the Senator from Texas. He is basically getting at the essence of the SCHIP issue. SCHIP has become nomenclature. It has become a motherhood term. It is being used as a smokescreen to dramatically expand the amount of money we spend as a Federal Government on health care and basically take a big bite out of what I would call the nationalization effort in health care because it has been expanded well beyond its purpose. Its purpose should to be take care of children in need and make sure they have proper health insurance. We all agree on that. What the Senator from Texas is proposing is to do exactly that, make sure this program is directed at children. However, we have seen State after State and some of our biggest States use this program for adults and for families up to $68,000 of income. That is not about low-income kids being taken care of. That is about trying to nationalize the health care system. If we are going to spend all this new money on SCHIP—and I think we need to spend some additional money on SCHIP—let's make sure it goes where it is supposed to go, to needy kids. That is why the amendment of the Senator from Texas is such a good amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, the Senator from Texas is retaining his time. Perhaps we could modify our previous unanimous consent request so we stay on this question until the votes. The Senator has approximately 15 minutes remaining and we would have 15 minutes on our side to discuss it.

Mr. GREGG. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Madam President, I ask unanimous consent that the votes in relation to the following amendments occur beginning at 5 p.m., with the votes occurring in the order listed and that there be 2 minutes of debate equally divided before each vote; and that after the first vote, each succeeding vote be limited to 10 minutes; that no amendments be in order to any of the amendments covered under this agreement: The first amendment being the Baucus amendment No. 492; the second amendment being the Kyl amendment No. 507; the third amendment being the Cornyn amendment No. 477; the fourth amendment being the Sessions amendment No. 466, as modified; the fifth amendment being the Ensign amendment No. 476; the sixth amendment being the Bunning amendment No. 483; and the final amendment being the Bingaman amendment No. 486.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. I thank the Chair.

AMENDMENT NO. 511

Back to the issue of the most recent Cornyn amendment which is on the question of SCHIP. Frankly, I have some sympathy for the argument advanced by the Senator from Texas. There may be some policy reason to have very low-income adults covered with some SCHIP money, but this is supposed to be a program directed at children. Whatever the merits of the Cornyn amendment, there is a very serious problem with the Cornyn amendment that leads me to oppose it, and I ask colleagues to oppose it. That is, this isn't the place for the Cornyn amendment.

The simple fact is, the budget resolution does not determine the policy on SCHIP. It has nothing to do with the policy on SCHIP—nothing, zero. This is a policy question that will be before the Finance Committee.

Let us review what a budget resolution does and does not do. A budget resolution gives an instruction to the Finance Committee of how much money they need to raise to meet the budget. It tells them how much money they have to spend in the various categories under their jurisdiction. It does not tell them one word of what the policy is related to those fundings. That is not the role of the budget resolution. So as well meaning as this amendment is, it has nothing whatever to do with the policy determination that is to be made by the authorizing committee.

The Budget Committee is not the committee of jurisdiction. We are not the committee that makes these policy judgments. We are not the committee that makes these determinations. So this amendment is eyewash. As well intended as it is, it simply will have no force and effect on the deliberations of the Finance Committee with respect to this policy. That is the fact. Sometimes I wish the Budget Committee did have that kind of authority and that kind of power, but we simply do not.

So let's be honest with our colleagues. Let's be honest with the people who are watching. This amendment will do absolutely nothing about the question of who gets covered under SCHIP—nothing, zero. That is a determination that will be made by the Finance Committee.

At this point, Madam President, I recognize the Senator from Michigan and ask her, how much time would she like on this amendment?

Ms. STABENOW. Madam President, 5 minutes.

Mr. CONRAD. Madam President, I am happy to yield 5 minutes to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Ms. STABENOW. I thank the chairman.

Madam President, as a member of both the Budget Committee and Finance Committee, I concur with our leader's comments in terms of the jurisdiction of the Budget Committee. I look forward, frankly, to this debate and working through all the specifics on children's health care in the Finance Committee because there are very important issues we need to address.

The spirit of the Cornyn amendment is what we have addressed in this budget resolution, which is making sure we have the resources to be able to cover every child. Right now, about 6 million children are covered. There are another 6 to 7 million children who actually qualify for the SCHIP program, for children's health care, but the funds are not there. So this budget proposal will allow that to happen.

Now, in some States—such as my own State of Michigan, where Michigan decided on its own to meet its moral obligation to cover children and began to reach out creatively using other funds to cover children—when they have received the children's health care funds, they have found that being creative, using what they were already using, they could stretch it a little farther to maybe cover moms and dads or very poor adults.

In the law we passed regarding children's health care, there was a waiver provision put in that the administration could use—used by this administration and the former administration—to waive the rules to allow a little more flexibility, if the States were able to work hard and be creative and be able to stretch their dollars.

That is what has happened in Michigan. I am very proud of the hard work that has gone on in Michigan and by our current Governor who is very committed to extending health care coverage not only for every child but for

every person in our State. I hope that is our goal, together, for our country. We should not be talking about how we limit health care but how we make sure it is available for every individual. I believe health care should be a right and not a privilege in the greatest country in the world.

But in our case, we cover an individual making $4,500 a year—$4,500 a year—certain individuals. So when we get to the Finance Committee debate, I hope we are going to keep in there the ability and flexibility for States to receive, if approved, waivers that allow them to stretch their precious health care dollars a little bit farther.

This amendment would, in its policy—even though it has no effect ultimately, it states we should not allow that flexibility for States, we should not allow the ability for States to be creative. It also sets a limit of 200 percent above poverty, which may sound—well, it may sound as though it is OK, but you are talking about basically two individuals in a family each earning the minimum wage. That is about hitting that number of 200 percent of poverty. So if you get a minimum wage increase or maybe you get a little bit more money, and you still do not have health care coverage in your employment.

Again, we would be saying, through this kind of amendment, they should not be able to cover their children with health care, not be able to have access, even though they are working hard. The whole point of SCHIP is to say to those who are working: If you are working hard and in a low-income job, you should be able to know you can receive health insurance for your children. If you are working hard, you don't have to go to bed at night saying: Please God, don't let the kids get sick—which is what happens every single night in America. So I hope we reject this amendment. It is not appropriate for the Budget Committee.

I also look forward to the debate on the policy once we get to the Finance Committee. We want to cover every child. The money in this budget will allow us to cover those children who are currently eligible but not covered. We will cover every child. That is our commitment. That is part of the moral document we have put forward in this budget resolution. But we also, I believe, need to figure out a way to make sure in the process we are not taking away health care coverage from anyone in the country.

Thank you.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, in a brief response, because I see the ranking member of the Finance Committee is here, the chairman of the committee has made the case we should not vote for the Cornyn amendment because it has policy in it. Well, actually the budget resolution has policy in it. In its reserve fund, the budget resolution has three specific policy directives relative to SCHIP which is just as specific, just as policy driven as the proposals of Senator CORNYN. So either you are pure or you are not pure. In this case, both sides are directing policy. So I do not think that argument has a whole lot of credibility. But the issue here is this: The Cornyn amendment tries to focus SCHIP on kids. That is what it should be focused on. The problem we have today is that SCHIP is being used as a stalking-horse to basically ensure all sorts of people who do not qualify in the concept of kids at 200 percent of poverty. You have three States where they actually spend more SCHIP money on adults than they do on children. You have 12 States that are spending almost $1 billion annually of SCHIP money on adults. You have nine States where they are covering up to 300 percent of poverty. You have other States where you are going up to $68,000 of personal income and still qualifying people for SCHIP.

That is not the way SCHIP is supposed to be structured. SCHIP is supposed to be structured for kids. The Cornyn amendment gets us back to the original purpose of SCHIP, thus giving probably more coverage to more kids than the present program or even the expanded program which has been put forward by the other side of the aisle.

Madam President, what is the time situation relative to the Members?

The PRESIDING OFFICER. The Senator from New Hampshire has 13½ minutes. The Senator from North Dakota has 7½ minutes.

Mr. GREGG. Madam President, I yield such time as he may desire to the ranking member of the Finance Committee.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I appreciate very much that the Senator from Texas has offered his amendment. I support it. I supported it during the Budget Committee's markup of the legislation that is before us right now, and I am happy to support it on the floor.

This amendment adds a new reserve fund which identifies some very important priorities that complement the reserve fund in the legislation that has come out of the Budget Committee.

The reserve fund in the budget stipulates the legislation reported out of the Finance Committee must ''maintain coverage for those currently enrolled in [the State Children's Health Insurance Program].''

As my colleagues in the Senate know, this current population includes children, pregnant women, parents, and childless adults. The cost of extending coverage to these populations has been roughly estimated by the Congressional Budget Office to require a net increase of budget authority of approximately $8 billion.

The Cornyn amendment would put kids first—after all, wouldn't you think that is what the State Children's Health Insurance Program ought to do, put children first—prioritizing lower income children and limiting the use of State Children's Health Insurance Program funds for nonpregnant adults unless States are covering those children.

We will have to make some very difficult choices when it comes to the limited funds available for the SCHIP. The cost of covering children who are uninsured but eligible for SCHIP continues to rise.

According to the Center on Budget and Policy Priorities and their analysis—and this was in a recent memo from the Congressional Budget Office—it will take $47.5 billion to cover the estimated 6 million children who are uninsured but eligible for either SCHIP or the Medicaid Program. To quote the center, even this figure is ''too low''—those are their words: ''too low''—because it does not include the cost of the policies necessary to increase enrollment in Medicaid and SCHIP.

Given the priorities placed on pay-as-you-go and the limited offsets available to pay for increased SCHIP spending, it appears some priorities have to be set. We are faced with that every day—setting priorities, that everybody cannot have everything they want.

Republicans have taken the position—and I emphasize that position—we want to prioritize putting kids first. So I support Senator CORNYN's emphasis upon this key principle.

I also agree with the language in the budget that would support States in their efforts to move forward in covering more children. However, this language can be improved by emphasizing that reauthorization should make State flexibility a priority. With State flexibility, we can get more bang with the State's money, we can get more bang for the Federal dollars going into the program. We found that in Medicaid last year when a bipartisan group of Governors came to me, when I was chairman of the Finance Committee, and sat down and said: If you can give us more flexibility in Medicaid, we can save State tax dollars, we can save Federal tax dollars, and we can serve more kids who have need—because States know what their local situation is, they know better than we do in Washington to get the most bang for the taxpayers' dollars. So we can do the same thing for the SCHIP program by giving the States greater flexibility.

Much of the success we have seen relative to the SCHIP program is because the Congress gave States the authority to manage the SCHIP caseloads, to control costs, and to experiment with innovative strategies to increase access to health care.

This country is so geographically vast, our population is so heterogeneous that if you try to make all policy by pouring policy in the same mold in Washington, DC, it is not going to fit New York City the same way it might fit Des Moines, IA. But we ought to give those States in the case of New York, Albany, and in the case of Iowa,

Des Moines, give those leaders, Governors and State legislatures, some leeway so we get more bang for our buck.

Reauthorization then should build on the State flexibility that was already there and should be a key feature of the priorities set in the budget.

Finally, given my zeal for oversight, meaning congressional oversight of what our bureaucracy does and how the taxpayers' money is spent, I must also commend the Senator from Texas for including, as a priority for the SCHIP reauthorization, improving and strengthening the oversight of Medicaid and SCHIP to prevent waste, fraud, and abuse. We have made improvements to preventing waste, fraud, and abuse, but we can certainly do more. We can always do more.

I commend the Senator for his amendment. It builds on the language already in the bill, and I urge my colleagues to vote in favor of it.

I reserve the balance of the time on our side.

Mr. CONRAD. Madam President, I am going to be yielding to the Senator from New Jersey in a moment on this amendment, but we wish to enter into a unanimous consent request for what happens after the votes tonight. We have already entered into a unanimous consent request with respect to the votes that will occur tonight. After those votes, there will be a time for discussion and debate. I ask unanimous consent that during that period, Senator HUTCHISON be allowed to offer an amendment on sales and use tax, that Senator SESSIONS be able to offer an amendment relating to the alternative minimum tax, that Senator DURBIN be permitted to speak, that Senator SANDERS be permitted to speak, that Senator LIEBERMAN be permitted to introduce and withdraw an amendment on war costs, and that Senator WYDEN be permitted to speak.

Perhaps we should go a step further and give an amount of time for each. Would the Senator have a thought with respect to wanting to give them 10 minutes each?

Mr. GREGG. Why don't we give them 15 minutes.

Mr. CONRAD. Continuing, that each of the aforementioned Senators have up to 15 minutes, and that they be in the order indicated: Senator HUTCHISON, Senator SESSIONS, Senator DURBIN, Senator SANDERS, Senator LIEBERMAN, Senator WYDEN.

Mr. GREGG. And, Madam President, that the majority has the right to reserve an amendment in response to the Sessions amendment and in response to the Hutchison amendment, and that the order of voting on any amendments offered this evening as part of this unanimous consent would be at the discretion of the chairman and the ranking member of the Budget Committee.

Mr. CONRAD. That is correct.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CONRAD. And, when the business of the Senate is concluded today, that there be 25 hours left on the budget resolution.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CONRAD. We thank all colleagues. To revisit, so everybody understands what we will then face, after the votes tonight, Senator HUTCHISON will be able to offer an amendment relating to sales and use tax, Senator SESSIONS on the alternative minimum tax; that both of those can have a side-by-side Democratic amendment offered tomorrow if it is deemed necessary; that Senators DURBIN, SANDERS, LIEBERMAN, and WYDEN all be recognized in that order, or if they seek to change the order among themselves they are able to do that; that each of them be limited to 15 minutes; that there be no further votes after the votes that have already been approved; and that at the conclusion of the Senate business tonight, there will be 25 hours remaining on the budget resolution.

We thank the excellent staff who have helped us keep track of all this through the day, and we thank very much the occupant of the Chair as well for her attention and for her effort.

With that, I recognize the Senator from New Jersey.

How much time do I have remaining?

The PRESIDING OFFICER. There is 3 minutes 42 seconds.

Mr. CONRAD. I yield that time to the Senator from New Jersey.

Mr. MENENDEZ. Madam President, I thank the distinguished chairman of the Budget Committee for yielding, and let me get right to it. Only in Washington, with those who have some of the best health care coverage in the Nation, would there be a proposal to cut coverage to America's neediest children.

An example of what would happen if this were to be passed: In New Jersey alone, more than a half million children depend upon our State's successful SCHIP program. Providing less than what is required to keep these children safe and healthy isn't only reckless, it is a dereliction of our duty here in Congress.

The President is spending a lot of time this week talking about Congress's role and responsibilities. The President had a responsibility to send us a budget that took care of children in this country, and we have had members of his administration cite the successes of what we have done in New Jersey and, therefore, in other places in the country.

Tom Scully, who is the CMS administrator, said:

> Even in tight economic times New Jersey is setting an example of how Federal waivers can help them cut into the numbers of citizens with no health coverage.

That is what he said on January 31 of 2003.

If the Cornyn amendment is passed, as many as 30,000 children in New Jersey could lose coverage for needed medical service. Worse still, it would prevent another 75,000 children in New Jersey from even being eligible for the critical health coverage they need. That is not only bad policy, it is downright reckless and it is flatout wrong.

We live in the greatest country in the world, and there is no reason our neediest children should go without the medical services they need. No child in America should go to sleep at night in pain because they don't have the health care coverage they need or, as we saw recently, a young boy in Maryland who had a toothache, and it abscessed and it ended up getting infected and he died. No child in America should face that reality.

We know the success of covering parents, because when we cover parents, we end up covering children. That is not because I say it, but look at what the CMS administrator Mark McClellan said last year before the Senate Finance Committee. He said:

> Extending coverage to parents and caretaker relatives not only serves to cover additional insured individuals, but it may also increase the likelihood that they will take the steps necessary to enroll their children. Extending coverage to parents and caretakers may also increase the likelihood that their children remain enrolled in SCHIP, and that is our experience.

That is New Jersey's experience.

Who are we talking about, not only in New Jersey but across the country? We are talking about some of the children in our Nation who come from communities that already have great health disparities. Yet when we see what SCHIP has done, we have seen those disparities narrow. Here is a chart that shows before enrollment in SCHIP what many children faced—White, African American, and Latino children—and after the enrollment, the percentage of children lacking a regular source of care dramatically reduces; dramatically reduces. Now, Latino and African-American children in this country will represent over 40 to 45 percent of all of the Nation's schoolchildren. Would we leave 45 percent of any capital, human capital in this case, unhealthy, uneducated? That is what this amendment seeks to do.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MENENDEZ. Madam President, we need to defeat the Cornyn amendment. We need to keep the reality of where SCHIP is today: insuring our children and their families and making sure we are preserving that human capital.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. What is the time situation?

The PRESIDING OFFICER. The Senator has 6 minutes left.

Mr. GREGG. I yield to the Senator 6 minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. PRYOR. Madam President, I thank the Senator. That is very gracious and I appreciate it very much. I

wanted to come to the floor and say a few words. I will try to keep my remarks to 90 seconds or 2 minutes, because I know some other Senators wish to say a word.

First, let me thank my colleagues for working on a package of legislation that includes the TRAC Act, making the TRAC Act permanent, the tax relief for our soldiers in combat. We know we spotted this 3 years ago where for some soldiers in combat, when they take their combat pay, they lose the ability to get the earned income tax credit, the child tax credit. I have had soldiers all around my State and other places tell me they appreciate the tax relief, and the last thing they need to be worried about is their taxes and getting gypped out of some tax relief. So this makes it permanent. Thank you very much.

Secondly, I have included in this package one of these amendments we are going to vote on which is the daycare tax credit. In 2004, there were 6.3 million taxpayers who used the child independent tax care credit to cover daycare, afterschool care, summer day camp, elder care facilities, and this is a tax that helps working families, middle-class families, folks who are the bread and butter of our Nation and our economy.

Also, I thank Senator CONRAD and Senator GREGG for their great leadership on this budget. I know it has been very hard. I know we are getting to the time to vote. I want to thank them publicly for their leadership.

I yield the floor.

Mr. GREGG. Madam President, if I still have time, I yield it back.

Mr. CONRAD. Madam President, we have a series of votes starting at 5 o'clock. We have the rest of the evening lined up. I apologize to the desk crew who will be here late into the evening once again. I also want to thank our staffs—my goodness, they have worked tirelessly—Mary Naylor of my staff, Scott Gudes, and the staff director for Senator GREGG, and all of their assistants who have done a spectacular job of helping us to manage this difficult budget resolution.

Votes are to start at 5 o'clock. Why don't we start now. I think we could begin the vote early. Is there a problem with that? I don't think that hurts anything, because what that would allow us to do is we have agreed there would be 10-minute votes after that. I don't think there is any problem with that.

Does Senator GREGG have any other observations? Maybe one thing we need to do is remind our colleagues—this may be a very good time to remind colleagues of what it is we are going to face tomorrow. Tomorrow we are going to come in and we are going to have 25 hours left on this resolution. Then we go to vote-arama. We need to finish this by 4 o'clock on Friday. We have a number of our colleagues on both sides who have other obligations, so we need to finish this. So we are calling on colleagues—and I will speak for myself. I am calling on colleagues on our side to please be disciplined about the amendments you insist on getting votes on. We have had perhaps the most difficult year I can ever remember, because we have some of our colleagues on Presidential campaigns, and there have been so many other events we have had to break for. It has made it very difficult to give colleagues the chance to get the votes they desire. We are going to have to ask for continued cooperation to get this done.

Senator GREGG, do you wish to say anything further?

Mr. GREGG. I appreciate the Senator's comments. First, I join him in thanking the staff. We are about halfway through the timeframe here and they are getting tired, but they are doing a great job and we very much appreciate all they do; not only our staffs on the committee but obviously the staff that operates the Senate itself, who end up being here late into the night, and we very much appreciate their help.

As to amendments, we are going to have a lot of votes on Friday, and it is going to be a very extensive day of voting and people need to sort of get ready for that.

At this point I think we ought to start the votes.

Mr. CONRAD. Madam President, the hour of 5 o'clock having arrived, I think it is the appropriate time to start the votes.

Mr. GREGG. I am not sure the yeas and nays have been ordered on all of these amendments.

Mr. CONRAD. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested en bloc.

Is there a sufficient second?

There is a sufficient second.

Mr. GREGG. Madam President, I ask unanimous consent that there be 2 minutes evenly divided between each amendment.

The PRESIDING OFFICER. Under the previous order, there is 2 minutes equally divided between the votes prior to the vote on the Baucus amendment.

Mr. CONRAD. Madam President, nobody has used time on either side on the first amendment; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. CONRAD. Maybe I will take the time because I am advised Senator BAUCUS will not be here until the vote has begun.

Let me recall for our colleagues that the Baucus amendment is to provide for the middle-class tax cuts to also address this anomaly in the estate tax, where it goes from $3.5 million per person of exemption back down to $1 million. It also contains additional funding for the Children's Health Care Program.

There are other elements to the Baucus amendment, as well, that were enumerated by the Senator. I hope very much that our colleagues can support the Baucus amendment. It still leaves us with a slight balance in 2012 so that we are not back into deficit.

I thank the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Madam President, claiming the minute on the Republican side, the Baucus amendment makes sense, but it does so in the context of also justifying the Kyl amendment. Both amendments basically make the point that we should extend these tax rates, which have done so much to help people and create an economic boom in this country. Both amendments are essentially the same, as far as the impact on the economy, but the Baucus amendment is about 2½ times the Kyl amendment. Both of them create issues of deficit financing.

As a practical matter, the Kyl amendment specifically will generate economic activity. It creates jobs and, therefore, more revenue to the Federal Treasury. If you vote for one, you should vote for the other, if you happen to believe we have a tax policy that is making sense in this country today and is generating a lot of revenue, which it is.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 492 by the Senator from Montana.

The yeas and nays have been ordered and the clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. DODD) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

The PRESIDING OFFICER (Mr. OBAMA). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 1, as follows:

[Rollcall Vote No. 82 Leg.]

YEAS—97

Akaka	Dorgan	Mikulski
Alexander	Durbin	Murkowski
Allard	Ensign	Murray
Baucus	Enzi	Nelson (FL)
Bayh	Feinstein	Nelson (NE)
Bennett	Graham	Obama
Biden	Grassley	Pryor
Bingaman	Gregg	Reed
Bond	Hagel	Reid
Boxer	Harkin	Roberts
Brown	Hatch	Rockefeller
Brownback	Hutchison	Salazar
Bunning	Inhofe	Sanders
Burr	Inouye	Schumer
Byrd	Isakson	Sessions
Cantwell	Kennedy	Shelby
Cardin	Kerry	Smith
Carper	Klobuchar	Snowe
Casey	Kohl	Specter
Chambliss	Kyl	Stabenow
Clinton	Landrieu	Stevens
Coburn	Lautenberg	Sununu
Cochran	Leahy	Tester
Coleman	Levin	Thomas
Collins	Lieberman	Thune
Conrad	Lincoln	Vitter
Corker	Lott	Voinovich
Cornyn	Lugar	Warner
Craig	Martinez	Webb
Crapo	McCain	Whitehouse
DeMint	McCaskill	Wyden
Dole	McConnell	
Domenici	Menendez	

NAYS—1

Feingold

NOT VOTING—2

Dodd Johnson

The amendment (No. 492) was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, we have six votes that are going to be called immediately; 10 minutes plus 5 minutes the roll will be called. Everybody should understand that and not run back to their offices. Ten minutes, fifteen minutes goes by very quickly. There will be six votes, and we have 15 minutes on each one of them.

AMENDMENT NO. 507

The PRESIDING OFFICER. There is 2 minutes equally divided prior to the next vote. Who yields time?

Mr. GREGG. Mr. President, could we have a little bit of order? A touch, not too much. I don't want to get carried away.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from New Hampshire.

Mr. GREGG. Mr. President, if my colleagues voted for the last amendment, they should vote for this amendment. Procedurally, they are essentially the same. They are treated the same, they have the same impact, for all intents and purposes.

The last amendment, arguably, would increase the deficit by $60 billion. This one would increase it by $70 billion. Both amendments are focused on continuing the tax policy that we have in place, which is doing such a good job of generating jobs. In fact, this amendment increases the death tax to 35 percent—it reduces it, doesn't allow it to go over 35 percent. It allows the exemption to be applied to estates of $5 million; it permanently extends the tuition tax credit; it permanently extends the $250 deduction for teachers; it extends the tuition tax credit; it extends the capital gains and dividend tax rates which are so important to this economy and have had such a positive impact on revenues to the Federal Treasury.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, however well intended the Kyl amendment is, it spends $72.5 billion with no offset. The surplus is gone under the amendment we just adopted. The surplus is gone. So the effect of this amendment is to take us right back into deficit.

This amendment blows the budget. This amendment takes us from a balance in 2012 right back into deficit.

My colleagues can extend those tax cuts if they pay for them, if they offset them. The Kyl amendment does not pay for them; it does not offset them; it takes us back into deficit. It ought to be defeated.

The PRESIDING OFFICER. Is all time yielded back?

Mr. GREGG. Do I still have time?

The PRESIDING OFFICER. The Senator has 6 seconds remaining.

Mr. GREGG. Six seconds.

The PRESIDING OFFICER. Go ahead, quick.

Mr. GREGG. The Senator from North Dakota is wrong. Vote for the Kyl amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 507. On this question, the yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. DODD) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 83 Leg.]

YEAS—47

Alexander	DeMint	Martinez
Allard	Dole	McCain
Bennett	Domenici	McConnell
Bond	Ensign	Murkowski
Brownback	Enzi	Roberts
Bunning	Graham	Sessions
Burr	Grassley	Shelby
Chambliss	Gregg	Smith
Coburn	Hagel	Specter
Cochran	Hatch	Stevens
Coleman	Hutchison	Sununu
Collins	Inhofe	Thomas
Corker	Isakson	Thune
Cornyn	Kyl	Vitter
Craig	Lott	Warner
Crapo	Lugar	

NAYS—51

Akaka	Feinstein	Nelson (FL)
Baucus	Harkin	Nelson (NE)
Bayh	Inouye	Obama
Biden	Kennedy	Pryor
Bingaman	Kerry	Reed
Boxer	Klobuchar	Reid
Brown	Kohl	Rockefeller
Byrd	Landrieu	Salazar
Cantwell	Lautenberg	Sanders
Cardin	Leahy	Schumer
Carper	Levin	Snowe
Casey	Lieberman	Stabenow
Clinton	Lincoln	Tester
Conrad	McCaskill	Voinovich
Dorgan	Menendez	Webb
Durbin	Mikulski	Whitehouse
Feingold	Murray	Wyden

NOT VOTING—2

Dodd Johnson

The amendment (No. 507) was rejected.

Mrs. MURRAY. Mr. President, 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.

AMENDMENT NO. 477

The PRESIDING OFFICER. There are now 2 minutes equally divided on the Cornyn amendment.

The Senator from Texas.

Mr. CORNYN. Mr. President, my amendment creates a 60-vote point of order against legislation that would increase the income tax rates on taxpayers.

Yesterday, the chairman of the Senate Budget Committee graciously indicated his support for this amendment. I hope nothing has changed overnight, and so I would hope my colleagues would support this taxpayer-friendly amendment.

Mr. President, I yield back the remainder of my time.

Mr. CONRAD. Mr. President, I find myself conflicted on this amendment in the following way: On the one hand, I don't think it is particularly good tax policy to establish points of order on this matter. So as a matter of tax policy, I don't think it is a particularly good idea. On the other hand, I don't want to leave the impression that this resolution contemplates an increase in tax rates because it doesn't.

So I would say to those on my side, vote your conscience on this amendment. It certainly will not do any damage to this resolution if this were to pass.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. DODD) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 63, nays 35, as follows:

[Rollcall Vote No. 84 Leg.]

YEAS—63

Alexander	Dole	McCaskill
Allard	Domenici	McConnell
Baucus	Ensign	Murkowski
Bayh	Enzi	Murray
Bennett	Graham	Nelson (FL)
Bond	Grassley	Nelson (NE)
Brownback	Gregg	Pryor
Bunning	Hagel	Roberts
Burr	Hatch	Salazar
Cantwell	Hutchison	Sessions
Casey	Inhofe	Shelby
Chambliss	Isakson	Smith
Coburn	Kohl	Snowe
Cochran	Kyl	Specter
Coleman	Landrieu	Stevens
Collins	Leahy	Sununu
Corker	Lincoln	Tester
Cornyn	Lott	Thomas
Craig	Lugar	Thune
Crapo	Martinez	Vitter
DeMint	McCain	Warner

NAYS—35

Akaka	Feingold	Obama
Biden	Feinstein	Reed
Bingaman	Harkin	Reid
Boxer	Inouye	Rockefeller
Brown	Kennedy	Sanders
Byrd	Kerry	Schumer
Cardin	Klobuchar	Stabenow
Carper	Lautenberg	Voinovich
Clinton	Levin	Webb
Conrad	Lieberman	Whitehouse
Dorgan	Menendez	Wyden
Durbin	Mikulski	

NOT VOTING—2

Dodd Johnson

The amendment (No. 477) was agreed to.

AMENDMENT NO. 466, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes evenly divided on the Sessions amendment.

Mr. SESSIONS. Mr. President, just briefly on this next amendment, I

think it is a defining vote on the question of whether we intend to extend the current lower tax rates. The budget resolution that is before us has four points of order against tax cuts, but the way it is written, it even includes continuing our current income tax rates beyond 2010 because that would be defined under this budget as a reduction in taxes. This means that this proposed budget resolution would require 60 votes to extend the currently existing lower rates beyond 2010. I believe that is a mistake. These reduced rates include the $1,000 per child tax credit, the 10 percent bracket, the marriage penalty, the adoption tax credit, capital gains and estate tax repeal.

I urge my colleagues, let's not put a burden on our economy and on our constituents by allowing these current tax rates that are low now to surge upward when they expire at the end of 2010. Do not put a 60-vote requirement to extend current rates.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from North Dakota.

Mr. CONRAD. Madam President, if you want to gut pay-go this is your opportunity. This amendment would completely overturn the pay-go discipline. The pay-go discipline, as all Members know, says: If you are going to have new mandatory spending, you have got to pay for it. If you want more tax cuts, you are going to have to offset them.

This amendment would completely strip all of the points of order that exist under the pay-go discipline. This would be a return to deficits and debt as far as the eye can see at the worst possible time, just before the baby boomers retire.

This is a critical and defining amendment. I urge my colleagues to vote no.

The PRESIDING OFFICER. The question is on agreeing to the amendment No. 466, as modified, offered by the Senator from Alabama. The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. DODD) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 52, as follows:

[Rollcall Vote No. 85 Leg.]

YEAS—46

Alexander	Crapo	Kyl
Allard	DeMint	Lott
Bennett	Dole	Lugar
Bond	Domenici	Martinez
Brownback	Ensign	McCain
Bunning	Enzi	McConnell
Burr	Graham	Murkowski
Chambliss	Grassley	Roberts
Coburn	Gregg	Sessions
Cochran	Hagel	Shelby
Coleman	Hatch	Smith
Corker	Hutchison	Specter
Cornyn	Inhofe	Stevens
Craig	Isakson	Sununu
		Thomas
		Thune
		Vitter
		Warner

NAYS—52

Akaka	Feinstein	Nelson (NE)
Baucus	Harkin	Obama
Bayh	Inouye	Pryor
Biden	Kennedy	Reed
Bingaman	Kerry	Reid
Boxer	Klobuchar	Rockefeller
Brown	Kohl	Salazar
Byrd	Landrieu	Sanders
Cantwell	Lautenberg	Schumer
Cardin	Leahy	Snowe
Carper	Levin	Stabenow
Casey	Lieberman	Tester
Clinton	Lincoln	Voinovich
Collins	McCaskill	Webb
Conrad	Menendez	Whitehouse
Dorgan	Mikulski	Wyden
Durbin	Murray	
Feingold	Nelson (FL)	

NOT VOTING—2

Dodd Johnson

The amendment (No. 466), as modified, was rejected.

Mr. CONRAD. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 476

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, on the Ensign amendment No. 476.

The Senator from Nevada.

Mr. ENSIGN. Madam President, this amendment is very simply a Defense firewall amendment. We have had these in the past. The chairman of the Budget Committee will argue that they did not work very effectively in the past. I would disagree. It made it more difficult to take money out of Defense and to spend it on other programs.

Our amendment is a little different. It says if you are going to take money out of Defense for social spending programs, then you must do it during the budget process. It brings transparency into the budget process. In the last several years, folks have taken money out of the Defense Department during the appropriations process, put it in other social spending, and then during the emergency supplemental process they backfill the Defense Department. This has cost our country an extra $84 billion over the last 5 years. The problem is the money gets built into the baseline, which costs more money and more money and more money every year; last year alone it was $40 billion.

If you want to be fiscally responsible, you should vote for this amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President and colleagues, I think this amendment is well intended.

I believe it will actually make the situation worse with these defense firewalls. What it means is that supposedly we are walling off nondefense money and defense money. But here is what is happening. We have had these firewalls in the past. Before we had them, we had three medical research earmarks in the defense budget. This is what happened after defense firewalls. Here are the number of earmarks in the defense budget for medical research. Does anybody believe we are better off doing medical research at the Department of the Army rather than at the National Institutes of Health? That is what this amendment is about. It will be a mistake to adopt this amendment. I urge a ''no'' vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment No. 476. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. DODD) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—47

Alexander	DeMint	Martinez
Allard	Dole	McCain
Bennett	Domenici	McConnell
Bond	Ensign	Murkowski
Brownback	Enzi	Roberts
Bunning	Graham	Sessions
Burr	Grassley	Shelby
Chambliss	Gregg	Smith
Coburn	Hagel	Snowe
Cochran	Hatch	Stevens
Coleman	Hutchison	Sununu
Collins	Inhofe	Thomas
Corker	Isakson	Thune
Cornyn	Kyl	Vitter
Craig	Lott	Warner
Crapo	Lugar	

NAYS—51

Akaka	Feinstein	Nelson (FL)
Baucus	Harkin	Nelson (NE)
Bayh	Inouye	Obama
Biden	Kennedy	Pryor
Bingaman	Kerry	Reed
Boxer	Klobuchar	Reid
Brown	Kohl	Rockefeller
Byrd	Landrieu	Salazar
Cantwell	Lautenberg	Sanders
Cardin	Leahy	Schumer
Carper	Levin	Specter
Casey	Lieberman	Stabenow
Clinton	Lincoln	Tester
Conrad	McCaskill	Voinovich
Dorgan	Menendez	Webb
Durbin	Mikulski	Whitehouse
Feingold	Murray	Wyden

NOT VOTING—2

Dodd Johnson

The amendment (No. 476) was rejected.

Mrs. MURRAY. I move to reconsider the vote.

Mr. NELSON of Florida. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 483

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes evenly divided on the Bunning amendment No. 483.

Who yields time?

The Senator from Kentucky.

Mr. BUNNING. Madam President, this amendment is almost identical to the language that was included in the fiscal year 2003 budget resolution Chairman CONRAD authored. There are many reasons for this amendment, but basically the amendment says that just

because we have been spending the Social Security surplus for decades does not mean we should continue to do so. That is why we have made a budget point of order against continued spending of it.

We have dug ourselves into a big ditch. The budget before us just keeps on digging. My amendment says: Stop digging. It forces Congress to make a plan to protect the Social Security surplus.

I urge my colleagues to think about the future Social Security retirees and support this amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, this is a happy moment. We can all vote for this amendment. This is an amendment I offered a number of years ago. I wish it would have passed then and been in effect because we could have avoided some of the unpleasantness that has followed in taking Social Security funds and using them for other purposes.

There is no reason not to support this amendment tonight to try to once again impose the discipline that has been lacking, to prevent Social Security funds from being used to pay other bills.

So I welcome colleagues voting for this amendment.

The PRESIDING OFFICER. The question is on agreeing to Bunning amendment No. 483. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. DODD) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 87 Leg.]

YEAS—98

Akaka
Alexander
Allard
Baucus
Bayh
Bennett
Biden
Bingaman
Bond
Boxer
Brown
Brownback
Bunning
Burr
Byrd
Cantwell
Cardin
Carper
Casey
Chambliss
Clinton
Coburn
Cochran
Coleman
Collins
Conrad
Corker
Cornyn
Craig
Crapo
DeMint
Dole
Domenici
Dorgan
Durbin
Ensign
Enzi
Feingold
Feinstein
Graham
Grassley
Gregg
Hagel
Harkin
Hatch
Hutchison
Inhofe
Inouye
Isakson
Kennedy
Kerry
Klobuchar
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez
McCain
McCaskill
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Roberts
Rockefeller
Salazar
Sanders
Schumer
Sessions
Shelby
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Tester
Thomas
Thune
Vitter
Voinovich
Warner
Webb
Whitehouse
Wyden

NOT VOTING—2

Dodd
Johnson

The amendment (No. 483) was agreed to.

AMENDMENT NO. 486

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes evenly divided on the Bingaman amendment No. 486.

The Senator from New Mexico.

Mr. BINGAMAN. Madam President, this amendment is bipartisan. Senator ALEXANDER and I and many other Senators are cosponsoring this amendment. It is to make room in this budget so we can fund what the President has requested in the various agencies that are essential to keeping this country competitive.

It is to allow the provisions of the America COMPETES Act, which Senators REID and MCCONNELL earlier introduced, to actually be funded later this year, if we can do that in the appropriations process. I yield the remainder of my 1 minute to Senator ALEXANDER and urge all colleagues to support the amendment.

Mr. ALEXANDER. Madam President, I thank the Senator from New Mexico. He is precisely correct. This is an amendment to help America keep its brain power managed so we can keep our good jobs. It is necessary to make room in the budget for the amount of money President Bush recommended in connection with legislation that Senator REID and Senator MCCONNELL have introduced.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ALEXANDER. I urge a ''yes'' vote.

Mr. CONRAD. Madam President, this is the last vote today. We would urge all of our colleagues to vote yea on this bipartisan amendment. I think this is one of the most thoughtful amendments that has been offered throughout the process. It deserves all of our support.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 486. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. DODD) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 1, as follows:

[Rollcall Vote No. 88 Leg.]

YEAS—97

Akaka
Alexander
Allard
Baucus
Bayh
Bennett
Biden
Bingaman
Bond
Boxer
Brown
Brownback
Bunning
Burr
Byrd
Cantwell
Cardin
Carper
Casey
Chambliss
Clinton
Coburn
Cochran
Coleman
Collins
Conrad
Corker
Cornyn
Craig
Crapo
DeMint
Dole
Domenici
Dorgan
Durbin
Ensign
Enzi
Feingold
Feinstein
Graham
Grassley
Hagel
Harkin
Hatch
Hutchison
Inhofe
Inouye
Isakson
Kennedy
Kerry
Klobuchar
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez
McCain
McCaskill
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Roberts
Rockefeller
Salazar
Sanders
Schumer
Sessions
Shelby
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Tester
Thomas
Thune
Vitter
Voinovich
Warner
Webb
Whitehouse
Wyden

NAYS—1

Gregg

NOT VOTING—2

Dodd
Johnson

The amendment (No. 486) was agreed to.

Mr. CONRAD. Madam President, 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 (Mr. CARDIN). Under the previous order, the Senator from Texas is recognized.

AMENDMENT NO. 517

Mrs. HUTCHISON. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for herself, Mr. CORNYN, Ms. CANTWELL, and Mr. ENZI, proposes an amendment numbered 517.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

AMENDMENT NO. 517

(Purpose: To provide tax equity for citizens of states which do not have a state income tax by providing for a permanent extension of the state and local sales tax deduction from federal income taxes, now scheduled to expire at the end of 2007)

On page 3, line 11, decrease the amount by $429,000,000.

On page 3, line 12, decrease the amount by $2,923,000,000.

On page 3, line 13, decrease the amount by $3,294,000,000.

On page 3, line 14, decrease the amount by $3,349,000,000.

On page 3, line 15, decrease the amount by $3,579,000,000.

On page 3, line 20, decrease the amount by $429,000,000.

On page 3, line 21, decrease the amount by $2,923,000,000,

On page 3, line 22, decrease the amount by $3,294,000,000.

On page 3, line 23, decrease the amount by $3,349,000,000.

On page 4, line 1, decrease the amount by $3,579,000,000.

On page 4, line 6, decrease the amount by $429,000,000.

On page 4, line 7, decrease the amount by $2,923,000,000.
On page 4, line 8, decrease the amount by $3,294,000,000.
On page 4, line 9, decrease the amount by $3,349,000,000.
On page 4, line 10, decrease the amount by $3,579,000,000.
On page 4, line 15, decrease the amount by $429,000,000.
On page 4, line 16, decrease the amount by $2,923,000,000.
On page 4, line 17, decrease the amount by $3,294,000,000.
On page 4, line 18, decrease the amount by $3,349,000,000.
On page 4, line 19, decrease the amount by $3,579,000,000.
On page 26, line 12, decrease the amount by $429,000,000.
On page 26, line 13, decrease the amount by $429,000,000.
On page 26, line 16, decrease the amount by $2,923,000,000.
On page 26, line 17, decrease the amount by $2,923,000,000.
On page 26, line 20, decrease the amount by $3,294,000,000.
On page 26, line 21, decrease the amount by $3,294,000,000.
On page 26, line 24, decrease the amount by $3,349,000,000.
On page 26, line 25, decrease the amount by $3,349,000,000.
On page 27, line 3, decrease the amount by $3,579,000,000.
On page 27, line 4, decrease the amount by $3,579,000,000.

Mrs. HUTCHISON. Mr. President, my amendment is cosponsored by Senator CORNYN, Senator CANTWELL, and Senator ENZI. This is an amendment that also has sponsors of bills to legislatively produce the same result: Senators ALEXANDER, ENSIGN, CORNYN, ENZI, CORKER, MARTINEZ, STEVENS, THUNE, BILL NELSON, CANTWELL, MURRAY, and REID. This is an amendment that would extend the sales tax deduction in Federal income taxes for the period of this budget. This would perpetuate the law that is today but which expires at the end of this year. It is fully offset with the 920 budget function allowances. It would cost $13 billion over the 5-year period, and this account will absorb that loss.

My amendment provides for the extension of the sales tax deduction for States that do not have an income tax. It is an issue of fairness. We have fought for this since 1986, until 2004, when we corrected the inequity. I hope we will be able to correct this inequity on a permanent basis.

State and local governments have various options for raising revenues. Some levy income taxes, some use sales taxes, and some do both. Citizens of States that levy income taxes have long been able to offset some of what they pay by deducting their State income tax on their Federal tax returns. In essence, we are not making people pay taxes on their taxes, which is fair.

Before 1986, all taxpayers had that capability, whether they were taxed with sales taxes or income taxes. From 1986 until 2004, the residents of States that didn't have a State income tax but had a sales tax were not allowed to deduct their State's revenue mechanism, thereby penalizing them because of their State's choice to collect revenues through sales taxes.

Eight States—Washington, Nevada, Wyoming, South Dakota, Alaska, Florida, Tennessee, and Texas—have been penalized in those years for exercising their independence in choosing their method of collecting taxes. It was unfair.

Congress rectified this unequal treatment when we passed the America Jobs Creation Act of 2004, providing taxpayers with the option of using the sales tax for their deduction or the income tax. If someone lives in an income tax State, they can also choose the sales tax instead of their income tax deduction, so it is a benefit for every taxpayer in America to have this option. But it especially affects these eight States that have no option, without the ability to deduct their sales taxes. Why should they have to pay taxes on their taxes, when people who pay income taxes do not? Of course, they should not.

A family of four in Texas that itemizes will save $310 a year in Federal income taxes, on average. This deduction, which we extended through this year, 2007, will expire if we don't provide for this extension in the budget.

Sales tax deductibility is not only an issue of fundamental tax fairness but is also an economic stimulus. It can create jobs in the States, where lowering taxes does make a difference in the investments businesses make, which does create new jobs. Fifty-five million Americans live in States which do not have income taxes but which have hefty sales taxes. Last Congress, three-fourths of this body voted overwhelmingly to make the sales tax deduction permanent.

My amendment is fully paid for through reductions in waste, fraud, and abuse. I urge my colleagues to support this amendment so we can have equity for all of our citizens and options for all of our citizens to choose which of the State and local taxes they would prefer to deduct.

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. CONRAD. 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. CONRAD. Mr. President, if I may inquire of the Senator, for clarification purposes on her amendment, the amendment, as I understand it, on sales tax deductibility—what is the cost of that amendment?

Mrs. HUTCHISON. It is $13 billion over 5 years.

Mr. CONRAD. As I understand it, the Senator funds it out of section 920.

Mrs. HUTCHISON. That is correct.

Mr. CONRAD. Would it be out of the mandatory side of 920 or the discretionary side?

Mrs. HUTCHISON. The discretionary side.

Mr. CONRAD. Let me say to colleagues that while I have great sympathy for the purposes of the Senator's amendment, the funding source gives me substantial heartburn. Let me explain why, if I may. The discretionary side would include things such as law enforcement and veterans. We already have, out of section 920, between $7.5 billion and $8 billion taken from that pot. The problem with taking another $13 billion is it goes into an area where we don't have the resources in terms of this magnitude.

Let me say why that is the case. The President just sent up a message identifying $7.5 billion in this area that could be cut. Congress, in a recent legislative enactment, took out $6 billion. So we can probably do some more out of 920 but, honestly, to take that additional amount out of 920 is going to have a real impact on these discretionary accounts that it affects—veterans, law enforcement, parks, and all the rest.

So I am going to be compelled to resist this amendment, not because I don't favor the basic objective the Senator is trying to accomplish, which is entirely reasonable, but the pay-for presents a problem to this budget. That would take us well over $20 billion out of section 920, and I don't think there are sufficient resources there to accommodate that amount.

I want to give colleagues a heads up, and perhaps overnight we can find some other way. Perhaps we can work together and see if there is another way to fund it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I appreciate what the distinguished chairman of the committee has said. Let me say three things: First, I would be happy to work with the chairman to find another offset that would be acceptable, because I certainly want it to be offset, and I think the basic fairness of treating every taxpayer in America fairly is one we should absolutely adhere to. I cannot imagine that we would go forward next year and put eight States at such a disadvantage. So I want to work with the chairman.

The second point is it doesn't have to be discretionary. The reason I said discretionary—and it is not in the amendment that it would be discretionary, and perhaps we can work in another area of spending that would be acceptable. The reason I chose discretionary is my third point, which is the OMB rating analysis—the PART assessment—working with that PART assessment, Senator ALLARD said there was $88 billion in program spending that was rated as ''ineffective'' over the next 5-year period. So I thought the $88 billion provided plenty of leeway for programs that were not fully operational to use what they have in the budget.

I don't think anyone would take from the veterans account, of course, because we have increased the veterans amount to make sure that veterans' health care is fully covered. I am the ranking member of the Veterans Appropriations Committee and I added $1.5 billion in emergency funding last year to assure that the veterans accounts would be fully funded. In the rating analysis of OMB, there are other funds that cannot fully utilize their line items and, therefore, I think there would be leeway in this discretionary account.

I would be pleased to work with the chairman. I hope we can provide for this in the budget, because I think we have to treat every American taxpayer fairly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

CAMPAIGN FINANCING

Mr. DURBIN. Mr. President, imagine a President coming before a joint session of Congress and using his bully pulpit to call for a fundamental change in the way we fund political campaigns in America. Imagine a President saying we need to buy back our democracy by replacing special-interest-funded elections with publicly funded elections.

As hard as it may be to believe, that happened. An American President did say that—100 years ago. His name was Teddy Roosevelt, and his call for public financing of campaigns was the cornerstone of his 1907 State of the Union Address.

I know the Senate moves slowly, but a century is long enough to wait. Congress can pass all the lobbying and ethics reforms we want, but we won't get to the heart of the problem when it comes to the confidence of the American public until we address the issue of campaign financing. Special interest money and influence will always find new loopholes, until we change this political system fundamentally.

Just yesterday, Senator SPECTER and I introduced a plan to do that. It is called the Fair Elections Now Act. Our bill will create a pool of public, accountable funds that qualified Senate candidates can use to fund their campaigns in place of special interest dollars and dollars from wealthy donors. The program we propose is strictly voluntary, and it is consistent with our Constitution.

For years, I have always resisted the idea of public financing of political campaigns. I used to have this kind of quick response when people asked me about public financing. It was a pretty good one. I used to say I don't want a dime of Federal taxpayer dollars going to some racist such as David Duke running for office. It was a pretty good response, but frankly, as I reflect on it now, it ignores the obvious. For every miscreant like David Duke, there are thousands of good men and women in both political parties who were forced into a system that is fundamentally corrupting.

The stakes right now are too high in America not to change. A lot of people in America on both sides of the fence have a sneaky feeling that our democracy is in real trouble. No wonder. Look around at all the scandal and suspicion, the so-called ''culture of corruption.'' Take a good look at the political money chase that consumes more of our time every year. That is time a Senator and a Member of Congress doesn't have to devote to being a Senator. We can use that time talking to people we represent, people who might not have $2,000, $3,000, $4,000 to give to us but people who are even more important than those donors. That is time we could use to study and try to solve some of the big challenges facing this country, such as our reliance on foreign oil.

There are many good, honest people in politics, and this Senate is guided by the best of intentions, but we are stuck in a terrible, corrupting system.

Take a look, if you will, at the cost of running Senate campaigns. This chart is an indication of what we are up against. This is the average spent by candidates in the 10 most expensive Senate races between 2002 and 2006. Mind you, this is the average of the 10 most expensive races. Go back to 2002, and you see the number is somewhere short of $20 million. Now go to 2004 and the number is up to $25 million. Now come to 2006 and the number happens to be $34 million. That is $34 million on average spent by the 10 most expensive Senate races by both candidates—$34 million, the average amount.

The cost of running for the Senate is out of control. To think that the cost of running a Senate race between 2002 and 2006 in the 10 most expensive races has more than doubled tells us this is unsustainable.

Let me show this chart as well. It is a little hard to read because the charts are smaller. Here is another figure that is hard to imagine. It takes a mountain of money to lose a Senate campaign today. On average, to run and lose a campaign for the Senate costs $7 million. That is to lose. That figure, too, has doubled since 2002. Who knows what it is going to cost in 2008.

These figures are the averages spent by winners and losers for the Senate in each of these years, and one can see from these charts what is happening. Losers, $7 million to lose a Senate race; those running and winning, $12 million.

Then take a look at the total amount spent in Senate races between 2002 and 2006. We have now broken through the $500 million barrier. We are on our way to spending in total for about 33 races every election $1 billion. We are on our way there. There is no doubt we are going to hit that and soon. That is the reality of what it means to be elected to this important body.

The costs increase dramatically with every election. I am up for reelection in 2008. Candidates, if they are honest with you, will tell you they spend too many waking moments worrying about raising money, getting on the telephone, setting up fundraisers, traveling around the country, where good people—I thank them for helping me—are asked to give contributions. It becomes a consuming passion because you understand you are going to need that money to be reelected.

Mr. President, do you know why I am raising money? I am raising money to create a trust fund in Illinois for television stations. That is right. I am begging money from everybody I can find in order to buy television time next year. I need millions of dollars because the cost of television is soaring.

Take a look at the amount spent on political TV advertising. To give you a notion, political ad spending in millions of dollars, starting in 2002, $995 million; 2004, $1.6 billion; 2006, $1.7 billion; and 2008, I can't even guess where that figure is going to go.

Does anyone think our democracy is stronger and healthier because of this explosion in drive-by political TV ads? Have you ever met a voter who said: You know what the problem is with political campaigns? They are just too darn short. We need longer campaigns; we need to see more of your ads. I have never heard that. But I have heard the opposite. I have heard people beg for mercy: Are you going to have another week of those television commercials going?

The candidates hate raising the money for it, the people hate watching it, but the TV stations love it.

I visit TV stations in my State when it gets close to election time, and I meet with the managers. I met with one in downstate Illinois in this last election cycle. Nice fellow. I have seen him in Washington a lot. He runs a nice little station downstate. He had this big smile on his face.

I said: Things going OK here?

Yes, they sure are.

I said: Lots of political ads?

He said: Senator, I am the luckiest guy in southern Illinois. My TV station plays into Missouri. You know what is going on. We may not have a big Senate race in Illinois, but in Missouri, there is a big red hot contest between an incumbent Senator and a challenger, and they are buying every single minute I will sell them. To be honest with you, I have no time to sell to other advertisers because these political candidates are here.

Senators are spending more and more time each year when they are up for reelection creating these trust funds for wealthy broadcasting corporations instead of doing the work the voters sent us here to do. This is not good for our democracy. Our democracy cannot afford to let this system continue.

The plan Senator SPECTER and I have introduced is simple and constitutional. In order to receive Fair Election funds, candidates first have to prove they are real candidates. It isn't enough to think you are going to run; you have to have some support. People

have to believe you are a real candidate. You prove that by, as a candidate, collecting a minimum number of small contributions.

What does it mean? You have to be a fundraiser, and in my State of Illinois, it would mean you would have to have 11,500 $5 contributions. I think that a person who is not a serious candidate would have a tough time raising 11,500 contributions in a State such as Illinois, but it is worth the effort because if you can raise that to prove you are a viable candidate, you can qualify for these funds to run your election campaign.

What happens if you are running against a millionaire or a billionaire? And believe me, a lot of political parties spend time searching for these so-called self-funders, people who pay for their own campaigns. Or what if you get caught in the crosshairs of some shadowy attack group that has decided they are going to take you on by running ads against you? In that case, the candidate who has agreed to be part of the Fair Elections financing can receive additional funds to level the playing field. All candidates who voluntarily agree to abide by Fair Elections rules will receive vouchers for free TV time and discounts on additional TV-radio time.

That is a major way in which our plan will help slow the explosive growth of campaign spending. The only thing the Fair Elections candidates cannot do is accept private, special interest or big-donor funds. With the exception of those 11,500 contributions of $5, you are not in the fundraising business. Maybe a few startup funds, but by and large, the qualifying $5 contributions is the end of your campaign fundraising.

This is not a naive, idealistic, over-the-Moon theory. Some of the programs are already working in Maine and Arizona. They were enacted by public referenda. They went to the voters of those two States and said: Do you want a shorter, cleaner, and fairer campaign? And the voters said ''yes.''

They were enacted by public referenda, and they have been sustained through election cycles because they are producing shorter and better campaigns. They are producing better debates in place of a terrible avalanche of political ads that we see almost everywhere. Fair Elections in Maine and Arizona are helping those States pass the kinds of reforms Americans want, such as affordable health care.

Fair Elections are bringing new faces and new ideas into politics. They are helping level the playing field between incumbents and challengers because we see, under this system, the incumbent Senator doesn't get any more money than the challenger. They get the same amount of money, fair play.

Some may wonder why Senator SPECTER and I would support a system that weakens the incumbent advantage. The answer is simple: We believe that America needs a system that rewards candidates with the best ideas and principles, not just the person who is the most talented in raising special interest money.

Supporters of the current system who don't want to change say the public will never support Fair Elections. They are wrong. Take a look at these polling results when it comes to the idea of public financing of elections. Support is increasing for the idea of public financing in Fair Elections: Seventy-four percent of all voters support public financing in Fair Elections; 80 percent of Democrats, 65 percent of Republicans, and 78 percent of Independents.

This is an idea whose time has clearly come. These are the results of a national survey conducted for Common Cause and a group called Public Campaign. Three-quarters of Americans—Republicans and Democrats and Independents—support Fair Elections and public financing. It cuts across party lines, regional lines, and gender. Public financing will only cost us a fraction of what the current system costs. Make no mistake, if you are listening to this and saying: Why in the world would we want any tax dollars to go to campaigns, let them pay for it themselves, the harsh reality is America pays for the way we fund our campaigns.

We are sustained on both sides of the aisle. Unless you are a self-funding millionaire, we are sustained by special interest groups and wealthy donors.

I ask for those contributions because I am not a wealthy person. I do my best to come and vote my conscience, but the fact is, there is always a suspicion that when I cast a vote, it is because I received a contribution.

How much will it cost? About $1.4 billion a year, $2.8 billion per election cycle. About as much as we spend in 1 week on the war in Iraq is the amount it would cost us to publicly fund all House and Senate campaigns.

People who say the public shouldn't have to pay for elections miss the point. We are already paying for them in the hidden ways that favor incumbents and special interests. We pay when special interests are allowed to literally write their own bills. We pay every time a line is slipped into a bill anonymously, a big bill, behind closed doors giving some well-connected corporation tens of millions of dollars in tax breaks.

Fair Elections aren't just better than what we have now, ultimately they are less expensive to the taxpayers.

It has been a century since Teddy Roosevelt challenged Congress to get to the heart of the problem and get the special interest money out of the public elections 100 years ago. The American people do understand what is at stake. They understand our democracy is in trouble because special interests and big-donor money is choking the system and preventing us from facing up to the big challenges of our time.

I wish to say for the record what I said on the floor before in the midst of corruption and scandals: I want to make it clear, the overwhelming majority of men and women serving in Congress in both the House and Senate, those serving today and those I have served with over the years, are honest, good people trying to do the best in public service.

I am not suggesting otherwise, but the way we finance our campaigns is unfortunate, forcing many of us into compromising situations which are becoming increasingly difficult.

The American people are ready for Fair Elections. Fair Elections are already at work in several States. After a century, it is time for the Senate to accept President Teddy Roosevelt's challenge: Buy back our democracy from big donors and special interests and make Fair Elections the law of the land.

Mr. President, how much time do I have remaining under the previous order?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. I thank the Presiding Officer. I see another Senator on the floor, and I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. SANDERS. Mr. President, let me begin by thanking Chairman KENT CONRAD and his staff for the very hard work they have done in crafting the important budget resolution that is before us. I know of their work because I am a member of that committee and have seen how much effort it has taken.

Mr. President, as you know, a budget is more than a long list of numbers and this budget certainly has many numbers and it adds up to a huge sum of money. But after all is said and done, a budget is a statement about our values, about our priorities, and what we as a nation stand for. That is what a budget is about. In my view, the time is long overdue for the Congress in its budget to get its priorities right, and by that I mean to begin to stand up for the vast majority of our people—the middle class, the working families of this country—rather than just the large multinational corporations and the wealthiest people in our Nation who year after year have had their way on budget initiatives.

Mr. President, when we analyze the merits of a Federal budget, we have to begin by taking a very serious look at the economic reality which faces the American people. In other words, is the budget we are working on now reflective of the needs of our people? Is that what we are doing?

On many occasions, members of the Bush administration have come before the Budget Committee, of which I am a member, and they have given us their view of how our economy is doing. I am astounded each and every time by their worldly view with regard to the budget. We have heard members of the administration telling us how wonderful the economy is doing, how marvelous it is,

and how the economy is booming. I sit there, and I think millions of Americans sit there, and they begin to scratch their heads and they say: What world are these people living in?

I know that in my own State of Vermont, when we do town meetings, we always talk about the economy; how well the middle class is doing. I always ask people: How do you think the middle class is doing right now—doing well, not so well? With very few exceptions, people tell me that the middle class in this country, in the State of Vermont, in their own lives, that people are struggling economically to keep their heads above water. I find it hard to understand how people from the Bush administration can come forward and tell us just how great the economy is doing. I really wonder what world they are living in.

In my view, and I think the facts substantiate my view, the economic reality facing the vast majority of our working people is that the middle class is shrinking, that people today all over our country are working longer hours for lower wages.

When I was a kid growing up, the expectation was that one person in a family—in those days, almost always the man—could work 40 hours a week and earn enough money to pay the bills—one person, 40 hours a week. How many middle-class families do we know today where one person is working 40 hours a week? The answer is, likely not very many. Most of the middle-class families we know are seeing husbands working very long hours, wives working very long hours, and on occasion kids working to help save some money for college. In fact, at the end of the day, what we have to understand is that the American worker today is working longer hours than the people of any other industrialized country. We surpassed the Japanese a few years ago.

We also have to understand, when we talk about a shrinking middle class, that many millions of American workers today are working longer hours for lower wages than used to be the case. In Vermont, and throughout this country, in fact, parents are wondering why, despite a huge increase in technology, despite huge growth in worker productivity, there is a strong likelihood that for the first time in modern American history our children will have a lower standard of living than we do. The American dream has always been about parents working hard with the hope that their kids, the next generation, will do better than they have done. That was the case with my parents and in the case of millions of families in this country.

Unfortunately, now we are in a situation unique in modern history where, unless we turn this economy around, what we will see is our children having a lower standard of living than we do.

I wonder how the Bush administration can tell us how great the economy is doing when more than 5 million Americans have slipped into poverty since the President has been in office, including over 1 million children. That is not a booming economy.

How can the economy be doing well when median income for working-age families has declined for 5 years in a row and when the personal savings rate in this country now is below zero, something which has not happened since the Great Depression?

How can our economy be doing well when almost 7 million Americans have lost their health insurance since President Bush has been in office and when, according to the U.S. Department of Agriculture, 35 million Americans struggled to put food on the table last year and hunger in America is increasing? If hunger is increasing, that, to my mind, does not sound like a booming economy.

How can people talk about our economy doing so well when college students are graduating with about $20,000 in debt and some 400,000 qualified high school students don't go to college because they can't afford it? We all talk about education, education, education. Hundreds of thousands of young people cannot afford to go to college.

How can our economy be doing great when home foreclosures have skyrocketed to the highest level in nearly four decades, according to the Mortgage Bankers Association, and when we have lost over 3 million good-paying manufacturing jobs since President Bush has been in office?

How can our economy be doing so great when 3 million fewer American workers have pension coverage today than when President Bush took office, and half of private sector American workers have no pension coverage whatsoever?

When the President of the United States and his administration tell us the economy is doing great, well, they are partially right. While the economy is not doing well for the middle class or working families of our country, it is doing very well for the wealthiest people in America. That is the truth.

Today, the wealthiest people in our country are becoming much wealthier. In fact, they have not had it so good since the 1920s. That is the reality. The middle class is shrinking, poverty is increasing, the people at the top have never had it so good since the 1920s, and we have, as a nation, the dubious distinction of now having, by far, the widest gap between the rich and the poor of any major country on earth.

Today, the upper 1 percent of families in America have not had it so good since the 1920s. According to Forbes Magazine, the collective net worth of the wealthiest 400 Americans increased by $120 billion last year to $1.25 trillion. The 400 wealthiest Americans are now worth $1.25 trillion at the same time that hunger in America is increasing and 5 million more of our citizens have slipped into poverty.

I have given this broad overview of the economy in order to place the discussion of our budget in what I think is a sensible context; that is, if the wealthiest people in America are becoming wealthier while the middle class is shrinking and poverty is increasing, what the budget should be about is responding to that reality. That is the reality to which the budget should be responding.

The President of the United States, in his budget proposal, told us what he thought. He said in his budget that, despite the growing health care crisis in our country, he was going to cut Medicare and Medicaid by $280 billion over the next decade and that he was going to inadequately fund the Children's Health Insurance Program. Today, the United States is the only nation in the industrialized world that does not guarantee health care to all its people. We have millions and millions of children who have no health insurance, and this President refuses to adequately fund the health insurance program for children.

Despite the reality that we have 23,000 wounded coming home from Iraq and tens of thousands more who will be coming home with post-traumatic stress disorder or traumatic brain injury, the President, in his budget, once again inadequately funded the needs of our veterans, as he has done year after year. In fact, since President Bush has been in office, an estimated 1 million veterans have been denied access to health services at the VA.

Despite a horrendous crisis in childcare access and affordability for working families, so that all over this country working people are desperately trying to locate quality, affordable childcare while they are at work, the President, in his budget, reduced the number of children receiving childcare assistance by 300,000 and he cut funding for the Head Start Program.

Despite millions of homeowners paying outrageously high property taxes, the President has, in his budget, further retreated from the Federal commitment to special education and he has cut funding for that program. This will result in a lowering of the quality of education for all of our children, including those with disabilities, and an increase in property taxes. This is a very serious problem in my State of Vermont, where towns are divided every March when they go over the budget.

People understand the needs of the schools. They understand the high cost of mainstreaming kids with disabilities. Yet people cannot afford higher and higher property taxes. We as a Congress have to fully fund special education and keep the commitment we have made to school districts all over this country. Yet the President, in his budget, cuts funding for special education.

Interestingly enough, while cutting programs for the middle class and working families of our country, while inadequately funding the needs of our veterans, of our children, and of our senior citizens, the President has

reached the conclusion in his budget that we do have enough money as a government to provide enormous tax breaks to the wealthiest people in our society—$739 billion in tax cuts for households earning more than $1 million per year over the next decade. We can't fund the needs of our kids, the President wants to eliminate a wonderful nutrition program for low-income seniors, we can't fund special education, we don't have enough money to put into sustainable energy, we can't take care of our veterans—we just don't have enough money—but somehow the President did manage to find in his budget $739 billion in tax cuts for households earning more than $1 million per year over the next decade.

Part of the President's budget calls for a complete elimination of the estate tax, a tax which now applies only to the wealthiest three-tenths of 1 percent of our population. The elimination of this tax would provide an estimated $1 trillion in tax breaks for millionaires and billionaires between 2012 to 2021. One, just one multibillionaire family, the Walton family, which owns Wal-Mart, would receive an estimated $32 billion in tax relief—for one family. But we just don't have the money to take care of hundreds of thousands of veterans or our children or our seniors. Now, that may make sense to somebody, but that is not my sense of what moral values are about.

While the budget resolution, introduced by Chairman KENT CONRAD, which we are debating now is far from perfect, it is much more responsive to the needs of ordinary Americans than the President's. Instead of cutting back on the educational needs of this country, this budget resolution provides over $6 billion more than the President's request for education, including significant increases for Pell grants, Head Start, title I, and special education.

Instead of cutting back on health care, this budget resolution provides an increase of $2.8 billion over the President's request for health care, including strong funding for a program that I think is enormously important for rural America and that is Community Health Centers and the National Health Service. Instead of cutting back or inadequately funding the needs of our veterans, this budget resolution provides over $3 billion in increases over the President's budget for our Nation's veterans—one of the priorities that I regard most important as a member of the Committee on Veterans' Affairs.

But I think over the long run we can and must do much better in establishing our budget priorities than this budget does. This budget is much better than President Bush's budget, but in my view we have a long way to go to create a budget which responds to the needs of ordinary Americans.

As an example of where I think we should be going as a nation in terms of our budget, last week I introduced the National Priorities Act which would expand the middle class, reduce the gap between the rich and the poor, and lower property taxes all over America as well as reduce the level of poverty. The basic premise of this legislation is pretty simple: We raise $130 billion in new revenue by rescinding the tax breaks that President Bush gave to the most wealthy 1 percent.

I know a lot of my colleagues do not agree with me, but I think that at a time when we have a $8.5 trillion national debt, at a time when the middle class is being squeezed, at a time when the wealthiest people in our country have never had it so good, I believe that it is time to rescind the Bush tax breaks that have been given to the wealthiest 1 percent.

What we also do is ask the Pentagon to take a hard look at their budget and cut out the waste, the fraud, the unnecessary weapons systems that currently exist. When you do that, you end up raising $130 billion of new revenue. We propose that $30 billion go to deficit reduction and we propose the other $100 billion go to address the longtime unmet needs of the middle class and working families of this country.

If as a nation we are serious about addressing the long neglected needs of the working people of America and creating a more just society, we have to change our national priorities. The wealthiest people in this country are doing just fine. They are doing really well. It is time we pay attention to working families, to the middle class, to the people who are struggling.

I appreciate very much the hard work that Senator CONRAD has done and I applaud his efforts. In the coming days I will be offering several amendments that I think will make the budget bill a stronger bill. One of the amendments is pretty simple. I hear a whole lot on the floor of the Senate about the need for deficit reduction, and I share that concern. The fact that we have a $8.5 trillion national debt should be of concern to every Member of the Senate and every Member of the House. So our proposal is going to be a pretty simple one—very simple.

What we are going to propose is that we rescind all of the tax breaks given to people who earn $100 million or more—a tiny fraction of 1 percent—and that we use those savings for deficit reduction. That is it. Pretty simple. If you are in favor of deficit reduction, I hope you will support that amendment.

There is another amendment that we will also be offering. We have not worked out all the details but again what this amendment would do is rescind tax breaks for upper income people and use all of those savings to start the process of fully funding special education. All over America, people are paying higher and higher property taxes. It is certainly true in Vermont; it is certainly true in many States. The question is, Do we continue to maintain tax breaks for the most wealthy people in this country while property taxes are soaring? I say no. I say we lower property taxes, provide quality education for our kids including the kids with disabilities, and we do that by rescinding tax breaks for the wealthiest people in this country.

I think we are making some progress in terms of the budget, the budget before us today, far better than what the President presented to Congress. But we still have a long way to go. I ask my colleagues to support amendments which will strengthen the middle class and working families of our country.

I yield the floor.

Mr. AKAKA. Mr. President, before I address the proposed funding for VA in the budget resolution for fiscal year 2008, I applaud Chairman CONRAD and his colleagues on the Budget Committee for their hard work on this resolution. The measure before us today clearly reflects the right priorities and directions for our Nation.

For a number of years, I have made the case for the President to include funds for VA health care as part of the war supplemental packages he has submitted to Congress, and every year, my colleagues and I fought to get those funds included in the budget resolution to no avail.

The pending budget resolution finally recognizes that caring for returning service members and veterans is part of the cost of war and in turn proposes to fund VA health care appropriately for this effort.

Right now, a great deal of attention is being paid to the needs of our men and women in uniform—attention that Chairman CONRAD, myself, and other Members of this Chamber have been talking about for quite some time. I am proud to stand with Chairman CONRAD in support of our service members and veterans.

One of the harshest realities of the wars in Iraq and Afghanistan is the number of service members who have sustained complex and multiple injuries in combat.

In stark contrast to past conflicts, significant improvements in battlefield medicine have enabled very seriously wounded service members to survive their injuries. Subsequently, these men and women are coming home with extraordinarily complex health care needs.

We know that right now, there have been 1,882 identified and registered cases of service members who have suffered from traumatic brain injuries, or TBI, alone. This does not include those who have suffered from a milder form of this injury and may not even be aware of it. While TBI is becoming the signature wound of the current conflicts, many of these soldiers also have been rendered blind or lost a limb as a result of their injuries and the numbers of those who are coming back with serious and multiple wounds continues to grow.

In recognition of the emerging medical and rehabilitative needs of veterans with traumatic brain and other

injuries, Congress directed VA to establish specialized centers for rehabilitative care. VA's four lead Polytrauma Rehabilitation Centers are essential to meeting the needs of the most severely injured veterans and their families.

In the budget before us today, Chairman CONRAD and his colleagues have provided over $300 million specifically for meeting the needs of these veterans and service members who are in need of the comprehensive health care and rehabilitative services VA delivers through their Polytrauma Centers.

This level of funding will enable VA to conduct assessments and screenings of troops for traumatic brain injury, provide veterans with intensive comprehensive TBI/polytrauma rehabilitation, and most importantly, support intensive case management for veterans with TBI and other injuries when they return to their communities and continue the rehabilitation process.

Recent reports by the VA inspector general and others have illustrated that case management is a key element in the process of assisting these veterans achieve the fullest possible recoveries. Funding VA so that it can provide the continuum of care needed by the most severely injured service members is imperative if we are to truly fulfill our obligation to take care of our troops and veterans.

I am also very pleased that the budget resolution before us is making a long-overdue investment in mental health care.

Studies published in some of the most prestigious journals have found that a third of those seeking VA care are coming for mental health concerns, including PTSD, anxiety, depression, and substance abuse. We do not know the full magnitude of this need, as many returning service members have yet to seek care from VA.

As chairman of the Veterans' Affairs Committee, my goal is to make sure that VA is doing everything possible to guarantee that each and every veteran who needs mental health care—whether in North Dakota, Vermont, or Hawaii—can receive that care.

I remind my colleagues that so much of the time, battle wounds manifest themselves as invisible wounds—wounds which cannot be seen but are every bit as devastating as physical wounds. PTSD affects not only a veteran's mental status, it affects his or her physical well-being as well. It impacts the veteran's relationships, his or her ability to work, and to interact in society. VA must catch readjustment issues early before they turn into full-blown PTSD, and this budget resolution would enable VA to take a serious approach towards making this happen.

When we talk about the mental health needs of veterans, we cannot deny the reality that substance abuse is prevalent among many veterans. We know that many veterans with PTSD turn to drugs or alcohol in order to self-medicate. Yet the administration does not seem to want to be in the business of helping veterans with substance abuse problems. VA used to provide an intensive month-long program to treat substance abuse. Today, most VA substance abuse programs run for 2 weeks—not nearly enough time to put a veteran truly on the road to recovery. Again, this budget resolution provides funds for comprehensive inpatient substance abuse care. This is a very real investment in VA mental health care.

On the benefits side, the current claims inventory and the time it takes to process a claim is unacceptable. Veterans deserve a timely and accurate response to their claims. It is obvious that Chairman CONRAD agrees, as this budget resolution takes a major step toward responding to this very real problem by providing appropriate funding for VA to use to employ additional claims adjudicators.

There are 30,000 more claims pending right now than last year this time. This constitutes an 8 percent increase. As the veterans population continues to age and new veterans come home from Iraq and Afghanistan, this trend of increased claims will continue. Given that it takes nearly 2 years for a new VA employee to start fully contributing to the bottom line, now is the time for new staff to be hired and trained to help reduce this caseload.

Just 2 weeks ago, the Committee on Veterans' Affairs held a hearing on the VA claims adjudication process. During the hearing, VA witnesses testified to the nearly 400,000 ratings claims inventory and the 175 days it takes to process a claim for benefits. We must insist that VA have no more than 250,000 claims in the pipeline at once, and that it take not more than 125 days to adjudicate a claim. VA clearly needs additional resources to hire the employees needed to adjudicate claims in a timely manner, which this budget resolution certainly provides.

Mr. President, I am very pleased with the investment in veterans programs that is made in this budget resolution. I again commend Chairman CONRAD and the Budget Committee for sending the right message to our Nation's veterans—that we are honoring our commitment to them by making a real investment into their care. I urge my colleagues to support swift passage of the resolution before us today.

MORNING BUSINESS

Mr. SANDERS. Mr. President, I ask unanimous consent there now be period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CENTENNIAL CELEBRATION

Mr. REID. Mr. President, I rise to honor the centennial celebration of the Elko Area Chamber of Commerce, which will be held April 1. Almost 100 years ago, 37 citizens and business owners gathered to form the Elko Chamber. Their motto was progress, and their goal was to advertise the many resources that Elko County had to offer. Today, the Chamber claims more than 500 members, but their values are still the same—economic diversification, continued prosperity, and forward progress into the future.

During a recent celebration of the Elko Area Chamber of Commerce, board members reminisced about the history of the chamber. They certainly have many accomplishments to celebrate. One of the most successful programs undertaken by the chamber has been their Chamber Checks Program. This effort has encouraged residents to shop at local businesses and kept more than $4 million in the community. The chamber also took the lead in relocating the landmark Sherman Station more than 60 miles to the heart of downtown Elko. Each part of the homestead was carefully deconstructed and rebuilt by chamber members and volunteers. Today it serves as the home of the Elko Chamber.

Over the years, I have been privileged to work with the Elko Chamber and the Western Folklife Center to promote and honor cowboy poetry. This rich tradition is an important part of Nevada's western heritage. Every year, Elko hosts the National Cowboy Poetry Gathering, attracting visitors from across the country. The event would not be possible without the dedication of many volunteers and community leaders, including the Elko Chamber.

The Elko Chamber of Commerce embodies the best principles of the residents of northeastern Nevada. It is my great pleasure to honor their centennial celebration before the Senate. I am confident in the continued success of the Elko Chamber of Commerce, and I look forward to working with them for many years to come.

COMMUNITY HEALTH CENTERS INVESTMENT ACT

Mr. SANDERS. Mr. President, today in the United States of America there are 47 million people who are without health insurance and 35 million Americans who are completely without access to the most basic health care services. As a result, in the richest country in the world, 18,000 Americans die each year because their basic health care needs are not met. Despite the fact that we spend twice as much per person on health care than any other industrialized nation, Americans have a lower life expectancy and a higher infant mortality rate than Canada, Japan, and most of Europe.

We are also faced with an alarming dental care crisis in this country. The Surgeon General has reported that tooth decay has become the single most common chronic childhood disease in this country—five times more common than asthma and seven times

more common than hay fever. Surveys have also shown that dental problems cause children to miss more than 51 million hours of school and adults to miss more than 164 million hours of work each year.

This health care and dental care crisis bears down particularly hard on those who live in rural communities where there are few local health care centers and patients must travel many miles to seek the care that they need. Those living in inner-city neighborhoods also often have difficulty receiving the care they need because they lack health insurance and have no means to pay for regular doctors visits. As a result, far too many Americans do not have a primary care doctor or dentist and do not seek preventative care.

This means the only time they see a doctor is when their situation has become so advanced and so dire that they must seek treatment at a hospital emergency room. This is a result that is bad for patients, bad for doctors, and bad for American taxpayers.

Providing underserved patients with better access to primary care will allow doctors to catch problems before they become advanced and require invasive and expensive procedures. It will also, of course, benefit the patient—in many cases saving their lives. Studies have shown that patients with a primary care provider are far more likely to receive appropriate preventative care, need fewer prescription drugs, and spend less time in hospitals and emergency rooms.

The good news is that we have a program in this country that provides primary health care services to those who need it most. Forty years ago, Senator KENNEDY had the foresight to author legislation creating community-based health care centers that treat underserved patients. These centers, now called Federally Qualified Health Centers or FQHCs, provide high-quality primary health care for millions of Americans, regardless of their income.

In addition to treating those who have Medicare, Medicaid, and private insurance, FQHCs primarily serve those who have no health insurance and charge fees on a sliding scale basis. That means that whether you make $50,000 per year or $15,000 per year, you will be able to afford treatment. No one who walks into one of these centers is turned away because he or she lacks payment.

In addition to providing the quality care that patients expect to receive when they visit their local doctor's office, these centers also make sure that patients are able to afford the drugs they need by providing them with significant discounts on their prescriptions. The centers also provide critical dental and mental health care—often offering the only available services for those in need.

FQHCs provide primary, dental, and mental health care that is not only high quality but also tailored to meet the needs of the local community. In order to create an FQHC, Federal law requires not only that there be substantial community input in the development of the center, but also that a majority of the members on the governing board of directors are actual users of the facility.

In other words, those who know the most about the needs of their local community are responsible for overseeing the centers. It is a model that has been highly successful throughout the country, including my own State of Vermont, which has five of these health center organizations serving more than 10 percent of Vermont's population at 18 different locations.

These community health care centers serve as the family doctor for 16 million Americans in more than 5,000 communities across the country. Their success has been well documented with studies repeatedly showing that these centers are a highly cost-effective method for ensuring that underserved patients receive quality health care. In fact the Office of Management and Budget has reported that FQHCs use Federal taxpayer dollars more efficiently than any other federally funded health care program. In addition, studies have found that FQHCs save the Medicaid Program 30 percent or more in annual spending by providing preventative treatment that reduces the need for specialty care referrals and hospital admissions.

There are not many issues on which President Bush and I agree, but the importance of community health care centers is one area where we have found some common ground. The success of this program has earned support and praise from the White House, as well as members of this body on both sides of the aisle. With congressional support, over the past 5 years, nearly 900 underserved communities were able to establish or expand a health center, bringing the number of Americans served by these centers to more than 5 million patients.

Unfortunately, during that same period more than 800 centers were denied FQHC status, and the Federal funds that go with it, not because they were not qualified but simply because there was not sufficient funding to incorporate them. That is 800 communities throughout this country that are left desperately in need of the quality, low-cost preventative care that these centers provide.

Existing centers throughout this country are also in jeopardy. Over the past 2 years, Federal grant support for these centers has been reduced, threatening their ability to serve all of those in need.

It is for that reason that I introduced a bill yesterday, along with Senator LISA MURKOWSKI of Alaska, to increase Federal support for community health centers over the next 8 years and ensure that millions of Americans living in medically underserved areas receive the care they need. This legislation would start by authorizing a funding level commensurate with our current need—an increase of $575 million for the upcoming year and increases between $400 and $600 million for the following 7 years. That will provide enough resources to fund not only the backlog of the 800 approved but unfunded health centers, but also future applicants who meet the criteria for FQHC status. It would also make sure that existing centers are able to grow with the communities that they serve by giving them annual funding increases that are commensurate with the number of patients they serve and the increased costs they incur.

This legislation would also correct the unfair and outdated system these centers are forced to contend with for Medicare reimbursements. While health centers provide care to more than 1 million medically underserved Medicare beneficiaries, their Medicare payments are subject to an arbitrary payment cap that was established in 1991 and adjusted only marginally since. The result is more than $50 million in lost Medicare reimbursement funds that health centers now are forced to find a way to subsidize. This legislation would eliminate the inaccurate payment cap and ensure that these centers are reimbursed fairly for the care they provide to seniors and disabled patients.

Finally, this important legislation would also ensure that our Nation's community health centers have the workforce they need by expanding the National Health Service Corps. Currently, health centers rely on the National Health Service Corps for more than 20 percent of their physician workforce. Unfortunately, last year, health centers experienced a 15 percent physician vacancy rate and a 19 percent dentist vacancy rate nationally. This legislation would more than double funding for the National Health Service Corps over the next 8 years in order to train and send more primary care doctors and dentists into rural and inner-city communities.

In the richest country in the world, no American should have to go without basic primary health care. Federally Qualified Health Centers serve as a lifeline for millions of low-income Americans, and we should build on their success by expanding this program for all those in need.

IDAHO'S PROUD WARRIORS

Mr. CRAPO. Mr. President, it gives me great pleasure and is a tremendous honor to call attention to the brave and honorable soldiers of Company B, 1st Battalion, 183rd Aviation Army National Guard unit from Boise, ID. In a letter to Idaho Governor Butch Otter from Lieutenant Colonel S.G. Fosdal, stationed at Forward Operating Base Bermel in Afghanistan, Company B's highly respected and renowned reputation is made clear. The heroism displayed in support of Army special forces, Marine, and Afghan troops

along the exceedingly dangerous and remote border between Afghanistan and Pakistan was remarkable, commendable, and in every way worthy of note to this body. In a self-described ''unusual letter,'' Lieutenant Colonel Fosdal praises the many accomplishments and reputation of Company B, calling them ''proud warriors.'' I ask unanimous consent that Lieutenant Colonel Fosdal's letter, as part of my statement, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EMBEDDED TRAINING TEAM 2–4,
3D MARINE DIVISION (REIN),
FPO AP, February 15, 2007.

OFFICE OF THE GOVERNOR,
Boise, ID.

GOVERNOR OTTER, I apologize for this somewhat unusual letter, but I feel it's important to let you know about the selfless courage and exceptional performance of one of Idaho's National Guard units.

I'm currently deployed to a Forward Operating Base located on the Afghanistan's border with Pakistan. Our mission is to mentor the Afghan National Army battalion responsible for the Bermel District of Pakistan Province in one of Afghanistan's most restive and remote regions. Within days of our arrival last October we found ourselves in a 4-hour running gun fight through the mountains in response to an insurgent attack on an American convoy. We had less than a full company of Afghan soldiers but managed a significant victory largely due to the brave men of Company B, 1st BN, 183rd Aviation out of Boise, Idaho. Despite heavy ground fire and a chaotic battlefield they provided precise and timely fires against the enemy, killing many and saving the lives of Afghans and U.S. forces alike. On November 7th we found ourselves in another serious fight, this time with a wounded Marine and Afghan soldiers pinned down by enemy fire. Once again the men from Boise came to our aide—staying on station and working with the Marines on the ground to suppress the enemy and save the wounded. Lesser men would have declared the area too dangerous and flown away leaving us to fend for ourselves, but not Company B. They stuck with the troops in the fight and as a direct result of their heroic efforts a Marine is now at home with his family, healing and thankful to be alive.

There were numerous other occasions when the Afghans were apprehensive about venturing into steep valleys or mountain passes. I only had to mention to the Afghan Commander that the Apaches from Boise would be there and his response would inevitably be, ''The helicopters that saved my life? We will win then. Come, we go now.'' This respect did not stop with the Afghans, the U.S. Army and Special Forces were also imbued with confidence knowing that your unit had their back. In my time on the border, I have not witnessed any other single unit that had the amount of respect and whose mere presence boosted morale like that of Company B.

Company B is now on its way back to Boise. I'm sure the awards have been written, welcomes planned and everyone is just eager to see their families and loved ones. I would only ask that if you have the opportunity, please thank them and let the citizens of Idaho know that they should be proud of these brave warriors. As a state rich in natural resources I thank you and the people of Idaho for sending your most precious resource, its citizens, to serve here in Afghanistan. I hope that you are as proud of them as I am for having served along side them.

Thank you.

S.G. FOSDAL,
LtCol, USMC.

Mr. CRAPO. It makes me proud to hear fellow Idahoans described this way. Our military men and women from every State and territory continue to stand strong for freedom and uphold their solemn commitment to ''support and defend the Constitution of the United States of America.'' This is simply my opportunity to thank and pay deep respect to the men and women of Company B, part of Idaho's esteemed military tradition, current and past. The steadfast commitment to duty, perseverance, excellence, and reliability are all traits that reflect the spirit of Idaho characteristics clearly articulated in respectful words of honor and thanks from a commanding officer. These soldiers and their families have sacrificed much to keep us free and keep terror and tyranny far from our own shores. On behalf of my family, I thank them all for their valorous service, heartfelt commitment, outstanding patriotism, and willing sacrifice.

HONORING THE INDY RACING LEAGUE

Mr. BAYH. Mr. President, today Senator LUGAR and I wish to recognize the Indy Racing League, IRL, for its decision to use 100 percent ethanol in its race cars and the impact that decision will have on ethanol's viability as a major fuel source for Americans. With its decision to use ethanol as the fuel for the IndyCar series, the IRL is leading the way to encourage greater public use of renewable fuels. If the world's fastest cars can run on ethanol, then there is no doubt that America's cars, trucks and SUVs can, too.

This year all of the IndyCars will race on 100 percent ethanol that is available right here in America—produced by American workers. With this change, the corn harvested on farms across the country will power the fastest cars in the world.

The ethanol that will power the IRL racecars will deliver the same high-performance capabilities that drivers rely on, only without harmful air pollution. It also represents an important step toward reducing America's dependence on foreign oil by providing a renewable energy source grown in our own fields. By tapping the energy potential of America's farms, we can ensure a reliable domestic energy supply to meet our Nation's needs, end our reliance on unstable countries like Saudi Arabia, Russia, and Venezuela, and create jobs for Hoosier farmers.

This Saturday, March 24, millions of Americans and sports fans from around the world will not only watch the opening race of the IndyCar Series and see first-hand the power of ethanol, but they will also watch the future of American energy unfold at 220 miles per hour.

Reducing our dependence on foreign oil is one of the great challenges of this generation, and the IRL is playing a key role in this effort by helping inform Americans about this important alternative fuel. Since 1911, Indiana has been the center of the auto-racing world, setting the standard in racing for drivers and fans alike. And now, the Indy Racing League is setting a new standard, this time for greater energy independence.

Earlier this year, we introduced the DRIVE Act, legislation that is supported by both Democrats and Republicans to reduce our dependence on oil by 7 million barrels per day in 20 years—more than twice the amount we currently import from the Middle East. It achieves this goal through a combination of steps, including increased use of ethanol, tax credits for manufacturers to produce advanced diesels, hybrid, and plug-in hybrid vehicles, and greater funding for the research and development of energy efficient technologies.

We applaud the Indy Racing League for leading the way in this effort and, along with thousands of other Hoosiers, look forward to this year's ethanol-powered races.

IN MEMORY OF SENATOR THOMAS EAGLETON

• Mr. DODD. Mr. President, I rise today to add to the praise of a great statesman and a great friend: Senator Thomas Eagleton of Missouri.

Those of us who knew Tom remember him as a man of nearly endless drive and boundless energy. Those qualities carried him to a career in Missouri politics unmarked by a single defeat: the youngest St. Louis circuit attorney, the youngest Missouri attorney general and Lieutenant Governor, U.S. Senator at the age of 39.

Tom spent his political career, as his hometown paper put it, as ''a force of nature. He worked crowds with a fervor, sweating like a mill worker, chain-smoking Pall Malls, shaking hands, trading insults, telling jokes, remembering names and pet causes.'' As he conceded himself, ''I campaigned myself right into the hospital.''

Thankfully, Tom emerged to serve as one of the most eloquent liberal voices in Congress. His achievements should make his constituents proud and his fellow Senators a little envious.

He was crucial to the enactment of the Clean Air Act and the Clean Water Act, legislation that still forms the backbone of our environmental defense today.

Tom sponsored the amendment that ended American bombing of Cambodia and helped bring an end to the Vietnam war.

He was a longtime opponent of unchecked Presidential powers to wage war; and I am sure I speak for many of my colleagues when I say that we could sorely use his example and his counsel in the months ahead.

But fairly or not, news of Tom Eagleton's death brought many of us back to 2 tumultuous weeks in 1972.

Every piece of social progress has a melancholy side: the memory of those born too soon to profit by it. The career of Senator Eagleton, distinguished as it was, was just such a case.

Today we recognize depression as a physical illness, as treatable as an ulcer. But in 1972, when Tom Eagleton ran on the Democratic ticket, it was a mark of shame. Exposure of his psychiatric hospitalization cost him his place on that ticket, and part of me wishes he had had his chance in a slightly wiser time. What a difference it would have made for our country.

''If had it to do over again, I'd have kept him,'' said George McGovern, the Democratic candidate that year. ''I didn't know anything about mental illness. Nobody did.'' Thanks in part to Tom Eagleton, our knowledge today is much deeper.

We know, as Abraham Lincoln learned from his own experience more than 160 years ago, that ''a tendency to melancholy is a misfortune, not a fault.'' And we know that it can be the dark obverse side of our brightest virtues.

One memory of Tom stands out the clearest. We were in a meeting of Democratic Senators, talking about the upcoming agenda. As we went around the room, each stood up to speak of some interests in our own States. But Tom interrupted and gave an impassioned, impromptu speech on the importance of representing the entire Nation. I wish someone taped it; but whenever I am afraid my range of vision is narrowing, I remember Tom's words and remember his wide view of the common, national good. To me, those words symbolize Tom's greatest strength, something one of our colleagues called his ''moral passion.''

Those who knew Tom will remember that passion first of all, his guiding spirit for 77 years. Our thoughts are with his wife Barbara, his entire family, and all those who looked up to this bold and steadfast leader.

I shall miss a remarkable public man, but more personally, a delightful, warm, loyal friend.●

ADDITIONAL STATEMENTS

TRIBUTE TO MAJOR GENERAL ROGER E. COMBS

● Mr. BOND. Mr. President, I rise to honor and recognize the immeasureable contributions MG Roger E. Combs has made to the U.S. Marine Corps, the U.S. Army, the National Guard Bureau, his family, and a grateful nation.

When people talk about the ''Spirit of America'' and the people who helped make this country great, all one really has to do is mention the name of GEN Roger Combs. General Combs has dedicated his life to serving his country both in the military and as a civilian. His experiences, hard work, and honest counsel have gained him the respect of his peers and his community.

Born and raised on a small dairy farm in Stanberry, MO, to Ruby Fern and H.H. Combs, General Combs studied genetics and productive physiology at the University of Missouri-Columbia. While he planned to go into the family business and become a veterinarian, fate and the Vietnam War intervened and he joined the U.S. Marine Corps in 1968. Graduating with honors from the USMC Basic Officer's Infantry School and selected for the U.S. Army Rotary wing's flight school, General Combs served a combat tour as a CH–46 helicopter pilot from 1969 to 1970 with HMM–364, ''The Purple Foxes'' at Marble Mountain Air Facility, Republic of Vietnam. Flying over 500 combat missions, he earned a Distinguished Flying Cross, two single mission air medals, and 37 ''strick/flight awards.'' After returning from active duty in Vietnam, General Combs served in many positions, including as an operations officer and aircraft maintenance officer with HMM–263 at Marine Corps Air Station, Quantico, VA.

General Combs' work in Missouri merits special recognition and is the reason I felt compelled to make a statement on his behalf in the CONGRESSIONAL RECORD. After leaving active duty in 1973, General Combs joined the Missouri Army National Guard and flew UH–1 ''Huey's'' with the 635th Aviation Company, from Whiteman, AFB, MO. He transferred to the Missouri Air National Guard in 1978 and later became the director of intelligence for the 139th Tactical Airlift Group in St. Joseph, MO. Yet it was at the Missouri Air National Guard Headquarters in St. Joseph, MO that General Combs become nationally recognized for his expertise in developing long-range strategic planning. As first a planner, then general officer and member of the Air Reserve Forces Policy Committee, General Combs was instrumental in analyzing the future needs of the National Guard and advising senior policy makers on the best course of action.

General Combs' footprint extended outside of the military. Upon his return to Missouri after serving in Vietnam, Combs returned to law school at the University of Missouri and upon graduation became a partner in a law firm, a prosecuting attorney, and was elected a judge in 1990. This past December he retired from the bench and returned to being a part time prosecutor and general practitioner.

Perhaps the best measure of General Combs' legacy comes from those who have worked along side him. ''Judge Combs,'' as he is affectionately known by his peers and military associates, is an excellent lawyer and military strategist with impeccable character and integrity. The ''Judge'' was effective in both the military and judicial branches in encouraging parties to seek arbitration and dispute resolution instead of litigation. One good friend and colleague recalled that it was not only General ''Judge'' Combs, dry humor which endeared him to his peers but his sincere interest in caring and protecting those who served under him. ''He goes to extraordinary links to ensure they are cared for, ''said one colleague.

I cannot conclude these remarks without commending the dedicated and loving support of General Combs' wife, Gloria, and his three children David, Matthew, and Susan. Married almost 35 years ago at Conaway Hall at Andrews Air Force Base, Gloria has remained General Combs' most loyal supporter and confidant.

General ''Judge'' Combs has led an extraordinary life in which he has answered his Nation's call to duty and served courageously in war and admirably from the bench. It is my hope and prayer that ''Judge'' Combs will continue to thrive alongside Gloria in whatever endeavor he opts to pursue. If his former, and current, success is any indicator, I am certain that the years ahead will be both fruitful and rewarding. God bless you, ''Judge'' and best wishes.●

IN MEMORY OF BOB HATTOY

● Mrs. BOXER. Mr. President, today, Senator DIANNE FEINSTEIN and I pay tribute to Bob Hattoy, a cherished friend and one of America's most passionate warriors for the environment and human rights. We will miss him dearly.

We first met Bob during his decade of service to the Sierra Club as its regional director for California and Nevada. He was an outspoken advocate in the campaigns to protect our precious coast and desert, always increasing awareness about threats to California's environment with a unique mixture of inspiration and irreverence.

It was only fitting that he was tapped by then-Governor Bill Clinton to serve as his Presidential campaign's top environmental adviser. But just as he was set to join the campaign, Bob's doctor discovered a lump under his arm that signaled his HIV had progressed.

His instinct was always to fight on, so between agonizing treatments, Bob traveled the country relentlessly to speak out against AIDS.

Taking on this fight—both privately and publicly—was a remarkable choice. But for those who were blessed to know him, it was not surprising.

We will never forget the historic and moving address he gave at the Democratic National Convention in 1992. The first openly gay American with HIV/AIDS to speak at a political convention, Bob brought so many of us to tears and action by showing the real costs of AIDS and the real meaning of courage.

He said that day: ''You see, I have AIDS. I could be an African-American woman, a Latino man, a 10-year-old boy or girl. AIDS has many faces. And

AIDS knows no class or gender, race or religion, or sexual orientation. . . .''

Over the next 15 years, as many other activists moved on to other challenges, Bob never gave up the battle to make sure America truly lived up to its ideals. Sometimes that meant working tirelessly to elect progressive candidates.

Sometimes it meant standing up and speaking out, whether it was taking on a bureaucrat or a President. Most recently, it meant moving to Sacramento to devote more time to serving as president of California's Fish and Game Commission.

The last time we saw Bob was 2 months ago in Washington, DC, as we all celebrated the new majority in Congress and the historic election of Speaker NANCY PELOSI.

If Bob was sick or struggling that day, he certainly didn't let on. He wanted to reminisce about the past and toast the future with that same larger than life personality that made him so special.

Now, as so many friends mourn his passing, we also celebrate his life. We celebrate his candor and compassion, his sense of humor and sense of purpose, his ability to amuse and inspire us all. And we celebrate his lasting legacy in the relationships he forged, the rights he championed, and the natural resources he protected for generations to come.●

TRIBUTE TO TOM CARNEGIE

● Mr. LUGAR. Mr. President, today I congratulate a legendary Hoosier sports broadcaster, Tom Carnegie, on his retirement.

Born Carl Kenagy in Connecticut in 1919, he displayed an enormous passion for sports even as a child. When polio ended Carl's dream of playing professional sports, he refocused his energy on building a career in broadcasting, which he launched in 1942 at WOWO in Fort Wayne, IN. There, at the suggestion of his station manager, Carl adopted the name Tom Carnegie and used it throughout the remainder of his remarkable career.

Tom came to Indianapolis in 1945 where he quickly made a name for himself as the most recognizable voice in Indiana sports. In addition to his decades of work in radio, television and print, Tom announced the Indiana State high school basketball championships for 24 years, co-founded the Indiana Basketball Hall of Fame in 1962, and was inducted in the Hall of Fame in 1975.

Race fans from around the world have come to know Tom as the voice of the Indianapolis Motor Speedway. A racing novice at the time, Tom began announcing the Indianapolis 500 in 1946. Over the years, Tom's rich, baritone voice called to millions of fans over the public address system as he announced 61 Indianapolis 500 races, 12 Allstate 400 at the Brickyard races, and 6 United States Grand Prix races. He has also produced two major film documentaries on racing.

I appreciate this opportunity to congratulate Tom on a remarkable life of exciting achievements, and to recognize his wife D.J. for the role she has played in his many accomplishments. I am hopeful that each of my colleague will join me in wishing Tom continuing success, good health, and happiness as he enjoys his retirement.●

MESSAGE FROM THE HOUSE

At 6:22 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 bill, in which it requests the concurrence of the Senate:

H.R. 759. An act to redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the ''Bob Hope Memorial Library''.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 42. Concurrent resolution honoring the heroic service and sacrifice of the glider pilots of the United States Army Air Forces during World War II.

The message further announced that pursuant to 22 U.S.C. 6913, and the order of the House of January 4, 2007, the Speaker appoints the following Members of the House to the Congressional-Executive Commission on the People's Republic of China, in addition to Mr. LEVIN of Michigan, Chairman, appointed on February 7, 2007: Ms. KAPTUR of Ohio, Mr. HONDA of California, Mr. UDALL of New Mexico, Mr. WALZ of Minnesota, Mr. MANZULLO of Illinois, Mr. PITTS of Pennsylvania, Mr. ROYCE of California, and Mr. SMITH of New Jersey.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 759. An act to redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the ''Bob Hope Memorial Library''; to the Committee on Energy and Natural Resources.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 42. Honoring the heroic service and sacrifice of the glider pilots of the United States Army Air Forces during World War II; to the Committee on Armed Services.

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. DURBIN (for himself, Mrs. DOLE, Mrs. CLINTON, and Mr. ROBERTS):

S. 946. A bill to amend the Farm Security and Rural Investment Act of 2002 to reauthorize the McGovern-Dole International Food for Education and Child Nutrition Program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. CLINTON:

S. 947. A bill to modernize the Federal Housing Administration to meet the housing needs of the American people; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LIEBERMAN (for himself, Mr. BROWNBACK, Mrs. CLINTON, Mr. DURBIN, and Mr. CASEY):

S. 948. A bill to amend the Public Health Service Act to authorize funding for the establishment of a program on children and the media within the National Institute of Child Health and Human Development to study the role and impact of electronic media in the development of children; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER (for herself, Mr. LEVIN, and Mrs. FEINSTEIN):

S. 949. A bill to amend the Plant Protection Act to authorize the Secretary of Agriculture to enter into cooperative agreements with States to augment the efforts of the States to conduct early detection and surveillance to prevent the establishment or spread of plant pests that endanger agriculture, the environment, and the economy of the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. SNOWE (for herself, Ms. CANTWELL, Mr. INOUYE, Mr. STEVENS, Mrs. BOXER, Mr. CARDIN, Mr. KERRY, Mr. MENENDEZ, Ms. COLLINS, Mr. LAUTENBERG, Mr. LOTT, Mrs. FEINSTEIN, Mr. NELSON of Florida, and Ms. MURKOWSKI):

S. 950. A bill to develop and maintain an integrated system of coastal and ocean observations for the Nation's coasts, oceans, and Great Lakes, to improve warnings of tsunami, hurricanes, El Niño events, and other natural hazards, to enhance homeland security, to support maritime operations, to improve management of coastal and marine resources, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNER (for himself and Mr. WEBB):

S. 951. A bill to provide a waiver from sanctions under the Elementary and Secondary Education Act of 1965 for certain States, local educational agencies, and schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCAIN:

S. 952. A bill to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to provide funds for training in tribal leadership, management, and policy, and for other purposes; to the Committee on Indian Affairs.

By Mr. ROCKEFELLER (for himself, Mr. CRAIG, Mr. DORGAN, Mr. VITTER, Ms. KLOBUCHAR, Mr. TESTER, Ms. LANDRIEU, Mr. CRAPO, Mr. BAUCUS, and Ms. CANTWELL):

S. 953. A bill to amend title 49, United States Code, to ensure competition in the rail industry, enable rail customers to obtain reliable rail service, and provide those customers with a reasonable process for challenging rate and service disputes; to the Committee on Commerce, Science, and Transportation.

By Mr. KOHL (for himself and Mr. FEINGOLD):

S. 954. A bill to amend title XVIII of the Social Security Act to provide for a technical correction to the amendments made by

section 422 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003; to the Committee on Finance.

By Mr. DURBIN (for himself and Mr. OBAMA):

S. 955. A bill to establish the Abraham Lincoln National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself and Mr. OBAMA):

S. 956. A bill to establish the Land Between the Rivers National Heritage Area in the State of Illinois, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CASEY (for himself and Mr. SPECTER):

S. Res. 114. A resolution recognizing the contributions of agricultural producers in Pennsylvania and throughout the Nation on the occasion of National Agriculture Day; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEVIN:

S. Res. 115. A resolution urging the Government of Canada to end the commercial seal hunt; to the Committee on Foreign Relations.

By Mr. BIDEN:

S. Res. 116. A resolution designating May 2007 as ''National Autoimmune Diseases Awareness Month'' and supporting efforts to increase awareness of autoimmune diseases and increase funding for autoimmune disease research; to the Committee on the Judiciary.

By Mr. DURBIN (for himself and Mr. COCHRAN):

S. Con. Res. 22. A concurrent resolution expressing the sense of the Congress that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that a commemorative postage stamp be issued to promote public awareness of Down syndrome; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 21

At the request of Mr. REID, the name of the Senator from Michigan (Mr. LEVIN) 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. 231

At the request of Mrs. FEINSTEIN, the names of the Senator from Florida (Mr. NELSON) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 231, a bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

S. 254

At the request of Mr. ENZI, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Montana (Mr. BAUCUS), the Senator from Kansas (Mr. BROWNBACK), the Senator from Maine (Ms. COLLINS), the Senator from Idaho (Mr. CRAIG), the Senator from Texas (Mrs. HUTCHISON), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Wisconsin (Mr. KOHL), the Senator from Michigan (Mr. LEVIN), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Indiana (Mr. LUGAR), the Senator from Maryland (Ms. MIKULSKI), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Washington (Mrs. MURRAY), the Senator from Arkansas (Mr. PRYOR), the Senator from Vermont (Mr. SANDERS), the Senator from New Hampshire (Mr. SUNUNU), the Senator from South Dakota (Mr. THUNE), the Senator from Louisiana (Mr. VITTER), the Senator from Ohio (Mr. VOINOVICH), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Missouri (Mr. BOND), the Senator from California (Mrs. BOXER), the Senator from Pennsylvania (Mr. CASEY), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Minnesota (Mr. COLEMAN), the Senator from Texas (Mr. CORNYN), the Senator from South Carolina (Mr. DEMINT), the Senator from North Carolina (Mrs. DOLE), the Senator from South Carolina (Mr. GRAHAM), the Senator from New Hampshire (Mr. GREGG), the Senator from Utah (Mr. HATCH), the Senator from Oklahoma (Mr. INHOFE), the Senator from Arizona (Mr. KYL), the Senator from Mississippi (Mr. LOTT), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Nebraska (Mr. NELSON), the Senator from Nevada (Mr. REID), the Senator from Kansas (Mr. ROBERTS), the Senator from Oregon (Mr. SMITH), the Senator from Alaska (Mr. STEVENS), the Senator from Montana (Mr. TESTER), the Senator from Virginia (Mr. WARNER), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 254, a bill to award posthumously a Congressional gold medal to Constantino Brumidi.

S. 331

At the request of Mr. THUNE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 331, a bill to provide grants from moneys collected from violations of the corporate average fuel economy program to be used to expand infrastructure necessary to increase the availability of alternative fuels.

S. 369

At the request of Mr. SCHUMER, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 369, a bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001.

S. 439

At the request of Mr. REID, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 439, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 474

At the request of Mrs. HUTCHISON, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 474, a bill to award a congressional gold medal to Michael Ellis DeBakey, M.D.

S. 573

At the request of Ms. STABENOW, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 573, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 579

At the request of Mr. REID, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 579, a bill to amend the Public Health Service Act to authorize the Director of the

National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 594

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 594, a bill to limit the use, sale, and transfer of cluster munitions.

S. 617

At the request of Mr. SMITH, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 617, a bill to make the National Parks and Federal Recreational Lands Pass available at a discount to certain veterans.

S. 626

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 626, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 654

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 654, a bill to establish the Food Safety Administration to protect the public health by preventing food-borne illness, ensuring the safety of food, improving research on contaminants leading to food-borne illness, and improving security of food from intentional contamination, and for other purposes.

S. 747

At the request of Mr. ISAKSON, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 747, a bill to terminate the Internal Revenue Code of 1986, and for other purposes.

S. 772

At the request of Mr. KOHL, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 772, a bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads.

S. 773

At the request of Mr. WARNER, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 773, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 821

At the request of Mr. SMITH, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 821, a bill to amend section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide for an extension of eligibility for supplemental security income through fiscal year 2010 for refugees, asylees, and certain other humanitarian immigrants.

S. 824

At the request of Mr. THUNE, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 824, a bill to amend Public Law 106-348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

S. 830

At the request of Mr. DODD, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 830, a bill to improve the process for the development of needed pediatric medical devices.

S. 849

At the request of Mr. LEAHY, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 849, a bill to promote accessibility, accountability, and openness in Government by strengthening section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), and for other purposes.

S. 886

At the request of Mr. BINGAMAN, the names of the Senator from New Hampshire (Mr. SUNUNU) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 886, a bill to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records.

S. 897

At the request of Ms. MIKULSKI, the names of the Senator from Ohio (Mr. BROWN), the Senator from Indiana (Mr. BAYH) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 897, a bill to amend the Internal Revenue Code of 1986 to provide more help to Alzheimer's disease caregivers.

S. 902

At the request of Mr. HARKIN, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 902, a bill to provide support and assistance for families of members of the National Guard and Reserve who are undergoing deployment, and for other purposes.

S. 903

At the request of Mr. DURBIN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 903, a bill to award a Congressional Gold Medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 913

At the request of Mr. GRASSLEY, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 913, a bill to clarify that the revocation of an alien's visa or other documentation is not subject to judicial review.

S. 914

At the request of Mr. VOINOVICH, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 914, a bill to authorize the States (and subdivisions thereof), the District of Columbia, territories, and possessions of the United States to provide certain tax incentives to any person for economic development purposes.

S. 922

At the request of Mr. THUNE, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 922, a bill to extend the existing provisions regarding the eligibility for essential air service subsidies through fiscal year 2012.

S. 931

At the request of Mr. MARTINEZ, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 931, a bill to establish the National Hurricane Research Initiative to improve hurricane preparedness, and for other purposes.

S. 935

At the request of Mr. NELSON of Florida, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 935, a bill to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. RES. 78

At the request of Mr. HAGEL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. Res. 78, a resolution designating April 2007 as ''National Autism Awareness Month'' and supporting efforts to increase funding for research into the causes and treatment of autism and to improve training and support for individuals with autism and those who care for individuals with autism.

S. RES. 106

At the request of Mr. DURBIN, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. Res. 106, a resolution calling on the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide.

AMENDMENT NO. 480

At the request of Mr. COLEMAN, his name was added as a cosponsor of amendment No. 480 proposed to S. Con. Res. 21, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mrs. DOLE, Mrs. CLINTON, and Mr. ROBERTS):

S. 946. A bill to amend the Farm Security and Rural Investment Act of 2002 to reauthorize the McGovern-Dole International Food for Education and Child Nutrition Program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. DURBIN. Mr. President, I rise today to introduce legislation to reauthorize the McGovern-Dole International Food for Education and Child Nutrition Program. I would like to thank Senator DOLE for leading this effort in the Senate with me.

This is a critical piece of legislation. The McGovern-Dole Program provides healthy, nutritious meals to children living in some of the most impoverished countries in the world. By combining food aid and education, this program has a dramatic effect on the health and development of millions of young children each year.

I first became interested in this program in 2000 when I read an editorial written by former Senator George McGovern titled Lunch for All Schoolchildren Is a Big Thing We Can Do. In that editorial, Senator McGovern laid out his reasoning for an international school feeding program and left us all with a challenge by asking, ''is there any higher purpose under the heaven than feeding all God's children the world around?''

It was his work alongside Senator Bob Dole that inspired President Clinton in 2000 to create the Global Food for Education Initiative (GFEI) pilot program and fund it at $300 million. Since then, funding for the program has fluctuated but it has never again reached the level at which it started. Still, in a relatively short period of time, the McGovern-Dole Program, as it appropriately came to be called after the expiration of the GFEI pilot program, has benefited more than 26 million boys and girls in 41 countries around the world. Last year alone, the program served more than 2.5 million children living in a total of 15 countries, including Afghanistan, Senegal, Laos, Guinea-Bissau, and Bolivia.

The program is a tremendous investment in the lives of the world's children. For just 19 cents per day, or 34 dollars per year, we are able to provide a healthy meal to a hungry child. This relatively modest investment does more than provide a meal—it also creates an incentive for children to come to school and learn and for families to continue to send their child to school rather than to work in a field or a factory. This is especially important for young girls in developing countries who are often not given the same educational opportunities as their male peers and therefore fall behind them in terms of literacy rates and educational attainment.

In its effect on girls, the McGovern-Dole Program has performed exceedingly well. Young girls who participate in the program have a 17 percent higher school attendance rate than similar girls who do not participate in school feeding programs. We know that educating young girls is one of the most cost-effective methods of achieving development goals. Compared to similarly situated girls who haven't gone to school, young girls who have been given the opportunity to go to school tend to get married later in life, have fewer children, earn more, and educate their children longer. It has a multiplier effect on a range of development goals.

A healthy, nutritious meal gives all students a greater opportunity to take advantage of their learning environment. A stomach full of nutritious food has a significant effect on a child's academic performance, enjoyment of learning, and overall health.

The United Nations estimates that there are 300 million chronically hungry school-age children around the world. We are falling far short of the need. When the American people provide our bountiful harvests to the most vulnerable among us, the poorest school-age children around the world, it represents the best of the American spirit.

For these reasons, I am happy to be introducing legislation to reauthorize the McGovern-Dole Program and increase the authorized level of funding in an incremental fashion up to the $300 million level at which it was first funded.

I urge my colleagues to support this important legislation.

Mr. President, 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. 946

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

SECTION 1. REAUTHORIZATION OF MCGOVERN–DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM.

(a) ADMINISTRATION OF PROGRAM.—Section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1) is amended—

(1) in subsection (d), in the matter preceding paragraph (1), by striking ''The President shall designate 1 or more Federal agencies to'' and inserting ''The Secretary shall'';

(2) in subsection (f)(2), in the matter preceding subparagraph (A), by striking ''implementing agency'' and inserting ''Secretary''; and

(3) in subsections (c)(2)(B), (f)(1), (h)(1) and (2), and (i), by striking ''President'' each place it appears and inserting ''Secretary''.

(b) FUNDING.—Section 3107(l) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1(l)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) USE OF COMMODITY CREDIT CORPORATION FUNDS.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section—

''(A) not less than $140,000,000 for fiscal year 2008;

''(B) not less than $180,000,000 for fiscal year 2009;

''(C) not less than $220,000,000 for fiscal year 2010;

''(D) not less than $260,000,000 for fiscal year 2011; and

''(E) not less than $300,000,000 for fiscal year 2012.'';

(2) by redesignating paragraph (3) as paragraph (2); and

(3) in paragraph (2) (as redesignated by paragraph (2)), by striking ''any Federal agency implementing or assisting'' and inserting ''the Department of Agriculture or any other Federal agency assisting''.

By Mr. LIEBERMAN (for himself, Mr. BROWNBACK, Mrs. CLINTON, Mr. DURBIN, and Mr. CASEY):

S. 948. A bill to amend the Public Health Service Act to authorize funding for the establishment of a program on children and the media within the National Institute of Child Health and Human Development to study the role and impact of electronic media in the development of children; to the Committee on Health, Education, Labor, and Pensions.

Mr. LIEBERMAN. Mr. President, I rise today to introduce, along with Senators BROWNBACK, CLINTON, DURBIN, and CASEY, the Children and Media Research Advancement Act, or CAMRA Act. This bill is identical to S. 1902 that passed the Senate unanimously last year except that it houses our program at the National Institute of Child Health and Human Development.

Children today live and develop in a world of media. Electronic media, including DVD's, video games, digital music, the Internet, television, motion pictures, and cell phones, are now everywhere and under constant change. Research needs to keep up with the technology, from its positive impacts such as language development in children with delays, to possible adverse effects, from obesity to muscular-skeletal disorders. The CAMRA Act supports exploration and analysis on the impact of electronic media in children's and adolescents' development. Based on recommendations from a National Academy of Sciences panel, researchers will look at both the positive and negative impacts on children's cognitive, social, emotional, physical and behavioral development.

Electronic media, in all its forms, influences and affects young people. It has the potential to produce benefits and harms. Numerous studies show increased aggressive behavior in children following interaction with violent video games. We need to move research beyond these studies to learn, for example, how new interactive technologies can best support and enhance traditional learning while making certain that these new technologies, and marketing increasingly targeted at children through these technologies, do not damage children's long-term health.

Televisions have been common in households for half a century and television still dominates the total amount of time children devote to electronic

media. One report links television viewing at an early age with later symptoms that are common in children with attention deficit disorders. However, we don't know the direct relationship, if any. Does television viewing cause attention deficits, or do children who have attention deficits find television viewing experiences more engaging than children who don't have attention problems? Or do parents of children with attention disorders let them watch more television to encourage more sitting and less hyperactive behavior? How will Internet experiences, particularly those where children move rapidly across different windows, influence attention patterns and attention problems? Can interactive media positively influence those with attention deficits? Once again, we don't know the answers.

Does television cause autism? That's the title of a recent Cornell University study showing a correlation between the alarming rising incidence of autism and increases in television viewing. Again, we don't know the direct relationship, if it exists. If early television exposure does alter normal brain development, we need to understand this to protect children in the future.

Half of the Nation's children live in homes with three or more televisions with access, in many cases, to hundreds of channels ranging from Fashion TV to Spike TV. The American Academy of Pediatrics discourages television watching for children under two, promoting instead other activities, for example reading together and playing, for proper brain development. Yet three in five children under one year of age watch TV, or other screen media such as DVD players, for an average of one and one-third hours a day. For four to six year olds, these numbers increase to 90 percent watching TV for an average of over two hours a day.

Young people over 8 years old use electronic media, on average, for over 6 hours each day. How does this investment of time affect children's physical development, their cognitive development, or their moral values? Unfortunately, we still have very limited information about how media, particularly the newer interactive media, affect children's development.

American advertisers spend $15 billion a year on marketing to children under 12, twice the amount from a decade ago. Most of the advertising to kids is for candy, soda, cereal and fast food; and most of the food brands advertising to children on TV use branded websites to market to children online. These sites most often include online games, access to the TV commercials, and encouragement for kids to contact their peers about the products. Is this affecting the health of America's children?

Consider our current national health crisis where about one in six children are overweight. The number of overweight children and teenagers in the U.S. has more than tripled over the last four decades. The public, through Medicare and Medicaid, pays about $39 billion per year for medical care relating to childhood and adult obesity. In 2000, the Surgeon General estimated the total economic cost of obesity in the United States to be $117 billion. And the number of overweight children continues to increase.

Beyond the enormous medical costs come later health problems and perhaps reduced life expectancies. We think that media exposure is partly the cause of this epidemic. Is it? A recent 2007 study from the Harvard Medical School found that more time for three year olds in front of a TV leads to more sugary drinks and calories. Is this true for younger and older children? Is time spent viewing screens and its accompanying sedentary lifestyles contributing to childhood and adolescent obesity? Or is the constant bombardment of advertisements for sugar-coated cereals, snack foods, and candy that pervade children's television advertisements the culprit? What will happen when junk food advertisements begin to pop-up on children's cell phones? How do the newer online forms of ''stealth marketing'', such as food products packaged with computer games, affect children's and adolescents' consumption patterns? We have more questions than answers.

On another subject, many of us believe that our children are becoming increasingly materialistic. Does exposure to commercial advertising and the ''good life'' experienced by media characters partly explain materialistic attitudes? We're not sure. Recent research using brain-mapping techniques finds that an adult who sees images of desired products demonstrates patterns of brain activation that are typically associated with reaching out with a hand. How does repeatedly seeing attractive products affect our children and their developing brains? As Internet access expands from the desktop computer to other devices, including televisions, what will happen when our children will be able to click on their television screen and go directly to sites that advertise the products that they see in their favorite programs or use their cell phones to pay immediately for products marketed directly at them? Exactly what kind of values are we cultivating in our children, and what role does exposure to media content play in the development of those values?

We want no child left behind in the 21st century. Many of us believe that time spent with computers is good for our children, teaching them the skills that they will need for success in the 21st century. Are we right? How is time spent with computers different from time spent with television? What are the underlying mechanisms that facilitate or disrupt children's learning from these varying media? Can academic development be fostered by the use of interactive online programs designed to teach as they entertain?

In the first six years of life, Caucasian more so than African American or Latino children have Internet access from their homes. Can our newer interactive media help ensure that no child is left behind, or will disparities in access result in leaving some behind and not others?

Interactive computer programs may be of enormous benefits to English language learners. In addition, electronic media can allow children with disabilities to learn, discover, and interact with others in ways not before possible. What are the best ways to help English language learners and children with various disabilities learn?

The questions about how media affect the development of our children are clearly important, abundant, and complex. Unfortunately, the answers to these questions are in short supply. Such gaps in our knowledge limit our ability to make informed decisions about media policy.

We know that media are important. Over the years, we have held numerous hearings in these chambers about how exposure to media violence affects childhood aggression. We passed legislation such as the Children's Television Act, which requires broadcasters to provide educational and informational television programs for children. Can we cultivate children's moral values through prosocial programs resulting from the Children's Television Act, that promote helping, sharing, and cooperating?

We acted to protect our children from unfair commercial practices by passing the Children's Online Privacy Protection Act, which provides safeguards from exploitation for our youth as they explore the Internet. Yet the Internet is providing new and evolving ways to reach children with marketing, making our ability to protect our children all the more difficult.

We worry about our children's inadvertent exposure to online pornography and about how that kind of exposure may undermine their moral values and standards of decency. In these halls of Congress, we acted to protect our children by passing the Communications Decency Act, the Child Online Protection Act, and the Children's Internet Protection Act to shield children from exposure to sexually explicit online content that is deemed harmful to minors. While we all agree that we need to protect our children from online pornography, we know very little about how to address even the most practical of questions such as how to prevent children from falling prey to adult strangers who approach them online.

To ensure that we are doing our very best for our children, the behavioral and health recommendations and public policy decisions we make should be based on objective scientific research. Yet no Federal research agency has responsibility for overseeing and setting a coherent media research agenda that can guide these policy decisions. Instead, Federal agencies fund electronic media research in a piecemeal fashion,

resulting in a patch work of findings that often do not span disciplines and address complex questions. We must do better than that.

The bill we are introducing today remedies this problem. The CAMRA Act will provide an overarching view of media effects by establishing a program devoted to Children and Media within the National Institute of Child Health and Human Development. This program of research, to be vetted by the National Academy of Sciences, will fund and energize a coherent program of research that illuminates the role of media in children's cognitive, social, emotional, physical, and behavioral development. The research will cover all forms of electronic media and will encourage research involving children of all ages—even babies and toddlers. The bill also calls for a report to Congress about the effectiveness of this research program in filling this void in our knowledge. To accomplish these goals, we are authorizing $90 million dollars to be phased in gradually across the next five years. The cost to our budget is minimal and can well result in significant savings in other budget areas.

Our Nation values the positive, healthy development of our children. Our children live in the information age, and our country has one of the most powerful and sophisticated technology systems in the world. While this system entertains them, it is not always harmless entertainment. Media have the potential to facilitate the healthy growth of our children. They also have the potential to harm. We have a stake in finding out exactly what that role is. We have a responsibility to take action. Access to the knowledge that we need for informed decision-making requires us to make an investment: an investment in research, an investment in and for our children, and an investment in our collective futures. The benefits to our youth and our Nation's families are immeasurable.

By passing the Children and Media Research Advancement Act, we can advance knowledge and enhance the constructive effects of media while minimizing the negative ones. We can make future media policies that are grounded in solid, scientific knowledge. We can be proactive, rather than reactive. In so doing, we build a better nation for our youth, fostering the kinds of values that are the backbone of this great nation of ours, and we create a better foundation to guide future media policies about the digital experiences that pervade our children's daily lives.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 948

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 ''Children and Media Research Advancement Act'' or the ''CAMRA Act''.

SEC. 2. PURPOSE.

It is the purpose of this Act to enable the National Institute of Child Health and Human Development to—

(1) examine the role and impact, both positive and negative, of electronic media in children's and adolescents' cognitive, social, emotional, physical, and behavioral development; and

(2) provide for a report to Congress containing the empirical evidence and other results produced by the research funded through grants under this Act.

SEC. 3. RESEARCH ON THE ROLE AND IMPACT OF ELECTRONIC MEDIA IN THE DEVELOPMENT OF CHILDREN AND ADOLESCENTS.

Subpart 7 of part C of title IV of the Public Health Service Act (42 U.S.C. 285g et seq.) is amended by adding at the end the following:

''SEC. 452H. RESEARCH ON THE ROLE AND IMPACT OF ELECTRONIC MEDIA IN THE DEVELOPMENT OF CHILDREN AND ADOLESCENTS.

''(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Director of the Institute), shall enter into a contract with the National Academy of Sciences, in collaboration with the Institute of Medicine or another appropriate entity to review, synthesize, and report on research, and establish research priorities, regarding the roles and impact of electronic media (including television, motion pictures, DVD's, interactive video games, digital music, the Internet, and cell phones) and exposures to such media on youth in the following core areas of development:

''(1) COGNITIVE.—Cognitive areas such as language development, attention span, problem solving skills (such as the ability to conduct multiple tasks or 'multitask'), visual and spatial skills, reading, and other learning abilities.

''(2) PHYSICAL.—Physical areas such as physical coordination, diet, exercise, sleeping and eating routines.

''(3) SOCIO-BEHAVIORAL.—Socio-behavioral areas such as family activities and peer relationships including indoor and outdoor play time, interactions with parents, consumption habits, social relationships, aggression, and positive social behavior.

''(b) RESEARCH PROGRAM.—

''(1) IN GENERAL.—Taking into account the report provided for under subsection (a), the Secretary, acting through the Director, shall, subject to the availability of appropriations, award grants for research concerning the role and impact of electronic media on the cognitive, physical, and socio-behavioral development of youth.

''(2) REQUIREMENTS.—The research provided for under paragraph (1) shall comply with the following requirements:

''(A) Such research shall focus on the impact of factors such as media content (whether direct or indirect), format, length of exposure, age of youth, venue, and nature of parental involvement.

''(B) Such research shall not duplicate other Federal research activities.

''(C) For purposes of such research, electronic media shall include television, motion pictures, DVD's, interactive video games, digital music, the Internet, and cell phones.

''(3) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this subsection, an entity shall—

''(A) prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director shall require; and

''(B) agree to use amounts received under the grant to carry out activities as described in this subsection.

''(c) REPORTS.—

''(1) REPORT TO THE DIRECTOR.—Not later than 15 months after the date of the enactment of this section, the report provided for under subsection (a) shall be submitted to the Director and to the appropriate committees of Congress.

''(2) REPORT TO CONGRESS.—Not later than December 31, 2013, the Secretary, acting through the Director, shall prepare and submit to the appropriate committees of Congress a report that—

''(A) synthesizes the results of—

''(i) research carried out under the grant program under subsection (b); and

''(ii) other related research, including research conducted by the private or public sector and other Federal entities; and

''(B) outlines existing research gaps in light of the information described in subparagraph (A).

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2008, $15,000,000 for fiscal year 2009, $20,000,000 for fiscal year 2010, $25,000,000 for fiscal year 2011, and $25,000,000 for fiscal year 2012.''.

By Ms. SNOWE (for herself, Ms. CANTWELL, Mr. INOUYE, Mr. STEVENS, Mrs. BOXER, Mr. CARDIN, Mr. KERRY, Mr. MENENDEZ, Ms. COLLINS, Mr. LAUTENBERG, Mr. LOTT, Mrs. FEINSTEIN, Mr. NELSON of Florida, and Ms. MURKOWSKI):

S. 950. A bill to develop and maintain an integrated system of coastal and ocean observations for the Nation's coasts, oceans, and Great Lakes, to improve warnings of tsunami, hurricanes, El Nino events, and other natural hazards, to enhance homeland security, to support maritime operations, to improve management of coastal and marine resources, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today to introduce the Coastal and Ocean Observation System Act of 2007. This bill will enhance our Nation's existing ocean observation infrastructure and drastically improve our understanding of the marine environment.

Oceans cover nearly three-quarters of the Earth's surface, and have great influence over our lives. They shape our weather and climate systems, provide highways for international and domestic commerce, sustain rich living and non-living resources on which many of our livelihoods are based, and provide our Nation over 95,000 miles of shoreline which is the backbone of tourist and recreational activities in many of our coastal States. Despite the constant, intricate interaction between our lives on land and the natural systems of the ocean, we know woefully little about the physical properties of the overwhelming majority of our planet. What lies over the horizon remains, by most accounts, a mystery.

And yet, the effects of those mysterious systems can be devastating. In recent years, we have experienced firsthand the destruction the ocean can

bring through disasters such as Hurricanes Katrina and Rita here in the United States, and the Indian Ocean tsunami felt in Indonesia and parts of Asia. We have the technology to monitor a wide range of ocean-based threats, from destructive storms to quieter dangers such as harmful algal blooms and manmade pollution. The purpose of this legislation is to put that technology to work predicting these threats more accurately and, when possible, mitigate their impacts.

This bipartisan, science-based bill would authorize the National Oceanic and Atmospheric Administration, or NOAA, to coordinate an interagency network of ocean observing and communication systems around our nation's coastlines. This system would collect instantaneous data and information on ocean conditions—such as temperature, wave height, wind speed, currents, dissolved oxygen, salinity, contaminants, and other variables—that are essential to marine science and resource management and can be used to improve maritime transportation, safety, and commerce. Such data would improve both short-term forecasting that can mitigate impacts of major disasters, and prediction and scientific analysis of long-term ocean and climate trends.

My home State of Maine currently participates in an innovative partnership known as the Gulf of Maine Ocean Observing System, or GoMOOS. Launched in 2001, GoMOOS takes ocean and surface condition measurements on an hourly basis through a network of linked buoys. These data are subsequently made available via the GoMOOS website to scientists, students, vessel captains, fishermen, and anyone else with an interest in our oceans. The system continues to expand, with the 11th buoy in the system launched in December of 2006. The vast geographical range and frequency of measurements has led to unprecedented developments in scientific analysis of ocean conditions in the Gulf of Maine. It has also contributed invaluable information to our region's assessments of fisheries, weather conditions, and predictions of other ocean phenomena.

Of course, the need to access this type of information is not limited to the Gulf of Maine. Similar observing systems have been developed in other coastal regions as well. Data from these various systems, however, are often incompatible with one another, making it difficult to compile, manage, process, and communicate data across networks. As a result, these disparate systems may be unable to link their data and develop a comprehensive national picture of coastal and ocean conditions.

The Coastal and Ocean Observation System Act of 2007 would rectify this situation by establishing, in cooperation with NOAA, an integrated system of ocean observing efforts. The bill would encourage creation of systems in areas that do not currently have one in place or in development, enable the data from all systems to be integrated and accessible through a national network, and facilitate timely public warnings of hazardous ocean conditions or events. Oversight of the program would be the responsibility of the National Ocean Research Leadership Council, a group comprised of the heads of fifteen Federal agencies that play roles in formulation of ocean policy. The Council would establish an interagency partnership to plan and coordinate activities, with NOAA serving as the lead Federal agency ensuring that the national network effectively integrates, utilizes, and publicizes ocean data to the benefit of the American public.

In June 2006, the Joint Ocean Commission Initiative, made up of members from the Pew Ocean Commission and the U.S. Commission on Ocean Policy, presented to Congress a list of the ''top ten'' actions Congress should take to strengthen our ocean policy regime. One of those priorities was ''enact legislation to authorize and fund the Integrated Ocean Observing System.'' Ocean and coastal observations are a cornerstone of sound marine science, management, and commerce. This bill will save lives by allowing seafarers to better monitor ocean conditions and providing timelier and more accurate predictions of potentially catastrophic weather and seismic phenomena. It will save taxpayers' dollars by reducing the emergency spending that comes in the wake of unanticipated storms, and it will enhance the appreciation and understanding of our oceans and coastal regions to benefit all Americans.

I am very proud to introduce this bill, and I would like to thank my cosponsors, Senators CANTWELL, INOUYE, STEVENS, BOXER, CARDIN, KERRY, MENENDEZ, COLLINS, LAUTENBERG, LOTT, FEINSTEIN, NELSON, and MURKOWSKI for contributing to this legislation and supporting this national initiative. Of course, our current and expanding ocean observation and communication system would not be possible without the work of dedicated professionals in the ocean and coastal science, management, and research communities—they have taken the initiative to develop the grassroots regional observation systems as well as contribute to this legislation. Thanks to their ongoing efforts, ocean observations will continue to provide a tremendous service to the American public.

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. 950

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 ''Coastal and Ocean Observation System Act of 2007''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The United States Commission on Ocean Policy recommends a national commitment to a sustained and integrated coastal and ocean observing system and to coordinated research programs which would provide vital information to assist the Nation and the world in understanding, monitoring, and predicting changes to the ocean and coastal resources and the global climate system, enhancing homeland security, improving weather and climate forecasts, strengthening management and sustainable use of coastal and ocean resources, improving the safety and efficiency of maritime operations, and mitigating the impacts of marine hazards.

(2) The continuing and potentially devastating threat posed by tsunami, hurricanes, storm surges, and other marine hazards requires immediate implementation of strengthened observation and communications, and data management systems to provide timely detection, assessment, and warnings and to support response strategies for the millions of people living in coastal regions of the United States and throughout the world.

(3) Safeguarding homeland security, conducting search and rescue operations, responding to natural and manmade coastal hazards (such as oil spills and harmful algal blooms), and managing fisheries and other coastal activities each require improved understanding and monitoring of the Nation's waters, coastlines, ecosystems, and resources, including the ability to provide rapid response teams with real-time environmental conditions necessary for their work.

(4) The 95,000-mile coastline of the United States, including the Great Lakes, is vital to the Nation's prosperity, contributing over $117 billion to the national economy in 2000, supporting jobs for more than 200 million Americans, handling $700 billion in waterborne commerce, and supporting commercial and sport fisheries valued at more than $50 billion annually.

(5) Ensuring the effective implementation of National and State programs to protect unique coastal and ocean habitats, such as wetlands and coral reefs, and living marine resources requires a sustained program of research and monitoring to understand these natural systems and detect changes that could jeopardize their long term viability.

(6) Many elements of a coastal and ocean observing system are in place, but require national investment, consolidation, completion, and integration among international, Federal, regional, State, and local elements.

(7) In 2003, the United States led more than 50 nations in affirming the vital importance of timely, reliable, long-term global observations as a basis for sound decision-making, recognizing the contribution of observation systems to meet national, regional, and global needs, and calling for strengthened cooperation and coordination in establishing a Global Earth Observation System of Systems, of which an integrated coastal and ocean observing system is an essential part.

(8) Protocols and reporting for observations, measurements, and other data collection for a coastal and ocean observing system should be standardized to facilitate data use and dissemination.

(9) Key variables, including temperature, salinity, sea level, surface currents, and ocean color, should be collected to address a variety of informational needs.

(b) PURPOSES.—The purposes of this Act are to establish an integrated national system of ocean, coastal, and Great Lakes observing systems to address regional and national needs for ocean information and to provide for—

(1) the planning, development, implementation, and maintenance of an integrated coastal and ocean observing system that provides data and information to sustain and restore healthy marine, coastal, and Great Lakes ecosystems and manage the resources they support, aid marine navigation safety and national security, support economic development, enable advances in scientific understanding of the oceans and the Great Lakes, and strengthen science education and communication;

(2) implementation of research, development, education, and outreach programs to improve understanding of the marine environment and achieve the full national benefits of an integrated coastal and ocean observing system;

(3) implementation of a data, information management, and modeling system required by all components of an integrated coastal and ocean observing system and related research to develop early warning systems to more effectively predict and mitigate impacts of natural hazards, improve weather and climate forecasts, conserve healthy and restore degraded coastal ecosystems, and ensure usefulness of data and information for users; and

(4) establishment of a network of regional associations to operate and maintain regional coastal and ocean observing systems to ensure fulfillment of national objectives at regional scales and to address state and local needs for ocean information and data products.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means Administrator of the National Oceanic and Atmospheric Administration.

(2) COUNCIL.—The term ''Council'' means the National Ocean Research Leadership Council established by section 7902 of title 10, United States Code.

(3) INTEGRATED OCEAN OBSERVING PROGRAM OFFICE.—The term ''Integrated Ocean Observing Program Office'' means a program office within the National Oceanic and Atmospheric Administration to integrate its ocean observing assets and implement the requirements under section 4(d).

(4) INTERAGENCY PROGRAM OFFICE.—The term ''Interagency Program Office'' means the office established under section 4(e).

(5) NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM.—The term ''National Oceanographic Partnership Program'' means the program established under section 7901 of title 10, United States Code.

(6) OBSERVING SYSTEM.—The term ''observing system'' means the integrated coastal, ocean, and Great Lakes observing system to be established by the Council under section 4(a).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce, acting through the National Oceanic and Atmospheric Administration.

SEC. 4. INTEGRATED COASTAL AND OCEAN OBSERVING SYSTEM.

(a) ESTABLISHMENT.—The President, acting through the Council, shall establish and maintain an integrated system of coastal and ocean observations, data communication and management, analysis, modeling, research, education, and outreach designed to understand current conditions and provide data and information for the timely detection and prediction of changes occurring in the ocean, coastal and Great Lakes environment that impact the Nation's social, economic, and ecological systems. The observing system shall provide for long-term, continuous and quality-controlled observations of the Nation's coasts, oceans, and Great Lakes in order to—

(1) understand the effects of human activities and natural variability on and improve the health of the Nation's coasts, oceans, and Great Lakes;

(2) measure, track, explain, and predict climatic and environmental changes and protect human lives and livelihoods from hazards such as tsunami, hurricanes, storm surges, coastal erosion, levy breaches, and fluctuating water levels;

(3) supply critical information to marine-related businesses such as marine transportation, aquaculture, fisheries, and offshore energy production and aid marine navigation and safety;

(4) support national defense and homeland security efforts;

(5) support the sustainable use, conservation, management, and enjoyment of healthy ocean, coastal, and Great Lakes resources, better understand the interactions of ocean processes within the coastal zone, and support implementation and refinement of ecosystem-based management and restoration;

(6) support the protection of critical coastal habitats, such as coral reefs and wetlands, and unique ecosystems and resources;

(7) educate the public about the role and importance of the oceans, coasts, and Great Lakes in daily life; and

(8) support research and development to ensure improvement to ocean, coastal, and Great Lakes observation measurements and to enhance understanding of the Nation's ocean, coastal, and Great Lakes resources.

(b) SYSTEM ELEMENTS.—In order to fulfill the purposes of this Act, the observing system shall consist of the following program elements:

(1) A national program to fulfill national and international observation priorities.

(2) A network of regional associations to manage the regional coastal and ocean observing and information programs that collect, measure, and disseminate data and information products.

(3) Data management, communication, and modeling systems for the timely integration and dissemination of data and information products from the national and regional systems.

(4) A research and development program conducted under the guidance of the Council; including projects under the National Oceanographic Partnership Program, consisting of the following:

(A) Basic research to advance knowledge of coastal and ocean systems and ensure improvement of operational products, including related infrastructure, observing technology, and information technology.

(B) Focused research and technology development projects to improve understanding of the relationship between the coasts and oceans and human activities.

(C) Large scale computing resources and research to advance modeling of coastal and ocean processes.

(5) A coordinated outreach, education, and training program that integrates and augments existing programs (such as the National Sea Grant College Program, the Centers for Ocean Sciences Education Excellence program, and the National Estuarine Research Reserve System), to ensure the use of data and information for improving public education and awareness of the Nation's coastal and ocean environment and building the technical expertise required to operate and improve the observing system.

(c) COUNCIL FUNCTIONS.—The Council shall serve as the oversight body for the design and implementation of all aspects of the observing system. In carrying out its responsibilities under this section, the Council shall—

(1) adopt plans, budgets, and standards that are developed and maintained by the Interagency Program Office in consultation with the regional associations;

(2) coordinate the observing system with other earth observing activities including the Global Ocean Observing System and the Global Earth Observing System of Systems;

(3) coordinate and approve programs of intramural and extramural research, technology development, education, and outreach to support improvements to and the operation of an integrated coastal and ocean observing system and to advance the understanding of the oceans;

(4) promote development of technology and methods for improving the observing system;

(5) support the development of institutional mechanisms and financial instruments to further the goals of the program and provide for the capitalization of the required infrastructure;

(6) provide, as appropriate, support for and representation on United States delegations to international meetings on coastal and ocean observing programs, including those under the jurisdiction of the International Joint Commission involving Canadian waters; and

(7) in consultation with the Secretary of State, support coordination of relevant Federal activities with those of other nations.

(d) LEAD FEDERAL AGENCY.—The National Oceanic and Atmospheric Administration shall be the lead Federal agency for implementation and administration of the observing system and to carry out the responsibilities of this Act, in consultation with the Council, the Interagency Program Office, other Federal Agencies that maintain portions of the observing system and the Regional Associations, shall—

(1) establish an Integrated Ocean Observing Program Office;

(2) integrate, improve, and extend existing programs and research projects, and ensure that regional associations are integrated into the operational observation system on a sustained basis;

(3) integrate the appropriate capabilities of the National Oceanic and Atmospheric Administration, and other appropriate centers, into the observing system for the purpose of assimilating, managing, disseminating, and archiving data from regional observation systems and other observation systems;

(4) provide for the migration of scientific and technological advances from research and development to operational deployment;

(5) provide for opportunities to contract with private sector companies in designing, developing, integrating, and deploying ocean observation system elements;

(6) establish efficient and effective administrative procedures for allocation of funds among Federal agencies, contractors, grantees, and regional associations in a timely manner, and contingent on appropriations according to the budget adopted by the Council;

(7) develop and implement a process for the certification and assimilation into the national ocean observations network of the regional associations and their periodic review and recertification and certify regional associations that meet the requirements of subsection (f); and

(8) develop a data management and communication system, in accordance with the established standards and protocols, by which all data collected by the observing system regarding coastal waters of the United States are integrated and available.

(e) INTERAGENCY PROGRAM OFFICE.—

(1) ESTABLISHMENT.—The Council shall establish an Interagency Program Office housed within the National Oceanic and Atmospheric Administration.

(2) RESPONSIBILITIES.—The Interagency Program Office shall be responsible for program planning and coordination of the implementation of the observing system.

(3) DUTIES.—The Interagency Program Office shall report to the Council via the Secretary and shall—

(A) prepare annual and long-term plans for consideration and approval by the Council for the design and implementation of the observing system that promote collaboration among Federal agencies and regional associations in developing global, national, and regional observing systems, including identification and refinement of a core set of variables to be measured by all systems;

(B) coordinate the development of agency and regional associations priorities and budgets to implement, operate, and maintain the observing systems;

(C) establish and refine standards and protocols for data collection, management and communications, including quality control standards, in consultation with participating Federal agencies and regional associations; and

(D) establish a process for assuring compliance for all participating entities with the standards and protocols for data management and communications, including quality control standards.

(f) REGIONAL ASSOCIATIONS OF COASTAL AND OCEAN OBSERVING SYSTEMS.—

(1) The Secretary shall initiate a rulemaking proceeding to establish a process for the certification of regional associations to be responsible for the development and operation of regional coastal and ocean observing systems to meet the information needs of user groups in the region while adhering to national standards. To be certified a regional association shall meet the certification standards developed by the Interagency Program Office in conjunction with the regional associations and approved by the Council and shall—

(A) demonstrate an organizational structure capable of supporting and integrating all aspects of coastal and ocean observing and information programs within a region and that reflects broad representation from state and local government, commercial interests, and other users and beneficiaries of marine information;

(B) operate under a strategic operations and business plan that details the operation and support of regional coastal and ocean observing systems pursuant to the standards approved by the Council; and

(C) work with governmental entities and programs at all levels to identify and provide information products of the observing system for multiple users in the region to advance outreach and education, to improve coastal and fishery management, safe and efficient marine navigation, weather and climate prediction, to enhance preparation for hurricanes, tsunami, and other natural hazards, and other appropriate activities.

(2) For the purposes of this Act, employees of Federal agencies may participate in the functions of the Regional Associations.

(g) CIVIL LIABILITY.—For purposes of section 1346(b)(1) and chapter 171 of title 28, United States Code, and chapters 309 and 311 of title 46, United States Code, any regional coastal and ocean observing system that is a designated part of a regional association certified under this section shall, with respect to tort liability arising from the dissemination and use of the data, in carrying out the purposes of this Act, be deemed to be part of the National Oceanic and Atmospheric Administration, and any employee of such system, while operating within the scope of his or her employment in carrying out such purposes, shall be deemed to be an employee of the Government.

SEC. 5. PROCESS FOR TRANSITION FROM RESEARCH TO OPERATION.

The National Oceanic and Atmospheric Administration, in consultation with the Council, shall formulate a process by which—

(1) funding is made available for intramural and extramural research on new technologies for collecting data regarding coastal and ocean waters of the United States;

(2) such technologies are tested including—

(A) accelerated research into biological and chemical sensing techniques and satellite sensors for collecting such data; and

(B) developing technologies to improve all aspects of the observing system, especially the timeliness and accuracy of its predictive models and the usefulness of its information products; and

(3) funding is made available and a plan is developed and executed to transition technology that has been demonstrated to be useful for the observing system is incorporated into use by the observing system.

SEC. 6. INTERAGENCY FINANCING.

The departments and agencies represented on the Council are authorized to participate in interagency financing and share, transfer, receive, obligate, and expend funds appropriated to any member of the Council for the purposes of carrying out any administrative or programmatic project or activity under this Act or under the National Oceanographic Partnership Program, including support for the Interagency Program Office, a common infrastructure, and system integration for a coastal and ocean observing system. Funds may be transferred among such departments and agencies through an appropriate instrument that specifies the goods, services, or space being acquired from another Council member and the costs of the same.

SEC. 7. APPLICATION WITH OUTER CONTINENTAL SHELF LANDS ACT.

Nothing in this Act supersedes, or limits the authority of the Secretary of the Interior under, the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the National Oceanic and Atmospheric Administration for the implementation of this Act, $150,000,000 for each of the fiscal years 2008 through 2012 and such additional sums as may be necessary for each of the fiscal years 2008 through 2012. The Administrator shall provide such sums as are necessary to the regional associations certified under section 4(f) for implementation of regional coastal and ocean observing systems. Sums appropriated pursuant to this section shall remain available until expended.

SEC. 9. IMPLEMENTATION PLAN.

Not later than 12 months after the date of the enactment of this Act, the Secretary shall submit to the Congress and the Council a plan for implementation of this Act, including for—

(1) coordinating activities of the Secretary under this Act with other Federal agencies; and

(2) distributing, to regional associations, funds available to carry out this Act.

SEC. 10. REPORT TO CONGRESS.

(a) REQUIREMENT.—Not later than 2 years after the date of the enactment of this Act and every 2 years thereafter, the Administrator shall prepare and the President acting through the Council shall approve and transmit to the Congress a report on progress made in implementing this Act.

(b) CONTENTS.—The report shall include the following:

(1) A description of activities carried out under the implementation plan and this Act.

(2) An evaluation of the effectiveness of the observing system.

(3) Benefits of the program to users of data products resulting from the observing system (including the general public, industry, scientists, resource managers, emergency responders, policy makers, and educators).

(4) Recommendations concerning—

(A) modifications to the observing system; and

(B) funding levels for the observing system in subsequent fiscal years.

(5) The results of a periodic external independent programmatic audit of the observing system.

Ms. CANTWELL. Mr. President, I'm pleased to join Senator SNOWE in introducing the Coastal and Ocean Observation Systems Act of 2007, which will make needed improvements to our national and regional ocean observing systems.

The Coastal and Ocean Observation Systems Act would establish a national program to focus on national and international ocean observing priorities, and provide needed support for a network of regional associations that already collect and manage information in ocean and coastal areas across the nation.

Currently, most long term ocean observing and data collection is carried out on a regional basis. While these regional ocean observing systems provide valuable data, lack of coordination at the national level and a lack of sustained resources have limited their effectiveness for advancing a comprehensive understanding of our oceans and coasts. The Coastal and Ocean Observation Systems Act of 2007 would help to rectify this by organizing regional activities under a federal interagency committee within NOAA.

Improving long-term ocean observing and monitoring is a key recommendation of the U.S. Commission on Ocean Policy and will provide the information needed to restore and sustain healthy ocean and coastal ecosystems. Specifically, this bill would bolster the Nation's ability to observe and monitor ocean conditions in order to improve tsunami warnings, better understand the impacts of climate change on the oceans, track ocean conditions that could impact human health, improve homeland security, and support maritime operations.

Fishermen and mariners rely on accurate forecasts of ocean conditions for safety and navigation. An integrated ocean observing system would improve these forecasts and will save lives at sea. Ocean observing will also help authorities understand the link between ocean conditions and human health. For example, improved tracking of harmful algal blooms can minimize the risk of shellfish poisoning by warning people when the conditions exist that make harvesting shellfish dangerous.

An integrated ocean and coastal observing system will prove an invaluable tool as we work to understand and overcome the challenges of climate change. The ocean covers 70 percent of

the globe and plays a critical role in regulating our climate. Scientists are finding that the ocean environment is often the first of the earth's ecosystems to display the impacts of climate change.

We've already detected some of these impacts, from ocean acidification's impacts on North Pacific food chains and coral reefs in the tropics, to seasonal ocean dead zones that are forming off the coast of Washington and Oregon. The effects of climate change will be felt by our fishermen and coastal communities, and ocean observing will give them the information they need to mitigate impacts.

As we seek a better understanding of our oceans and coasts and the ecosystems that form the basis of life for much of the Earth's population, an integrated ocean observing system. will be an essential investment.

By Mr. WARNER (for himself and Mr. WEBB):

S. 951. A bill to provide a waiver from sanctions under the Elementary and Secondary Education Act of 1965 for certain States, local educational agencies, and schools; to the Committee on Health, Education, Labor, and Pensions.

Mr. WARNER. Mr. President, I rise today to introduce legislation with my Virginia Senate colleague, Senator WEBB, related to the No Child Left Behind Act. This legislation simply tries to hold certain schools harmless, for one year, from the sanction provisions under NCLB when such sanctions result solely because of bureaucratic problems with the implementation of the law.

I am pleased to note that Congressman TOM DAVIS, Congressman JIM MORAN, Congressman BOB GOODLATTE, Congresswoman DAVIS, and Congressman RICK BOUCHER have joined Senator WEBB and me in introducing the same bill in the House of Representatives.

While I firmly believe that the goals behind NCLB are solid, there have been some challenges with the regulatory implementation of this new law, particularly in Virginia. Most recently, the Commonwealth of Virginia and the U.S. Department of Education have reached an impasse with respect to how best to test students with limited English proficiency. While, at this moment, I do not cast blame for how we came to this impasse, the simple fact is that it could result in a number of schools in Virginia being sanctioned under the Federal law—not because our schools are underperforming, but rather as a consequence of bureaucracy. This is clearly not the intent of No Child Left Behind.

No Child Left Behind was intended to put in place a strong accountability system by which the Federal Government would receive favorable results for the billions of Federal dollars it spends on education. The law was structured to ensure that all students are included in States' accountability systems, and was designed to reward those systems that achieve goals under the accountability system, and to sanction those that do not.

Regrettably, in my view, if legislation is not passed and signed into law that recognizes the unique situation faced in Virginia, and perhaps other States, then public schools in Virginia, and perhaps around the country, will be punished through no fault of their own.

Let me be more specific about what has occurred in my State. On June 28, 2006, the Virginia Department of Education received notice from the U.S. Department of Education that the assessment that Virginia had used for years to test certain limited English proficiency students would no longer meet Federal requirements. The 2006–2007 academic school year started shortly thereafter, and, at that time, no alternative assessment had been approved.

On December 11, 2006, representatives from the Virginia Board of Education and the State Superintendent of Public Instruction met with the U.S. Department of Education officials to discuss a one-year extension, by which Virginia would be permitted to use the same assessment it had used in prior years for testing LEP students. On January 4, 2007, the entire Virginia Congressional delegation sent a letter to Secretary Spellings supporting Virginia's request for a one-year extension for using an alternative assessment for testing LEP students.

On January 29, 2007, Secretary Spellings wrote back to me denying Virginia's request. On February 8, 2007, Deputy Secretary Ray Simon wrote to Virginia clarifying that, while the previous test may not be used, another assessment is expected to obtain approval.

Well, today is March 21, 2007. To date, Virginia still does not have an approved alternative assessment, and our State assessments are scheduled to be given in less than a month. With no appropriate test approved for students to take this April, how can Virginia schools be expected to meet federal standards? How can our State and schools develop, prepare for, and administer a new test when we are well past the middle of the school year? Common sense begs for a reasonable solution.

In the interim, several school divisions in Virginia have voted not to test the LEP students at all. In turn, the U.S. Department of Education has threatened to withhold from Virginia millions of Federal education dollars.

The legislation that we introduce today is designed to allow the parties involved to take a step back, develop an acceptable assessment, appropriately train and educate students on it, and allow the Virginia educational system to move forward without being sanctioned in a way that is inconsistent with the NCLB Act.

This legislation accomplishes these goals by holding schools, local education agencies, and States harmless for one year from the sanctions provisions of NCLB if they meet certain criteria. Specifically a state must: (1) have had one or more approved academic assessment plans for the 2005–2006 school year; (2) have had one or more of such plans subsequently held invalid by the Department of Education for the 2006–2007 school year; and (3) have the Governor of the State certify, in writing, to the Secretary of Education that the State cannot effectively train its educators on a new or alternative assessment prior to the date the assessment is to be administered, and that the administration of a new or alternative assessment is not in the best interest of the public school system and the children the system serves.

This ''hold-harmless'' provision would only apply to those schools and school divisions that fail to meet the Federal standards solely because of these logistical problems.

Unlike other proposals that have recently been introduced with respect to No Child Left Behind, this measure would not exempt states from accountability, nor exempt States, school districts and schools from the requirements of NCLB. Our bill simply calls for the suspension of penalties for one year for those schools and districts that, through no fault of their own, are being set up for potential failure because of bureaucratic logistical problems. This will give the Commonwealth of Virginia and the Federal Government ample time to address the testing situation effectively for the 2007–2008 school year.

I would like to submit for the RECORD several letters expressing support for this legislation. The first letter is from Governor Kaine. The second letter is from Dr. Billy Cannady, the Superintendent of Public Instruction in Virginia; the third letter is from Dr. Mark Emblidge, President of the Virginia Board of Education; and the fourth letter is from the Virginia School Boards Association.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE GOVERNOR,
Richmond, VA, March 20, 2007.

Hon. JOHN WARNER,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR WARNER: I would like to thank you for taking a leadership role in efforts to resolve some of the immediate difficulties states and local educational agencies are facing in implementing testing provisions of the No Child Left Behind Act (NCLB). I strongly support your proposed legislation to provide a waiver from sanctions under certain circumstances for the current academic year.

As you know, Virginia takes the academic achievement of all students and the accountability of all schools and school divisions very seriously. Our accountability system

predates NCLB by several years, and is widely recognized as one of the best in the nation. Our standards are ranked #5 in quality by the Fordham Institute, which also lists us as #1 in achievement based primarily on NAEP scores. We were recently named by Education Week as the state with the highest ''chance for success'' index for children. In achievement of Hispanic students, Virginia ranks number 2, 3 and 4 nationally for percent of students proficient in 8th grade mathematics, 8th grade science and 4th grade reading, respectively.

Meanwhile, we are challenged by the short time frame afforded us to revise our assessment practices for the current year, given the decision this same year by the U.S. Department of Education to hold our academic assessment plan invalid. The proposed legislation would allow us and other states in similar situations a more reasonable amount of time to revise assessment practices.

I believe the role you propose for Governors to certify that schools or local educational agencies meet the criteria specified in the legislation is appropriate and practicable. I applaud your thoughtful solution, and thank you for keeping in mind the best interests of children, school divisions and states as we continue to make progress in raising educational achievement and closing achievement gaps.

Sincerely,

TIMOTHY M. KAINE.

COMMONWEALTH OF VIRGINIA,
DEPARTMENT OF EDUCATION,
Richmond, VA, March 21, 2007.

Hon. JOHN WARNER,
U.S. Senate,
Washington, DC.

DEAR SENATOR WARNER: I strongly support your introduction of legislation in the Senate of the United States on behalf of the Commonwealth of Virginia and other states that will provide a waiver from sanctions of the Elementary and Secondary Education Act of 1965 as a result of having an approved 2005–2006 state assessment plan held invalid by the U.S. Department of Education for the 2006–2007 school year. The Commonwealth of Virginia meets all of the qualifying criteria in the proposed legislation, and certain eligible schools and school divisions will benefit from the hold harmless waiver provision.

I sincerely appreciate the leadership you and other members of Virginia's congressional delegation are providing in seeking additional flexibility for states in implementing the Elementary and Secondary Education Act (ESEA), otherwise known as No Child Left Behind (NCLB). The Virginia Department of Education remains committed to the goals of NCLB and implementing the federal law with fidelity while advocating for assessment policies based on research and sound practice.

The Department will provide the Governor with valid and reliable data for certifying that the commonwealth, schools, and school divisions meet the qualifying criteria in the proposed legislation.

The Department of Education appreciates your continued support. We are committed to moving all Virginia children from competence to excellence. It is our hope that the introduction of this legislation also will inform the reauthorization process.

Sincerely,

BILLY K. CANNADAY, Jr.,
Superintendent of Public Instruction.

COMMONWEALTH OF VIRGINIA,
BOARD OF EDUCATION,
Richmond, VA, March 21, 2007.

Hon. JOHN WARNER,
U.S. Senate,
Washington, DC.

DEAR SENATOR WARNER: I am writing to express strong support for your introduction of legislation in the Senate of the United States on behalf of the Commonwealth of Virginia and other states seeking a waiver under the Elementary and Secondary Education Act of 1965 from certain sanctions and financial penalties as a result of having had an approved state academic assessment plan for 2005–2006 held invalid by the U.S. Department of Education for the 2006–2007 school year. We understand the proposed legislation will apply only to states, local educational agencies, and schools if the state meets the qualifying criteria identified in the proposed legislation. The Commonwealth of Virginia meets all of the qualifying criteria and will benefit from the additional flexibility being proposed.

On behalf of the Virginia Board of Education, please accept our gratitude for the leadership you are providing in preventing sanctions to our state, schools, and school divisions as a result of having to implement testing policies that are not in the best interest of all the students we serve. The legislation you are introducing in the Senate reflects the growing impatience with the rigidity that has characterized the U.S. Department of Education's implementation of No Child Left Behind. This impatience is most acute in states like Virginia with effective accountability programs predating the federal law.

The achievements of Virginia's students and schools under the Standards of Learning program have brought the commonwealth national recognition as a model of successful reform. I am grateful to you and the other members of Virginia's congressional delegation for their efforts to secure additional flexibility so our public schools can implement NCLB in a manner that puts children first and reflects sound instructional and assessment practices.

The Board of Education remains committed to the goals of NCLB and holding schools accountable for closing achievement gaps between minority and non-minority students while improving teaching and learning for all children. This commitment, which has made the commonwealth an acknowledged leader in the implementation of standards-based reform, includes accountability for student achievement and testing policies based on research and sound practice.

The Board of Education appreciates your continued support of the Standards of Learning accountability program. It is my hope that the introduction of this legislation also will inform the reauthorization process.

Sincerely,

MARK E. EMBLIDGE,
President.

VIRGINIA SCHOOL
BOARDS ASSOCIATION,
Charlottesville, VA, March 19, 2007.

Hon. JOHN W. WARNER,
U.S. Senate,
Washington, DC.

Subject: Support for Emergency Waiver Bill under No Child Left Behind.

DEAR SENATOR WARNER: I write to express the support of the Virginia School Boards Association on behalf of its members, all 134 of Virginia's school boards for legislation you plan to introduce this week, to grant relief from certain aspects of No Child Left Behind. That legislation, which will be effective for this year's testing cycle, acknowledges that schools, school divisions, and states need time to develop certain alternative assessments, field test them, and train teachers to administer them, before the U.S. Department of Education imposes onerous sanctions. It would provide the additional time needed to develop assessments that work for children, not only in Virginia, but across the United States.

On March 16, 2007, the Board of Directors of the Virginia School Boards Association voted unanimously to support this legislation. We stand ready to assist in any way in its enactment into law in time for this year's testing cycle. Finally, we thank you and your office for your steadfast support of Virginia's 134 school boards, our teachers and administrators and, most importantly, the 1.1 million children we serve.

If you have any questions, please contact Frank E. Barham, VSBA Executive Director.

Sincerely yours,

EDDIE H. RYDER,
President.

S. 951

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

SECTION 1. WAIVER.

A State, local educational agency, or school shall be held harmless and not subject to the penalties provision under section 1111(g) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(g)), the requirements of school or local educational agency improvement, corrective action, restructuring, or other sanctions or penalties under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313), or any other sanctions or penalties relating to academic assessments under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) for the 2006–2007 school year if the following criteria are met:

(1) The State (in the case of a local educational agency or school, the State within which such local educational agency or school exists) had 1 or more approved academic assessment plans for the 2005–2006 school year.

(2) The State (in the case of a local educational agency or school, the State within which such local educational agency or school exists) had 1 or more of such plans subsequently held invalid by the Department of Education for the 2006–2007 school year.

(3) The Governor of the State (in the case of a local educational agency or school, the State within which such local educational agency or school exists) certifies, in writing, to the Secretary of Education that—

(A) the State cannot effectively train its educators on a new or alternative assessment or assessments in place of the assessment or assessments for which the plan or plans were held invalid by the Department of Education, prior to the date the assessment or assessments are to be administered; and

(B) the administration of any new or alternative assessment or assessments, in place of the assessment or assessments for which the plan or plans were held invalid by the Department of Education, in the 2006–2007 school year is not in the best interest of the public school system and the children such system serves.

(4) The Governor of the State (in the case of a local educational agency or school, the State within which such local educational agency or school exists) certifies, in writing, to the Secretary of Education that the local educational agency or school failed to make adequate yearly progress (as described in section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C.

6311(b)(2))) based on academic assessments administered in the 2006–2007 school year or the State would be subject to the penalties provision under section 1111(g) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(g)) or any other sanctions or penalties relating to academic assessments under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) for the 2006–2007 school year solely because the State, local educational agency, or school meets each of the criteria described in paragraphs (1) through (3).

By Mr. McCAIN:

S. 952. A bill to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to provide funds for training in tribal leadership, management, and policy, and for other purposes; to the Committee on Indian Affairs.

Mr. McCAIN. Mr. President, I am pleased to introduce legislation that would authorize the Native Nations Institute, NNI, for Leadership, Management and Policy. Congressman GRIJALVA introduced similar legislation in the House of Representatives last week.

In 2000, Congress reauthorized the Morris K. Udall Foundation, an independent Federal agency established in 1992, to expand its organization by providing tribal governments with leadership and management training services. In response, the Morris K. Udall Foundation founded the NNI to serve as a self-determination, self-government and development resource to native nations. Over the past 5 years, the NNI has operated in partnership with the University of Arizona and the Harvard Project on American Indian Economic Development to provide practical leadership and management training as well as policy analysis in a variety of fields for native people. Approximately 1,700 individuals representing 250 tribes have attended training sessions at the Institute to date.

The Native Nations Institute performs an important role in upholding the Nation's trust obligations to Native Americans by encouraging tribes to move towards self-governance and engaging them in nation building. Although authorization for the NNI expired last year, popular demand for its executive education services now exceeds the organization's resources. The bill I am introducing today would authorize funding for the institute's programs for a period of 5 years beginning in fiscal year 2008.

The Native Nations Institute for Leadership, Management and Policy is an organization of great importance for Native Americans. I urge my colleagues to support passage of this bill.

By Mr. ROCKEFELLER (for himself, Mr. CRAIG, Mr. DORGAN, Mr. VITTER, Ms. KLOBUCHAR, Mr. TESTER, Ms. LANDRIEU, Mr. CRAPO, Mr. BAUCUS, and Ms. CANTWELL):

S. 953. A bill to amend title 49, United States Code, to ensure competition in the rail industry, enable rail customers to obtain reliable rail service, and provide those customers with a reasonable process for challenging rate and service disputes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, it is my pleasure today to join with my colleagues Senators CRAIG, DORGAN, VITTER, KLOBUCHAR, TESTER, LANDRIEU, CRAPO, BAUCUS, and CANTWELL to introduce the Railroad Competition and Service Improvement Act of 2007. This legislation stands for the very basic premise that businesses should serve their customers, and do so at reasonable rates.

This essential concept of capitalism is what our economy is based upon. Those ideas, plus promoting competition and protecting consumers, were prime motivating factors when Congress in 1980 passed the Staggers Act. The Staggers Act provided a government agency—now the Surface Transportation Board (STB)—with the ability to prevent monopoly abuses of those shippers left ''captive'' to just one railroad, and to make sure that the railroads in competitive situations were able to operate in such a way that they could be profitable. Somewhere along the way the part of the STB mandate calling on the agency to protect shippers, and by extension consumers, has been ignored, or at least subsumed into the STB's fervor to see the railroads profitable.

And profitable they are. What is important for my colleagues to recognize is that neither I nor any of my cosponsors want the railroads to fail. We want, and this country needs, a healthy freight rail industry. From coal to chemicals to plastics to forest products to grain and potatoes, America's shippers depend on the railroad industry to carry their products to customers across the country to keep our economy moving.

What no member of Congress should want to see is a freight rail system dominated by four regional carriers whose business plans are based on bleeding their captive customers dry. Meanwhile, these companies invest none of their profits in infrastructure expansion to handle current traffic, much less the expected need in the decades to come.

This is by no means the first time my colleagues have seen me introduce legislation in this vein. In fact, this is at least the eighth time that I have asked my colleagues to look into the problems in our freight rail network and to work with me to fix it. Businesses in my home State of West Virginia have been describing problems with the railroads to since before I came to the Senate in 1985. Like businesses anywhere, West Virginia industries depend on efficient and dependable rail service at fair prices to move their products to market.

Well, what was a troubling situation 22 years ago for about 20 percent of rail shippers captive to the more than 40 Class I railroads then is a nightmare now for hundreds of companies in almost every industry and in virtually every part of the United States that are being underserved and overcharged by the five remaining Class I railroads. I have worked for years in a bipartisan and regionally diverse coalition of members of Congress to change a system that just is not working. Our goal is to improve the economic situation for rail shippers and retail shoppers. And, I hasten to add, we seek to strengthen and improve the economic vitality of the Class I railroads, as well.

I am sure that my colleagues will hear from railroads that we are ''re-regulating.'' My colleagues should carefully review our bill and find where we would regulate anything that is not already regulated. This is, of course, the point. The railroads have touted the success of the deregulation, but what they fail to mention is that the Staggers Act never deregulated the railroads where shippers had no competitive transportation options. The railroads can have all the opinions about our legislation that they want, but they are not entitled to their own set of facts.

What has happened while the railroads have consolidated and mischaracterized this effort on behalf of shippers? Shippers and end-use consumers have paid increasingly high prices for electricity, food, medicine, paper products; the chemicals to protect our water supply and crops, and the basic ingredients of the plastics in many of the goods we purchase. It was not supposed to be this way.

In 1980, when Congress passed the Staggers Act, it was seeking to rescue the railroads from a burdensome and counterproductive regulatory scheme overseen by the Interstate Commerce Commission (ICC). In the decades leading up to passage of the Staggers Act the freight rail situation was bloated with unprofitable railroads forced to make un-economic choices regarding track, routes, and countless other business decisions. The Staggers Act was an attempt to let the marketplace create a more workable system. Where rail shippers were already captive to one railroad, the ICC was supposed to continue to protect shippers' rights and to require railroads to meet their responsibilities.

As the marketplace evolved, the ICC, and its successor agency the STB, were supposed to make sure that railroad consolidation and industry policy did not harm rail customers. The only reason the railroads in 2007 can say that my colleagues and I are attempting to ''re-regulate'' them is that the regulatory agencies charged with regulating them all along largely have abdicated their responsibilities, and have been sadly ineffective on the rare occasion when they purport to be carrying out the part of their mission that includes maintaining the advantages of competition.

To the extent that the Staggers Act has been successful in fulfilling its promise, that success has been completely one-sided. Railroads are no longer struggling to be profitable. Neither are they struggling to serve their customers. The STB, which should be working to make the system work, is more of a problem than it is a solution. The only parties still struggling are the shippers, and our bill is designed to make it a fair fight.

The title of our bill, the Railroad Competition and Service Improvement Act, really says it all. Cosponsors of this legislation seek a freight rail system envisioned in the drafting of the Staggers Act. We hope to remind the STB of its responsibilities, and give its enforcement the teeth successive Chairmen have told Congress the Board needs.

As I have said, this legislation is about making capitalism work for all parties in the freight rail marketplace, not just for the monopoly railroads. Shippers need Congress to remind the STB that good service at reasonable rates is not an outrageous demand. Congress must demand that shippers that ask for a rate quote are given one. Unbelievably, the STB's reading of the Staggers Act allows shippers no such right.

In addition to that most basic right of business negotiations, our legislation would do the following: clarify and restate the STB's responsibility to shall promote competition among rail carriers, as well as requiring reasonable rates and dependable service in keeping with the railroads' common carrier obligation; remove so-called ''paper barriers,'' contractual restraints on short-line and regional railroads that prevent them from providing improved service to shippers; modify the rate challenge process, and implement real-world evidentiary standards and burden of proof requirements; authorize STB to require ''reciprocal switching,'' the transfer of traffic between railroads, where it is in the public interest; affirm the railroads' obligation to serve; cap filing fees for STB rate cases at the level of federal district courts; allow Governors to petition the STB for declarations of ''areas of inadequate rail competition,'' with appropriate remedies; create position of Rail Customer Advocate in the Department of Transportation; and establish a system of ''final offer'' arbitration for disputes over agriculture, forest product, and fertilizer shipments.

Solutions to these problems are long overdue. I commend to my colleagues the Railroad Competition and Service Improvement Act as a set of commonsense solutions to unresolved problems that are putting American competitiveness at risk.

Mr. VITTER. Mr. President, today I am pleased to introduce very important bipartisan legislation S. 953, the Railroad Competition and Service Improvement Act of 2007. This bill will improve America's railroad system by ensuring increased rail competition and enabling rail customers to obtain more reliable service. Today, I introduce S. 953, the Railroad Competition and Service Improvement Act of 2007 along with my colleagues Senators ROCKEFELLER, CRAIG, DORGAN, KLOBUCHAR, TESTER, LANDRIEU, CRAPO, BAUCUS and CANTWELL.

The lack of healthy competition in our national rail system is stifling rail customers from our petrochemical manufacturers to utility providers to agriculture and forest product providers. The extreme prices these rail customers are charged and the service challenges they face have a direct impact on jobs and prices for consumers. We must reform our railroad system to foster more competition and provide relief to consumers.

The Surface Transportation Board, which is supposed to oversee rail pricing and practices, has not proactively addressed rail problems, and government accountability reports have noted a lack of competition in the railroad industry. The Railroad Competition and Service Improvement Act will direct STB to do its job and foster a free marketplace for our rail system by addressing the inadequacies in the rate reasonableness process of the STB and directing the STB to actively investigate and suspend unreasonable practices.

I would like to share with you a bottlenecking example of how the lack of railroad competition impacts rail customers in Louisiana. The city of Lafayette's electricity customers have faced $6 million or more annually in rate increases because of the lack of railroad competition. The Rodemacher Plant that provides electricity to the Lafayette Utilities System gets its coal from the Powder River Basin in Wyoming. This coal is transported by rail for more than 1,500 miles. Currently, two railroads travel from the Basin to Alexandria, LA. However, the last 19 miles of travel distance to the Rodemacher Plant only has one major railroad provider. Present law allows the current rail provider's control of the last 19 miles to push its pricing monopoly all the way back to the Powder River Basin, which in essence, turns a 19 mile monopoly into a 1,500-mile monopoly.

This monopoly forces the Lafayette ratepayers to pay much higher rates than if the Rodemacher Plant had access to both railroads that serve the Powder River Basin. When enacted, the Railroad Competition and Service Improvement Act would address bottlenecking issues like this and the lack of competition saving the Lafayette ratepayers money.

I look forward to the consideration of S. 953, the Railroad Competition and Service Improvement Act by the Senate Committee on Commerce, Science and Transportation, on which I serve, and the full Senate.

By Mr. KOHL (for himself and Mr. FEINGOLD):

S. 954. A bill to amend title XVIII of the Social Security Act to provide for a technical correction to the amendments made by section 422 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003; to the Committee on Finance.

Mr. KOHL. Mr. President, today, along with Senator FEINGOLD, I am introducing the Medicare Residency Program Technical Correction Act of 2007. This legislation will fix an unintended consequence of Section 422 of the Medicare Modernization Act of 2003 that has resulted in a decrease of family medical residents slots in Wisconsin's Fox Valley and potentially other family medicine practices across the Nation. Our bill would provide for an adjustment to the reduction of Medicare resident positions based on settled cost reports.

For the last 2 years, I've been working with the University of Wisconsin School of Medicine and the Fox Valley Family Medicine Residency Program to urge CMS to restore funding for its residency training positions that was taken away as a result of an audit that incorrectly determined that the positions weren't used. Now, a Final Mediation Agreement between Appleton Medical Center and United Government Services demonstrates that the positions were being used and that the program met the Medicare requirement for those positions. I believe it is only fair that Appleton Medical Center's residency positions be reinstated.

The Fox Valley Family Practice Residency Program is an important contributing member to the Fox Valley and surrounding community, providing health care services to some 10,000 families. This is exactly the type of program that we should be supporting, not reducing. My legislation will right this wrong and provide for the same opportunity for any other family medicine program that can demonstrate that its residency slots were erroneously defunded by CMS. I ask that my Senate colleagues join me by supporting this bill. I ask unanimous consent that the text of the bill be printed the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 954

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 ''Medicare Residency Program Technical Correction Act of 2007''.

SEC. 2. REINSTATEMENT OF FULL-TIME EQUIVALENT RESIDENT SLOTS THAT WERE ERRONEOUSLY ELIMINATED.

(a) IN GENERAL.—Section 1886(h)(7) of the Social Security Act (42 U.S.C. 1395ww(h)(7)) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C) the following new subparagraph:

''(D) ADJUSTMENT BASED ON SETTLED COST REPORT.—In the case of a hospital for which—

''(i) the otherwise applicable resident limit was reduced under subparagraph (A)(i)(I); and

''(ii) such reduction was based on a reference resident level that was determined using a cost report that was subsequently settled, whether as a result of an appeal or otherwise, and the reference resident level under such settled cost report is higher than the level used for the reduction under subparagraph (A)(i)(I),

the Secretary shall apply subparagraph (A)(i)(I) using the higher resident reference level and make any necessary adjustments to such reduction. Any such necessary adjustments shall be effective for portions of cost reporting periods occurring on or after July 1, 2005.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of section 422 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173).

By Mr. DURBIN (for himself and Mr. OBAMA):

S. 955. A bill to establish the Abraham Lincoln National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 955

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 ''Abraham Lincoln National Heritage Area Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Abraham Lincoln National Heritage Area is a cohesive assemblage of natural, historic, cultural, and recreational resources that—

(A) together represent distinctive aspects of the heritage of the United States worthy of recognition, conservation, interpretation, and continuing use; and

(B) are best managed through partnerships between private and public entities;

(2) the Heritage Area reflects traditions, customs, beliefs, folklife, or a combination of those attributes that are a valuable part of the heritage of the United States;

(3) the Heritage Area provides outstanding opportunities to conserve natural features, historic feature, cultural features, or a combination of those features;

(4) the Heritage Area provides outstanding recreational and interpretive opportunities.

(5) the Heritage Area has an identifiable theme, and resources important to the theme, that retain integrity capable of supporting interpretation;

(6) residents, nonprofit organizations, other private entities, and units of local government throughout the Heritage Area demonstrate support for—

(A) designation of the Heritage Area as a national heritage area; and

(B) management of the Heritage Area in a manner appropriate for the designation;

(7) there is a compelling need to educate and cultivate among the citizens of the United States, particularly youth, an understanding appreciation for, and a renewed commitment to integrity, courage, self-initiative, and principled leadership in public and private life;

(8) few individuals in the history of the United States have as broadly exemplified such qualities, and so profoundly influenced the history and character of the United States, as Abraham Lincoln;

(9) the story and example of the life of Abraham Lincoln, including his inspiring rise from humble origins to the highest office in the land and his decisive leadership through the most harrowing and dangerous time in the history of the United States, continues to bring hope and inspiration to millions in the United States and around the world;

(10) the great issues during the lifetime of Abraham Lincoln, including national unity, equality and race relations, the capacity for democratic government, and the ideals to address those and related issues, continue to this day to define the challenges facing the United States;

(11) the ideals espoused by Lincoln, and the sentiments expressed by Lincoln with respect to keeping the United States together, are as relevant today as the ideals and sentiment were in Lincoln's troubled time;

(12) Illinois is known throughout the world as the land of Abraham Lincoln;

(13) unquestionably, the physical, social, and cultural landscape of Illinois helped mold the character of Lincoln;

(14) ''Here I have lived a quarter of a century, and have passed from a young to an old man,'' Lincoln remarked on leaving Illinois. ''To this place and the kindness of these people I owe everything'';

(15) Lincoln, in turn, left his own traces across the Illinois landscape;

(16) the traces remain today in the form of stories, folklore, artifacts, buildings, streetscapes, and landscapes;

(17) though scattered geographically and in varying states of development and interpretation, together the traces of Lincoln bring an immediacy and tangible quality to the powerful Lincoln legacy;

(18) individually and collectively, the traces of Lincoln in Illinois constitute an important national cultural and historic resource;

(19) in particular, the stories and cultural resources of the Lincoln legacy of the region—

(A) reflect the values and attitudes, obstacles and ingenuity, failures and accomplishments, human frailties, and strength of character of the men and women who made up the diverse people of Lincoln's generation, including upland Southerners and Northeastern Yankees, Anglo-settlers and American Indians, ''free'' blacks, abolitionists, and critics of abolitionists;

(B) reflect the material culture and relative levels of technical sophistication in the United States in the lifetime of Lincoln;

(C) recreate the physical environment during the lifetime of Lincoln, revealing the impact of the environment on agriculture, transportation, trade, business, and social and cultural patterns in urban and rural settings; and

(D) interpret the effect of the democratic ethos of the era on the development of the legal and political institutions and distinctive political culture of the United States;

(20) 3 previous studies entitled ''Abraham Lincoln Research and Interpretive Center Suitability/Feasibility Study'' by the National Park Service (1991), ''Looking for Lincoln Illinois Heritage Tourism Project'' commissioned by the State of Illinois Department of Commerce and Community Affairs in cooperation with the Illinois Historic Preservation Agency (1998), and the ''Feasibility Study for the Proposed Abraham Lincoln National Heritage Area'', revised in 2003, help document a sufficient assemblage of nationally distinctive historic resources to demonstrate the feasibility of, and need to establish, the Heritage Area;

(21) the National Park Service—

(A) operates and maintains the Lincoln Home National Historic Site in Springfield, Illinois; and

(B) is responsible for—

(i) advocating the protection and interpretation of the cultural and historic resources of the United States; and

(ii) encouraging the development of interpretive context for those resources through appropriate planning and preservation;

(22) the Heritage Area can strengthen, complement, and support the Lincoln Home National Historic Site through the interpretation and conservation of the associated living landscapes outside of the boundaries of the historic site;

(23) there is a Federal interest in supporting the development of a regional framework and context to partner with and assist the National Park Service, the State of Illinois, local organizations, units of local government, and private citizens to conserve, protect, and bring recognition to the resources of the Heritage Area for the educational and recreational benefit of the present generation and future generations;

(24) communities throughout the region—

(A) know the value of their Lincoln legacy; but

(B) need to expand upon an existing cooperative framework and technical assistance to achieve important goals by working together;

(25) the Department of Commerce and Economic Opportunity and Bureau of Tourism of the State of Illinois—

(A) officially designated ''Looking for Lincoln'' as a State Heritage Tourism Area; and

(B) has identified the story of Lincoln as a key destination driver for the State;

(26) the Looking for Lincoln Heritage Coalition, the management entity for the Heritage Area—

(A) is a nonprofit corporation created for the purposes of preserving, interpreting, developing, promoting, and making available to the public the story and resources relating to—

(i) the story of the adult life of Abraham Lincoln in Illinois; and

(ii) the contributions of Abraham Lincoln to society; and

(B) would be an appropriate entity to oversee the development of the Heritage Area; and

(27) the Looking for Lincoln Heritage Coalition has completed a business plan that—

(A) describes in detail the role, operation, financing, and functions of the Looking For Lincoln Heritage Coalition as the management entity for the Heritage Area; and

(B) provides adequate assurances that the Looking For Lincoln Heritage Coalition is likely to have the financial resources necessary to implement the management plan for the Heritage Area, including resources to meet matching requirement for grants.

SEC. 3. DEFINITIONS.

In this Act:

(1) COALITION.—The term ''Coalition'' means the Looking for Lincoln Heritage Coalition, an entity recognized by the Secretary, in consultation with the chief executive officer of the State, that has agreed to perform the duties of the management entity under this Act.

(2) HERITAGE AREA.—The term ''Heritage Area'' means the Abraham Lincoln National Heritage Area established by section 4(a).

(3) MANAGEMENT ENTITY.—The term ''management entity'' means the management entity for the Heritage Area designated by section 5(a).

(4) MANAGEMENT PLAN.—The term ''management plan'' means the plan developed by the management entity under section 6(a).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) STATE.—The term ''State'' means the State of Illinois.

(7) UNIT OF LOCAL GOVERNMENT.—The term ''unit of local government'' means the government of the State, a political subdivision of the State, or an Indian tribe.

SEC. 4. ESTABLISHMENT OF ABRAHAM LINCOLN NATIONAL HERITAGE AREA.

(a) IN GENERAL.—There is established in the State the Abraham Lincoln National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall include—

(1) a core area located in central Illinois, consisting of Adams, Brown, Calhoun, Cass, Champaign, Christian, Clark, Coles, Cumberland, Dewitt, Douglas, Edgar, Fayette, Fulton, Greene, Hancock, Henderson, Jersey, Knox, LaSalle, Logan, Macon, Macoupin, Madison, Mason, McDonough, McLean, Menard, Montgomery, Morgan, Moultrie, Peoria, Piatt, Pike, Sangamon, Schuyler, Scott, Shelby, Tazwell, Vermillion, Warren, and Woodford counties;

(2) any sites, buildings, and districts within the core area that are recommended for inclusion in the management plan; and

(3) each of the following sites:

(A) Lincoln Home National Historic Site.

(B) Lincoln Tomb State Historic Site.

(C) Lincoln's New Salem State Historic Site.

(D) Abraham Lincoln Presidential Library & Museum.

(E) Thomas and Sara Bush Lincoln Log Cabin and Living History Farm State Historic Site.

(F) Mt. Pulaski, Postville State Historic Sites and Metamora Courthouse.

(G) Lincoln-Herndon Law Offices State Historic Site.

(H) David Davis Mansion State Historic Site.

(I) Vandalia Statehouse State Historic Site.

(J) Lincoln Douglas Debate Museum.

(K) Macon County Log Court House.

(L) Richard J. Oglesby Mansion.

(M) Lincoln Trail Homestead State Memorial.

(N) Governor John Wood Mansion.

(O) Beardstown Courthouse.

(P) Old Main at Knox College.

(Q) Carl Sandburg Home State Historic Site.

(R) Bryant Cottage State Historic Site.

(S) Dr. William Fithian Home.

(T) Vermillion County Museum.

(c) MAP.—A map of the Heritage Area shall be—

(1) included in the management plan; and

(2) on file in the appropriate offices of the National Park Service.

SEC. 5. DESIGNATION OF COALITION AS MANAGEMENT ENTITY.

(a) MANAGEMENT ENTITY.—The Coalition shall be the management entity for the Heritage Area.

(b) AUTHORITIES OF MANAGEMENT ENTITY.—The management entity may, for purposes of preparing and implementing the management plan, use Federal funds made available under this Act—

(1) to prepare reports, studies, interpretive exhibits and programs, historic preservation projects, and other activities recommended in the management plan for the Heritage Area;

(2) to pay for operational expenses of the management entity incurred during the first 10 fiscal years beginning after the date of enactment of this Act;

(3) to make grants or loans to the State, units of local government, nonprofit organizations, and other persons;

(4) to enter into cooperative agreements with the State, units of local government, nonprofit organizations, and other organizations;

(5) to hire and compensate staff;

(6) to obtain funds from any source under any program or law requiring the recipient of funds to make a contribution in order to receive the funds; and

(7) to contract for goods and services.

(c) DUTIES OF MANAGEMENT ENTITY.—For any fiscal year for which Federal funds are received under this Act, the management entity shall—

(1) submit to the Secretary a report that describes—

(A) the accomplishments of the management entity;

(B) the expenses and income of the management entity; and

(C) the entities to which the management entity made any grants;

(2) make available for audit by Congress, the Secretary, and appropriate units of local government, all records relating to the expenditure of the Federal funds and any matching funds; and

(3) require, with respect to all agreements authorizing the expenditure of Federal funds by any entity, that the receiving entity make available for audit all records relating to the expenditure of the Federal funds.

(d) PROHIBITION ON ACQUISITION OF REAL PROPERTY.—

(1) IN GENERAL.—The management entity shall not use Federal funds received under this Act to acquire real property or any interest in real property.

(2) OTHER SOURCES.—Nothing in this Act precludes the management entity from using Federal funds from other sources for authorized purposes, including the acquisition of real property or any interest in real property.

SEC. 6. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 years after the date on which funds are first made available to carry out this Act, the management entity shall prepare and submit for review to the Secretary a management plan for the Heritage Area.

(b) REQUIREMENTS FOR PREPARATION AND IMPLEMENTATION.—The management entity shall—

(1) collaborate with and consider the interests of diverse units of local government, businesses, tourism officials, private property owners, and nonprofit groups within the Heritage Area in preparing and implementing the management plan;

(2) ensure regular public involvement regarding the implementation of the management plan for the Heritage Area; and

(3) submit the proposed management plan to participating units of local governments within the Heritage Area for review.

(c) CONTENTS.—The management plan for the Heritage Area shall—

(1) present a comprehensive program for the conservation, interpretation, funding, management, and development of the Heritage Area (including the natural, historic, and cultural resources and the recreational and educational opportunities of the Heritage Area) in a manner consistent with—

(A) existing Federal, State, and local land use laws; and

(B) the compatible economic viability of the Heritage Area;

(2) involve residents, public agencies, and private organizations in the Heritage Area;

(3) specify and coordinate, as of the date of the management plan, existing and potential sources of technical and financial assistance under this Act and other Federal laws for the protection, management, and development of the Heritage Area; and

(4) include—

(A) actions to be undertaken by units of local government and private organizations to protect, conserve, and interpret the resources of the Heritage Area;

(B) an inventory of resources in the Heritage Area that includes a list of property in the Heritage Area that—

(i) is related to the themes of the Heritage Area; and

(ii) merits preservation, restoration, management, development, or maintenance because of the natural, historic, cultural, or recreational significance of the property;

(C) a recommendation of policies for resource management that consider the application of appropriate land and water management techniques, including policies for the development of intergovernmental cooperative agreements, private sector agreements, or any combination of agreements, to protect the natural, historic, cultural, and recreational resources of the Heritage Area in a manner that is consistent with the support of appropriate and compatible economic viability;

(D) a program for implementation of the management plan by the management entity, in cooperation with partners of the management entity and units of local government;

(E) evidence that relevant State, county, and local plans applicable to the Heritage Area have been taken into consideration;

(F) an analysis of means by which Federal, State, and local programs may best be coordinated to promote the purposes of this Act; and

(G) a business plan for the Heritage Area that—

(i) describes in detail—

(I) the role, operation, financing, and functions of the management entity; and

(II) each activity included in the recommendations in the management plan; and

(ii) provides, to the satisfaction of the Secretary, adequate assurances that the management entity is likely to have the financial resources necessary to implement the management plan, including the resources necessary to meet matching requirement for grants awarded under this Act.

(d) CONSIDERATION OF INTERESTS OF LOCAL GROUPS.—In preparing and implementing the management plan, the management entity shall consider the interests of diverse units of local government, businesses, private property owners, and nonprofit groups in the Heritage Area.

(e) PUBLIC MEETINGS.—

(1) IN GENERAL.—The management entity shall conduct public meetings at least quarterly regarding the development and implementation of the management plan.

(2) PUBLIC NOTICE.—The management entity shall—

(A) place a notice of each public meeting in a newspaper of general circulation in the Heritage Area; and

(B) make the minutes of each public meeting available to the public.

(f) DISQUALIFICATION FROM FUNDING.—If a proposed management plan is not submitted to the Secretary by the date that is 3 years after the date on which funds are first made available to carry out this Act, the management entity may not receive additional funding under this Act until the date on which the Secretary receives the proposed management plan.

(g) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 90 days after the date on which the management entity submits the management plan to the

Secretary, the Secretary, in consultation with the Governor of the State or a designee of the Governor, shall approve or disapprove the proposed management plan.

(2) DISAPPROVAL AND REVISIONS.—

(A) IN GENERAL.—If the Secretary disapproves a proposed management plan, the Secretary shall—

(i) advise the management entity, in writing, of the reasons for the disapproval; and

(ii) make recommendations for revision of the proposed management plan.

(B) APPROVAL OR DISAPPROVAL.—The Secretary shall approve or disapprove a revised management plan not later than 90 days after the date on which the revised management plan is submitted.

(3) APPROVAL OF AMENDMENTS.—

(A) IN GENERAL.—The Secretary shall review and approve or disapprove substantial amendments to the management plan.

(B) FUNDING.—Funds appropriated under this Act may not be expended to implement any changes made by an amendment to the management plan until the Secretary approves the amendment.

(h) PRIORITIES.—The management entity shall give priority to the implementation of actions, goals, and strategies set forth in the management plan, including assisting units of local government and other persons in—

(1) carrying out programs that recognize and protect important resource values in the Heritage Area;

(2) encouraging economic viability in the Heritage Area in accordance with the goals of the management plan;

(3) establishing and maintaining interpretive exhibits in the Heritage Area;

(4) developing heritage-based recreational and educational opportunities for residents and visitors in the Heritage Area;

(5) increasing public awareness of and appreciation for the natural, historic, and cultural resources of the Heritage Area;

(6) restoring historic buildings that are—

(A) located in the Heritage Area; and

(B) related to the themes of the Heritage Area; and

(7) installing throughout the Heritage Area clear, consistent, and appropriate signs to identify public access points and sites of interest.

SEC. 7. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER FEDERAL AGENCIES.

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—On request of the management entity, the Secretary may provide technical and financial assistance for the development and implementation of the management plan.

(2) PRIORITY FOR ASSISTANCE.—In providing assistance under paragraph (1), the Secretary shall give priority to actions that assist in—

(A) conserving the significant natural, historic, and cultural resources of the Heritage Area; and

(B) providing educational, interpretive, and recreational opportunities consistent with the purposes of the Heritage Area.

(3) SPENDING FOR NON-FEDERAL PROPERTY.—The management entity may expend Federal funds made available under this Act on non-Federal property that is—

(A) identified in the management plan; or

(B) listed, or eligible for listing, on the National Register of Historic Places.

(4) OTHER ASSISTANCE.—The Secretary may enter into cooperative agreements with public and private organizations to carry out this subsection.

(b) OTHER FEDERAL AGENCIES.—Any Federal entity conducting or supporting an activity that directly affects the Heritage Area shall—

(1) consider the potential effects of the activity on—

(A) the purposes of the Heritage Area; and

(B) the management plan;

(2) consult with the management entity with respect to the activity; and

(3) to the maximum extent practicable, conduct or support the activity to avoid adverse effects on the Heritage Area.

(c) OTHER ASSISTANCE NOT AFFECTED.—Nothing in this Act affects the authority of any Federal official to provide technical or financial assistance under any other law.

(d) NOTIFICATION OF OTHER FEDERAL ACTIVITIES.—The head of each Federal agency shall provide to the Secretary and the management entity for the Heritage Area, to the extent practicable, advance notice of all activities that may have an impact on the Heritage Area.

SEC. 8. PRIVATE PROPERTY PROTECTION.

(a) IN GENERAL.—Nothing in this Act—

(1) requires any private property owner to allow public access (including access by the Federal Government, State government, or units of local government) to the private property; or

(2) modifies any provision of Federal, State, or local law with respect to public access to, or use of, private property.

(b) LIABILITY.—Designation of the Heritage Area shall not be considered to create any liability, or have any effect on any liability under any other law, of any private property owner with respect to any persons injured on the private property.

(c) RECOGNITION OF AUTHORITY TO CONTROL LAND USE.—Nothing in this Act modifies any authority of the Federal Government, State government, or units of local governments to regulate land use.

(d) PARTICIPATION OF PRIVATE PROPERTY OWNERS IN HERITAGE AREA.—Nothing in this Act requires the owner of any private property located within the boundaries of the Heritage Area to participate in, or be associated with, the Heritage Area.

(e) LAND USE REGULATION.—

(1) IN GENERAL.—The management entity shall provide assistance and encouragement to State and local governments, private organizations, and persons to protect and promote the resources and values of the Heritage Area.

(2) EFFECT.—Nothing in this Act grants any power of zoning or land use to the management entity.

(f) PRIVATE PROPERTY.—

(1) IN GENERAL.—The management entity shall be an advocate for land management practices that are consistent with the purposes of the Heritage Area.

(2) EFFECT.—Nothing in this Act—

(A) abridges the rights of any person with respect to private property;

(B) affects the authority of the State or unit of local government relating to private property; or

(C) imposes any additional burden on any property owner.

SEC. 9. EFFECT.

(a) RULES, REGULATIONS, STANDARDS, AND PERMIT PROCESSES.—Nothing in this Act imposes any environmental, occupational, safety, or other rule, regulation, standard, or permit process in the Heritage Area that is different from the rule, regulation, standard, or process that would be applicable if the Heritage Area had not been established.

(b) WATER AND WATER RIGHTS.—Nothing in this Act authorizes or implies the reservation or appropriation of water or water rights.

(c) NO DIMINISHMENT OF STATE AUTHORITY.—Nothing in this Act diminishes the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the Heritage Area.

(d) EXISTING NATIONAL HERITAGE AREAS.—Nothing in this Act affects any national heritage area designated before the date of enactment of this Act.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $10,000,000, of which not more than $1,000,000 may be authorized to be appropriated for any fiscal year.

(b) COST-SHARING REQUIREMENT.—The Federal share of the total cost of any activity carried out using funds made available under this Act shall be not more than 50 percent.

SEC. 11. TERMINATION OF AUTHORITY.

The authority of the Secretary to provide assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

By Mr. DURBIN (for himself and Mr. OBAMA):

S. 956. A bill to establish the Land Between the Rivers National Heritage Area in the State of Illinois, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 956

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 ''Land Between the Rivers Southern Illinois National Heritage Area Act of 2007''.

SEC. 2. FINDINGS.

Congress finds that—

(1) southern Illinois has a cohesive, distinctive, and important landscape that distinguishes the area as worthy of designation as a National Heritage Area;

(2) the historic features of southern Illinois reflect a period during which the area was the strategic convergence point during the westward expansion of the United States;

(3) the geographic centrality of southern Illinois ensured that the area played a pivotal military, social, and political role during the Civil War, which resulted in the area being known as the ''Confluence of Freedom'';

(4) southern Illinois is at the junction of the ending glaciers and 6 ecological divisions;

(5) after the expeditions of Lewis and Clark, the land between the rivers became known as ''Egypt'' because of the rivers in, and the beauty and agricultural abundance of, the area;

(6) Native Americans described the area in southern Illinois between the Mississippi and Ohio Rivers as the ''Land Between the Rivers'';

(7) a feasibility study led by the Office of Economic and Regional Development at Southern Illinois University Carbondale that was revised in April 2006 documents a sufficient assemblage of nationally distinctive historic resources to demonstrate the feasibility of, and the need for, establishing the Land Between the Rivers National Heritage Area; and

(8) stakeholders participating in the feasibility study process for the Heritage Area have developed a proposed management entity and financial plan to preserve the natural, cultural, historic, and scenic features of the area while furthering recreational and educational opportunities in the area.

SEC. 3. DEFINITIONS.

In this Act:

(1) HERITAGE AREA.—The term ''Heritage Area'' means the Land Between the Rivers National Heritage Area established by section 4(a).

(2) MANAGEMENT ENTITY.—The term ''management entity'' means the management entity for the Heritage Area designated by section 4(c).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) STATE.—The term ''State'' means the State of Illinois.

SEC. 4. LAND BETWEEN THE RIVERS NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is established in the State the Land Between the Rivers National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall include—

(1) Kincaid Mound, Fort de Chartres, Kaskaskia, Fort Massac, Wilkinsonville Contonment, the Lewis and Clark Sculpture, Flat Boat, Cave-in-Rock, the Shawneetown Bank Building, the Iron Furnace, the Crenshaw ''Slave House,'' Roots House, the site of the Lincoln-Douglas debate, certain sites associated with John A. Logan, the Fort Defiance Planning Map, Mound City National Cemetary, and Riverlore Mansion; and

(2) any other sites in Randolph, Perry, Jefferson, Franklin, Hamilton, White, Jackson, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Alexander, Pulaski, and Massac Counties in the State that the Secretary, in consultation with the management entity, determines to be appropriate for inclusion in the Heritage Area.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Southern Illinois University Carbondale.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 114—RECOGNIZING THE CONTRIBUTIONS OF AGRICULTURAL PRODUCERS IN PENNSYLVANIA AND THROUGHOUT THE NATION ON THE OCCASION OF NATIONAL AGRICULTURE DAY

Mr. CASEY (for himself and Mr. SPECTER) submitted the following resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. RES. 114

Whereas National Agriculture Day is an annual celebration during which government agencies, community members, and agricultural groups work with agricultural producers to honor the importance of the agriculture industry;

Whereas agriculture is a pillar of the economy of the Commonwealth of Pennsylvania and many other States across the country;

Whereas agriculture is the number one industry in Pennsylvania and has contributed more than $45,000,000,000 to the economy of the Commonwealth;

Whereas agricultural producers in Pennsylvania export a considerable amount of food and agricultural and forest products, earning more than $1,500,000,000 annually in profits;

Whereas dairy cattle from Pennsylvania are used as breeding stock in a number of countries around the world;

Whereas Pennsylvania is the home of over 58,000 farms, covering more than 7,700,000 acres of land;

Whereas Pennsylvania is a leading producer of mushrooms, eggs, pumpkins, apples, grapes, freestone peaches, ice cream, milk cows, chickens, and other agricultural products and livestock;

Whereas each agricultural producer in the United States feeds more than 144 people and Pennsylvania's agricultural producers are responsible for feeding more than 8,000,000 mouths worldwide;

Whereas agricultural producers in Pennsylvania and throughout the Nation provide the people of the United States with food, clothes, and many other staples; and

Whereas the contribution of agricultural producers in Pennsylvania and throughout the United States should be honored with highest praise and respect: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes—

(A) that agriculture is the number one industry in Pennsylvania;

(B) the outstanding contribution of Pennsylvania's agricultural producers to the economy of the Commonwealth and the Nation; and

(C) that agriculture in Pennsylvania is diverse and provides important nutrition to the people of the United States; and

(2) pays tribute to agriculture and agricultural producers in Pennsylvania and throughout the United States on the occasion of National Agriculture Day.

SENATE RESOLUTION 115—URGING THE GOVERNMENT OF CANADA TO END THE COMMERCIAL SEAL HUNT

Mr. LEVIN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 115

Whereas on November 15, 2006, the Government of Canada opened a commercial hunt for seals in the waters off the east coast of Canada;

Whereas an international outcry regarding the plight of the seals hunted in Canada resulted in the 1983 ban by the European Union of whitecoat and blueback seal skins and the subsequent collapse of the commercial seal hunt in Canada;

Whereas the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) bars the import into the United States of any seal products;

Whereas in February 2003, the Ministry of Fisheries and Oceans in Canada authorized the highest quota for harp seals in Canadian history, allowing nearly 1,000,000 seals to be killed over a 3-year period;

Whereas more than 1,000,000 seals have been killed over the past 3 years;

Whereas harp seal pups can be legally hunted in Canada as soon as they have begun to molt their white coats at approximately 12 days of age;

Whereas 95 percent of the seals killed over the past 5 years were pups between just 12 days and 12 weeks of age, many of which had not yet eaten their first solid meal or taken their first swim;

Whereas a report by an independent team of veterinarians invited to observe the hunt by the International Fund for Animal Welfare concluded that the seal hunt failed to comply with basic animal welfare regulations in Canada and that governmental regulations regarding humane killing were not being respected or enforced;

Whereas the veterinary report concluded that as many as 42 percent of the seals studied were likely skinned while alive and conscious;

Whereas the commercial slaughter of seals in the Northwest Atlantic is inherently cruel, whether the killing is conducted by clubbing or by shooting;

Whereas many seals are shot in the course of the hunt, but escape beneath the ice where they die slowly and are never recovered, and these seals are not counted in official kill statistics, making the actual kill level far higher than the level that is reported;

Whereas the commercial hunt for harp and hooded seals is a commercial slaughter carried out almost entirely by non-Native people from the East Coast of Canada for seal fur, oil, and penises (used as aphrodisiacs in some Asian markets);

Whereas the fishing and sealing industries in Canada continue to justify the expanded seal hunt on the grounds that the seals in the Northwest Atlantic are preventing the recovery of cod stocks, despite the lack of any credible scientific evidence to support this claim;

Whereas 2 Canadian government marine scientists reported in 1994 that the true cause of cod depletion in the North Atlantic was over-fishing, and the consensus among the international scientific community is that seals are not responsible for the collapse of cod stocks;

Whereas harp and hooded seals are a vital part of the complex ecosystem of the Northwest Atlantic, and because the seals consume predators of commercial cod stocks, removing the seals might actually inhibit recovery of cod stocks;

Whereas certain ministries of the Government of Canada have stated clearly that there is no evidence that killing seals will help groundfish stocks to recover; and

Whereas the persistence of this cruel and needless commercial hunt is inconsistent with the well-earned international reputation of Canada: Now, therefore, be it

Resolved, That the Senate urges the Government of Canada to end the commercial hunt on seals that opened in the waters off the east coast of Canada on November 15, 2006.

Mr. LEVIN. Mr. President, Canada's commercial seal hunt is the largest slaughter of marine mammals in the world. According to the Humane Society of the United States (HSUS), over one million seals have been killed for their fur in the past three years. In 2006 alone, more than 350,000 seals were slaughtered, most of them between 12 days and 12 weeks old.

Canada officially opened another seal hunt on November 15, 2006, paving the way for hundreds of thousands of baby seals to be killed for their fur during the spring of 2007. Today, I am joined by Senator COLLINS and Senator BIDEN in submitting a resolution that urges the Government of Canada to end this senseless and inhumane slaughter.

A study by an independent team of veterinarians in 2001, found that the seal hunt failed to comply with basic animal welfare standards and that Canadian regulations with regard to humane killing were not being enforced. The study concluded that up to 42 percent of the seals studied were likely skinned while alive and conscious. The United States has long banned the import of seal products because of widespread outrage over the magnitude and cruelty of the hunt.

It makes little sense to continue this inhumane industry that employs only a few hundred people on a seasonal, part-time basis and only operates for a few weeks a year, in which the concentrated killings takes place. In Newfoundland, where over 90 percent of the

hunters live, the economic contribution of the seal hunt is marginal. In fact, exports of seal products from Newfoundland account for less than one-tenth of one percent of the Province's total exports.

Canada is fortunate to have vast and diverse wildlife populations, but these animals deserve protection, not senseless slaughter. Americans have a long history of defending marine mammals, best evidenced by the Marine Mammal Protection Act of 1972. Polls show that close to 80 percent of Americans and the vast majority of Europeans oppose Canada's seal hunt. In fact, close to 70 percent of Canadians surveyed oppose the hunt completely, with even higher numbers opposing specific aspects of the hunt, such as killing baby seals.

The U.S. Government has opposed this senseless slaughter, as noted in the attached, January 19, 2005, letter from the U.S. Department of State, in response to a letter Senator COLLINS and I wrote to President Bush, urging him to raise this issue during his November 30, 2004, visit with Canadian Prime Minister Paul Martin.

The clubbing of baby seals can not be defended or justified. Canada should end it, just as we ended the Alaska seal hunt more than 20 years ago.

I ask unanimous consent that the January 19, 2005, letter from the U.S. State Department be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, DC, January 19, 2005.

Hon. CARL LEVIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR LEVIN: This is in response to your letter to the President of November 24, 2004, regarding Canadian commercial seal hunting. The White House has requested that the Department of State respond. We regret the delay in responding. Unfortunately, this letter was not received in the Department of State until mid-December, well after the referenced meeting between President Bush and Prime Minister Paul Martin of Canada.

We are aware of Canada's seal hunting activities and of the opposition to it expressed by many Americans. Furthermore, we can assure you that the United States has a longstanding policy opposing the hunting of seals and other marine mammals absent sufficient safeguards and information to ensure that the hunting will not adversely impact the affected marine mammal population or the ecosystem of which it is a part. The United States policy is reflected in the Marine Mammal Protection Act of 1972 (MMPA) which generally prohibits, with narrow and specific exceptions, the taking of marine mammals in waters or lands subject to the jurisdiction of the United States and the importation of marine mammals and marine mammal products into the United States.

The United States has made known to the Government of Canada its objections and the objections of concerned American legislators and citizens to the Canadian commercial seal hunt on numerous occasions over recent years. The United States has also opposed Canada's efforts within the Arctic Council to promote trade in sealskins and other marine mammal products.

We hope this information is helpful to you. Please do not hesitate to contact us if we can be of assistance in this or any other matter.

Sincerely,

NANCY POWELL,
(For Paul V. Kelly, Asst. Secretary, Legislative Affairs).

SENATE RESOLUTION 116—DESIGNATING MAY 2007 AS ''NATIONAL AUTOIMMUNE DISEASES AWARENESS MONTH'' AND SUPPORTING EFFORTS TO INCREASE AWARENESS OF AUTOIMMUNE DISEASES AND INCREASE FUNDING FOR AUTOIMMUNE DISEASE RESEARCH

Mr. BIDEN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 116

Whereas autoimmune diseases are chronic, disabling diseases in which underlying defects in the immune system lead the body to attack its own organs and tissues;

Whereas autoimmune diseases can affect any part of the body, including the blood, blood vessels, muscles, nervous system, gastrointestinal tract, endocrine glands, and multiple-organ systems, and can be life-threatening;

Whereas researchers have identified over 80 different autoimmune diseases, and suspect at least 40 additional diseases of qualifying as autoimmune diseases;

Whereas researchers have identified a close genetic relationship and a common pathway of disease that exists among autoimmune diseases, explaining the clustering of autoimmune diseases in individuals and families;

Whereas the family of autoimmune diseases is under-recognized, and poses a major health care challenge to the United States;

Whereas the National Institutes of Health (NIH) estimates that autoimmune diseases afflict up to 23,500,000 people in the United States, 75 percent of the people affected are women, and the prevalence of autoimmune diseases is rising;

Whereas NIH estimates the annual direct health care costs associated with autoimmune diseases at more than $100,000,000,000 and there are over 250,000 new diagnoses each year;

Whereas autoimmune diseases are among the top 10 leading causes of death in female children and adult women;

Whereas autoimmune diseases most often affect children and young adults, leading to a lifetime of disability;

Whereas diagnostic tests for most autoimmune diseases are not standardized, making autoimmune diseases very difficult to diagnose;

Whereas, because autoimmune diseases are difficult to diagnose, treatment is often delayed, resulting in irreparable organ damage and unnecessary suffering;

Whereas the Institute of Medicine of the National Academies reported that the United States is behind other countries in research into immune system self-recognition, the cause of autoimmune diseases;

Whereas a study by the American Autoimmune Related Diseases Association revealed that it takes the average patient with an autoimmune disease more than 4 years, and costs more than $50,000, to get a correct diagnosis;

Whereas there is a significant need for more collaboration and cross-fertilization of basic autoimmune research;

Whereas there is a significant need for research focusing on the etiology of all autoimmune-related diseases, to increase understanding of the root causes of these diseases rather treating the symptoms after the disease has had its destructive effect;

Whereas the National Coalition of Autoimmune Patient Groups is a coalition of national organizations focused on autoimmune diseases working to consolidate the voices of patients with autoimmune diseases and to promote increased education, awareness, and research into all aspects of autoimmune diseases through a collaborative approach; and

Whereas designating May 2007 as ''National Autoimmune Diseases Awareness Month'' would help educate the public about autoimmune diseases and the need for research funding, accurate diagnosis, and effective treatments: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 2007 as ''National Autoimmune Diseases Awareness Month'';

(2) supports the efforts of health care providers and autoimmune patient advocacy and education organizations to increase awareness of the causes of, and treatments for, autoimmune diseases; and

(3) supports the goal of increasing Federal funding for aggressive research to learn the root causes of autoimmune diseases, as well as the best diagnostic methods and treatments for people with autoimmune diseases.

Mr. BIDEN. Mr. President, I am happy to join the esteemed Congressman from New York, Rep. STEVE ISRAEL, and submit a resolution today to declare May 2007 as ''National Autoimmune Diseases Awareness Month.''

The purpose of the resolution is to raise awareness of autoimmune diseases and the need for aggressive research to learn the root causes of autoimmune diseases, as well as the best diagnostic methods and treatments for people with autoimmune diseases.

Autoimmune diseases are chronic, disabling diseases in which underlying defects in the immune system lead the body to attack its own organs and tissues. Autoimmune diseases can affect any part of the body-blood, blood vessels, muscles, nervous system, gastrointestinal tract, endocrine glands, and multiple-organ systems—and can be life-threatening.

Researchers have identified over 80 different autoimmune diseases, including multiple sclerosis, juvenile diabetes, Crohn's disease, scleroderma, polymyositis, lupus, Sjögren's disease and Graves' disease, and suspect at least 40 additional diseases of having an autoimmune basis. The National Institutes of Health estimates that autoimmune diseases afflict more than 23 million people in the United States. Seventy five percent of the people affected with autoimmune diseases are women, and the prevalence of autoimmune diseases is rising. However, the family of autoimmune diseases is under-recognized, and this poses a major health care challenge to the United States.

Diagnostic tests for autoimmune diseases are not standardized, which makes autoimmune diseases very difficult to diagnose. Because autoimmune diseases are difficult to diagnose, treatment is often delayed, resulting in irreparable organ damage and unnecessary suffering.

There is a significant need for more collaboration and cross-fertilization of

basic autoimmune research, with a particular focus on the etiology of all autoimmune-related diseases in order to increase understanding of the root causes of these diseases rather than treating the symptoms after the disease has had its destructive effect.

As such, I am submitting this resolution to designate May 2007 as ''National Autoimmune Disease Awareness Month'' to help educate the public about autoimmune diseases and the need for research funding, accurate diagnosis, and effective treatments.

SENATE CONCURRENT RESOLUTION 22—EXPRESSING THE SENSE OF THE CONGRESS THAT THE CITIZENS' STAMP ADVISORY COMMITTEE SHOULD RECOMMEND TO THE POSTMASTER GENERAL THAT A COMMEMORATIVE POSTAGE STAMP BE ISSUED TO PROMOTE PUBLIC AWARENESS OF DOWN SYNDROME

Mr. DURBIN (for himself and Mr. COCHRAN) submitted the following concurrent resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. CON. RES. 22

Whereas Down syndrome affects people of all races and economic levels;

Whereas Down syndrome is the most frequently occurring chromosomal abnormality;

Whereas 1 in every 800 to 1,000 children is born with Down syndrome;

Whereas more than 350,000 people in the United States have Down syndrome;

Whereas 5,000 children with Down syndrome are born each year;

Whereas as the mortality rate associated with Down syndrome in the United States decreases, the prevalence of individuals with Down syndrome in the United States will increase;

Whereas some experts project that the number of people with Down syndrome will double by 2013;

Whereas individuals with Down syndrome are becoming increasingly integrated into society and community organizations, such as schools, health care systems, work forces, and social and recreational activities;

Whereas more and more people in the United States interact with individuals with Down syndrome, increasing the need for widespread public acceptance and education; and

Whereas a greater understanding of Down syndrome and advancements in treatment of Down syndrome-related health problems have allowed people with Down syndrome to enjoy fuller and more active lives: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) the United States Postal Service should issue a commemorative postage stamp to promote public awareness of Down syndrome; and

(2) the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued.

Mr. DURBIN. Mr. President, I rise today to submit legislation expressing support for the creation of a commemorative stamp to promote public awareness of Down syndrome. I start by saluting those who are celebrating World Down Syndrome Day, and by thanking Senator COCHRAN for his support, as well as the National Down Syndrome Society, the Arc of the United States, the National Association for Down Syndrome, and the Central Illinois Down Syndrome Organization.

Awareness begins with facts. According to the National Association for Down Syndrome, Down syndrome is a genetic condition that causes delays in physical and intellectual development. Individuals with Down syndrome have 47 chromosomes instead of the usual 46. It is the most frequently occurring chromosomal disorder. Down syndrome is not related to race, nationality, religion, or economic status. It is a condition that impacts our entire society.

Children with Down syndrome are prone to health complications such as congenital heart defects, infection, respiratory, vision and hearing problems, and other medical conditions. Yet, they have their own gifts, and can often lead independent lives. While children with Down syndrome may face relatively greater challenges in areas such as memory, they often have particular strengths in areas such as social knowledge.

A testament to the fighting spirit and abilities of individuals living with Down syndrome resides near me in Springfield, IL. Diana Braun is an amazing woman. She survived an abusive family, scattered siblings, and institutional living to emerge as an Illinois leader and advocate for people with intellectual disabilities. She is president of People First and a member of the Illinois Council on Developmental Disabilities. She currently serves on the board of the Illinois Arc and works as a personal assistant to her friend and fellow activist, Kathy Conour. Together, they travel to Washington almost yearly to meet with their elected officials. She is a remarkable human being by any standard, and we in Illinois are proud that she has chosen to lead and advocate in our State. She and those for whom she advocates deserve our support.

The United States Postal Service has done a remarkable job of raising awareness, and in some cases money, for many worthy causes. This cause could not be more worthy, or in greater need of attention. There are more than 350,000 people living with Down syndrome in the United States. One in every 733 babies is born with Down syndrome. These births impact millions more—parents, siblings, friends, educators, and employers.

A commemorative stamp is the least that we as a body can do to spread awareness and provide support for this universal issue. Many Down syndrome support groups make a point of noting that people with Down syndrome are more like other people than they are different. They are different in that they are gifted with that rare strength that comes from adversity, and the compassion that comes from understanding the fight. I salute these individuals, their families, and everyone who supports them. I hope that the Citizens' Stamp Advisory Commission will do the same.

AMENDMENTS SUBMITTED AND PROPOSED

SA 481. Mr. SUNUNU submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table.

SA 482. Mr. DODD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 483. Mr. BUNNING (for himself and Mr. ENZI) proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

SA 484. Mr. THUNE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 485. Mr. BUNNING submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 486. Mr. BINGAMAN (for himself, Mr. ALEXANDER, Mr. LIEBERMAN, Mr. DOMENICI, Mr. ENSIGN, Mr. REID, Mr. KENNEDY, and Mr. SMITH) proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

SA 487. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 488. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 489. Mr. DEMINT proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

SA 490. Mr. REID (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the concurrent resolution S . Con. Res. 21, supra; which was ordered to lie on the table.

SA 491. Mr. ALLARD proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

SA 492. Mr. BAUCUS (for himself, Ms. LANDRIEU, Mr. PRYOR, Mr. BAYH, Mr. NELSON, of Florida, and Mr. SALAZAR) proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

SA 493. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 494. Mr. GRASSLEY (for himself, Mr. BAUCUS, and Mr. SMITH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 495. Ms. SNOWE (for herself, Mrs. LINCOLN, and Mr. COLEMAN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 496. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 497. Mr. ENZI (for himself, Mr. CHAMBLISS, Mr. DEMINT, Mr. CORNYN, and Mr. THOMAS) submitted an amendment intended to be proposed by him to the concurrent resolution S . Con. Res. 21, supra; which was ordered to lie on the table.

SA 498. Mr. THOMAS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 499. Mr. BURR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 500. Mr. BUNNING (for himself, Mr. MCCONNELL, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 501. Mr. KERRY (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 502. Mr. GRASSLEY proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

SA 503. Mr. ALEXANDER (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 504. Mr. BAUCUS (for himself, Mr. ROCKEFELLER, Mr. KENNEDY, and Mr. CASEY) proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

SA 505. Mr. SPECTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 506. Mr. SPECTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 507. Mr. KYL (for himself and Mr. GRAHAM) proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

SA 508. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 509. Mr. SMITH (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 510. Mr. SMITH (for himself and Ms. SNOWE) submitted an amendment intended to be proposed by him to the concurrent resolution S . Con. Res. 21, supra; which was ordered to lie on the table.

SA 511. Mr. CORNYN (for himself, Mr. DEMINT, Mr. MARTINEZ, and Mr. COBURN) proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

SA 512. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 513. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 514. Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 515. Mr. THOMAS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 516. Mr. DODD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 517. Mrs. HUTCHISON (for herself, Mr. CORNYN, Ms. CANTWELL, Mr. ENZI, and Ms. MURKOWSKI) proposed an amendment to the concurrent resolution S. Con. Res. 21, supra.

SA 518. Mr. SMITH (for himself, Mr. DODD, Mr. LUGAR, Mr. BROWNBACK, Mr. SUNUNU, and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 519. Mr. LIEBERMAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 520. Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 521. Mr. ALLARD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 522. Mr. COLEMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 523. Mr. COLEMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

SA 524. Mr. OBAMA submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 481. Mr. SUNUNU submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 3, line 14, decrease the amount by $32,300,000,000.

On page 3, line 15, decrease the amount by $45,900,000,000.

On page 3, line 23, decrease the amount by $32,300,000,000.

On page 4, line 1, decrease the amount by $45,900,000,000.

On page 4, line 9, increase the amount by $759,000,000.

On page 4, line 10, increase the amount by $2,632,000,000.

On page 4, line 18, increase the amount by $759,000,000.

On page 4, line 19, increase the amount by $2,632,000,000.

On page 5, line 2, increase the amount by $33,059,000,000.

On page 5, line 3, increase the amount by $48,532,000,000.

On page 5, line 10, increase the amount by $33,059,000,000.

On page 5, line 11, increase the amount by $81,591,000,000.

On page 5, line 18, increase the amount by $33,059,000,000.

On page 5, line 19, increase the amount by $81,591,000,000.

On page 25, line 24, increase the amount by $759,000,000.

On page 25, line 25, increase the amount by $759,000,000.

On page 26, line 3, increase the amount by $2,632,000,000.

On page 26, line 4, increase the amount by $2,632,000,000.

SA 482. Mr. DODD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR NATIONAL GUARD FORCE READINESS.

(a) FINDINGS.—Congress makes the following findings:

(1) In his testimony before the Commission on the National Guard and Reserves, the Chief of the National Guard Bureau, Lieutenant General Blum, warned about equipment shortfalls for the Army National Guard and Air National Guard stating that ''88 percent of the forces that are back here in the United States are very poorly equipped today in the Army National Guard. And in the Air National Guard for the last three decades, they have never had a unit below C2 in equipment readiness''.

(2) In the March 1, 2007, report of the Commission on the National Guard and Reserves, the Commission observes that—

(A) while the operational tempo of the reserve components of the Armed Forces has increased substantially, resourcing has not kept pace;

(B) the lack of sufficient and ready equipment is a problem common to both the active and reserve components of the Armed Forces;

(C) the equipment readiness of the Army National Guard is unacceptable and has reduced the capability of the United States to respond to current and additional major contingencies, whether foreign and domestic; and

(D) while the budget of the President for fiscal year 2008 includes large increases in funds for equipment for the National Guard, historical practice in the Department of Defense indicates that Army plans for projected funding increases for equipment for the Army National Guard are not reliably carried through.

(3) According to the Commission on the National Guard and Reserves, procurement for the Army National Guard during the period from 1999 through 2005 has been reduced significantly from amounts proposed for such procurement before that period. The budget for fiscal year 2001 indicated that the Army planned to expend $1,346,000,000 in fiscal year 2004 for procurement for the Army National Guard, but the budget for fiscal year 2006 revealed that the Army expended only $578,400,000 for procurement for the Army National Guard in fiscal year 2004. Similarly, the budget for fiscal year 2001 indicated that the Army planned to expend $1,625,000,000 in fiscal year 2005 for procurement for the Army National Guard, but the budget for fiscal year 2006 revealed that the Army planned to expend only $660,900,000 for procurement for the Army National Guard in fiscal year 2005.

(4) According to the Commission on the National Guard and Reserves, the difference between the amounts proposed for procurement for the Army National Guard for fiscal years 2003 through 2005 and the amounts actually expended for such procurement in such fiscal years was atypical and extreme.

(5) According to a January 2007 report of the Government Accountability Office, inventories of equipment for the National Guard in the United States have decreased because of overseas operations, particularly inventories of the Army National Guard. The Comptroller General found that State officials expressed concerns about having enough equipment to respond to large scale natural or man made disasters such as Hurricane Katrina.

(6) The Comptroller General found that before current overseas operations began, the majority of the combat forces of the Army

National Guard were supplied with approximately 65 to 79 percent of their required equipment. As of November 2006, nondeployed Army National Guard forces nationwide still had approximately 64 percent of the total amount of authorized dual-use equipment, including authorized substitute items, based on their warfighting missions even as overseas and domestic missions have expanded.

(b) RESERVE FUND.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides for National Guard Force Readiness, by the amounts provided by that legislation for that purpose, but not to exceed $8,760,000,000 in new budget authority for fiscal year 2008 and the outlays flowing from that budget authority and $7,235,000,000 in new budget authority for each of the fiscal years 2009 through 2012 and the outlays flowing from that budget authority, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2008 through 2012.

SA 483. Mr. BUNNING (for himself and Mr. ENZI) proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

At the end of title II, add the following:

SEC. ____. CIRCUIT BREAKER TO PROTECT SOCIAL SECURITY.

(a) CIRCUIT BREAKER.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit (excluding Social Security) for the budget year or any subsequent fiscal year covered by those projections, then the concurrent resolution on the budget for the budget year shall reduce on-budget deficits relative to the projections of Congressional Budget Office and put the budget on a path to achieve on-budget balance within 5 years, and shall include such provisions as are necessary to protect Social Security and facilitate deficit reduction, except it shall not contain any reduction in Social Security benefits.

(b) POINT OF ORDER.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit for the budget year or any subsequent fiscal year covered by those projections, it shall not be in order in the Senate to consider a concurrent resolution on the budget for the budget year or any conference report thereon that fails to reduce on-budget deficits relative to the projections of Congressional Budget Office and put the budget on a path to achieve on-budget balance within 5 years.

(c) AMENDMENTS TO BUDGET RESOLUTION.—If in any year the Congressional Budget Office, in its report pursuant to section 202(e)(1) of the Congressional Budget Act of 1974 projects an on-budget deficit for the budget year or any subsequent fiscal year covered by those projections, it shall not be in order in the Senate to consider an amendment to a concurrent resolution on the budget that would increase on-budget deficits relative to the concurrent resolution on the budget in any fiscal year covered by that concurrent resolution on the budget or cause the budget to fail to achieve on-budget balance within 5 years.

(d) SUSPENSION OF REQUIREMENT DURING WAR OR LOW ECONOMIC GROWTH.—

(1) LOW GROWTH.—If the most recent of the Department of Commerce's advance, preliminary, or final reports of actual real economic growth indicate that the rate of real economic growth (as measured by real GDP) for each of the most recently reported quarter and the immediately preceding quarter is less than 1 percent, this section is suspended.

(2) WAR.—If a declaration of war is in effect, this section is suspended.

(e) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—Subsections (b) and (c) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(f) BUDGET YEAR.—In this section, the term ''budget year'' shall have the same meaning as in section 250(c)(12) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SA 484. Mr. THUNE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the talbe; as follows:

On page 23, line 12, increase the amount by $99,000,000.

On page 23, line 13, increase the amount by $99,000,000.

On page 26, line 12, decrease the amount by $99,000,000.

On page 26, line 13, decrease the amount by $99,000,000.

SA 485. Mr. BUNNING submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 3, line 10, decrease the amount by $0.

On page 3, line 11, decrease the amount by $5,600,000,000.

On page 3, line 12, decrease the amount by $14,300,000,000.

On page 3, line 13, decrease the amount by $15,600,000,000.

On page 3, line 14, decrease the amount by $17,500,000,000.

On page 3, line 15, decrease the amount by $19,800,000,000.

On page 3, line 19, decrease the amount by $0.

On page 3, line 20, decrease the amount by $5,600,000,000.

On page 3, line 21, decrease the amount by $14,300,000,000.

On page 3, line 22, decrease the amount by $15,600,000,000.

On page 3, line 23, decrease the amount by $17,500,000,000.

On page 4, line 1, decrease the amount by $19,800,000,000.

On page 4, line 5, decrease the amount by $0.

On page 4, line 6, decrease the amount by $5,600,000,000.

On page 4, line 7, decrease the amount by $14,300,000,000.

On page 4, line 8, decrease the amount by $15,600,000,000.

On page 4, line 9, decrease the amount by $17,500,000,000.

On page 4, line 10, decrease the amount by $19,800,000,000.

On page 4, line 14, decrease the amount by $0.

On page 4, line 15, decrease the amount by $5,600,000,000.

On page 4, line 16, decrease the amount by $14,300,000,000.

On page 4, line 17, decrease the amount by $15,600,000,000.

On page 4, line 18, decrease the amount by $17,500,000,000.

On page 4, line 19, decrease the amount by $19,800,000,000.

On page 26, line 8, decrease the amount by $0.

On page 26, line 9, decrease the amount by $0.

On page 26, line 12, decrease the amount by $5,600,000,000.

On page 26, line 13, decrease the amount by $5,600,000,000.

On page 26, line 16, decrease the amount by $14,300,000,000.

On page 26, line 17, decrease the amount by $14,300,000,000.

On page 26, line 20, decrease the amount by $15,600,000,000.

On page 26, line 21, decrease the amount by $15,600,000,000.

On page 26, line 24, decrease the amount by $17,500,000,000.

On page 26, line 25, decrease the amount by $17,500,000,000.

On page 27, line 3, decrease the amount by $19,800,000,000.

On page 27, line 4, decrease the amount by $19,800,000,000.

SA 486. Mr. BINGAMAN (for himself, Mr. ALEXANDER, Mr. LIEBERMAN, Mr. DOMENICI, Mr. ENSIGN, Mr. REID, Mr. KENNEDY, and Mr. SMITH) proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

On page 10, line 9, increase the amount by $1,008,000,000.

On page 10, line 10, increase the amount by $428,000,000.

On page 10, line 14, increase the amount by $345,000,000.

On page 10, line 18, increase the amount by $179,000,000.

On page 10, line 22, increase the amount by $35,000,000.

On page 11, line 1, increase the amount by $18,000,000.

On page 14, line 9, increase the amount by $11,000,000.

On page 14, line 10, increase the amount by $9,000,000.

On page 14, line 14, increase the amount by $3,000,000.

On page 26, line 12, decrease the amount by $1,019,000,000.

On page 26, line 13, decrease the amount by $437,000,000.

On page 26, line 17, decrease the amount by $348,000,000.

On page 26, line 21, decrease the amount by $179,000,000.

On page 26, line 25, decrease the amount by $35,000,000.

On page 27, line 4, decrease the amount by $18,000,000.

SA 487. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 50, line 3, insert after ''disabled military personnel'' the following: ''or veterans (including the elimination of the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation)''.

SA 488. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF SENATE ON REDEPLOYMENT OF UNITED STATES MILITARY FORCES FROM IRAQ.

(a) FINDINGS.—The Senate makes the following findings:

(1) The bipartisan Iraq Study Group recommended that all United States combat brigades not necessary for force protection could be out of Iraq by the first quarter of 2008 and that ''the U.S. should not make an open-ended commitment to keep large numbers of American troops deployed in Iraq''.

(2) On November 15, 2005, the Senate voted 79–19 in support of an amendment stating that ''calendar year 2006 should be a period of significant transition to full Iraqi sovereignty, with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq''.

(b) SENSE OF SENATE.—It is the sense of the Senate that funding in this resolution for fiscal year 2008 shall be used to commence the redeployment of United States military forces from Iraq.

SA 489. Mr. DEMINT proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

At the end of title III, insert the following:

SEC. ___. RESERVE FUND FOR SOCIAL SECURITY REFORM.

If the Senate Committee on Finance reports a bill or joint resolution, or an amendment is offered thereto, or a conference report is submitted thereon, that provides changes to the Federal Old Age, Survivors, and Disability Insurance Benefits Program established under title II of the Social Security Act (42 U.S.C. 401 et seq.) by—

(1) requiring that the Federal Old Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund are to be used only to finance expenditures to provide retirement income of future beneficiaries of such program;

(2) ensuring that there is no change to current law scheduled benefits for individuals born before January 1, 1951;

(3) providing participants with the benefits of savings and investment while permitting the pre-funding of at least some portion of future benefits; and

(4) ensuring that the funds made available to finance such legislation do not exceed the amounts of the Chief Actuary of the Social Security Administration's intermediate actuarial estimates of the Federal Old Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund, as published in the most recent report of the Board of Trustees of such Trust Funds;

the chairman of the Committee on the Budget of the Senate may make the appropriate adjustments in allocations and aggregates to the extent that such legislation would not increase the deficit for fiscal year 2008 and for the period of fiscal years 2008 through 2012.

SA 490. Mr. REID (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR ELIMINATING MILITARY RETIREMENT AND DISABILITY OFFSET.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that would extend eligibility for concurrent receipt of military retirement pay and veterans' disability compensation or would expand eligibility for Combat-Related Special Compensation to permit additional disabled retirees to receive both disability compensation and retired pay, by the amounts provided by such legislation for that purpose, provided that the legislation would not increase the deficit over the total of fiscal years 2007 through 2012.

SA 491. Mr. ALLARD proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

On page 4, line 6, decrease the amount by $4,270,000,000.

On page 4, line 7, decrease the amount by $4,427,500,000.

On page 4, line 8, decrease the amount by $4,675,500,000.

On page 4, line 9, decrease the amount by $4,972,500,000.

On page 4, line 10, decrease the amount by $5,284,000,000.

On page 4, line 15, decrease the amount by $870,000,000.

On page 4, line 16, decrease the amount by $2,752,500,000.

On page 4, line 17, decrease the amount by $4,580,500,000.

On page 4, line 18, decrease the amount by $4,877,500,000.

On page 4, line 19, decrease the amount by $5,189,000,000.

On page 4, line 24, decrease the amount by $870,000,000.

On page 4, line 25, decrease the amount by $2,752,500,000.

On page 5, line 1, decrease the amount by $4,580,500,000.

On page 5, line 2, decrease the amount by $4,877,500,000.

On page 5, line 3, decrease the amount by $5,189,000,000.

On page 5, line 7, decrease the amount by $870,000,000.

On page 5, line 8, decrease the amount by $3,622,500,000.

On page 5, line 9, decrease the amount by $8,203,000,000.

On page 5, line 10, decrease the amount by $13,081,000,000.

On page 5, line 11, decrease the amount by $18,269,500,000.

On page 5, line 15, decrease the amount by $870,000,000.

On page 5, line 16, decrease the amount by $3,662,500,000.

On page 5, line 17, decrease the amount by $8,203,000,000.

On page 5, line 18, decrease the amount by $13,081,000,000.

On page 5, line 19, decrease the amount by $18,269,500,000.

On page 25, line 12, decrease the amount by $20,000,000.

On page 25, line 13, decrease the amount by $20,000,000.

On page 25, line 16, decrease the amount by $102,500,000.

On page 25, line 17, decrease the amount by $102,500,000.

On page 25, line 20, decrease the amount by $270,500,000.

On page 25, line 21, decrease the amount by $270,500,000.

On page 25, line 24, decrease the amount by $487,500,000.

On page 25, line 25, decrease the amount by $487,500,000.

On page 26, line 3, decrease the amount by $719,000,000.

On page 26, line 4, decrease the amount by $719,000,000.

On page 26, line 12, decrease the amount by $4,250,000,000.

On page 26, line 13, decrease the amount by $850,000,000.

On page 26, line 16, decrease the amount by $4,325,000,000.

On page 26, line 17, decrease the amount by $2,650,000,000.

On page 26, line 20, decrease the amount by $4,405,000,000.

On page 26, line 21, decrease the amount by $4,310,000,000.

On page 26, line 24, decrease the amount by $4,485,000,000.

On page 26, line 25, decrease the amount by $4,439,000,000.

On page 27, line 3, decrease the amount by $4,565,000,000.

On page 27, line 4, decrease the amount by $4,470,000,000.

On page 41, line 9, decrease the amount by $4,250,000,000.

On page 41, line 10, decrease the amount by $850,000,000.

SA 492. Mr. BAUCUS (for himself, Ms. LANDRIEU, Mr. PRYOR, Mr. BAYH, Mr. NELSON of Florida, and Mr. SALAZAR) proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

On page 3, line 13, decrease the amount by 200,000,000.

On page 3, line 14, decrease the amount by 52,700,000,000.

On page 3, line 15, decrease the amount by 126,916,000,000.

On page 3, line 22, decrease the amount by 200,000,000.

On page 3, line 23, decrease the amount by 52,700,000,000.

On page 4, line 1, further decrease the amount by 126,916,000,000.

On page 4, line 8, increase the amount by 5,000,000,000.

On page 4, line 9, increase the amount by 5,000,000,000.

On page 4, line 10, increase the amount by 5,000,000,000.

On page 4, line 17, increase the amount by 5,000,000,000.

On page 4, line 18, increase the amount by 5,000,000,000.

On page 4, line 19, increase the amount by 5,000,000,000.

On page 5, line 1, increase the amount by 5,200,000,000.

On page 5, line 2, increase the amount by 57,700,000,000.

On page 5, line 3, increase the amount by 131,916,000,000.

On page 5, line 9, increase the amount by 5,200,000,000.

On page 5, line 10, increase the amount by 62,900,000,000.

On page 5, line 11, increase the amount by 194,816,000,000.

On page 5, line 17, increase the amount by 5,200,000,000.

On page 5, line 18, increase the amount by 62,900,000,000.

On page 5, line 19, increase the amount by 194,816,000,000.

On page 18, line 20, increase the amount by 5,000,000,000.

On page 18, line 21, increase the amount by 5,000,000,000.

On page 18, line 24, increase the amount by 5,000,000,000.

On page 18, line 25, increase the amount by 5,000,000,000.

On page 19, line 3, increase the amount by 5,000,000,000.

On page 19, line 4, increase the amount by 5,000,000,000.

On page 49, line 6, decrease the amount by 15,000,000,000.

SA 493. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

Strike subsection (a) of section 308 and insert the following:

(a) PROHIBITING GOVERNMENT NEGOTIATION AS CALLED FOR BY THE MEDICARE MODERNIZATION ACT OF 2000, INTRODUCED BY SENATOR MOYNIHAN ON BEHALF OF THE CLINTON ADMINISTRATION.—If the Senate Committee on Finance—

(1) reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that, as specified in S. 2342, the Medicare Modernization Act of 2000, introduced in the 106th Congress by Senator Moynihan on behalf of the Clinton Administration, prohibits the Secretary of Health and Human Services from authorizing a particular formulary or instituting a price structure for benefits under the Medicare prescription drug program under part D of title XVIII, or otherwise interfering with the competitive nature of providing a prescription drug benefit through benefit managers to Medicare beneficiaries; and

(2) is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974,

the Chairman of the Senate Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation provided that such legislation would not increase the deficit for fiscal year 2008, and for the period of fiscal years 2008 through 2012.

SA 494. Mr. GRASSLEY (for himself, Mr. BAUCUS, and Mr. SMITH) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

SEC. ___. RESERVE FUND TO IMPROVE MEDICARE HOSPITAL PAYMENT ACCURACY.

If the Senate Committee on Finance—

(1) reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(A) addresses the wide and inequitable disparity in the reimbursement of hospitals under the Medicare program;

(B) includes provisions to reform the area wage index, including the occupational mix adjustment, used to adjust payments to hospitals under the Medicare hospital inpatient prospective payment system under section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)); and

(C) includes a transition to the reform described in subparagraph (B); and

(2) is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974,

the Chairman of the Senate Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation provided that such legislation would not increase the deficit for the period of fiscal years 2008 through 2012.

SA 495. Ms. SNOWE (for herself, Mrs. LINCOLN, and Mr. COLEMAN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 3, line 14, decrease the amount by $6,200,000,000.

On page 3, line 15, decrease the amount by $31,000,000,000.

On page 3, line 23, decrease the amount by $6,200,000,000.

On page 4, line 1, decrease the amount by $31,000,000,000.

On page 4, line 9, increase the amount by $146,000,000.

On page 4, line 10, increase the amount by $1,027,000,000.

On page 4, line 18, increase the amount by $146,000,000.

On page 4, line 19, increase the amount by $1,027,000,000.

On page 5, line 2, increase the amount by $6,346,000,000.

On page 5, line 3, increase the amount by $32,027,000,000.

On page 5, line 10, increase the amount by $6,346,000,000.

On page 5, line 11, increase the amount by $38,372,000,000.

On page 5, line 18, increase the amount by $6,346,000,000.

On page 5, line 19, increase the amount by $38,372,000,000.

On page 25, line 24, increase the amount by $146,000,000.

On page 25, line 25, increase the amount by $146,000,000.

On page 26, line 3, increase the amount by $1,027,000,000.

On page 26, line 4, increase the amount by $1,027,000,000.

SA 496. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

Strike subsection (a) of section 308 and insert the following:

(a) PROHIBITING GOVERNMENT NEGOTIATION UNDER MEDICARE PART D AS CALLED FOR IN H.R. 4770 FROM THE 106TH CONGRESS, AS INTRODUCED BY REPRESENTATIVE GEPHARDT AND OTHERS.—If the Senate Committee on Finance—

(1) reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that, as specified in H.R. 4770 from the 106th Congress, as introduced on June 27, 2000, by Representative Gephardt and cosponsored by Representatives Hoeffel, Bonior, Rangel, Dingell, Stark, Brown, Matsui, Coyne, Levin, Cardin, McDermott, Kleczka, Lewis, Neal, McNulty, Jefferson, Tanner, Becerra, Thurman, Doggett, Waxman, Markey, Boucher, Pallone, Stupak, Engel, Green, Allen, Baca, Bentsen, Berkley, Bishop, Capps, Blagojevich, Blumenauer, Brady, Brown Capuano, Clay, Clayton, Clement, Conyers, Costello, Cummings, Danner, Davis, DeGette, Delahunt, DeLauro, Dixon, Doyle, Edwards, Evans, Farr, Forbes, Frank, Frost, Gonzales, Gutierrez, Hilliard, Norton, Hoyer, Inslee, Jackson, Jackson-Lee, Johnson, Kennedy, Kildee, Kilpatrick, Kucinich, Lampson, Lantos, Lee, Lowey, McGovern, Maloney, Meehan, Menendez, Millender-McDonald, Moakley, Napolitano, Oberstar, Olver, Ortiz, Pascrell, Pastor, Pelosi, Phelps, Pomeroy, Reyes, Rodriguez, Roybal-Allard, Sanchez, Sandlin, Skelton, Slaughter, Snyder, Spratt, Stabenow, Jones, Turner, Udall, Underwood, Weygand, Wexler, Woolsey, Borski, Berry, Berman, Price, Visclosky, Baldacci, Gejdenson, Wynn, and Boswell, prohibits the Secretary of Health and Human Services from requiring a particular formulary, instituting a price structure for benefits, or in any way rationing benefits under part D of title XVIII of the Social Security Act, interfering in any way with negotiations between benefit administrators and medicine manufacturers, or wholesalers, or otherwise interfering with the competitive nature of providing a prescription medicine benefit using private benefit administrators, except as is required to guarantee coverage of the defined benefit; and

(2) is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974,

the Chairman of the Senate Committee on the Budget may revise allocations of new

budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation provided that such legislation would not increase the deficit for fiscal year 2008, and for the period of fiscal years 2008 through 2012.

SA 497. Mr. ENZI (for himself, Mr. CHAMBLISS, Mr. DEMINT, Mr. CORNYN, and Mr. THOMAS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

SEC. 2___. RESTRICTIONS ON PRIVATE SECTOR MANDATES.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would increase the direct costs of private sector mandates on small business concerns (as that term is defined in section 3 of the Small Business Act (15 U.S.C. 632)) by an amount that exceeds the threshold provided in section 424(b)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 658c(b)(1)).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 498. Mr. THOMAS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 48, beginning with line 17, strike all through page 62, line 7.

SA 499. Mr. BURR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 18, line 12, increase the amount by $140,000,000.

On page 18, line 13, increase the amount by $84,000,000.

On page 18, line 17, increase the amount by $42,000,000.

On page 18, line 21, increase the amount by $14,000,000.

On page 26, line 12, decrease the amount by $140,000,000.

On page 26, line 13, decrease the amount by $84,000,000.

On page 26, line 17, decrease the amount by $42,000,000.

On page 26, line 21, decrease the amount by $14,000,000.

SA 500. Mr. BUNNING (for himself, Mr. MCCONNELL, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. DEFICIT-NEUTRAL RESERVE FUND FOR PROTECTING STATE FLEXIBILITY IN MEDICAID.

If the Committee on Finance reports a bill or joint resolution, if an amendment is offered thereto, or if a conference report is submitted thereon, that implements improvements to Medicare, Medicaid, or the State Children's Health Insurance Program, but that does not reduce the ability of States to provide coverage to Medicaid recipients through flexible benefit options that provide greater opportunities to provide health benefits coverage for Medicaid recipients then, provided that the Committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the Chairman of the Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation, provided that such legislation would not increase the deficit for fiscal year 2008 and the period of fiscal years 2008 through 2012.

SA 501. Mr. KERRY (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 14, line 9, increase the amount by $180,000,000.

On page 14, line 10, increase the amount by $139,000,000.

On page 14, line 14, increase the amount by $29,000,000.

On page 14, line 18, increase the amount by $7,000,000.

On page 14, line 22, increase the amount by $2,000,000.

On page 26, line 12, decrease the amount by $180,000,000.

On page 26, line 13, decrease the amount by $139,000,000.

On page 26, line 17, decrease the amount by $29,000,000.

On page 26, line 21, decrease the amount by $7,000,000.

On page 26, line 25, decrease the amount by $2,000,000.

SA 502. Mr. GRASSLEY proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

On page 41, line 9, decrease the amount by $17,000,000.

On page 41, line 10, decrease the amount by $15,000,000.

At the appropriate place insert the following:

SEC. ___. ADJUSTMENT FOR SMITHSONIAN INSTITUTION SALARIES AND EXPENSES.

(a) IN GENERAL.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and discretionary spending limits for one or more bills, joint resolutions, motions, amendments, or conference reports that make discretionary appropriations for fiscal year 2008 for an amount appropriated, but not to exceed $17,000,000 in budgetary authority and outlays flowing therefrom, once the Comptroller General of the United States has submitted a certification to Congress that since April 1, 2007—

(1) the Smithsonian Institution does not provide total annual compensation for any officer or employee of the Smithsonian Institution greater than the total annual compensation of the President of the United States;

(2) the Smithsonian Institution does not provide deferred compensation for any such officer or employee greater than the deferred compensation of the President of the United States;

(3) all Smithsonian Institution travel expenditures conform with Federal Government guidelines and limitations applicable to the Smithsonian Institution; and,

(4) all Smithsonian Institution officers and employees are subject to ethics rules similar to the ethics rules widely applicable to Federal Government employees.

(b) CRITERIA FOR CERTIFICATION.—In making the certification described in subsection (a), the Comptroller General of the United States should take into account the following:

(1) The Smithsonian Institution is a premier educational, historical, artistic, research, and cultural organization for the American people.

(2) The Inspector General for the Smithsonian Institution recently issued a report regarding an investigation of unauthorized and excessive authorized compensation, benefits, and expenditures by the Secretary of the Smithsonian Institution.

(3) The Inspector General's findings indicate that the actions of the Secretary of the Smithsonian Institution are not in keeping with the public trust of the office of the Secretary of the Smithsonian Institution.

(4) Priority should be given to funding for necessary repairs to maintain and repair Smithsonian Institution buildings and infrastructure and protect America's treasures.

(5) Priority should be given to full funding for the Office of the Inspector General for the Smithsonian Institution so that the American people and Congress have renewed confidence that tax-preferred donations and Federal funds are being spent appropriately and in keeping with the best practices of the charitable sector.

SA 503. Mr. ALEXANDER (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 17, line 12, increase the amount by $199,000,000.

On page 17, line 13, increase the amount by $6,000,000.

On page 17, line 16, increase the amount by $199,000,000.

On page 17, line 17, increase the amount by $135,000,000.

On page 17, line 20, increase the amount by $199,000,000.
On page 17, line 21, increase the amount by $189,000,000.
On page 17, line 24, increase the amount by $199,000,000.
On page 17, line 25, increase the amount by $199,000,000.
On page 18, line 3, increase the amount by $199,000,000.
On page 18, line 4, increase the amount by $199,000,000.
On page 26, line 12, decrease the amount by $199,000,000.
On page 26, line 13, decrease the amount by $6,000,000.
On page 26, line 16, decrease the amount by $199,000,000.
On page 26, line 17, decrease the amount by $135,000,000.
On page 26, line 20, decrease the amount by $199,000,000.
On page 26, line 21, decrease the amount by $189,000,000.
On page 26, line 24, decrease the amount by $199,000,000.
On page 26, line 25, decrease the amount by $199,000,000.
On page 27, line 3, decrease the amount by $199,000,000.
On page 27, line 4, decrease the amount by $199,000,000.

SA 504. Mr. BAUCUS (for himself, Mr. ROCKEFELLER, Mr. KENNEDY, and Mr. CASEY) proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

On page 48, line 19, before ''The'' insert the following:

(a) PRIORITY.—The Senate establishes the following priorities and makes the following findings:

(1) The Senate shall make the enactment of legislation to reauthorize the State Children's Health Insurance Program (SCHIP) its top health priority for the remainder of fiscal year 2007, during the first session of the 110th Congress.

(2) Extending health care coverage to the Nation's uninsured children is an urgent priority for the Senate.

(3) SCHIP has proven itself a successful program for covering previously uninsured children.

(4) More than 6 million children are enrolled in this landmark program, which has enjoyed broad bipartisan support in Congress, among our Nation's governors, and within state and local governments.

(5) SCHIP reduces the percentage of children with unmet health care needs.

(6) Since SCHIP was created, enormous progress has been made in reducing disparities in children's coverage rates.

(7) Uninsured children who gain coverage through SCHIP receive more preventive care and their parents report better access to providers and improved communications with their children's doctors.

(8) Congress has a responsibility to reauthorize SCHIP before the expiration of its current authorization.

(b) RESERVE FUND.—

SA 505. Mr. SPECTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 63, after line 24, insert the following:

SEC. 326. DEFICIT-NEUTRAL RESERVE FOR ASBESTOS REFORM LEGISLATION.

(a) IN GENERAL.—The Chairman of the Senate Committee on the Budget shall revise the aggregates, allocations, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report regarding asbestos reform, by the amounts provided in such legislation for that purpose, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

(b) PAYGO EXCEPTION.—A point of order brought under section 201(a) or section 203(b) shall not apply, upon the execution of the requirements under subsection (a), to any bill, joint resolution, amendment, motion, or conference report regarding asbestos reform.

SA 506. Mr. SPECTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 18, line 12, increase the amount by $2,200,000,000.
On page 18, line 13, increase the amount by $2,200,000,000.
On page 26, line 12, decrease the amount by $2,200,000,000.
On page 26, line 13, decrease the amount by $2,200,000,000.

SA 507. Mr. KYL (for himself and Mr. GRAHAM) proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

On page 3, line 11 increase the amount by $390,000,000.
On page 3 line 12, decrease the amount by $184,000,000.
On page 3, line 13, decrease the amount by $3,796,000,000.
On page 3, line 14, decrease the amount by $31,544,000,000.
On page 3, line 15, decrease the amount by $36,398,000,000.
On page 3, line 20 increase the amount by $390,000,000.
On page 3 line 21, decrease the amount by $184,000,000.
On page 3, line 22, decrease the amount by $3,796,000,000.
On page 3, line 23, decrease the amount by $31,544,000,000.
On page 4, line 1, decrease the amount by $36,398,000,000.
On page 4, line 6, decrease the amount by $9,000,000.
On page 4, line 7, decrease the amount by $14,000,000.
On page 4, line 8, increase the amount by $78,000,000.
On page 4, line 9, increase the amount by $912,000,000.
On page 4, line 10, increase the amount by $2,552,000,000.
On page 4, line 15, decrease the amount by $9,000,000.
On page 4, line 16, decrease the amount by $14,000,000.
On page 4, line 17, increase the amount by $78,000,000.
On page 4, line 18, increase the amount by $912,000,000.
On page 4, line 19, increase the amount by $2,552,000,000.
On page 4, line 24, decrease the amount by $399,000,000.
On page 4, line 25, increase the amount by $170,000,000.
On page 5, line 1, increase the amount by $3,874,000,000.
On page 5, line 2, increase the amount by $32,456,000,000.
On page 5, line 3, increase the amount by $38,950,000,000.
On page 5, line 7, decrease the amount by $399,000,000.
On page 5, line 8, decrease the amount by $230,000,000.
On page 5, line 9, increase the amount by $3,645,000,000.
On page 5, line 10, increase the amount by $36,101,000,000.
On page 5, line 11, increase the amount by $75,051,000,000
On page 5, line 15, decrease the amount by $399,000,000.
On page 5, line 16, decrease the amount by $230,000,000.
On page 5, line 17, increase the amount by $3,645,000,000.
On page 5, line 18, increase the amount by $36,101,000,000.
On page 5, line 19, increase the amount by $75,051,000,000
On page 25, line 12, decrease the amount by $9,000,000.
On page 25, line 13, decrease the amount by $9,000,000.
On page 25, line 16, decrease the amount by $14,000,000.
On page 25, line 17, decrease the amount by $14,000,000.
On page 25, line 20, increase the amount by $78,000,000.
On page 25, line 21, increase the amount by $78,000,000.
On page 25, line 24, increase the amount by $912,000,000.
On page 25, line 25, increase the amount by $912,000,000.
On page 26, line 3, increase the amount by $2,552,000,000.
On page 26, line 4, increase the amount by $2,552,000,000.

SA 508. Mr. HATCH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. RESERVE FUND FOR PROTECTING COVERAGE CHOICES, ADDITIONAL BENEFITS, AND LOWER COST-SHARING FOR MEDICARE BENEFICIARIES.

If the Senate Committee on Finance—

(1) reports a bill, or if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(A) implements improvements to the Medicare or Medicaid programs under titles XVIII and XIX of the Social Security Act, respectively, or the State Children's Health Insurance program under title XXI of such Act; and

(B) does not—

(i) lead to fewer coverage choices for Medicare beneficiaries, especially for those beneficiaries in rural areas; or

(ii) result in reduced benefits or increased cost-sharing for Medicare beneficiaries who choose a Medicare Advantage plan under part C of such title XVIII, especially for low-income beneficiaries who depend on their Medicare Advantage plan for protection from high out-of-pocket cost-sharing; and

(2) is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974,

the Chairman of the Senate Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate measures to reflect such legislation provided that such legislation would not increase the deficit for fiscal year 2008, and for the period of fiscal years 2008 through 2012.

SA 509. Mr. SMITH (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR DEMONSTRATION PROJECT REGARDING MEDICAID COVERAGE OF LOW-INCOME HIV-INFECTED INDIVIDUALS.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for a bill, joint resolution, amendment, motion, or conference report that provides for a demonstration project under which a State may apply under section 1115 of the Social Security Act (42 U.S.C. 1315) to provide medical assistance under a State Medicaid program to HIV-infected individuals who are not eligible for medical assistance under such program under section 1902(a)(10)(A)(i) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)), by the amounts provided in that legislation for those purposes up to $500,000,000, provided that such legislation would not increase the deficit over the total of the period of fiscal years 2007 through 2012.

SA 510. Mr. SMITH (for himself and Ms. SNOWE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of section 301, add the following: ''Among the policy changes that could be considered to achieve offsets to the cost of reauthorizing the State Children's Health Insurance Program and expanding coverage for children is an increase in the tobacco products user fee rate but only to the extent that such rate increase does not result in an increase of more than 61 cents per pack of cigarettes, with all revenue generated by such increase dedicated to such reauthorization and expansion.''.

SA 511. Mr. CORNYN (for himself, Mr. DEMINT, Mr. MARTINEZ, and Mr. COBURN) proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

At the appropriate place insert the following:

SEC. ____. DEFICIT-NEUTRAL RESERVE FUND FOR THE REAUTHORIZATION OF THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM (SCHIP) THAT WILL COVER KIDS FIRST.

In the Senate, if the Committee on Finance reports a bill or joint resolution, if an amendment is offered thereto, or if a conference report is submitted thereon, that—

(1) reauthorizes and improves the State Children's Health Insurance Program (SCHIP);

(2) emphasizes providing health insurance to low-income children below 200 percent of the Federal poverty level;

(3) limits the use of SCHIP funds for coverage of non-pregnant adults unless States are covering their low-income children;

(4) allows parents to cover their children on their own health insurance plan with SCHIP funds;

(5) increases State flexibility so that States can use innovative strategies to cover kids; and

(6) improves and strengthens oversight of Medicaid and SCHIP to prevent waste, fraud and abuse,

then, provided that the Committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the Chairman of the Committee on the Budget may revise allocations of new budget authority and outlays, the revenue aggregates, and other appropriate aggregates to reflect such legislation, to the extent that such legislation would not increase the deficit for fiscal year 2007 and for the period of fiscal years 2007 through 2012.

SA 512. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 3, line 14, decrease the amount by $184,000,000.

On page 3, line 15, decrease the amount by $689,000,000.

On page 3, line 23, decrease the amount by $184,000,000.

On page 4, line 1, decrease the amount by $689,000,000.

On page 4, line 9, increase the amount by $4,000,000.

On page 4, line 10, increase the amount by $25,000,000.

On page 4, line 18, increase the amount by $4,000,000.

On page 4, line 19, increase the amount by $25,000,000.

On page 5, line 2, increase the amount by $188,000,000.

On page 5, line 3, increase the amount by $714,000,000.

On page 5, line 10, increase the amount by $188,000,000.

On page 5, line 11, increase the amount by $902,000,000.

On page 5, line 18, increase the amount by $188,000,000.

On page 5, line 19, increase the amount by $902,000,000.

On page 25, line 24, increase the amount by $4,000,000.

On page 25, line 25, increase the amount by $4,000,000.

On page 26, line 3, increase the amount by $25,000,000.

On page 26, line 4, increase the amount by $25,000,000.

SA 513. Mr. DEMINT submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

SEC. ____. DEFICIT REDUCTION PROTECTION POINT OF ORDER.

(a) IN GENERAL.—It shall not be in order in the Senate to consider any appropriations bill that does not include the following provision:

''SEC. ____. For deposit of an additional amount into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt $_____.''.

(b) ENFORCEMENT.—For purposes of enforcing allocations pursuant to section 302(b) of the Congressional Budget Act of 1974, any amendment that transfers budget authority (and the outlays flowing therefrom) into the debt reduction account provided by subsection (a) shall be scored so that the budget authority continues to count towards the section 302(b) allocation (with the outlays scored at the same level as scored in the original account).

(c) WAIVER AND APPEAL.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 514. Mr. ROBERTS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 3, line 12, decrease the amount by $11,000,000.

On page 3, line 13, decrease the amount by $10,000,000.

On page 3, line 14, decrease the amount by $9,000,000.

On page 3, line 15, decrease the amount by $7,000,000.

On page 3, line 21, decrease the amount by $11,000,000.

On page 3, line 22, decrease the amount by $10,000,000.

On page 3, line 23, decrease the amount by $9,000,000.

On page 4, line 1, decrease the amount by $7,000,000.

On page 4, line 8, increase the amount by $1,000,000.

On page 4, line 9, increase the amount by $1,000,000.

On page 4, line 10, increase the amount by $2,000,000.

On page 4, line 17, increase the amount by $1,000,000.
On page 4, line 18, increase the amount by $1,000,000.
On page 4, line 19, increase the amount by $2,000,000.
On page 4, line 25, increase the amount by $11,000,000.
On page 5, line 1, increase the amount by $11,000,000.
On page 5, line 2, increase the amount by $10,000,000.
On page 5, line 3, increase the amount by $9,000,000.
On page 5, line 8, increase the amount by $11,000,000.
On page 5, line 9, increase the amount by $22,000,000.
On page 5, line 10, increase the amount by $32,000,000.
On page 5, line 11, increase the amount by $41,000,000.
On page 5, line 16, increase the amount by $11,000,000.
On page 5, line 17, increase the amount by $22,000,000.
On page 5, line 18, increase the amount by $32,000,000.
On page 5, line 19, increase the amount by $41,000,000.
On page 25, line 20, increase the amount by $1,000,000.
On page 25, line 21, increase the amount by $1,000,000.
On page 25, line 24, increase the amount by $1,000,000.
On page 25, line 25, increase the amount by $1,000,000.
On page 26, line 3, increase the amount by $2,000,000.
On page 26, line 4, increase the amount by $2,000,000.

SA 515. Mr. THOMAS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 34, line 9, after the period insert ''In a non-regular appropriations bill designated to supplement funding for ongoing combat operations, the authority to designate under this subsection shall only apply to war-related items that meet the criteria provided in subsection (f).''

SA 516. Mr. DODD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 47, after line 17, insert the following:

(H) ADJUSTMENTS FOR NATIONAL GUARD FORCE READINESS.—The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and discretionary spending limits for 1 or more bills, joint resolutions, motions, amendments, or conference reports that make discretionary appropriations for fiscal years 2008 through 2012 in excess of the levels assumed in this resolution to address equipment reset requirements of the Army National Guard and the Air National Guard or otherwise remedy other readiness shortfalls of the Army National Guard and the Air National Guard, in order to begin to restore the equipment readiness of the Army National Guard and the Air National Guard, but not to exceed the following amounts:

(i) For fiscal year 2008, $8,760,000,000 in budget authority and the outlays flowing therefrom.

(ii) For fiscal year 2009, $7,235,000,000 in budget authority and the outlays flowing therefrom.

(iii) For fiscal year 2010, $7,235,000,000 in budget authority and the outlays flowing therefrom.

(iv) For fiscal year 2011, $7,235,000,000 in budget authority and the outlays flowing therefrom.

(v) For fiscal year 2012, $7,235,000,000 in budget authority and the outlays flowing therefrom.

SA 517. Mrs. HUTCHISON (for herself, Mr. CORNYN, Ms. CANTWELL, Mr. ENZI, and Ms. MURKOWSKI) proposed an amendment to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; as follows:

On page 3, line 11, decrease the amount by $429,000,000.
On page 3, line 12, decrease the amount by $2,923,000,000.
On page 3, line 13, decrease the amount by $3,294,000,000.
On page 3, line 14, decrease the amount by $3,349,000,000
On page 3, line 15, decrease the amount by $3,579,000,000.
On page 3, line 20, decrease the amount by $429,000,000.
On page 3, line 21, decrease the amount by $2,923,000,000.
On page 3, line 22, decrease the amount by $3,294,000,000.
On page 3, line 23, decrease the amount by $3,349,000,000.
On page 4, line 1, decrease the amount by $3,579,000,000.
On page 4, line 6, decrease the amount by $429,000,000.
On page 4, line 7, decrease the amount by $2,923,000,000.
On page 4, line 8, decrease the amount by $3,294,000,000.
On page 4, line 9, decrease the amount by $3,349,000,000.
On page 4, line 10, decrease the amount by $3,579,000,000.
On page 4, line 15, decrease the amount by $429,000,000.
On page 4, line 16, decrease the amount by $2,923,000,000.
On page 4, line 17, decrease the amount by $3,294,000,000.
On page 4, line 18, decrease the amount by $3,349,000,000.
On page 4, line 19, decrease the amount by $3,579,000,000.
On page 26, line 12, decrease the amount by $429,000,000.
On page 26, line 13, decrease the amount by $429,000,000.
On page 26, line 16, decrease the amount by $2,923,000,000.
On page 26, line 17, decrease the amount by $2,923,000,000.
On page 26, line 20, decrease the amount by $3,294,000,000.
On page 26, line 21, decrease the amount by $3,294,000,000.
On page 26, line 24, decrease the amount by $3,349,000,000.
On page 26, line 25, decrease the amount by $3,349,000,000.
On page 27, line 3, decrease the amount by $3,579,000,000.
On page 27, line 4, decrease the amount by $3,579,000,000.

SA 518. Mr. SMITH (for himself, Mr. DODD, Mr. LUGAR, Mr. BROWNBACK, Mr. SUNUNU, and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 9, line 8, increase the amount by $2,200,000,000.
On page 9, line 9, increase the amount by $1,049,400,000.
On page 9, line 13, increase the amount by $567,600,000.
On page 9, line 17, increase the amount by $224,400,000.
On page 9, line 21, increase the amount by $149,600,000.
On page 9, line 25, increase the amount by $121,000,000.
On page 26, line 12, decrease the amount by $2,200,000,000.
On page 26, line 13, decrease the amount by $1,049,400,000.
On page 26, line 17, decrease the amount by $567,600,000.
On page 26, line 21, decrease the amount by $224,400,000.
On page 26, line 25, decrease the amount by $149,600,000.
On page 27, line 4, decrease the amount by $121,000,000.

SA 519. Mr. LIEBERMAN (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 16, line 10, increase the amount by $731,000,000.
On page 16, line 11, increase the amount by $156,000,000.
On page 16, line 15, increase the amount by $232,000,000.
On page 16, line 19, increase the amount by $181,000,000.
On page 16, line 23, increase the amount by $133,000,000.
On page 17, line 3, increase the amount by $28,000,000.
On page 26, line 12, decrease the amount by $731,000,000.
On page 26, line 13, decrease the amount by $156,000,000.
On page 26, line 17, decrease the amount by $232,000,000.
On page 26, line 21, decrease the amount by $181,000,000.
On page 26, line 25, decrease the amount by $133,000,000.
On page 27, line 4, decrease the amount by $28,000,000.

SA 520. Mr. CASEY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States

Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

After section 322, insert the following:

SEC. 322A. DEFICIT-NEUTRAL RESERVE FUND FOR PRESCHOOL OPPORTUNITIES.

If the Committee on Health, Education, Labor, and Pensions of the Senate reports a bill or a joint resolution, or an amendment is offered thereto or a conference report is submitted thereon, that augments or establishes a Federal program that provides—

(1) assistance to States that—

(A) offer not less than 1 year of free preschool to children of families who meet the low-income criteria established by the program; and

(B) offer not less than 1 year of subsidized preschool to children of families who meet any other income criteria established by the program; and

(2) as much flexibility as is practicable to the States in carrying out the preschool programs described in paragraph (1), within a construct of incentives and requirements that each such preschool program shall include a strong pre-academic curriculum, employ qualified preschool teachers, and provide for strong program accountability measures,

the Chairman of the Committee on the Budget of the Senate may revisit the aggregates, allocations, and other appropriate levels in this resolution by amounts provided in such measure for that purpose, provided that such legislation would not increase the deficit for the total of the period of fiscal years 2007 through 2012.

SA 521. Mr. ALLARD submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

At the end of the resolution, insert the following:

TITLE IV—RECONCILIATION

SEC. 401. SPENDING RECONCILIATION INSTRUCTIONS FOR THE ELIMINATION OF WASTE, FRAUD, AND ABUSE IN MANDATORY PROGRAMS.

(a) SPENDING RECONCILIATION INSTRUCTIONS.—In the Senate, not later than June 29, 2007, the Senate committees named in this section shall submit their recommendations to the Senate Committee on the Budget. After receiving those recommendations, the Senate Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

(b) SPECIAL SCOREKEEPING RULE IN THE SENATE.—

(1) REPORT TO SENATE BUDGET COMMITTEE.—If a reconciliation bill is enacted under this section, the Congressional Budget Office, pursuant to section 202 of the Congressional Budget Act of 1974, shall send a report to the Chairman of the Committee on the Budget—

(A) whether that measure contains provisions that decrease budget authority or outlays from the elimination of waste, fraud, and abuse; and

(B) the amount of budget authority or outlays reduced each year attributable to the elimination of waste, fraud, and abuse in the bill, including the current year, the budget year, and for each of the 10 years following the current year.

(2) EXCLUSION FROM PAY-AS-YOU-GO SCORECARD.—Any budget authority or outlays reduced from provisions eliminating waste, fraud, and abuse (as detailed in the report required by paragraph (1)) shall not count as offsets for purposes of section 201 of this resolution.

(c) COMMITTEES.—

(1) COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.—The Senate Committee on Agriculture, Nutrition, and Forestry shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $686,000,000 in outlays for fiscal year 2008 and $3,577,000,000 in outlays for the period of fiscal years 2008 through 2012.

(2) COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS.—The Senate Committee on Banking, Housing, and Urban Affairs shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $113,000,000 in new budget authority for fiscal year 2008 and $529,000,000 in new budget authority for the period of fiscal years 2008 through 2012.

(3) COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION.—The Senate Committee on Commerce, Science, and Transportation shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $110,000,000 in outlays for fiscal year 2008 and $545,000,000 in outlays for the period of fiscal years 2008 through 2012.

(4) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Senate Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $48,000,000 in outlays for fiscal year 2008 and $250,000,000 in outlays for the period of fiscal years 2008 through 2012.

(5) COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.—The Senate Committee on Environment and Public Works shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $18,000,000 in outlays for fiscal year 2008 and $97,000,000 in outlays for the period of fiscal years 2008 through 2012.

(6) COMMITTEE ON FINANCE.—The Senate Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $10,406,000,000 in budget authority for fiscal year 2008 and $58,820,000,000 in outlays for the period of fiscal years 2008 through 2012.

(7) COMMITTEE ON FOREIGN RELATIONS.—The Senate Committee on Foreign Relations shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $148,000,000 in outlays for fiscal year 2008 and $665,000,000 in outlays for the period of fiscal years 2008 through 2012.

(8) COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.—The Senate Committee on Homeland Security and Governmental Affairs shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $1,063,000,000 in outlays for fiscal year 2008 and $5,784,000,000 in outlays for the period of fiscal years 2008 through 2012.

(9) COMMITTEE ON THE JUDICIARY.—The Senate Committee on the Judiciary shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $81,000,000 in outlays for fiscal year 2008 and $406,000,000 in outlays for the period of fiscal years 2008 through 2012.

(10) COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS.—The Senate Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by $145,000,000 in outlays for fiscal year 2008 and $778,000,000 in outlays for the period of fiscal years 2008 through 2012.

SA 522. Mr. COLEMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 3, line 11, decrease the amount by $1,000,000.

On page 3, line 12, decrease the amount by $6,000,000.

On page 3, line 13, decrease the amount by $14,000,000.

On page 3, line 14, decrease the amount by $22,000,000.

On page 3, line 15, decrease the amount by $30,000,000.

On page 3, line 20, decrease the amount by $1,000,000.

On page 3, line 21, decrease the amount by $6,000,000.

On page 3, line 22, decrease the amount by $14,000,000.

On page 3, line 23, decrease the amount by $22,000,000.

On page 4, line 1, decrease the amount by $30,000,000.

On page 4, line 8, increase the amount by $1,000,000.

On page 4, line 9, increase the amount by $2,000,000.

On page 4, line 10, increase the amount by $3,000,000.

On page 4, line 17, increase the amount by $1,000,000.

On page 4, line 18, increase the amount by $2,000,000.

On page 4, line 19, increase the amount by $3,000,000.

On page 4, line 24, increase the amount by $1,000,000.

On page 4, line 25, increase the amount by $6,000,000.

On page 5, line 1, increase the amount by $15,000,000.

On page 5, line 2, increase the amount by $24,000,000.

On page 5, line 3, increase the amount by $33,000,000.

On page 5, line 7, increase the amount by $1,000,000.

On page 5, line 8, increase the amount by $7,000,000.

On page 5, line 9, increase the amount by $22,000,000.

On page 5, line 10, increase the amount by $45,000,000.

On page 5, line 11, increase the amount by $78,000,000.

On page 5, line 15, increase the amount by $1,000,000.

On page 5, line 16, increase the amount by $7,000,000.

On page 5, line 17, increase the amount by $22,000,000.

On page 5, line 18, increase the amount by $45,000,000.

On page 5, line 19, increase the amount by $78,000,000.

On page 25, line 20, increase the amount by $1,000,000.

On page 25, line 21, increase the amount by $1,000,000.

On page 25, line 24, increase the amount by $2,000,000.

On page 25, line 25, increase the amount by $2,000,000.

On page 26, line 3, increase the amount by $3,000,000.

On page 26, line 4, increase the amount by $3,000,000.

SA 523. Mr. COLEMAN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 3, line 12, decrease the amount by $277,000,000.

On page 3, line 13, decrease the amount by $634,000,000.

On page 3, line 14, decrease the amount by $939,000,000.

On page 3, line 15, decrease the amount by $1,307,000,000.

On page 3, line 21, decrease the amount by $277,000,000.

On page 3, line 22, decrease the amount by $634,000,000.

On page 3, line 23, decrease the amount by $939,000,000.

On page 4, line 1, decrease the amount by $1,307,000,000.

On page 4, line 7, increase the amount by $6,000,000.

On page 4, line 8, increase the amount by $28,000,000.

On page 4, line 9, increase the amount by $66,000,000.

On page 4, line 10, increase the amount by $122,000,000.

On page 4, line 16, increase the amount by $6,000,000.

On page 4, line 17, increase the amount by $28,000,000.

On page 4, line 18, increase the amount by $66,000,000.

On page 4, line 19, increase the amount by $122,000,000.

On page 4, line 25, increase the amount by $283,000,000.

On page 5, line 1, increase the amount by $662,000,000.

On page 5, line 2, increase the amount by $1,005,000,000.

On page 5, line 3, increase the amount by $1,429,000,000.

On page 5, line 8, increase the amount by $283,000,000.

On page 5, line 9, increase the amount by $946,000,000.

On page 5, line 10, increase the amount by $1,951,000,000.

On page 5, line 11, increase the amount by $3,380,000,000.

On page 5, line 16, increase the amount by $283,000,000.

On page 5, line 17, increase the amount by $946,000,000.

On page 5, line 18, increase the amount by $1,951,000,000.

On page 5, line 19, increase the amount by $3,380,000,000.

On page 25, line 16, increase the amount by $6,000,000.

On page 25, line 17, increase the amount by $6,000,000.

On page 25, line 20, increase the amount by $28,000,000.

On page 25, line 21, increase the amount by $28,000,000.

On page 25, line 24, increase the amount by $66,000,000.

On page 25, line 25, increase the amount by $66,000,000.

On page 26, line 3, increase the amount by $122,000,000.

On page 26, line 4, increase the amount by $122,000,000.

SA 524. Mr. OBAMA submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012; which was ordered to lie on the table; as follows:

On page 17, line 12, increase the amount by $100,000,000.

On page 17, line 13, increase the amount by $2,000,000.

On page 17, line 17, increase the amount by $58,000,000.

On page 17, line 21, increase the amount by $30,000,000.

On page 17, line 25, increase the amount by $10,000,000.

On page 26, line 12, decrease the amount by $100,000,000.

On page 26, line 13, decrease the amount by $2,000,000.

On page 26, line 17, decrease the amount by $58,000,000.

On page 26, line 21, decrease the amount by $30,000,000.

On page 26, line 25, decrease the amount by $10,000,000.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. CONRAD. 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 March 21, 2007 at 9:30 a.m. in 328A, Senate Russell Office Building. The title of this committee hearing is ''Examining the performance of U.S. Trade and Food Aid Programs for the 2007 Farm Bill.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 21, 2007, at 9 a.m., to conduct a hearing on ''Minimizing Potential Threats From Iran: Assessing the Effectiveness of Current U.S. Sanctions on Iran.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CONRAD. 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, March 21, 2007, at 10 a.m., in room 253 of the Russell Senate Office Building. The purpose of the hearing is to provide oversight on the status and activities of the Consumer Product Safety Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Wednesday, March 21, 2007.

The agenda to be considered: Vice President Al Gore's Perspective on Global Warming.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 21, 2007, at 5 p.m. to hold a briefing on the Gulf Security Dialogue.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing on the long-term health impact from September 11 during the session of the Senate on Wednesday, March 21, 2007 at 10 a.m. in SH–216.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Wednesday, March 21, 2007, at 9:30 a.m. for a hearing titled ''GAO's Role in Supporting Congressional Oversight: An Overview of Past Work and Future Challenges and Opportunities.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Misuse of Patriot Act Powers: The Inspector General's Findings of Improper Use of National Security Letters by the FBI'' for Wednesday, March 21, 2007 at 10 a.m. in Dirksen Senate Office Building Room 226.

Witness List: The Honorable Glenn A. Fine, Inspector General, U.S. Department of Justice, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTTEE ON STRATEGIC FORCES

Mr. CONRAD. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces be authorized to meet during the session of the Senate on Wednesday, March 21, 2007, at 10:30 a.m. to receive testimony on nuclear and strategic policy options.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY

Mr. CONRAD. Mr. President, I ask unanimous consent that the Subcommittee on Terrorism, Technology, and Homeland Security be authorized

to meet to conduct a hearing on ''Identity Theft: Innovative Solutions for an Evolving Problem,'' on Wednesday, March 21, 2007 at 2:30 p.m. in Room 226 of the Dirksen Senate Office Building.

Witness List

Panel I: Ronald Tenpas, Associate Deputy Attorney General, United States Department of Justice, Washington, DC; Lydia Parnes, Director, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC.

Panel II: James Davis, Chief Information Officer and Vice Chancellor for Information Technology, University of California, Los Angeles, Los Angeles, CA; Joanne McNabb, Chief, California Officer of Privacy Protection, Sacramento, CA; Chris Jay Hoofnagle, Senior Staff Attorney, Samuelson Law, Technology & Public Policy Clinic, School of Law (Boalt Hall), University of California, Berkeley, Berkeley, CA.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following Finance Committee fellows and interns be granted floor privileges during consideration the budget resolution: Neil Ohlenkamp, Suzanne Payne, Jennifer Smith, Leighton Quon, Charles Kovatch, Avi Salzman, Susan Doublas, Diedra Henry-Spires, Howard Tuch, Ton Kornfield, Brett Youngerman, Larry Boyd, Leona Cuttler, Russ Ugone, Sarah Rebecca Smith, Sara Shepherd, Gretchen Hector, and Sarah Butler.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Madam President, I ask unanimous consent that Jared Clauss, Eric Slack, Ann Thomas, and Bess Allison Ullman of the Finance Committee staff be granted the privileges of the floor for the duration of the debate of the fiscal year 2008 budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SANDERS. Mr. President, I ask unanimous consent the Senate now proceed to executive session to consider the following nomination, Calendar No. 48, that the nomination be confirmed, the motion to reconsider be laid on the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

W. Craig Vanderwagen, of Maryland, to be Assistant Secretary for Preparedness and Response, Department of Health and Human Services.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

ORDERS FOR THURSDAY, MARCH 22, 2007

Mr. SANDERS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m., Thursday, March 22; 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 the Senate then resume consideration of S. Con. Res. 21.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. SANDERS. If there is no further business to come before the Senate today, and if the Republican leader has nothing further, I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:52 p.m., adjourned until Thursday, March 22, 2007, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate Wednesday, March 21, 2007:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

W. CRAIG VANDERWAGEN, OF MARYLAND, TO BE ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE, DEPARTMENT OF HEALTH AND HUMAN SERVICES.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. KNOLLENBERG. Madam Speaker, on March 13, 2007, I was unavoidably absent and missed rollcall vote 140. For the RECORD, had I been present, I would have voted: 140—''yea.''

ALTERNATIVE SPRING BREAK

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mrs. CUBIN. Madam Speaker, with spring upon us, college students across the Nation are trekking to our Nation's coastal areas in search of sunny skies and sandy beaches. Yes, Madam Speaker, spring break is upon us.

Often, this collegiate ritual is typified by moral abandon and excesses of many types. However, today it is my pleasure to highlight several students from the University of Wyoming who visited the Nation's Capital to take part in an entirely different spring break experience.

Last week, eight students traveled here from Laramie, Wyoming, to take part in an up-and-coming program known as ''Alternative Spring Break.'' Here in Washington, they spent their days not sightseeing or sunbathing like many of their peers, but volunteering with the National Coalition for the Homeless.

Their week included long days spent working to serve homeless individuals and learning about the special needs of this all-too-frequently overlooked population of needy Americans.

Students like Amanda Blair, Jonathan McBride, Mackenzie Mixer, Lydia Bustos, John Ellis, Amber Johnson, Bailey Loghry, Jonathan Ingebrigtsen, Amber Pace, Brynn Hvidston, and their coordinators Robyn Paulekas at UW and Michael O'Neill of the National Coalition for the Homeless, are role models for people of all ages.

These students will undoubtedly now have spring break memories to last a lifetime. They deserve all the respect and praise this noble body can give.

HONORING FORMER CONGRESSMAN THOMAS KLEPPE

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. POMEROY. Madam Speaker, our Nation lost a great American and this House lost a most distinguished former Member with the passing of Thomas Kleppe at age 87 on March 2, 2007. Tom Kleppe was elected from the 2nd district of North Dakota in 1966 and 1968.

Tom was probably best known to the Nation for his service as Secretary of the Interior under President Ford, however he was best known to his home State of North Dakota for his service in Congress from 1966 to 1970. Tom was a trailblazer in North Dakota, being elected as the youngest-ever mayor of Bismarck at the age of 30 and the first native of North Dakota to ever serve in a Presidential cabinet when he was appointed Interior Secretary in 1975.

Tom exemplified the definition of the ''Greatest Generation,'' having served his country as a warrant officer in the U.S. Army for 4 years during World War II. Shortly before being honorably discharged in 1946, Tom turned down an offer from the St. Louis Cardinals to return to his native North Dakota, and our State is the better for it.

As the son of homesteaders in Kintyre, ND, Tom was instilled with the enterprising spirit and work ethic that have made North Dakota prosper. By the time he was a teenager, Tom was working for his father's grain elevator business. He went on to work in bookkeeping and banking before entering public service, where he served as the mayor of Bismarck and later served two terms in the U.S. House of Representatives. There Tom was known as a strong advocate for North Dakota's farmers and ranchers on the Agriculture Committee.

Kleppe was appointed to head the Small Business Administration by President Nixon, a post he held from 1971–1975, when President Ford appointed him Interior Secretary. Tom served in this position for the remainder of Ford's term. During his tenure, Kleppe proved an able steward of the Nation's land and wildlife. Even long after moving to Washington, DC, Tom never lost touch with his prairie roots, and continued to ride horses well into his 80s.

Tom is survived by his wife of 48 years, Glendora Kleppe, and his 4 children, 11 grandchildren and 4 great-grandchildren. The State of North Dakota mourns the loss of a great public servant.

PEACE IN THE TAIWAN STRAIT

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. BUTTERFIELD. Madam Speaker, 2 years ago, China enacted an anti-secession law which ''gave'' China the right to overtake Taiwan by force. Since then both Taiwan and the United States have asked China to rescind the law. So far China has ignored all pleas. Instead, it has increased its number of guided missiles deployed along the coast of Taiwan, threatening war anytime. In addition, China has prevented Taiwan from participating in international organizations such as the World Health Organization and heightened its bellicose rhetoric against the democratically-elected Taiwan President Chen Shui-bian.

As a rising world power, China must assume the responsibility of a global leader. It must lessen the tensions in the Taiwan Strait by rescinding the bad anti-secession law which has deeply hurt the feelings of the Taiwanese people. China should also reduce its military presence along the coast of Taiwan and learn to respect the wishes of the Taiwanese people.

I urge my colleagues to give Taiwan our support. Taiwan is a democracy and an ally of the United States. Under the framework of the Taiwan Relations Act, we must make sure that peace and stability continue to prevail in the Taiwan Strait.

HONORING THE CHICAGO ACADEMY FOR THE ARTS

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. DAVIS of Illinois. Madam Speaker, I rise today with the great privilege of honoring the Chicago Academy for the Arts. In September of 2006, the Chicago Academy for the Arts received the Creative Ticket National Schools of Distinction Award from the Kennedy Center's Alliance for the Arts Education Network. In addition to this notable award, on Saturday, March 24, at 6 p.m., the students from this institution will have the rare honor and distinction of performing on the Millennium stage in the Kennedy Center. This is a great moment in these students' young lives, where all of their hard work has paid off so rewardingly.

This award represents the culmination of 25 years of practical and academic training in the fine arts. The academy is the only independent secondary school in Illinois that offers specialized training in dance, music, theatre, musical theatre, and visual arts. Their mission is to prepare young artists for life through rigorous academic education and professional arts training. To anyone from Chicago, it comes as no surprise that this high school was among only two high schools in the Nation to receive the honor. The school was also named the State's top arts school in March 2006 by the Illinois Alliance for Arts Education, which is in the Kennedy Center Alliance. This prestigious institution has consistently produced outstanding students with an immense talent and commitment to the arts. Daily, the 160 students complete a rigorous, 5-hour academic day in English, mathematics, foreign language, history, science, and social studies. They then move on to 3 hours of learning about the theory, history, and technique of the student's chosen art discipline, taught through intensive classroom and studio work under the direction of exemplary arts professionals. The

academy supports a diverse population, with 46 percent of students coming from outside the city of Chicago and 5 percent from outside the State. Nearly half of the students rely on financial aid and scholarships to attend this marvelous institution. The Chicago Academy for the Arts demonstrates an incredible commitment to higher education, with 97 percent of students continuing onto top colleges and conservatories.

The Chicago Academy for the Arts shines as a beacon for students pursuing both strong academic and artistic training so that they can become the future leaders in their disciplines. I congratulate them on their impressive accomplishments, and I hope they break a proverbial leg on Saturday.

TRIBUTE TO SOUTHERN ILLINOIS UNIVERSITY

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. SHIMKUS. Madam Speaker, I rise today to honor my alma mater Southern Illinois University of Edwardsville, where I graduated with my MBA in 1997, on its 50th anniversary.

The University currently serves nearly 13,500 students from 101 Illinois counties, 43 other U.S. States, and 46 nations. Since its inception, the institution has directly influenced the rate of individuals earning 4-year degrees in the St. Louis Metropolitan area of Southern Illinois, up from 3 percent in Madison and St. Clair counties in 1957 to 20 percent today. The University contributes roughly $356 million to its regional economy, according to an Economic Impact Study released in May 2006, and more than 37,000 alumni live in the region and contribute to the economy.

Over the last 50 years the institution has played a major role in elevating the quality of people's lives, as well as their earning potential in Illinois. Southern Illinois University of Edwardsville has conferred more than 90,000 degrees in its history, with more than 75,000 alumni. The institution helped more than 8,000 people in the East St. Louis area and surrounding communities in the year 2006 through services, training opportunities, and programs at the SIUE East St. Louis Center.

Southern Illinois University of Edwardsville has been ranked two consecutive years among U.S. News & World Report's America's 15 Best Colleges, along with Harvard University, MIT, and other prestigious institutions, for its Senior Assignment Program and integrative learning experience required for all seniors prior to graduation. The University's Senior Assignment Program also was ranked as a model for learning assessment in the country by the American Association of Colleges & Universities in January 2007. The School of Dental Medicine, rated among the top dental schools in the Nation, is the only dental school in Illinois outside Cook County and the only dental school within 250 miles of the St. Louis Metropolitan Area. The dental school provides more than $50,000 in free oral health care to children annually through Give Kids a Smile Day and more than $30,000 annually in care to low-income and uninsured patients who otherwise might go untreated.

After finishing fourth nationally in the U.S. Sports Academy Directors' Cup among NCAA Division II schools in 2006, the institution is now currently in the process of moving its quality intercollegiate athletics program forward to NCAA Division I status.

I am pleased to congratulate Southern Illinois University of Edwardsville on its 50 years of accomplishments.

THE SAFE CLIMATE ACT OF 2007

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. WAXMAN. Madam Speaker, I am pleased today to join over 125 of my House colleagues in reintroducing the Safe Climate Act.

As the Intergovernmental Panel on Climate Change recently announced, the fact that the planet is warming is now unequivocal. And the human role in this is no longer in debate.

The planet is at a crossroads, and it is time for us to choose to act.

I originally introduced this legislation just 9 months ago today.

At that time, I discussed how there are different approaches that can be taken to climate legislation. Some bills seek a symbolic recognition of the problem. Others are premised on what may be politically achievable in the near term.

The Safe Climate Act was drafted on a different premise: It reflects what the science tells us we need to do to protect our children and future generations from irreversible and catastrophic global warming. The bill has aggressive requirements to reduce emissions of greenhouse gases. But the reality is, these are the reductions that scientists say we need to achieve to preserve a safe climate for future generations.

No one had yet proposed legislation that aimed to solve the climate crisis, and I wasn't sure how my colleagues and others would respond to this proposal.

However, in just 9 months, there has been remarkable progress in building consensus on this approach.

During the last Congress, I was pleased that 113 members decided to cosponsor my legislation. I was particularly delighted that Minority Leader NANCY PELOSI decided to endorse the bill.

Then in January of this year, a coalition of environmental groups and companies joined together in calling for emission reductions that are consistent with the reductions required by my legislation. This coalition, calling itself the U.S. Climate Action Partnership, is made up of Alcoa, BP America, Caterpillar Inc., Duke Energy, DuPont, Environmental Defense, FPL Group, General Electric, Lehman Brothers, the Natural Resources Defense Council, the Pew Center on Global Climate Change, PG&E Corporation, PNM Resources and the World Resources Institute. And many others, including such diverse entities as states, American workers, small businesses, religious congregations and outdoors enthusiasts, are all urging comparable levels of emissions reductions.

All of these groups recognize an important truth—global warming is the greatest environmental challenge of our time, and we have a short window in which to act to prevent profound changes to the climate system. Unless we seize the opportunity to act now, and act decisively, our legacy to our children and grandchildren will be an unstable and dangerous planet.

The science clearly tells us what we need to do—we must reduce emissions of greenhouse gases, starting now and continuing over the next few decades. To achieve this, we have to grow our economy into a new and cleaner future. It's simply too late for legislative baby steps.

I have been working to address the threat of global warming for many years. Over 10 years ago, the science and the threat of global warming were clear. That's why I introduced the Global Climate Protection Act of 1992, which would have frozen U.S. emissions of carbon dioxide at 1990 levels. But Congress failed to act.

Now our understanding of global warming has only grown stronger. We're actually experiencing the effects of climate change today. And they are not good.

As the earth warms, its ice is melting. From the glaciers in Glacier National Park, to the snows of Kilimanjaro and the Larson B iceshelf in Antarctica, ice that has been here since the last ice age is disappearing or already gone. Accordingly, sea levels will rise, posing enormous challenges for our coastal communities. The permafrost supporting towns and roads in Alaska is melting rapidly, and the summer sea ice in the Arctic Ocean is diminishing each year. These are changes we can see with our own eyes.

The seasons are changing—maple sugar producers in Vermont are tapping trees earlier, plants are flowering earlier, and birds are migrating earlier. These changes are happening across the globe. And with warmer weather come bugs that are no longer being killed by the winter cold, such as the beetles that are destroying forests across the Southwest and Alaska.

The Intergovernmental Panel on Climate Change recently confirmed that we have already observed climate-related changes in extreme weather including droughts, heavy precipitation, heat waves and the intensity of tropical cyclones. The year 2005 broke hurricane records, and America experienced the devastating results of just a few such storms with Hurricanes Katrina and Rita.

The scientists have been proven right about global warming, over and over again, across the planet. We should start listening to them.

Now they are telling us that we have about 10 years to act to avoid being locked into irreversible global warming on a scale that will transform the planet. The scientists have identified a global temperature rise of just 3.6 degrees Fahrenheit as enough to produce undeniably dangerous consequences, such as 20 feet or more of sea level rise, which would flood large parts of Florida and New York City, as well as huge population centers in other countries. And scientists have calculated the quantity of atmospheric greenhouse gases that would very likely cause such a temperature rise. The nations of the world must keep greenhouse gases below that level to avoid irreversible dangerous global warming.

The United States emits more greenhouse gases than any other country in the world—about 20 percent of the total worldwide. We simply cannot avoid catastrophic global warming without substantial cuts in U.S. emissions. Of course, every nation will have to do its part.

According to the best science, under any plausible scenario of future international actions to stabilize the climate, the United States will eventually need to reduce its emissions by about 80 percent.

Fortunately, we have some time to get there, as long as we start reducing our total emissions now. And that's what the Safe Climate Act does. It caps U.S. emissions in 2010, and then gradually reduces them by just 2 percent per year until 2020. This gives us over a decade to deploy the cleaner technologies that we already have but aren't using much, such as hybrid vehicles and wind power. After 2020, emissions must fall under the legislation by roughly 5 percent per year, as more advanced technologies, such as biofuels from waste materials and capturing carbon dioxide from power plants, become widely available.

The Safe Climate Act reduces emissions through a flexible, market-based emissions trading program, as well as complementary requirements for cleaner cars and more electricity from renewable energy and efficiency. The Environmental Protection Agency and the Department of Energy would oversee these programs nationally, while States would retain their authority to act on the State level. In effect, the Safe Climate Act sets the targets and then unleashes market forces and American ingenuity to solve the problem.

This sounds ambitious, and it is. But it is also completely doable, once we decide to act. Look at what we've already achieved. In just over 30 years, from the passage of the Clean Air Act in 1970 to 2002, the total air pollution from all automobiles was reduced by over 60 percent. We achieved these reductions even as the total number of vehicle miles traveled increased by 160 percent and GDP grew by 166 percent.

From 1990 to 1996, in just 6 years, we ended production of key chemicals destroying the Earth's protective tropospheric ozone layer and shifted to substitutes. Those chemicals had been widely used throughout the economy in applications from air conditioning and refrigeration to solvents and fire suppression.

In each case, entrenched industries told Congress that changes of these magnitudes would be impossible to achieve without massive economic dislocation. And in each case, they were wrong.

Our Nation has made dramatic advances in technology that have transformed our lives. We can do it again in developing new innovations for transportation and energy production. The Safe Climate Act will give the market the incentives necessary to unleash American ingenuity and solve the problem.

We've ignored the threat of global warming for almost too long, but we still have an opportunity if we act now. I urge my colleagues to join me in cosponsoring this critically important bill, and I urge the committee of jurisdiction to consider it without further delay. We must face and overcome the challenge of global warming, and the Safe Climate Act is the way to do it.

H. CON. RES. 62: SUPPORTING THE GOALS AND IDEALS OF A NATIONAL CHILDREN AND FAMILIES DAY

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. DAVIS of Illinois. Madam Speaker, a National Children and Families Day will encourage families to embrace the qualities needed to raise happy and healthy citizens. For example, families teach children the lessons they must learn to live productive and prosperous lives. They care for children by giving them love, warmth, and encouragement while providing food, shelter, and financial support. Strong families build trusting relationships by demonstrating commitment to all the members of the family. This includes following through with promises, working as a team, open and honest communication about important decisions and reflections on the passing day. All families experience crisis, but strong and committed families use these experiences to learn and to grow. Family members should spend time together talking, reading, playing games, and participating in outdoor activities. They should always encourage each other and be involved in their neighborhoods and community, where the strength of our Nation starts. A National Children and Families Day will highlight these important activities in which families engage and their positive effects on our nation.

A National Children and Families Day also would focus our attention on the need for citizens and Congress to work toward ensuring that every child has a loving family. It is so unfortunate that there are millions of children in our country who do not have the ability to experience on a daily basis, a regular basis, or even an occasional basis the love and care of a stable family relationship. These include children who are involved in the child welfare system.

A National Children and Families Day will help members of Congress focus on ways to enhance and improve the quality of life for all children and families via the programs under our jurisdictions, whether by supporting family-friendly business policies, quality health care, or quality child care. Strong families help make a strong Nation.

While we honor the 4th Saturday of June this year in recognition of the importance of children and their families, it must not stop on one day. Every day families must work at keeping each other strong and loved. And we as a Nation and Congress as a body must never cease our support for the American family and the children that are the future.

TRIBUTE TO AIR EVAC LIFETEAM

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. SHIMKUS. Madam Speaker, I rise today to honor Air Evac Lifeteam in its celebration of National EMS Week.

The Air Evac Lifeteam serves rural communities and has grown to be the largest independently owned and operated membership-based air ambulance service in the United States since its creation in 1985. The company has transported more than 100,000 patients in need, serving as the critical link to improved response time and immediate access to medical care facilities for numerous rural communities across 11 states, including Alabama, Arkansas, Indiana, Iowa, Kentucky, Mississippi, Missouri, Oklahoma, Tennessee, Texas, and Illinois. There are five operational bases in Illinois located in Effingham, Marion, Mt. Vernon, Quincy and Springfield which are strategically positioned to serve over forty Illinois counties. Last year the Air Evac Lifeteam air lifted over 2000 critical patients to advance medical centers.

The Air Evac Lifeteam has 1500 employees with significant professional education and experience. A registered nurse and paramedic are on every mission. Registered nurses average 6 years of critical care experience, with a minimum requirement of 3 years experience. Paramedics average 10 years of active prehospital experience, with a minimum requirement of 3 years experience. All medical crew members are certified as well. The Air Evac Lifeteam pilots are skilled and certified aviators that meet Federal Aviation Authority approval and have flown, an average, of more than 5,700 hours.

The National EMS Week celebration will be held at the Effingham base on Thursday, May 24, 2007. There will be a meet and greet of EMS Political IDPH Leaders as well as a host of EMS crews, government officials, hospital administration and staff, local and regional media, plus a variety of Illinois healthcare providers.

I am pleased to congratulate the Air Evac Lifeteam on its accomplishments and its service to the rural communities. I also wish the Air Evac Lifeteam well for its week-long celebration and future endeavors.

PERSONAL EXPLANATION

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. MITCHELL. Madam Speaker, on rollcall Nos. 157, 158, 159, I missed due to airline mixup and malfunction. Had I been present, I would have voted "yea."

TRIBUTE ON THE RETIREMENT OF RACHEL R. KLAY

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. HOYER. Madam Speaker, I'd like to take a moment today to recognize Rachel Klay, a devoted friend and dedicated public servant who retired from the United States Secret Service on January 19 of this year.

I had the pleasure of getting to know Rachel over the course of her 24-year career with the Secret Service—and I can say, with the utmost confidence, that she served our country with dignity and integrity every step of the way.

Whenever I or another Member of Congress would visit the White House, we could always count on Rachel to greet us with a smile or funny story. And whenever foreign dignitaries visited Capitol Hill, we could always count on Rachel to be right there with them, ensuring that foreign officials had a safe and comfortable experience while visiting our Nation's capital.

Rachel always fulfilled her duties with all of the dependability, professionalism and love of country that one would expect from a Secret Service agent. But she also brought a kind and lighthearted nature to the job that I, for one, will never forget.

And let me add that I have had the pleasure of employing Secret Service agents in my office through Congressional fellowship programs and, like Rachel, each and every one of them has represented the best our Nation has to offer.

From her upbringing in Orange City, Iowa, to her studies at Northwestern and Sangamon State Universities, to the U.S. Secret Service, Rachel has always excelled and stood out as a leader and as someone people can count on.

As she moves on to bigger and better things, I'd like to congratulate Rachel Klay on a proud career of service to our country and wish her the best of luck in whatever the future holds.

H. RES. 162: RECOGNIZING THE CONTRIBUTIONS OF THE NEGRO BASEBALL LEAGUES AND THEIR PLAYERS FOR THEIR ACHIEVEMENTS, DEDICATION AND SACRIFICES TO BASEBALL AND THE NATION

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. DAVIS of Illinois. Madam Speaker, since 1885, long before Major League Baseball was inaugurated in 1903, African Americans were organizing into their own professional leagues. Unfortunately, racial prejudice and lack of adequate financial backing undermined the success of these initial leagues. However, this changed dramatically with the inception of the first successful Negro league. On May 20, 1920, the Negro National League played its first game. Its creation was the result of the efforts of an African American player and manager named Andrew ''Rube''' Foster. Mr. Foster's success inspired the formation of other leagues as well as thousands of children nationwide.

Six separate leagues that emerged between 1920 and 1960 are collectively known as the Negro Leagues: the Negro National League, Eastern Colored League, American Negro League, East-West League, Negro Southern League, and Negro American League. The lasting legacy of the Negro Leagues includes inspiring events and the tremendous baseball players. They produced what baseball aficionado doesn't know about the first Negro World Series? On October 3, 1924, the first game was played between the Kansas City Monarchs of the Negro National League and Hilldale of Philadelphia of the Eastern Colored League. This historic and exhaustive first series lasted ten games, covered a span of almost three weeks, and was played in four different cities. In the end, Kansas City claimed the championship. Clearly, this was a remarkable and inspiring event.

What baseball aficionado doesn't know Jackie Robinson, the first African American to break the baseball color barrier? Leroy ''Satchel'' Paige, who was considered one of the greatest pitchers of all time? Josh Gibson, who was a prolific home-run hitter; or Larry Doby, the first African American to play in the American League in July 1947; or John Jordan ''Buck'' O'Neil, who was the first African American coach in the Major Leagues, played a major role in establishing the Negro Leagues Baseball Museum, and was posthumously honored with the Presidential Medal of Freedom December 6, 2006?

Madam Speaker, Black history in Major League Baseball has been filled with many successes and a struggle for equity. Therefore, it is important that we remember and honor these players. In breaking down the baseball color barrier, these pioneers dealt a blow to hatred and prejudice across America. I encourage all Americans to recognize the achievements, dedication, and sacrifice that these Black players made to baseball and the Nation.

TRIBUTE TO ST. PETER'S UNITED CHURCH OF CHRIST

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. SHIMKUS. Madam Speaker, I rise today to honor St. Peter's United Church of Christ located in the small community of Stone Church, Illinois, on their 150th anniversary. St. Peter's United Church of Christ separated from the Independent Evangelical Lutheran St. Johannes Congregation, the mother church, in 1857.

The ''Old Stone Church'' was built in 1858 and dedicated on January 2, 1859. On March 26, 1948, Good Friday morning, a fire destroyed the entire church. In 1950 ground was broken for a new church, and it was dedicated on March 11, 1951. In 1955 ground was broken for a new parsonage, which was dedicated on October 7, 1956, and in 1958 the Brotherhood was organized. In 1974 the Education Building was built in memory of Mr. and Mrs. Louis Doelling.

On February 11, 2007, St. Peter's began celebrating their sesquicentennial. After several months of celebration, a dedication service will be held on August 26, 2007, followed by a noon dinner at Okawville Community Club where a pictorial history of the Church will be displayed.

HONORING THE SONOMA COUNTY AGRICULTURAL PRESERVATION AND OPEN SPACES DISTRICT

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. THOMPSON of California. Madam Speaker, I rise today together with my colleague Ms. WOOLSEY to honor the Sonoma County Agricultural Preservation and Open Space District located in Northern California. On March 3, the agency received the prestigious County Leadership in Conservation Award from the National Association of Counties (NACo) and Trust for Public Land (TPL).

This award is given annually to counties that showcase the best practices in innovative conservation work. As one of the first public agencies in the nation funded by a sales tax to protect agriculture, the Open Space District has continued to distinguish itself nationally. It has protected almost 70,000 acres, including farms, greenbelts, natural open spaces, and recreational areas.

The District was formed as a result of public concern over urbanization in Sonoma County as subdivisions, malls and parking lots threatened to overwhelm land the famed botanist Luther Burbank once called ''God's chosen spot.'' Responding to the very real threat of sprawl, farmers, environmentalists and community leaders joined together in 1990 to pass a sales tax to fund preservation and open space acquisition. So successful is the District that the tax was renewed with a 75-percent approval vote in 2006. Today the tax provides approximately $13 million a year for the District's land conservation and acquisition programs.

The County Open Space Authority is responsible for levying and distributing the funding, while the Sonoma County Board of Supervisors acts as the Board of Directors. The Supervisors appoint a 17-member Open Space Advisory Committee, representing various stakeholders and interest groups, to recommend acquisitions. Manager Andrea Mackenzie works with all of these groups and other local organizations in identifying and purchasing suitable properties (or conservation easements) and determining the best use for them, from agriculture to resource conservation to public access or recreation.

Madam Speaker, Sonoma County has a beautiful and diverse environment ranging from oak savannah to bay wetlands to coastal redwood forests. Its farmlands are among the richest on the planet and grow grapes for world-class wines, crispy Gravenstein apples and luscious Crane melons and many specialty crops. Its pastures and rangelands support both dairy and meat production. The District ensures that our children's children will always have woodland and hillside trails to hike and homegrown food to enjoy.

These open spaces keep Sonoma County's agricultural economy healthy, provide recreation for visitors and residents, and preserve the very character of the county. I congratulate the Sonoma County Agricultural Preservation and Open Space District upon the receipt of the well-deserved County Leadership in Conservation Award and look forward to continuing to work with the District to preserve Sonoma County's natural beauty and agricultural bounty.

ON THE INTRODUCTION OF THE ''FLEXIBILITY INCENTIVE GRANT PILOT PROGRAM''

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Ms. MATSUI. Madam Speaker, I rise today to introduce an important bill that anticipates and addresses our communities' immediate and future transportation needs.

Today I am introducing the Flexibility Incentive Grant Pilot Program, or as I call it—the FIG program.

This legislation creates a $250 million annual grant program that provides a two-prong approach to growing our national transit program while rewarding states and localities that are making an investment in their transit infrastructure.

Specifically, this legislation will provide incentives to encourage States and counties to establish new sources of revenue for transit projects and services. Such sources may include the dedication of new State motor fuels taxes, sales taxes, interest on existing highway funds, motor vehicle excise taxes, tolls, or other sources of funding.

Furthermore, this legislation rewards those States that currently invest in transit by making them eligible to receive ''bonus'' payments by the Secretary of Transportation so that they can continue to invest in their transportation infrastructure.

I look at this as a federal transportation tax return for those states and localities that invest in their transportation infrastructure.

Transportation is about partnerships—and funding our infrastructure requires a strong commitment between federal, State and local governments. We need to grow our transit system in order to meet our growing population and infrastructure demands that our states and localities are experiencing.

Fortunately, some States are already making a substantial investment in their transportation infrastructure. For example, in my home state of California, voters last November approved $19.9 billion in transportation bonds to fund a variety of transportation projects and initiatives.

At the local level, citizens are willing to tax themselves to pay for much need transportation improvements. For example, in my district of Sacramento, a recent survey revealed that 74 percent of Sacramento County residents would support a ballot tax measure for transit and roads. Our citizens understand the need for more transportation funds and are proving this as a priority at the ballot box.

The federal government must play a key leadership role in encouraging this type of initiative.

Why is this so important?

Last week, the American Public Transportation Association announced that Americans took a record 10.1 billion trips on local public transportation in 2006.

Over the last decade, public transportation's growth rate outpaced population growth and the growth rate of vehicle miles traveled on our Nation's highways.

There is great demand on our national transit infrastructure.

Since 1995 public transit use has increased by 30 percent, which is double the population growth in our country, 12 percent, during that same time period.

Despite record levels of federal investment and the display of local jurisdictions to tax themselves for the purposes of increasing the level and quality of public transportation services, we have to make sure that State funding, across our country, keeps pace.

State Legislatures are facing huge deficits and some States have little choice but to freeze or cut funding for many important programs, including transit services.

My legislation is designed to encourage States and counties to think twice before they cut transit funding by providing ''bonus'' Federal transportation dollars to those States that increase public transportation funding or take steps to increase funding.

As a member of the Transportation and Infrastructure Committee, my colleagues and I will be looking for new and innovative ways to fund our transportation programs in the coming years.

The Flexibility Incentive Grant Pilot Program is a good place to start this conversation. I ask that my colleagues support my legislation.

H. CON. RES. 584: TO DESIGNATE THE HEADQUARTERS OF THE DEPARTMENT OF EDUCATION IN WASHINGTON, DC, AS THE LYNDON BAINES JOHNSON FEDERAL BUILDING

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. DAVIS of Illinois. Madam Speaker, throughout his tenure as President and during his life in general, President Lyndon Baines Johnson held firm to his belief that education was an essential part of the American dream. In particular, he championed the right to quality education for minorities in public schools that were challenged by merit, limited funding, and poor resources. It is fitting that this building bear his name given his central role in passing landmark education legislation.

During his term as President, LBJ signed into law the Elementary and Secondary Education Act of 1965. For the first time, this act allocated large amounts of Federal money to public schools, targeting assistance to disadvantaged children in rural and urban areas. In addition, this bill allowed for the first time, private schools, mostly Catholic schools in urban areas, to receive funding and support.

Johnson's second major education achievement was the Higher Education Act of 1965. Again, this bill incorporated the needs of low-income students via grants, the work-study program, and government loans. These are just a small sample of the great accomplishments of President Johnson, a leader who took the steps necessary to make education a top priority for the country, a goal to which we continue to strive today. I salute his great contribution to education. I am proud to see that the headquarters of the Department of Education in Washington, DC, will be commemorated as the Lyndon Baines Johnson Federal Building in honor of our 37th President.

TRIBUTE TO THE CITY OF TROY, ILLINOIS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. SHIMKUS. Madam Speaker, I rise today to honor the City of Troy, Illinois, on its 150th anniversary.

The City of Troy first began in 1819 as a ten acre spread of land in southern Illinois and soon became the first stagecoach stop for travelers to and from St. Louis. By 1850 the City of Troy became a story of success, and Troy became legally recognized as a town in 1857.

By 1978, Troy became the third fastest growing area in the United States and still continues to prosper.

I am pleased to congratulate Troy on its 150 years of accomplishments.

NEAL SMITH FEDERAL BUILDING

SPEECH OF

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2007

Mr. LATHAM. Mr. Speaker, as a proud cosponsor of H.R. 1045, a bill to designate the federal building located at 210 Walnut street in downtown Des Moines, Iowa as the ''Neal Smith Federal Building,'' I strongly support its passage.

As a distinguished public servant to an Americans—a World War II bomber pilot and the State of Iowa's longest serving Member of the U.S. House of Representatives—Neal Smith deserves to be recognized by this body, where he served the people of Iowa with honor for 36 years.

To this day, Neal Smith is held in high regard by Iowans. His accomplishments as a member of the House Appropriations Committee helped strengthen Iowa's economy and improve the lives of its citizens. In addition to his committee work, Neal Smith championed many issues important to Iowa agriculture and the environment. Neal Smith is credited with creating the Commodity Futures Trading Commission and a federal national wildlife refuge in Prairie City, Iowa that now bares his name.

But what is most impressive to me and most important to Iowa and this country is the dedication and sacrifice Neal Smith made during World War II. As a courageous United States Army Air Force bomber pilot Neal Smith, encountered enemy fire and his plane was shot down. His valor and perseverance earned him the Purple Heart, nine Battle Stars and the Air Medal with four oak leaf clusters.

Neal Smith—Iowa is proud and thankful for your many years of service and I proudly support H.R. 1045.

WHITE PASS SKI AREA EXPANSION PROJECT

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. DICKS. Madam Speaker, I rise today to discuss an issue that has occurred in my State over the past 23 years.

The White Pass Ski Area is located in the Cascade Mountain Range in the Gifford Pinchot and Wenatchee National Forests. White Pass is renowned as one of the best small ski areas in the Pacific Northwest and offers particular appeal to families. The area, which provides critical tourism revenue to the surrounding rural communities on both sides of the mountain range, is now looking to expand to provide greater opportunities to skiers in the Pacific Northwest.

Over two decades ago, we succeeded in passing through Congress the Washington State Wilderness Act of 1984. This legislation added over 23,000 acres of land to the Goat Rocks Wilderness Area and removed from wilderness designation 800 acres adjacent to the White Pass Ski Area as having ''significant potential for ski development'' and urging the Secretary of Agriculture to ''utilize this potential, in accordance with applicable laws, rules and regulations.''

The Gifford Pinchot National Forest Land and Resource Management Plan allocated the 800–acre area that Congress had withdrawn from the Wilderness Area back in 1984 to Developed Recreation in recognition of the intent of Congress. However, the LRMP concurrently inventoried as roadless the same 800–acre area. The conflicting, confusing and uncertain status of the subject lands needs addressing, which is why I rise today.

I can say from first-hand experience that, at the time we passed the aforementioned Washington Wilderness Act of 1984, it was congressional intent to permit expansion of the White Pass Ski Area. I would like to submit for the record a letter signed by the 1984 congressional delegation stating that it was our intent to provide for the expansion of White Pass Ski Area. In a February 3, 2004 letter, the U.S. Department of Agriculture also confirmed this congressional intent, stating: ''We agree that the intent of Congress was clearly to allow for ski area development in the Hogback Basin.'' In addition, Congressman BAIRD, who represents the district where White Pass is located, submitted for the RECORD on January 31, 2007 a statement urging clarification and action on this Issue.

The Fiscal Year 2007 Interior Appropriations Bill that passed the House in May of last year included important information clarifying congressional intent to permit expansion of White Pass Ski Area. The language stated:

The Committee notes that the Washington State Wilderness Act of 1984 removed from wilderness designation 800 acres of land adjacent to the White Pass Ski Area in Washington State for potential ski development. The Committee notes that the Gifford Pinchot National Forest Land and Resource Management Plan allocated the 800-acre area as Developed Recreation to allow for ski area expansion, while concurrently inventorying the same land as roadless to reflect its current physical character. The Committee recognizes that it was the intent of Congress to permit ski area expansion into this 800-acre area and urges the Secretary of Agriculture, once the Environmental Impact Statement for the White Pass Ski Area's Master Development Plan is properly completed, to move forward expeditiously in approving the expansion plans in accordance with all applicable laws, rules, and regulations.

Unfortunately, the FY07 Continuing Resolution did not include any report language; therefore the language clarifying congressional intent that passed this body last summer was not included in the CR.

I wanted to bring this issue to the attention of my colleagues and highlight the fact that the House Appropriations Committee was prepared and willing to clarify congressional intent, and that the full House approved that clarification by voting for the fiscal year 2007 Interior Appropriations Bill in May. In keeping with this, I urge the Secretary of Agriculture to move forward expeditiously in approving the expansion plans in accordance with all applicable laws, rules, and regulations—once the Environmental Impact Statement is properly completed.

TRIBUTE TO SONOMA COUNTY AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Ms. WOOLSEY. Madam Speaker, together with my colleague, Mr. THOMPSON from California, I rise today to honor the Sonoma County Agricultural Preservation and Open Space District located in Northern California. On March 3, the agency received the prestigious County Leadership in Conservation Award from the National Association of Counties (NACo) and Trust for Public Land (TPL).

This award is given annually to counties that showcase the best practices in innovative conservation work. As one of the first public agencies in the nation funded by a sales tax to protect agriculture, the Open Space District has continued to distinguish itself nationally. It has protected almost 70,000 acres, including farms, greenbelts, natural open spaces, and recreational areas.

The District was formed as a result of public concern over urbanization in Sonoma County as subdivisions, malls and parking lots threatened to overwhelm land the famed botanist Luther Burbank once called ''God's chosen spot.'' Responding to the very real threat of sprawl, farmers, environmentalists and community leaders joined together in 1990 to pass a sales tax to fund preservation and open space acquisition. So successful is the District that the tax was renewed with a 75 percent approval vote in 2006. Today the tax provides approximately $13 million a year for the District's land conservation and acquisition programs.

The County Open Space Authority is responsible for levying and distributing the funding, while the Sonoma County Board of Supervisors acts as the Board of Directors. The Supervisors appoint a 17-member Open Space Advisory Committee, representing various stakeholders and interest groups, to recommend acquisitions. Manager Andrea Mackenzie works with all of these groups and other local organizations in identifying and purchasing suitable properties (or conservation easements) and determining the best use for them, from agriculture to resource conservation to public access or recreation.

Madam Speaker, Sonoma County has a beautiful and diverse environment ranging from oak savannah to bay wetlands to coastal redwood forests. Its farmlands are among the richest on the planet and grow grapes for world-class wines, crispy Gravenstein apples and luscious Crane melons and many specialty crops. Its pastures and rangelands support both dairy and meat production. The District with its immense support from the public ensures that our children's children will always have woodland and hillside trails to hike and homegrown food to enjoy.

These open spaces keep Sonoma County's agricultural economy healthy, provide recreation for visitors and residents, and preserve the very character of the county. Mr. THOMPSON and I congratulate the Sonoma County Agricultural Preservation and Open Space District upon the receipt of the well-deserved County Leadership in Conservation Award and look forward to continuing to work with the District to preserve Sonoma County's natural beauty and agricultural bounty.

ACCOUNTABILITY IN CONTRACTING ACT

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1362) to reform acquisition practices of the Federal Government:

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today in strong support of H.R. 1362, which makes several changes to federal acquisition laws to increase transparency and accountability in federal contracting.

Specifically, the bill requires agencies to limit the use of certain types of abuse-prone contracts, and to promote integrity in the acquisition workforce. The bill limits the length of certain noncompetitive contracts and requires large federal agencies to develop plans to minimize the use of noncompetitive contracts and cost-reimbursement type contracts. In addition the bill requires the public disclosure of justification and approval documents required for noncompetitive contracts and requires reports to Congress on certain contract audits. Finally, the bill contains a number of provisions which would improve the acquisition workforce.

The Bush administration has justified the award of lucrative no-bid contracts claiming exigent circumstances. The spending on no-bid contracts has more than doubled under the Bush Administration. The time has come again for us to continue in the tradition of restoring accountability back into Congress. This legislation builds on the progress we have made to return to the basic principles of fiscal responsibility and restore Congress's role as a check on the Executive Branch.

Transparency and integrity is needed in order for accountability to be restored in the

federal contracting process so that taxpayers' money can be protected from waste, fraud, and abuse. The effect of this legislation would change federal acquisition law to require agencies to limit the use of emergency no-bid contracts and to increase transparency and accountability in federal contracting in an effort to protect the taxpayers' money.

An estimated $10 billion in Iraq reconstruction spending has already been wasted and the waste will continue until legislation such as H.R. 1362 makes it a requirement for agencies to limit the use of these abuse-prone contracts. Congress has held multiple hearings over the abuse that has occurred regarding such waste in federal contracting and now we must act. Waste and fraud occurred not only with Iraq reconstruction contracts but also in connection with Hurricane Katrina recovery efforts.

Reports of government contractors defrauding the Coalition Provisional Authority of tens of millions of dollars in Iraq reconstruction funds have surfaced and this Administration has done little to try to recover the money. It is time to clean up fraud in Iraq and elsewhere.

I wholeheartedly support H.R. 1362 to change our current federal acquisition laws to require agencies to limit the use of abuse-prone contracts. I applaud this beneficial legislation and urge my colleagues to join me in supporting H.R. 1362.

THE SAFE FACILITIES ACT OF 2007

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. SMITH of New Jersey. Madam Speaker, last night I introduced legislation, the "Safe Facilities Act of 2007," H.R. 1574, to promote and protect increased safety measures at chemical security plants. Specifically, my legislation would prohibit any federal law, regulation or agency from preempting any State chemical facility safety stipulation which may be more rigorous then the new federal regulations.

As you know, Madam Speaker, last fall Congress passed the Homeland Security Appropriations Act of 2007 which granted the Department of Homeland Security (DHS) the authority to draft "interim final regulations" regarding plant security. While these standards are a necessary baseline for nationwide consideration, the federal regulations must represent a floor, not a ceiling, by which States may structure their own security standards. Federal regulations should not be written in such a way to undermine exiting State statues, which in cases like New Jersey are current and robust.

While I agree with some of the implementation provisions outlined in the interim regulations, my legislation repeals the provision allowing the federal law to preempt the state law. It is particularly difficult to find merit in the Department's plan to preempt state standards since the authorizing statute, Public Law 109–295, was intentionally silent on this issue. The very fact that the legislation did not include a specific preemption should be taken as the signal of Congressional intent to allow states to implement stricter standards if they act to do so. Federal laws should provide a framework for state laws, buttressing and enhancing existing state statutes not eradicating or replacing laws which in some cases may be more protective.

As you are well aware, September 11, 2001 changed the life of every single American—including the life of every resident in New Jersey. Nearly 700 New Jersey residents lost their lives including many from the 4th Congressional District which I represent in central Jersey. Regrettably, the most densely populated state in the Union is also well acquainted with bio-terror attacks including the subsequent anthrax attack at the U.S. Postal facility in Hamilton, also in my Congressional District. With over 100 major chemical facilities in the State of New Jersey, lawmakers, experts in the field of science, and residents alike are keen to the importance of securing New Jersey's vital infrastructure which could potentially be used as a weapon by a terrorist.

Immediately following the attacks in 2001 and in preparation for the "worst case scenarios" in the event of another terrorist attack, New Jersey established the Domestic Security Preparedness Task Force to develop the best security practices and encourage each chemical facility in the state to evaluate security threats and plant vulnerabilities as well as the consequences of a chemical release. In 2005, the best practices became mandatory for New Jersey's facilities. All of New Jersey's facilities are now required to prepare a site-specific, risk and vulnerability assessment, emergency incident prevention and response plan and require worker participation in their security assessments. In addition, 43 chemical facilities subject to the Toxic Catastrophe Prevention Act (TCPA) state program are also required to explore the feasibility of inherently safer technologies as part of state security and preparedness plans.

New Jersey is no stranger to danger when it comes to vulnerabilities in a post 9/11 world. We are acutely aware of the terrorist threat and thus we will not be passive in our fight to prevent future catastrophes. The Garden State is the first state in the Nation to implement vigorous plant security practices and continues to research and develop strategies to improve and enhance current standards and regulations. The federal government has no business undermining the efforts of New Jersey, or any State for that matter, in providing the greatest level of protection for our citizens.

TIBET

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. LANTOS. Madam Speaker, I would like to take this opportunity to call to the attention of my fellow committee members an important motion passed by the House of Commons of the Parliament of Canada on February 15, 2007 and a motion currently under consideration of the Senate of the Parliament of Canada.

The motions are part of an international initiative by the Canadian Parliamentary Friends of Tibet, under the leadership of Senator Consiglio di Nino of the Parliament of Canada, to encourage legislators from around the world to urge the government of the People's Republic of China to reach a final and lasting agreement with the Dalai Lama over the situation in Tibet. The initiative is an important step in bringing a peace to the Tibetan people within the context of the sovereignty and territorial integrity of the People's Republic of China.

The following is the text of the motion passed by the House of Commons and of the Parliament of Canada on February 15, 2007:

> That, in the opinion of the House, the government should: Urge the government of the People's Republic of China and the Representatives of Tibet's government in exile, notwithstanding their differences on Tibet's historical relationship with China, to continue their dialogue in a forward-looking manner that will lead to pragmatic solutions that respect the Chinese constitutional framework, the territorial integrity of China and fulfill the aspirations of the Tibetan people for a unified and genuinely autonomous Tibet.

The following is the text of the motion currently under consideration by the Senate of the Parliament of Canada:

> That the Senate urge the government of the People's Republic of China and the Dalai Lama, notwithstanding their differences on Tibet's historical relationship with China, to continue their dialogue in a forward-looking manner that will lead to pragmatic solutions that respect the Chinese constitutional framework, the territorial integrity of China and fulfill the aspirations of the Tibetan people for a unified and genuinely autonomous Tibet.

COMMENDING WALTER KEITH SINGLETON FOR OUTSTANDING SERVICE TO HIS COUNTRY

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. TANNER. Madam Speaker, I rise today to recognize a west Tennessean who was awarded the Congressional Medal of Honor 40 years ago for the ultimate sacrifice he and his family made in service to our country. Sergeant Walter K. Singleton of Shelby County was killed in action in Vietnam on March 24, 1967, at the young age of 22.

Sgt. Singleton was a proud Marine who, when coming under fire from the enemy, gave his own life to protect the lives of his comrades.

The heroism, gallantry and courage Sgt. Singleton demonstrated on the enemy battlefield 40 years ago represents the selfless service that millions of our Nation's finest have given to the United States Armed Forces. The sacrifice he and his family made is what makes this country great.

Madam Speaker, I hope you and our colleagues will join me in honoring Sgt. Walter K. Singleton for his patriotism and recognize the 40th anniversary of the day he received the Congressional Medal of Honor for bravely giving his life in service to his country.

INTRODUCTION OF A RESOLUTION ENCOURAGING THE ELIMINATION OF HARMFUL FISHING SUBSIDIES THAT CONTRIBUTE TO OVERCAPACITY IN COMMERCIAL FISHING FLEETS WORLDWIDE AND THAT LEAD TO THE OVERFISHING OF GLOBAL FISH STOCKS

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Ms. BORDALLO. Madam Speaker, the international community finds itself today at a crossroads with respect to certain policy decisions that will affect the future of the world's fisheries resources. The impacts of the decisions that the international community is poised to make in the coming weeks and months will determine the future sustainability of global fish stocks, including those stocks traditionally harvested by our domestic fishing industry.

Among the challenges to ensuring the sustainability of the world's fisheries resources is the increasing demand for protein by consumers globally. It is precisely this demand for protein that has led to overcapacity in commercial fishing fleets worldwide, and that in turn, is leading to the reported depletion of global fish stocks. The United Nations Food and Agriculture Organization (FAO) reports that 75 percent of the world's fish stocks are considered over-fished, fully exploited, significantly depleted, or rebuilding under protective management. Some countries have recognized these depletion trends and the current vulnerability of fish stocks. The United States is among these countries. Together, these countries have taken swift action to responsibly manage, the catch volume and capacity of their domestic fishing fleets. Other countries, however, have not taken similar steps to mitigate the risks to global fish stocks or sought to manage the catch volume and capacity of their fleets from a global sustainability perspective. In fact, their fleets continue to grow in number despite these alarming trends. This imbalance needs to be addressed by the international community and the United States is in a position to exercise leadership and must do so.

In the United States, we are doing what we can to restore, protect, and manage the precious fishery resources within our Exclusive Economic Zone. The most recent reauthorization of the Magnuson Stevens Fishery Conservation and Management Act requires that overfishing end by 2011. In addition, the United States government no longer provides economic incentives to build new fishing vessels as it once did two decades ago. Unfortunately, the leadership that the United States and others have demonstrated by proactively and responsibly reprioritizing financial assistance for domestic fishing fleets toward fisheries management programs and services and away from outright subsidies for growing fleet capacity has not been uniformly followed by the international community.

Government subsidies for vessel construction and operation are common in many countries around the world. In these countries, too little of these subsidies go toward beneficial causes such as improving fisheries management and science. Rather, much of it goes to subsidize harmful activity, such as increased fuel consumption and fleet expansion. These harmful subsidies artificially decrease the cost of fishing and make it a profitable trade for thousands of vessels which without the benefit of these subsidies could not compete in the marketplace. Current estimates reveal that the sheer number of vessels actively fishing around the world today is 250 percent greater than what is actually necessary to fish at sustainable levels.

Because of the interconnected nature of marine ecosystems, the impacts of overfishing of one stock in one region can have a profound, detrimental and cascading effect across the entire ocean ecosystem. Ecosystems span political boundaries. The effects and consequences of one country's policies and practices that give rise to overfishing, even if limited in its occurrence to be within its own waters, are realized and borne by other countries. But the problem does not stop there. Vessels are increasingly forced to travel farther distances away from their own home ports and familiar waters to contend with increased local competition and in response to a reduction in littoral fish stocks. In many cases, the high seas and even the Exclusive Economic Zones of other countries become enticing targets.

The United States—like other countries—reserves the exclusive right to fish within its 200 nautical mile Exclusive Economic Zone (EEZ). Hundreds of foreign vessels each year, however, are intercepted while fishing illegally in U.S. waters. This rise in illegal fishing is placing additional pressure on our already exploited resources, damaging our marine ecosystems, and taking away potential revenue from our domestic fishing industry. In 2006 alone, the United States Coast Guard intercepted 164 vessels fishing in our EEZ. This statistic is troubling. But what is even more troubling is the fact that this number represents only the number of vessels that were actually caught. It does not represent the total threat or existence of foreign fishing in our waters, particularly in waters where enforcement is difficult such as the waters around Guam.

On Guam the problem of illegal fishing is insignificant. The Western Central Pacific area, which includes the EEZs around Hawaii, Guam and the other U.S. islands and territories in that region, is considered one of the Coast Guard's three highest threat areas for foreign fishing. The U.S.-Mexico and U.S.-Russia borders are the other two. In 2006, the Coast Guard recorded 11 incidents of illegal foreign fishing in the Western Central Pacific area. Since 2000, the Coast Guard has intercepted an average of 34 vessels per year. And, as mentioned earlier, this only represents the vessels that are being caught. There is no way to assess with any certainty how many other vessels are fishing illegally in our waters and thereby harming our fishing fleet by harvesting the fish stocks found within our EEZ.

The species targeted in the Western Central Pacific area are generally extremely valuable, highly migratory species like tuna. Thus, the economic impact of illegal fishing is significant. Additionally, the long-term impact of overfishing on long-lived, predatory species such as tuna compounds the effect on the ocean ecosystem and economy.

The problem of illegal foreign fishing is exacerbated by the fact that complete and comprehensive monitoring and enforcement by the Coast Guard of all U.S. waters is impractical. The Coast Guard Living Marine Resource Law Enforcement Division is responsible for patrolling over 3.36 million square miles of ocean, much of which is extremely remote and subject to harsh conditions. The Coast Guard simply does not have the resources to patrol all waters and at all times.

At the same time, the countries whose vessels are the most likely to be found illegally fishing in the U.S. EEZ are also countries that provide large capacity-increasing subsidies to their fishing fleets. Because enforcement is so difficult, it is even more important that we attack the issue at its root by encouraging worldwide capacity reduction and by discouraging other countries from making it economically feasible for their vessels to travel into our waters to fish.

Today, I am introducing a concurrent resolution to encourage our government to work with other countries to bring about an end to the harmful subsidies that contribute to overcapacity in commercial fishing fleets and that lead to overfishing of global fish stocks. The continuing support of otherwise unsustainable fleets by certain countries means an ongoing threat to our country's marine resources and our domestic fishing industry.

While we have no direct control over the actions of foreign governments, the Doha Round of the current World Trade Organization (WTO) negotiations have placed the United States in a unique position to influence the future use of harmful fisheries subsidies by these other countries. Through these negotiations the United States is presented with an opportunity to exercise its leadership internationally toward the phasing out of subsidies that increase fishing capacity and that promote overfishing. By passing this concurrent resolution, Congress can demonstrate to the world its support for our government as they move forward with these negotiations.

It is my hope that my colleagues will support this concurrent resolution and that they will join me in encouraging action to protect the interests of our domestic fishing industry, our marine resources, and the sustainability of global fish stocks for the greater and shared interests of all members of the international community.

INTRODUCTION OF THE LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT OF 2007

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 20, 2007

Mr. CONYERS. Madam Speaker, I am pleased to introduce the bipartisan Local Law Enforcement Hate Crimes Prevention Act of 2007, along with Representatives KIRK, FRANK, SHAYS, BALDWIN, ROS-LEHTINEN, NADLER and BONO. As of today there are more than 100 original cosponsors. This legislation will provide assistance to state and local law enforcement agencies and amend federal law to facilitate the investigation and prosecution of violent, bias-motivated crimes. Last Congress, this legislation passed with bipartisan support as H. Amdt 544 to the Child Safety Act (H.R.

3132) by a vote of 223–199. Bipartisan majorities also voted in favor of hate crime legislation in the 108th and 106th Congresses.

The Hate Crimes Prevention Act has attracted the support of over 210 civil rights, education, religious, and civic organizations. Importantly, virtually every major law enforcement organization in the country has endorsed the bill—including the International Association of Chiefs of Police, the National District Attorneys Association, the National Sheriffs Association, the Police Executive Research Forum, and 31 state Attorneys General.

Bias crimes are disturbingly prevalent and pose a significant threat to the full participation of all Americans in our democratic society. The FBI has the best national data on reported hate crime, though the program is voluntary. Since 1991, the FBI has documented over 113,000 hate crimes. For the year 2005, the most current data available, the FBI compiled reports from law enforcement agencies across the country identifying 7,163 bias-motivated criminal incidents that were directed against an individual because of their personal characteristics. Law enforcement agencies identified 8,795 victims arising from 8,373 separate criminal offenses. As in the past, racially-motivated bias accounted for more than half (54.7 percent) of all incidents. Religious bias accounted for 1,227 incidents (17.1 percent) and sexual orientation bias accounted for 1,017 incidents—(14.2 percent), followed by ethnicity/national origin bias with 944 incidents—(13.7 percent). While these numbers are disturbing, it is important to note that, for a variety of reasons, hate crimes are seriously under-reported.

Despite the deep impact of hate violence on communities, current law limits federal jurisdiction over hate crimes to incidents directed against individuals on the basis of race, religion, color or national origin—but only when the victim is targeted because he/she is engaged in a federally protected activities, such as voting. Further, the statutes do not permit federal involvement in a range of cases where crimes are motivated by bias against the victim's perceived sexual orientation, gender, gender identity, or disability. The federal government must have authority to be involved in investigating and prosecuting these crimes when state authorities cannot or will not do so.

This legislation, which is identical to the version approved in the 109th Congress, will strengthen existing federal law in the same way that the Church Arson Prevention Act of 1996 helped federal prosecutors combat church arson: by addressing the unduly rigid jurisdictional requirements under federal law. The bill only applies to bias-motivated violent crimes and does not impinge public speech or writing in any way. In fact, the measure includes an explicit First Amendment free speech protection for the accused modeled on the existing Washington state hate crimes statute.

State and local authorities currently prosecute the overwhelming majority of hate crimes and will continue to do so under this legislation. The federal government will continue to defer to state and local authorities in the vast majority of cases; the Attorney General or another high ranking Justice Department official must approve any prosecutions undertaken pursuant to this law, ensuring federal restraint. However, in appropriate circumstances, the federal government will be able to provide support for local prosecutions—an intergovernmental grant program created by this legislation will make Justice Department technical, forensic or prosecutorial assistance available. The legislation also authorizes the Attorney General to make grants to state and local law enforcement agencies that have incurred extraordinary expenses associated with the investigation and prosecution of hate crimes.

The Local Law Enforcement Hate Crimes Prevention Act of 2007 is a constructive and measured response to a problem that continues to plague our nation. Hate crime statistics do not speak for themselves. Behind each of the statistics is an individual or community targeted for violence for no other reason than race, religion, ethnicity, sexual orientation, gender, gender identity, or disability. Law enforcement authorities and civic leaders have learned that a failure to address the problem of bias crime can cause a seemingly isolated incident to fester into widespread tension that can damage the social fabric of the wider community. This problem cuts across party lines, and I am glad to be joined by so many of my colleagues on both sides of the aisle in proposing this legislation today. These are crimes that shock and shame our national conscience and should be subject to comprehensive federal law enforcement assistance and prosecution.

PERSONAL EXPLANATION

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mrs. NAPOLITANO. Mr. Speaker, on Monday, March 19, 2007, I was absent due to illness. Had I been present, I would have voted ''yea'' on rollcall No. 158, agreeing to H.R. 658—Natural Resource Protection Cooperative Agreement Act.

COMMENDING FLOWER MOUND HIGH SCHOOL

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. BURGESS. Madam Speaker, I rise today to congratulate students of Flower Mound High School for their remarkable performance in the State Academic Decathlon competition. This is a competition that includes some of the brightest students in the State of Texas.

Academic Decathlon is a nation-wide competition which tests high school students in the following 10 academic events: speech, interview, essay, super quiz, language and literature, economics, art, music, social science, and math. The competition takes place at a regional, state, and national level. The theme for this year's categories was ''China and its Influence on the W orld.''

In Flower Mound High School's first appearance at the State competition, they finished in 10th place with 41,288 points. Juri Hur, Josh Patterson, and Jamie Choate received gold medals for their outstanding performances. They were joined in the competition by teammates Jonathan Angel, Danielle Bevers, Melissa Bevers, Kayla Gilliard, Leah Higginson, and Heather Snedeker. The team was coached by Judy Kelmer and Julie Tipton.

I would like to recognize Principal Jack Clark and the entire Flower Mound High School faculty for their dedication to education. It is also necessary to honor the parents of these students for the active role that they have taken in their children's education. I commend all of the participants for their diligence and commitment to academic achievement. I wish them the best as they continue onward, and I am very proud and honored to be their Representative in the 26th District of Texas.

TRIBUTE TO GRACE NASH

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Ms. KAPTUR. Madam Speaker, the first day of Spring brought the family and friends of Grace Elizabeth Nash together in celebration of her everlasting life. Grace Nash passed from this life to be with her Savior on Friday, March 16, 2007 at the age of 52 years.

A native of Jamaica, Grace Nash graduated from the University of Findlay in 1978. She settled in Bowling Green, Ohio and dedicated her career to elder advocacy. She was the activities director for the Wood County Committee on Aging for 22 years until her retirement, when she took on the challenge as executive coordinator of the Ohio Association of Senior Centers. Grace was talented, giving, and truly invested in the lives of the older adults she served and the younger adults she mentored. Her tenure with the Wood County Committee on Aging was marked by a dynamism and professionalism which was unmatched.

Spirituality was woven into the very fibers of Grace's life, and she was the administrator of her congregation, New Life Pentecostals of Toledo Church. Her pastor described her perfectly: Grace ''was passionate, she was a dreamer, she had lots of energy, and she was very spiritual. The people who knew her called her Amazing Grace.'' Indeed she was. With quiet dignity, a ready smile and a helping hand, Grace embodied her name.

Grace Elizabeth Nash leaves a legacy to all whose lives she touched, and many who did not have the privilege of knowing her. Among the people who were so privileged, she will be missed. We extend our heartfelt condolences to them, and especially her brother, sisters, nieces and nephews. May they find comfort in their memories and the gift of Grace's life.

PERSONAL EXPLORATION

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mrs. NAPOLITANO. Mr. Speaker, on Monday, March 19, 2007, I was absent due to illness. Had I been present, I would have voted ''yea'' on roll call No. 159, agreeing to H.R.

839—Arthur V. Watkins Dam Enlargement Act.

COMMENDING MARCUS HIGH SCHOOL

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. BURGESS. Madam Speaker, I rise today to congratulate students of Marcus High School for their remarkable performance in the state Academic Decathlon competition. This is a competition that includes some of the brightest students in the State of Texas.

Academic Decathlon is a nation-wide competition which tests high school students in the following 10 academic events: speech, interview, essay, super quiz, language and literature, economics, art, music, social science, and math. The competition takes place at a regional, state, and national level. The theme for this year's categories was "China and its Influence on the World."

The team from Marcus High School finished 3rd at the regional competition and 18th overall at the state competition. Jonathan Neal was awarded a gold medal in the language and literature category. Other contestants from Marcus were Jake Burley, Chelsea Carroll, Preston Hale, Robert Handley, Matthew Henry, Jacqueline Hurlbutt, Emily Robertson, and Tyler Stevenson. Lou Ann Kemper and Dorrie Loughborough were the coaches for the team.

I would like to recognize Principal Kevin Rogers and the entire Marcus High School faculty for their dedication to education. It is also necessary to honor the parents of these students for the active role that they have taken in their children's education. I commend all of the participants for their diligence and commitment to academic achievement. I wish them the best as they continue onward, and I am very proud and honored to be their Representative in the 26th District of Texas.

TRIBUTE TO PATRICK McGUIRE

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Ms. KAPTUR. Madam Speaker, our community of Northwest Ohio has lost a leader and academic activist whose reach was national in scope. Patrick McGuire lost his battle with cancer on March 18, 2007 and passed from this life at the age of 53 years.

A native of Malone, New York, Mr. McGuire was a Toledo, Ohio resident since accepting a teaching position with the University of Toledo in 1987. He continued teaching throughout, but took on the directorship of the university's Urban Affairs Center in 2000. His leadership oversaw an expansion of that institution and a national recognition of his and the center's efforts. His respected research of community sustainability and development, urban sprawl, the creation of a municipal electrical company, and the so called "brain drain" of young professionals was nationally known.

Equally important to his academic and community leadership, Pat McGuire was dedicated to his personal life. His family and friends knew him to be a gourmet cook who loved fly fishing. We extend our sympathies to his life partner Linda and children Seamus and Erin, his parents, sister and brother, niece and nephew. We know their loss is profound, and hope comfort is found in the memories they share.

Perhaps the best summation of the life and work of Patrick McGuire was offered by his successor at the Urban Affairs Center: "Patrick was a person with a lot of heart, he was tenacious and righteous, and he fought absolutely for what he believed in . . ." A fine legacy indeed.

PERSONAL EXPLANATION

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mrs. NAPOLITANO. Madam Speaker, on Monday, March 19, 2007, I was absent due to illness. Had I been present, I would have voted "yea" on rollcall No. 157, agreeing to H. Res. 138—Recognizing the importance of Hot Springs National Park on its 175th anniversary.

SENATOR SIMPSON'S WISDOM REBUTS GENERAL PACE'S PREJUDICE

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. FRANK of Massachusetts. Madam Speaker, on Wednesday, March 14, former Senator Alan Simpson published an eloquent and well-reasoned argument for total repeal of the restrictions that now exist on patriotic gay, lesbian, bisexual and transgendered people serving in the military. It is particularly noteworthy that Senator Simpson, like General John Shalikashvili, was an influential supporter of the current restrictive policy when it was imposed in 1993. Like General Shalikashvili, Alan Simpson with the forthrightness and intellectual honesty that marked his distinguished career in the Senate now says that it is time to end that policy, noting that there has been a substantial diminution of anti-gay and lesbian prejudice among the American people, which means that the argument that allowing those of us who are gay, lesbian, bisexual and transgendered openly to serve would somehow cause morale problems because of widespread prejudice against us.

Senator Simpson goes on to note that at a time when we are facing a shortage of people able and willing to serve in the military, it is particularly foolish to refuse to allow people who want to serve to do so based on outdated prejudices against them. And I do want to note in this context that even when he was defending a total ban on gays and lesbians in the military in 1990, then General Colin Powell acknowledged that that was not because there was any reason to conclude that gay or lesbian people would be inferior members of the military, but again, only that we were the victims of a prejudice that could be disruptive.

It is particularly disappointing to me, Madam Speaker, therefore, that just as Senator Simpson and General Shalikashvili have acknowledged the diminution of this prejudice, the Chairman of the Joint Chiefs, General Peter Pace, has tried to reinvigorate it. General Pace's comment that we who are gay, lesbian, bisexual or transgendered are "immoral" solely because of that fact, without any judgment about how we in fact interact with other human beings, is prejudice at its worst. If he were a private citizen, the fact that he felt so unfairly negative towards so many of his fellow citizens would be purely his business. But in fact he cited his condemnation of us as one of the main justifications for a public policy that excludes patriotic gay, lesbian, bisexual and transgendered people from serving in the military. He has since, of course, retracted that part of his statement, but it is clear that he did so only because he has been criticized for it, and not because there has been any change in his opinion.

Madam Speaker, it is entirely wrong for such a high position as Chairman of Joint Chiefs of Staff to be occupied by someone who is prepared to consign millions of other Americans to second class status because he disapproves of consensual, mutually respectful intimate behavior—that the Supreme Court has made clear can never be criminalized—between consenting adults. Such an effort to use public policy to enforce private views would be strongly rejected, I hope, by the President and others in the administration if it were to be aimed at any other group. I deeply regret that we have not seen a similar reaction when the victims are those of us who are gay or lesbian.

The article by Alan Simpson follows:

[From the Washington Post, Mar. 14, 2007]

BIGOTRY THAT HURTS OUR MILITARY

(By Alan K. Simpson)

As a lifelong Republican who served in the Army in Germany, I believe it is critical that we review—and overturn—the ban on gay service in the military: I voted for "don't ask, don't tell." But much has changed since 1993.

My thinking shifted when I read that the military was firing translators because they are gay. According to the Government Accountability Office, more than 300 language experts have been fired under "don't ask, don't tell," including more than 50 who are fluent in Arabic. This when even Secretary of State Condoleezza Rice recently acknowledged the nation's "foreign language deficit" and how much our government needs Farsi and Arabic speakers. Is there a "straight" way to translate Arabic? Is there a "gay" Farsi? My God, we'd better start talking sense before it is too late. We need every able-bodied, smart patriot to help us win this war.

In today's perilous global security situation, the real question is whether allowing homosexuals to serve openly would enhance or degrade our readiness. The best way to answer this is to reconsider the original points of opposition to open service.

First, America's views on homosexuals serving openly in the military have changed dramatically. The percentage of Americans in favor has grown from 57 percent in 1993 to a whopping 91 percent of 18- to 29-year-olds surveyed in a Gallup poll in 2003.

Military attitudes have also shifted. Fully three-quarters of 500 vets returning from Iraq and Afghanistan said in a December Zogby poll that they were comfortable interacting with gay people. Also last year, a

Zogby poll showed that a majority of service members who knew a gay member in their unit said the person's presence had no negative impact on the unit or personal morale. Senior leaders such as retired Gen. John Shalikashvili and Lt. Gen. Daniel Christman, a former West Point superintendent, are calling for a second look.

Second, 24 nations, including 12 in Operation Enduring Freedom and nine in Operation Iraqi Freedom, permit open service. Despite controversy surrounding the policy change, it has had no negative impact on morale, cohesion, readiness or recruitment. Our allies did not display such acceptance back when we voted on ''don't ask, don't tell,'' but we should consider their commonsense example.

Third, there are not enough troops to perform the required mission. The Army is ''about broken,'' in the words of Colin Powell. The Army's chief of staff, Gen. Peter Schoomaker, told the House Armed Services Committee in December that ''the active-duty Army of 507,000 will break unless the force is expanded by 7,000 more soldiers a year.'' To fill its needs, the Army is granting a record number of ''moral waivers,'' allowing even felons to enlist. Yet we turn away patriotic gay and lesbian citizens.

The Urban Institute estimates that 65,000 gays are serving and that there are 1 million gay veterans. These gay vets include Capt. Cholene Espinoza, a former U–2 pilot who logged more than 200 combat hours over Iraq, and Marine Staff Sgt. Eric Alva, who lost his right leg to an Iraqi land mine. Since 2005, more than 800 personnel have been discharged from ''critical fields''—jobs considered essential but difficult in terms of training or retraining, such as linguists, medical personnel and combat engineers. Aside from allowing us to recruit and retain more personnel, permitting gays to serve openly would enhance the quality of the armed forces.

In World War II, a British mathematician named Alan Turing led the effort to crack the Nazis' communication code. He mastered the complex German enciphering machine, helping to save the world, and his work laid the basis for modern computer science. Does it matter that Turing was gay? This week, Gen. Peter Pace, chairman of the Joint Chiefs, said that homosexuality is ''immoral'' and that the ban on open service should therefore not be changed. Would Pace call Turing ''immoral''?

Since 1993, I have had the rich satisfaction of knowing and working with many openly gay and lesbian Americans, and I have come to realize that ''gay'' is an artificial category when it comes to measuring a man or woman's on-the-job performance or commitment to shared goals. It says little about the person. Our differences and prejudices pale next to our historic challenge. Gen. Pace is entitled, like anyone, to his personal opinion, even if it is completely out of the mainstream of American thinking. But he should know better than to assert this opinion as the basis for policy of a military that represents and serves an entire nation. Let us end ''don't ask, don't tell.'' This policy has become a serious detriment to the readiness of America's forces as they attempt to accomplish what is arguably the most challenging mission in our long and cherished history.

TRIBUTE ON THE OCCASION OF THE 186TH ANNIVERSARY OF GREEK INDEPENDENCE

HON. MICHAEL R. McNULTY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. McNULTY. Madam Speaker, the American people join with the people of Greece in celebrating the 186th anniversary of the revolution that freed the Greek people from the Ottoman Empire.

The bedrock of our close relationship with Greece is our mutual devotion to freedom and democracy and our unshakable determination to fight, if need be, to protect these rights.

Greek philosophers and political leaders—Cleisthenes and Pericles and their successors—had great influence upon America's Founding Fathers in their creation of these United States.

We, as a Nation, owe a great debt to Greece. Greece is the birthplace of democracy, as we know it.

Thomas Jefferson said, ''To the ancient Greeks, we are all indebted for the light which led ourselves (American colonists) out of Gothic darkness.''

The terrorist attacks of September 11, 2001 were an attack on democracy and freedom—not just against our people, but also against all freedom-loving people everywhere in the world. The Greek people understand this.

I congratulate the people of Greece and wish them a Happy National Birthday.

ON THE 4TH ANNIVERSARY OF THE IRAQ WAR

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. CUMMINGS. Madam Speaker, I rise today to express my support both for the men and women fighting for our Nation with immeasurable courage and commitment and for the legislation that would bring them home, the ''U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act.''

While I have opposed this war from the beginning, our duty now is to resolve this conflict as quickly as possible. We must stabilize the country, protect innocent Iraqis, and lay the groundwork to return our troops to their families.

We were lead into war on the basis of false presumptions drawn from faulty intelligence. Our soldiers are now being attacked daily by anonymous road-side bombs that the factions fighting in a civil war are targeting against our troops—whom we were told would be greeted as liberators.

Billions of taxpayer dollars have simply vanished in Iraq, while billions more have been given away in no-bid contracts or embezzled. At the same time, our troops are going without the body armor and the advanced HUMVEE protections—such as the MRAP system—that would reduce casualties. This is simply inexcusable.

Further, at the present time, according to a survey by USA Today and other media, 6 in 10 Iraqis (61 percent) believe their lives are going badly, while only a third (35 percent) agree that improvements in current conditions are on the horizon.

Unfortunately, there are no easy answers to the disaster that the Administration's actions in Iraq have created.

However, I believe we must try to ensure that we do not leave Iraq worse off than it was before the invasion. Until Iraqis feel safe in their country and see progress in their lives, it will not be possible to bring stability to that nation.

Importantly, as the most recent National Intelligence Estimate has made clear, this is not something that can be accomplished by the use of military force—it can be achieved only when Iraqis come together to make the difficult political decisions that will create a government truly capable of governing.

Further, the Iraq Study Group advised that a gradual draw-down of troops is most likely to stabilize the country when combined with serious negotiations with all of Iraq's neighbors—including Iran and Syria.

This is why I stand here today in support of the ''U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act.'' This bill would hold the President and Iraq to the benchmarks President Bush himself has stated must be reached to resolve this crisis.

If these benchmarks are not being met in the months to come, this Act would require that our troops be redeployed. Frankly, if we are not making progress in Iraq, we have no reason to be there.

Further, we owe it to the Iraqis, who have lost tens of thousands of their loved ones, to require that the political solutions that are central to their success are the benchmarks against which we measure our progress.

Additionally, let me note that this bill would also require that all forces sent to battle be adequately rested, trained, and equipped. While the President could waive this requirement, frankly I do not believe it is ever in our interest to send forces into combat who are not fully ready and who do not have the latest protective equipment we can provide.

Our forces have done all and more than we have asked of them and their families have been patiently sacrificing for four long years. We owe it to them to adequately protect them while they are deployed and to bring them home before the 5th anniversary of this war passes.

That is why I urge my colleagues to vote in favor of this bill.

IN MEMORY OF BOB HATTOY

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Ms. HARMAN. Madam Speaker, Bob Hattoy was a true American original. Sadly, he passed away earlier this month due to AIDS-related complications. His passionate voice on social justice and environmental issues helped break down barriers and moved the country in a better direction.

Bob's defining trait was his passion. He always fought hard for what he believed in—no matter who or what stood in his way. This was especially true during his time as the California regional director for the Sierra Club.

Bob never wavered in fighting for issues such as protecting the California desert and preventing offshore drilling along the coast. He also worked to change the way the Sierra Club operated, putting a more human face on the organization.

He never shied away from taking on people in power—not even Presidents. With his characteristically sharp tongue, he described a proposal to name a national forest after former President Reagan was like ''naming a daycare center after W.C. Fields.''

But it was in the debate over AIDS in America where Bob will truly be remembered. In many ways, he helped transform the debate and became, as he joked, a ''poster boy for AIDS'' in the process.

In 1992, nearly 2 years after being diagnosed, Bob gave one of the most evocative and impassioned speeches at the Democratic National Convention. The first person with AIDS to speak at a party convention, Bob spoke honestly and frankly to millions of Americans. He became an icon in the AIDS movement, and helped change the hearts and minds of many.

I will always remember the unique way he blended this passion for progressive issues with a charming sense of humor. It was his wit that often won over those who disagreed with him and endeared to him those he fought for. Though he will be missed, his legacy, reputation and humor will live on.

PERSONAL EXPLANATION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. CONAWAY. Madam Speaker, on rollcall No. 157, H. Res. 138—Recognizing the importance of Hot Springs National Park on its 175th Anniversary. Had I been present, I would have voted ''yea.''

TRIBUTE TO RALPH FRANZEN AND RICHARD PARADIS

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. DOOLITTLE. Madam Speaker, today I wish to recognize and honor two fine volunteers, Ralph Franzen and Richard Paradis, upon their retirement after years of service ensuring the health and safety of the residents of California on the slopes of the famed and historic Squaw Valley Ski Resort.

Ralph and Richard both served on the Squaw Valley National Ski Patrol (SVNSP), an organization of approximately 95 unpaid volunteers who are trained in outdoor emergency care, CPR, and winter rescue. They combined first aid and skiing skills to serve the ski area and public at Squaw Valley USA near Lake Tahoe, California. While on duty at Squaw Valley, patrollers are agents of the resort and work under the direction of the Squaw Valley Ski Patrol Department. Together with the paid patrol staff, they are always among the first on the mountain in the morning and the last off, regardless of weather or snow conditions.

The patrollers' primary function is to provide basic life support, first aid, rescue, and on-the-slope transportation to injured resort guests. Besides first aid and winter rescue duties, volunteer patrol members frequently assist with the skier safety program on the two-mile long Mountain Run to ensure the general safety of the skiing/snowboarding public at Squaw Valley.

Madam Speaker, both of these distinguished gentlemen have spent 35–40 days a year working as volunteers on the Squaw Valley Ski Patrol, providing for the health and safety of the skiers on the mountain. Richard Paradis joined the Squaw Valley National Ski Patrol in 1961 and Ralph Franzen in 1972. They have provided care for countless injured skiers with every level of injury. Over the course of their careers, Ralph Franzen and Richard Paradis have received commendations for rescuing individuals from life threatening situations and injuries. Today, they deserve further recognition upon their retirement.

Ralph and Richard are outstanding volunteers who have proven themselves over the years as certified instructors in first aid, outdoor emergency care, toboggan, and rescue equipment usage. These gentlemen have dedicated countless hours to training the current generation of ski patrol men and women and, as a result, have received the admiration and respect of their fellow Ski Patrol members.

Ralph Franzen and Richard Paradis truly are heroes to the many they have helped save and mend over the years. They are outstanding representatives of the community who have proven records of commitment to public service and their fellow man.

Thank you, Ralph Franzen and Richard Paradis, for your years of dedicated service.

PLUG-IN HYBRID VEHICLES

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. CAMP of Michigan. Madam Speaker, today I am introducing legislation that aims to help propel the introduction of plug-in hybrid vehicles by automobile manufacturers. These clean, efficient, high performance vehicles have the potential to reduce the nation's dependence on foreign oil, lower emissions, and help the nation's auto manufacturer's move forward into the nextgeneration of advanced technology vehicles.

Government mandates are no substitute for the power of capital markets. That is why my bill is aimed squarely at consumers. Providing tax credits to consumers for the purchase of any type of plug-in hybrid vehicle, allows people to pick and choose the model that suits their needs and preferences. The goal of this legislation is to stimulate consumer interest in these new vehicle technologies.

The current bottleneck for producing plug-in vehicles is battery technology. The Administration has proposed millions of new research dollars aimed at advanced battery technology. This type of research is important. Breakthroughs are needed to usher today's concept plug-in vehicles into the showrooms and ready for customer purchase. To date, the types of batteries needed to power cars and trucks are too heavy, too expensive, and too limited. I am confident, however, that America's ingenuity and desire to take a global lead in battery research will soon overcome the current barriers to entry that exist for plug-in hybrid vehicles.

My bill stimulates consumer demand by providing taxpayers a maximum tax credit of 10 percent of the cost of any plug-in hybrid vehicle up to a maximum $4,000 in the case of a plug-in with a 4kWh battery. Each additional kWh would get an extra $250 credit. This model is based on the electric vehicle tax credit.

Most auto manufacturers are already working on plug-in hybrid vehicle technologies. I believe with greater consumer demand, Detroit's automakers can, and will produce vehicles that meet the demands of consumers and address concerns over foreign oil, high gas prices, and cleaner air. My bill is just one of many ideas to help bring about this desired result.

TRIBUTE TO MR. LUCIOUS CARROLL RICHARDSON

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. ADERHOLT. Madam Speaker, I would like to recognize Mr. Lucious Carroll Richardson, known to his friends as ''Sonny,'' who retired from the Alabama Department of Veteran's Affairs on August 31, 2006. He is a man who truly embodies the American principles of hard work, patriotism, dedication to one's family and service to one's community.

For the past 30 years, the veterans in Walker County, AL, have had no better friend than Sonny Richardson. During that time he unselfishly served Walker County and the State of Alabama with great dedication and distinction. He worked tirelessly to ensure our veterans and their families received the benefits they had earned. His one driving goal was simply to help people. As Sonny once said, ''this job is not a position, it is a calling. If you are not interested in helping people, then you do not need to be in this job''.

Sonny began his career with the Alabama Department of Veterans Affairs in January 1977. At that point there were approximately 6,800 veterans in Walker County receiving approximately $4,800,000 in benefits. Today, more than $19,400,000 in benefits are distributed to approximately the same number of veterans. It was also on his watch that a new Veterans Clinic was opened at Walker Baptist Medical Center in Jasper. In 1987, he rose to the rank of district manager and upon his retirement was supervising two different districts covering 21 counties in north Alabama.

One of Sonny's better known accomplishments was his role in Walker County's annual Veterans Day parade. For 21 years he was the organizer of the parade. Due to his leadership the event grew to become the second largest Veterans Day parade in the State of Alabama. He turned over the reins as organizer 5 years ago to concentrate more on serving the needs of the veterans in Walker County. However, the Walker County Veterans Day parade continues as an annual tradition.

Sonny is a veteran of the United States Army and retired with 20 years of service.

During his military career he earned two Bronze Stars, one Meritorious Service Medal and four Army Commendation Medals and served in Korea, Germany and Vietnam. Upon retiring from the Army, Sonny went back to school and received his bachelor of science degree in criminal justice from the University of Alabama at Birmingham.

He is the recipient of numerous awards for his service to the veterans and the community. In 1988 he was selected for the Fourth Congressional District Distinguished Citizen Award and was the Walker County State Employee of the Year for 1983, 1984 and 1985. He was also twice selected by the American Legion as the Veterans Service Officer of the Year.

Madam Speaker, it is a great privilege for me to honor Lucious Carroll Richardson for his many years of dedicated service to our Nation's veterans. He has had an enduring impact on his country, community, friends and family. He is a man of great dignity and character who takes pride in the accomplishments of those he has helped over the years. It is clear that he has been a friend and advocate to the veterans of Walker County and the entire surrounding area. Madam Speaker, no doubt Sonny will be greatly missed in his position with the Department of Veterans Affairs. However, I know that Sonny will still remain a friend to those who have served their country. Sonny is an inspiring role model for all of us and I join his friends, family and colleagues in wishing him God's richest blessings in his retirement.

TRIBUTE TO THE COPPELL HIGH SCHOOL LARIETTES DRILL TEAM

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. MARCHANT. Madam Speaker, I rise today to congratulate the Coppell High School Lariettes Drill Team for earning the National Championship at the Contest of Champions in Orlando's Walt Disney World of Sports complex on March 3–5, 2007. This is the second National Championship in 4 years for the Coppell Lariettes.

The Lariettes competed against 50 schools from across the Nation and took first-place honors in all categories they competed in to earn the National Championship award.

Each of the 69 Lariettes worked tirelessly to perfect their intricate routines. Dedication, hard work and discipline were necessary for the dancers to achieve the standard of excellence required for a first-place finish.

Besides dancing, the Coppell Lariettes achieve high marks academically in addition to other disciplines such as singing, acting, video production, art, journalism and sports.

I would like to congratulate the Lariette director, Julie Jones on her exceptional work with this group of dancers and The Lariette Service Organization for organizing fund raising and team events.

Again, I offer my congratulations to the Coppell High School Lariettes Drill Team for an outstanding achievement.

EQUIPMENT FOR OUR MILITARY

HON. NANCY E. BOYDA

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mrs. BOYDA of Kansas. Madam Speaker, thanks to long contributions of our soldiers and our veterans, America has amassed the most powerful military in the history of mankind. It is so powerful that we can almost imagine its resources are infinite. But they are not. They are limited, and due to the ever-expanding, ever-deteriorating war in Iraq, they are stretched dangerously thin. Our soldiers and their families will never complain, but that is why we must speak for them. We must ask—no, demand—that they have the equipment, training and support they need to succeed. And today, they do not.

Since the Iraq war began in 2003, the Army has lost nearly 2,000 wheeled vehicles and more than 100 armored vehicles. Almost half of the U.S. Army's entire supply of ground equipment is now deployed in the Middle East. The constant demands of combat and the treacherous terrain are wearing out equipment at up to nine times the usual rate.

America's military is overburdened, and now our nation must seriously discuss how best to deploy our depleted forces against the dangers of our day. In this age when we face so many perils, from sinister terrorists to an unstable North Korea to a belligerent Iran, do we truly want to devote so many precious resources to an open-ended Iraq war? Or has the time come to, responsibly and conscientiously, hold the Iraqi government responsible for its own stability?

Congress has the duty to demand from President Bush an unambiguous way forward. We should not dictate strategy, but we can and we must require the president to offer a plan to end the Iraq war and rebuild our strategic readiness. Congress and the American people will no longer tolerate an unending war. There must be real progress, sooner rather than later. And if the president and the Iraqi leadership cannot deliver, we must redeploy our troops.

I believe, to the core of my being, that our strategic readiness cannot survive an endless conflict in Iraq. We must make these important decisions based on the reality of the situation, not or where we wish we were. And so, in order to preserve the strength of the American armed forces and hold President Bush accountable, I am supporting the Iraq Accountability Act. I urge my colleagues to do the same. If they refuse to do so, if they cast their ballots for a stay-the-course strategy, then they are telling President Bush that everything is fine in Iraq—that it is OK to stretch our military to the breaking point. And that's just not right.

ACCOUNTABILITY IN CONTRACTING ACT

SPEECH OF

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 15, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1362) to reform acquisition practices of the Federal Government:

Ms. VELÁZQUEZ. Mr. Chairman, I would like to bring to the House's attention the correspondence between myself and Chairman WAXMAN. It deals with the jurisdictions of our respective committees.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, March 21, 2007.

Hon. NYDIA M. VELÁZQUEZ,
Chairwoman, Committee on Small Business, Washington, DC.

DEAR CHAIRWOMAN VELÁZQUEZ: I am writing to you concerning the jurisdictional interest of the Committee on Small Business in H.R. 1362, the Accountability in Contracting Act.

I recognize that the Committee on Small Business has a valid claim to jurisdiction over Section 102 of the bill, and I appreciate your decision not to request a sequential referral. I recognize that your decision to forgo a sequential referral does not waive, reduce or otherwise affect the jurisdiction of the Committee on Small Business. Furthermore, I will support your request for representatives of the Small Business Committee to be conferees on the provisions over which you have jurisdiction during any House-Senate conference. I am grateful for the accommodation that you have shown the Oversight Committee.

A copy of this letter, as well as your accompanying letter, will be included as part of the Congressional Record during consideration of this bill by the House of Representatives.

Sincerely,

HENRY A. WAXMAN,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SMALL BUSINESS,
Washington, DC, March 21, 2007.

Hon. HENRY WAXMAN,
Chairman, Oversight and Government Reform Committee, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write with regard to H.R. 1362, the Accountability in Contracting Act, a bill to reform the acquisition practices of the Federal Government. You introduced it on March 6, 2007, and was considered on the House floor on March 15, 2007 subject to a rule. The bill was referred to the Oversight and Government Reform Committee on the Armed Services Committee.

The bill that was reported to the House included Section 102 that would directly affect contracting programs contained within the Small Business Act—including the program established by Section 8(a) of the Small Business Act (15 USC 637), the HUBZone program (15 USC 657a), and the service-disabled veteran procurement program (15 USC 637f)—that rely on agencies awarding government contracts without competition. These three programs are included within the exceptions to non-competitive procurement procedures contained in 41 USC 253(c) in paragraph (5) which allows contracts to be awarded without competition if they are covered by other statutes.

I wish to make clear that the Small Business Committee does not waive its jurisdiction over the subject matter contained in those sections. My support of the bill was provided with the understanding that you and I agree that the referral and consideration of the bill does not in any way serve as a jurisdictional precedent for our two committees.

The parliamentarian and Speaker's offices have recognized that the Small Business

Committee would have been granted a referral if it was so requested. I appreciate your recognition that Section 102 falls under the jurisdiction of the Small Business Committee. Additionally, I hope in the future you would provide for similar consideration and accommodation when the House Small Business Committee considers legislation that may fall under the jurisdiction of our respective committees.

I will insert this letter in the Congressional Record as part of the debate on H.R. 1362.

Sincerely,

NYDIA M. VELÁZQUEZ,
Chairwoman, House Committee on Small Business.

IN RECOGNITION OF THE DISTINGUISHED VETERANS OF AMERICAN LEGION POST 143

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. ROGERS of Alabama. Madam Speaker, I respectfully ask the attention of the House today to pay tribute to the distinguished veterans of American Legion Post 143 in Dadeville, Alabama.

In January, Post 143 held a special ceremony to honor twenty veterans of World War II and the Korean War. These senior members of Post 143, like all distinguished military veterans of our Nation, offered their service in uniform to a country and world in need. When they returned home, their commitment to serve others and their country remained strong. The Veterans honored included Donald Black, Jim Black, Joseph Davis, Dwight Evers, Lamar Evers, Frank Farrow, Wayne Gilbert, Marvin Greer, Leon Guy, Robert Huff, Herman Kitchens, Joe McKelvey, Horace Moran, Hugh Owen, Roy Pugh, Jimmy Sanford, Paul Valentine, and Millard White, all of whom have continued to serve their community proudly through their work with the American Legion.

I salute all the veterans of Post 143 for their service and patriotism, and for proudly serving the common good throughout their lives.

CRITICIZING NON-DEFENSE SPENDING IN THE EMERGENCY WAR SUPPLEMENTAL

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today in support of the supplemental spending bill for the wars in Iraq and Afghanistan, but I also wish to register some deep reservations I have with the bill. While I applaud the bill for providing for our troops serving bravely in the field, the bill contains $20 billion for programs and projects not related to funding and equipping our troops. Making sure that our men and women in uniform are well equipped is too important for playing politics, and I am extremely disappointed that these extraneous provisions are included in the bill.

Madam Speaker, many projects funded in the bill have nothing to do with equipping our troops and nothing to do with fighting the wars in Iraq and Afghanistan. In fact, many projects in the bill simply don't belong. However, much of the extra non-defense spending in the bill is for important and vital programs and I find it sad that we have to use this supplemental spending bill to fund them. I say sad, Madam Speaker, because the fact that the bill includes things like $2.9 billion for Katrina recovery, $2.6 billion for homeland security, and $750 million for children's health care is a testament to the dereliction of duty exhibited by the rubber stamp 109th Congress. We have to fund these vital programs in this year's emergency spending bill because our predecessors left Washington last year without passing a budget and without doing their jobs. Madam Speaker, this is a disgrace and I am so pleased that there's now a Democratic Congress to clean up the mess that was left by the Republican Congress on its way out.

In prior years, the Republican controlled Congress was guilty of even more egregious earmarks and runaway spending, such as the now infamous "Bridge to Nowhere" in Alaska. Seeing Congress waste taxpayers dollars on such frivolous projects is one reason why I decided to run for Congress and it is why I have joined the fiscally conservative Blue Dog Coalition.

A major reason that we have all of these extra projects in supplemental spending bills is because President Bush irresponsibly refuses to account for war spending in the regular budget process. This leads to war spending being brought up as so-called "emergency" spending bills, which Congress must pass in order to fund our troops. This fiscal recklessness when dealing with funding for our troops is unique to the Bush administration. The Korean War only had one supplemental spending bill, while the Vietnam War, which lasted eleven years, only had four.

Madam Speaker, I'm not the type of person who points out problems without proposing a solution. The people of the 8th district sent me here to lead, and that is exactly what I intend to do. For this reason, I have introduced H. Res. 97, a bill to provide for Operation Iraqi Freedom cost accountability. My bill, among other things, would require that funding for the war in Iraq go through the regular budgeting process, rather than be funded through an endless series of "emergency" spending bills. In my view, this would eliminate the ability to attach non-defense spending projects to a bill that should be about one thing and one thing only: Providing for our troops.

In closing, Madam Speaker, I do wish to say that there is a great deal to admire in this bill. It provides our troops with the funding they need to do their jobs. It provides for benchmarks for the Iraqis and a timeline for bringing our troops home. And it sends a message to President Bush that he no longer has a rubber stamp Congress that will keep funding this war without questioning him. I only wish we could have done all of this without these extra unrelated projects. Still, it is important that we not let the perfect be the enemy of the good, and it is important to let the president know that it is time to start bringing our troops home.

HONORING LINDA TREXLER

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today to honor Linda Trexler, Principal of Neabsco Elementary School, upon being selected as the Prince William County Distinguished Educational Leadership Award winner and being named Prince William County Principal of the Year.

The Washington Post presents annual awards to outstanding educators who "day after day go beyond the challenges of the highly demanding profession to create exceptional educational environments for Washington area students." Principal Trexler certainly fits this definition.

For the past 7 years Principal Trexler has devoted herself to the success of her students at Neabsco Elementary School. Under her leadership the school has become a fully accredited institution, a model of instructional improvement and has twice been named a School of Excellence in the Prince William County Public School system. Additionally, the school boasts a 90.1 percent SOL pass rate in math and a 91.4 percent SOL pass rate in language arts. These awards and statistics show the unique impact that a principal, faculty and student body can achieve when motivated to reach the common goal of academic excellence. It is plain to see that Principal Trexler has been able to lead her school to reach that goal.

Principal Trexler's adoration and devotion to her students has been accepted and returned by the faculty and student body. Upon hearing about these awards, her students organized to write a song and create banners in her honor. This relationship built on respect and love for education has created an atmosphere that deserves celebration and should be replicated throughout the schools of our area and our Nation.

Madam Speaker, in closing, I would like to commend and congratulate Ms. Linda Trexler on her tireless efforts to ensure that the students of Neabsco Elementary School receive the quality education they deserve. I call upon my colleagues to join me in applauding Principal Trexler for receiving the 2007 Prince William County Distinguished Educational Leadership Award and being named Prince William County Principal of the Year. I wish Principal Trexler, her faculty and her students continued success in the years to come.

TRIBUTE TO U.S. ARMY PRIVATE FIRST CLASS JOHN FRANCIS LANDRY, JR.

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. MEEHAN. Madam Speaker, I rise today to honor a true hero, Private First Class John Francis Landry, Jr., who gave his life in service to our country.

Private First Class Landry was a resident of Lowell, a community in my Massachusetts district, and was deployed with the brave men and women serving in our armed forces on

October 31, 2006. John had served nearly 5 months in Iraq, when his unit was ambushed in Baghdad on March 17, 2007. John had been spending time on leave with his family in Florida just 8 days before his tragic death in that ambush.

John served as a rifleman with Company C, 2nd Battalion, 12th Cavalry Regiment, 4th Brigade Combat Team, 1st Cavalry Division, based at Fort Bliss, Texas. He was 20 years old, having been born on Christmas Day in 1986.

John's parents, John and Pamela, were proud of their son, not just for the supreme sacrifice he paid on behalf of his country, but for the honor he brought to them as a soldier. Military service runs deep in the Landry family. John's grandfather was a member of the 82nd Airborne Division and his father served in the U.S. Marine Corps. All of his life, John dreamt of becoming a part of that legacy of service, and he died fulfilling that dream.

Before joining the United States Army, John attended Lowell Catholic High School where he was remembered for his kindness, his aptitude in the classroom and his hard-nosed leadership a co-captain and as an offensive and defensive lineman on the football team. Lowell Catholic was nearly finished with a care package to send to John in Iraq when they learned of his death.

As John's aunt, Missy Surette, said: "All that were fortunate enough to have had John as a part of their lives, feel the sadness and loss beyond words. Along with that sadness is a sense of honor and of being very proud of John. We will forever keep him in our hearts."

John died fighting for the country he loved, alongside comrades he respected and with the family he adored, forever in his heart. Our Nation is humbled and grateful for his sacrifice.

Madam Speaker, I ask that we all take a moment to recognize PFC John Francis Landry, Jr., United States Army, who paid the ultimate sacrifice fighting for our country. Our Nation will be forever grateful.

INTRODUCTION OF THE GLOBAL WARMING ACKNOWLEDGMENT RESOLUTION

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. DICKS. Madam Speaker, today I am introducing a bill that calls for a comprehensive and effective national program of mandatory, market-based limits and incentives to slow, stop and reverse greenhouse gas emissions. The Global Warming Acknowledgement Resolution also states that these corrective actions should not harm the economy unduly, and that they should be designed in a way to encourage other countries to take similar steps to mitigate global warming.

As the producer of roughly one-quarter of the world's greenhouse gas emissions—more than any other country—the United States has a responsibility to take the lead in confronting the threat of global warming. And with the release of the United Nations Intergovernmental Panel on Climate Change's most recent report in February, it is clear that the U.S. Congress must begin to act now to reduce greenhouse gases.

The IPCC report, which represents the most comprehensive and up-to-date climate research, found that global warming is unequivocal and that it is more than 90 percent probable that human activity is responsible for most of the warming of the past 50 years.

Madam Speaker, the time for "what-ifs" is over and the time for corrective action has arrived. During this 110th Congress, we will debate the best ways to reverse the increased accumulation of greenhouse gases. While we may disagree on the particulars of this debate, it is clear that global warming is a real threat, and the Global Warming Acknowledgement Resolution is a first step toward the development of a comprehensive strategy. There are 22 original cosponsors of the resolution, and I urge your support. Feel free to contact my staff if you would like to sign on to this important legislation.

HONORING THE WOODBRIDGE KIWANIS CLUB

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today to honor the 60th anniversary of the Kiwanis Club of Woodbridge, Virginia.

In 1947, Frank Sigman and Carroll White noticed a dearth of civic engagement in their local Woodbridge community. Having been previously exposed to Kiwanis, they decided that the culture of civic and community engagement promoted by Kiwanis would greatly benefit the area. They canvassed their neighborhoods in an effort to create an interest in starting a Woodbridge club. This work paid off and on March 22, 1947, the Woodbridge chapter was chartered. In fact, they were so successful in creating support that more than 200 people attended what turned out to be a gala affair.

Taking root from these strong seeds, the club became a positive factor in shaping the development of Woodbridge. In the early days, the club helped establish a public water and sewage system, create a rescue squad, obtain land for a little league and provided organizational support for the creation of the Prince William County Police Department and the formation of the Potomac Hospital.

Currently, the club maintains its strong ties to the local community by working with the local Boys and Girls Clubs, the Salvation Army, Action in the Community Through Service, Potomac Hospital's Mobile Family Health Clinic, the Senior Citizen's Center and the Special Olympics to provide services and financial support to those in need.

Kiwanis is an international institution created to "serve the children of the world." They were founded on six guiding principles that continue to lead their activities to this day. These six permanent "Objects of Kiwanis" are: to give primacy to the human and spiritual rather than to the material values of life; to encourage daily living of the Golden Rule; to promote the adoption and application of higher social, business, and professional standards; to develop by precept and example a more intelligent, aggressive and serviceable citizenship; to provide a practical means to form enduring friendships; and better communities and to cooperate in creating and maintaining sound public opinion and high idealism.

The Woodbridge Kiwanis Club continues to use these noble principles to guide their efforts in the community to this day. It is plain to see that the club has played a fundamental role in making this area of Eastern Prince William County a great place to live, work and play.

Madam Speaker, in closing, I would like to commend and congratulate all Kiwanians on the service they provide to their communities. Their tireless efforts on behalf of the next generation truly merit recognition. I call upon my colleagues to join me in applauding the Woodbridge Kiwanis Club on its 60th anniversary and in wishing them continued success in the years to come.

PERSONAL EXPLANATION

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. DAVIS of Illinois. Madam Speaker, I was unable to cast votes on the following legislative measures on March 19. If I had been present for rollcall votes on the following bills; I would have voted "yea" on each.

Rollcall No. 157: On Motion to Suspend the Rules and Agree to the Resolution H. Res.138—Recognizing the importance of Hot Springs National Park on its 175th anniversary.

Rollcall No. 158: On Motion to Suspend the Rules and Pass H.R. 658—Natural Resource Protection Cooperative Agreement Act.

Rollcall No. 159: On Motion to Suspend the Rules and Pass H.R. 839—Arthur V. Watkins Dam Enlargement Act.

INTRODUCTION OF A RESOLUTION HONORING AND RECOGNIZING THE WORK OF THE MEALS ON WHEELS ASSOCIATION OF AMERICA, ITS MEMBER SENIOR NUTRITION PROGRAMS THROUGHOUT THE COUNTRY, AND THEIR ANNUAL MARCH FOR MEALS CAMPAIGNS

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. LoBIONDO. Madam Speaker, I rise here today in support of a resolution honoring and recognizing the work of the Means on Wheels Association of America, its member senior nutrition programs throughout the country, and their annual March for Meals campaigns.

Today, mayors and Meals on Wheels volunteers in all 50 States will join together to deliver meals to seniors. Mayors for Meals Day is part of March for Meals, a national campaign during the month of March to raise awareness of senior hunger and to encourage action on the part of local communities. The month of March was chosen because it was during this month that the law was enacted that included senior meal programs in the Older Americans Act.

This resolution recognizes the important work Meals on Wheels does in preventing senior hunger and improving the quality of life for hundreds of thousands of our Nation's seniors. It also encourages Members of Congress to support their local senior nutrition programs by participating in their annual March for Meals events and delivering meals to homebound seniors in a community within their district or State.

While, due to our business in Washington, DC, today, I am unable to participate in this year's celebration, I have proudly participated in past Meals on Wheels Association of America's March for Meals events. I have joined volunteers from Meals on Wheels organizations throughout my district in delivering meals and witnessed first hand both the need for these important programs and the incredible dedication of their staff and volunteers. I encourage each of you to get involved with your local programs—whether you help prepare meals, deliver meals, or just join local seniors in enjoying their meals—your support can make a difference.

I also encourage you to join me as a cosponsor of this resolution which will give the Meals on Wheels Association of America and its member programs the honor and recognition they so richly deserve.

HONORING JUSTIN PAWLEY

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. LEWIS of Kentucky. Madam Speaker, the right to vote is the cornerstone of our American democracy. I rise today to honor Mr. Justin Pawley, an exemplary individual from my Congressional District, who has fought hard to protect and expand voter rights.

Mr. Pawley, a self-described political junkie, is one of millions of Americans living with Down Syndrome. His civic awareness and interest in our political system motivated him to utilize his right to vote in 2000. Sadly, Mr. Pawley was turned away due to a State statute that prevented adults with guardians to vote in the Commonwealth. Soon thereafter, he began a 7 year effort to correct this injustice.

Mr. Pawley has demonstrated remarkable courage and determination through his work with State and local officials to get his right to vote. The Justin Pawley Act was introduced in the Kentucky Legislature last year to allow thousands of individuals with guardians the right to vote in the Commonwealth of Kentucky. Mr. Pawley's quest came one step closer to realization last week when the bill passed both houses of the Kentucky State Legislature.

Mr. Pawley's relentless pursuit of his right to vote is an inspiring example of how one person can make an important difference in our political process. It is my honor to recognize Justin Pawley today before the entire House of Representatives. He is an outstanding citizen worthy of our collective appreciation and respect.

RECOGNITION OF BILLY WALKABOUT

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. COLE of Oklahoma. Madam Speaker, I rise today to recognize the life of a great American and great Oklahoman, Billy Walkabout. Mr. Walkabout was the most decorated American Indian soldier in the Vietnam War, and this weekend his family will have the great honor of laying him to rest at Arlington National Cemetery.

Walkabout, a Cherokee, joined the Army soon after graduating from U.S. Grant High School in Oklahoma in 1968. On November 20, 1968, Army Ranger Sergeant Walkabout and 12 of his fellow soldiers were on a mission behind enemy lines when they suddenly came under fire. The battle lasted several hours, during which Sergeant Walkabout was seriously injured. Despite these injuries, Walkabout continued to provide life saving measures to his wounded colleagues and help them board evacuation helicopters—all while continuing to return fire.

Because of his incredible courage and valor, Billy Walkabout received the Distinguished Service Cross, 5 Silver Stars, 5 Bronze Stars and the Purple Heart.

Madam Speaker, it is an honor to be a Member of this House and to serve those great Americans like Billy Walkabout. His service, bravery and patriotism are true testaments of his character. I am proud to stand before this House in recognition of the great life and service of Mr. Billy Walkabout.

CONGRATULATIONS GROVE JUNIOR HIGH DARE STUDENTS OF THE YEAR

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. ROSKAM. Madam Speaker, I rise today to congratulate the DARE Students of the Year from Grove Junior High School in Elk Grove Village.

These students participated in the Grove Junior High DARE program during the 2006–2007 school year to learn about the harmful effects of drugs and alcohol. In recognition of their outstanding classroom participation and positive attitude, Anthony White and Christian Barajas were named DARE Students of the Year and Jaela Gibsob and Dahee Will were named runners-up.

These students have learned to resist peer pressure and live productive drug, gang, and violence-free lives. I commend these students for their hard work and encourage them to continue to set a good example for their peers.

Anthony, Christian, Jaela, and Dahee, your families, your school, and your community are extremely proud of what you've accomplished. I wish you all the best in the future.

PERSONAL EXPLANATION

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. MITCHELL. Mr. Speaker, due to the fact that my flight reservation was inadvertently canceled and I had to take a later flight, I missed three rollcall votes.

Had I been present, I would have voted in favor of H. Res. 138, which passed 399–0 on rollcall vote No. 157, H.R. 658, which passed 390–10 on rollcall vote No. 158, and H.R. 839, which passed 394–1 on rollcall vote No. 159.

NATIONAL MEDAL OF HONOR DAY

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. DICKS. Madam Speaker, ladies and gentlemen, Members of Congress, leaders of our armed forces and, of course, our treasured Medal of Honor recipients. Thanks to all of you all for joining me in remembering the extraordinary achievements of our combat veterans—particularly those who wear the Congressional Medal of Honor. It's also a real pleasure once again to have the chance to be with Bruce Crandall, who received his Medal recently at a White House ceremony that I attended earlier this month. When the President read the citation detailing the amazing heroism that Bruce displayed in Vietnam, it was again a reminder to me of how special each of these individuals are and how important it is that we provide adequate recognition to those who achieve this highest military commendation.

Out of more than 3,400 individuals to receive this medal in our nation's history, just 112 remain with us today.

Their actions in battle, and their continued efforts now as shepherds of patriotism, remind us all how fortunate this Nation is to have men as brave as these among us. Your legacy and lessons of sacrifice continue to inspire us to act with loyalty where we work, live and serve; to walk with courage when obstacles hinder us from the right path.

I am honored to be able to serve in my capacity as a member of the United States Congress, and am proud to be an original cosponsor of this resolution creating the National Medal of Honor day. You have been recognized by your Nation's leadership with the highest medal of military distinction. Now your fellow citizens will always recognize you with a day in your honor.

Thank you for your bravery that brought America to where she is today, and thank you for all that you continue do to demonstrate the values of loyalty, sacrifice, integrity, and courage.

NATIONAL AGRICULTURE DAY

HON. MARK E. SOUDER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. SOUDER. Madam Speaker, I rise today in recognition of National Agriculture Day,

which is celebrated each year on the first day of spring.

With more than 8,000 farms, Madam Speaker, agriculture plays a critical role in the economy of the Third District. We lead the state of Indiana in the production of cattle and calves, dairy products, sheep, and goats. As a state, Indiana has long been among the leading producers of corn and soybeans—planting more than 11 million acres—and we are first in the nation in duck production, supplying approximately 30 percent of the nation's total.

Because of the hard work and dedication of farmers and ranchers, Americans have become accustomed to a safe, abundant, and affordable supply of food and fiber. Even more remarkable, and often overlooked, is the fact that farmers and ranchers feed and clothe this nation with an increasing levels of concern for environmental stewardship and animal welfare. The well-being of livestock and the sustainability of the land is a top priority. Indeed, I have seen firsthand in my district the adoption of best-management practices to conserve soil, nutrients, and water, as well as crop protection products that not only improve the viability of agriculture but also prevent flooding and improve water quality for cities and towns downstream.

In addition, as we are all aware, our country is now turning to the American farmer and rancher to help solve our energy crisis. We have placed a new interest in ethanol, and the agriculture industry has responded with vigor. Our goal of 7.5 billion gallons of ethanol will be attained by 2009 rather than 2012 as was expected. Some may say that our food supply is threatened by the push for ethanol. However, our farmers and ranchers have risen to the call before and will become an important part of our energy solution.

Madam Speaker, agriculture's contributions to America's economy, culture, and history should be celebrated, and I ask that my colleagues join with me in wishing our farmers and ranchers continued success in the years ahead.

TRIBUTE TO BISHOP ROGER L. JONES, SR.

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Mr. KILDEE. Madam Speaker, I rise today to pay tribute to Bishop Roger L. Jones, Sr. as he is appointed Jurisdictional Bishop of the Southeast Michigan Ecclesiastical Jurisdiction of the Church of God in Christ.

After graduating from Saints College Church of God in Christ at Lexington, Mississippi in 1960, Bishop Roger Jones Sr. moved to Flint Michigan and founded Greater Holy Temple COGIC in 1963. Bishop Jones quickly established himself as an up and coming leader in the Church of God in Christ. Appointed District Superintendent in 1965 by Bishop J.S. Bailey, he also served as the Chair of the State Finance Committee the same year. Over the next several years Bishop Jones has also served in the following capacities: Chairman of State Expediting Committee, Vice-Chair and Chair of the State Elders Council, the National Platform Chair for the International Youth Congress, Vice-Chair of the International Trustee Board, and Chair of the International Trustee Board.

Bishop Jones was consecrated a Bishop of the Third Ecclesiastical Jurisdiction of South West Michigan in 1985. Along with his wife, Evangelist Sandra Smith Jones, Bishop Jones continues to affirm his faith every day and espouse the guiding principles of the Church of God in Christ. He strives to bring all to know Jesus Christ as their personal Savior.

Madam Speaker, I ask the House of Representatives to join me in congratulating Bishop Roger L. Jones, Sr. as he is appointed the Jurisdictional Bishop of Southeast Michigan and pray that he continues to work diligently to make a better life and future for his congregation and the people of Michigan.

HONORING LANCE CORPORAL NATHAN WINDSOR

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 21, 2007

Ms. HOOLEY. Madam Speaker, I rise today to honor the life of a fallen American hero. Last Saturday, Lance Corporal Nathan Windsor made his final sacrifice on behalf of a grateful nation while on patrol in the Anbar province of Iraq.

Nathan understood that citizenship meant responsibility and that great sacrifices would be required in order to secure our freedoms and to serve our country in its time of need.

Well aware of the danger and more than willing to endure the risks, Nathan selflessly charged into chaos to help the people of Iraq secure a peace and work toward a self-governing society.

It saddens me, Madam Speaker, to come before you again to ask that my colleagues join in mourning the loss of yet another young American who has made the ultimate sacrifice.

Nathan gave his all before fully experiencing the many freedoms for which he fought. His aspirations to become a movie producer will never be realized because his life and dreams were tragically cut short.

Words alone cannot express the anger, frustration and pain felt by the thousands whose lives he touched, but we have an obligation to ensure that future generations of Americans inherit a land worthy of his sacrifice.

We are all indebted to Nathan's spirit and sacrifice. It is now, and will be forever, our turn to repay the debt. Let us recommit ourselves in this chamber to work even harder and to do our part to make sound decisions about matters of peace and war.

I join all Oregonians, and all Americans, in expressing my deepest condolences to the family of Nathan Windsor for their loss. Our community is greater because of Nathan's short presence and we are certainly lessened by his passing.

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, March 22, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 26

2 p.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
To receive a briefing on the reorganization of the Office of the Under Secretary of Defense for Policy.
SR–232A

Energy and Natural Resources
To hold hearings to examine the progress of the European Union's Emissions Trading Scheme and to receive information on lessons learned for policymakers who want to better understand how a market-based trading program could operate efficiently and effectively in the United States.
SD–G50

Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2008 for mind, brain and behavioral research at the National Institutes of Health.
SD–116

2:30 p.m.
Homeland Security and Governmental Affairs
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee
To hold hearings to examine a review of the Real ID Act of 2005 and the proposed regulations released by the Department of Homeland Security on March 1, 2006, implementing Act, focusing on efforts to secure drivers' licenses and identification cards.
SD–342

3 p.m.
Judiciary
Human Rights and the Law Subcommittee
To hold hearings to examine the problem of human trafficking and the legal options to stop the problem.
SD–226

MARCH 27

9:30 a.m.
Armed Services
To hold hearings to examine the nominations of Claude M. Kicklighter, of Georgia, to be Inspector General, Department of Defense, James R. Clapper, Jr., of Virginia, to be Under Secretary of Defense for Intelligence, and S. Ward Casscells, of Texas, to be an Assistant Secretary of Defense.
SH–216

Judiciary
To hold oversight hearings to examine the Federal Bureau of Investigation.
SD–106

Veterans' Affairs
To hold an oversight hearing to examine Department of Veterans Affairs and Department of Defense cooperation and collaboration, focusing on health care issues.
SR–418

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine competition and consumer choice relating to exclusive sports programming.
SR–253

Finance
To hold hearings to examine opportunities and challenges in the U.S.-China economic relationship.
SD–215

Health, Education, Labor, and Pensions
To hold hearings to examine the Employee Free Choice Act, focusing on restoring economic opportunity for working families.
SD–430

1 p.m.
Health, Education, Labor, and Pensions
To hold hearings to examine ensuring safe medicines and medical devices for children.
SD–430

2:30 p.m.
Intelligence
To hold closed hearings to examine intelligence matters.
SH–219

MARCH 28

9:30 a.m.
Armed Services
To hold hearings to examine the Strategic Forces Program in review of the Defense Authorization Request for fiscal year 2008 and the future years Defense Program.
SR–232A

Joint Economic Committee
To hold hearings to examine the current economic outlook.
SH–216

9:45 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2008 for the Department of Labor.
SD–124

10 a.m.
Finance
To hold hearings to examine risks and reform, focusing on the role of currency in the U.S.-China relationship.
SD–215

Commerce, Science, and Transportation
Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee
To hold hearings to examine the future of the Coast Guard Dive Program.
SR–253

Rules and Administration
Business meeting to consider S. 223, to require Senate candidates to file designations, statements, and reports in electronic form.
SR–301

10:30 a.m.
Appropriations
Defense Subcommittee
To hold hearings to examine the proposed budget estimates for fiscal year 2008 for the United States Navy.
SD–192

Aging
To hold hearings to examine affordable drug coverage that works for Wisconsin, focusing on preserving senior care.
SD–562

2:30 p.m.
Appropriations
Interior, Environment, and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2008 for United States Forest Service.
SD–124

Commerce, Science, and Transportation
Space, Aeronautics, and Related Agencies Subcommittee
To hold hearings to examine transitioning to a next generation Human Space Flight System.
SR–253

3 p.m.
Health, Education, Labor, and Pensions
To hold hearings to examine No Child Left Behind Reauthorization, focusing on effective strategies for engaging parents and communities in schools.
SD–430

3:30 p.m.
Armed Services
Personnel Subcommittee
To hold hearings to examine active component, reserve component, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2008 and the future years Defense Program.
SR–232A

MARCH 29

9:15 a.m.
Indian Affairs
To hold an oversight hearing to examine Indian trust fund litigation.
SR–485

9:30 a.m.
Foreign Relations
To hold hearings to examine an update on Iran.
SD–419

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of AMVETS, American Ex-Prisoners of War, Military Order of the Purple Heart, Gold Star Wives of America, Fleet Reserve Association, the Retired Enlisted Association, Military Officers Association of America, and the National Association of State Directors of Veterans Affairs.
SD–106

2:30 p.m.
Intelligence
Closed business meeting and hearing regarding certain intelligence matters.
SH–219

APRIL 10

10 a.m.
Commerce, Science, and Transportation
To hold an oversight hearing to examine the Federal Trade Commission (FTC).
SR–253

APRIL 11

9:30 a.m.

Veterans' Affairs

To hold hearings to examine issues relative to Filipino veterans.

SR–418

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the availability and affordability of property and casualty insurance in the Gulf Coast and other coastal regions.

SD–538

APRIL 17

10 a.m.

Judiciary

To hold an oversight hearing to examine the Department of Justice.

SD–106

APRIL 25

2 p.m.

Veterans' Affairs

To hold an oversight hearing to examine the Department of Veterans Affairs, focusing on mental health issues.

SR–418

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3453–S3545

Measures Introduced: Eleven bills and four resolutions were introduced, as follows: S. 946–956, S. Res. 114–116, and S. Con. Res. 22. **Pages S3516–17**

Measures Considered:

Budget Resolution: Senate continued consideration of S. Con. Res. 21, setting forth the congressional budget for the United States Government for fiscal year 2008 and including the appropriate budgetary levels for fiscal years 2007 and 2009 through 2012, taking action on the following amendments proposed thereto: **Pages S3453–S3512**

Adopted:

Collins Amendment No. 480, to provide for a deficit-neutral reserve fund for permanently extending and increasing the above-the-line deduction for teacher classroom supplies and expanding such deduction to include qualified professional development expenses. **Pages S3471–75**

By 97 yeas to 1 nay (Vote No. 82), Baucus Amendment No. 492, to provide tax relief to middle class families and small businesses and to expand health insurance coverage for children. **Pages S3468–71, S3503–04**

By 63 yeas to 35 nays (Vote No. 84), Cornyn Amendment No. 477, to provide for a budget point of order against legislation that increases income taxes on taxpayers, including hard-working middle-income families, entrepreneurs, and college students. **Page S3504**

By a unanimous vote of 98 yeas (Vote No. 87), Bunning/Enzi Amendment No. 483, to provide a point of order against any budget resolution that fails to achieve an on-budget balance within 5 years. **Pages S3458–61, S3505–06**

By 97 yeas to 1 nay (Vote No. 88), Bingaman Amendment No. 486, to provide additional funding resources in FY 2008 for investments in innovation and education in order to improve the competitiveness of the United States. **Pages S3461–64, S3500, S3504–05**

Rejected:

By 47 yeas to 51 nays (Vote No. 83), Kyl/Graham Amendment No. 507, to protect families, family farms and small businesses by raising the death tax exemption to $5 million and reducing the maximum death tax rate to no more than 35%, to extend college tuition deduction, to extend the student loan interest deduction, to extend the teacher classroom deduction, to protect senior citizens from higher taxes on their retirement income, to maintain U.S. financial market competitiveness, and to promote economic growth by extending the lower tax rates on dividends and capital gains. **Pages S3494–98, S3504**

By 46 yeas to 52 nays (Vote No. 85), Sessions Modified Amendment No. 466, to exclude the extension of tax relief provided in 2001 and 2003 from points of order provided in the resolution and other budget points of order. **Page S3505**

By 47 yeas to 51 nays (Vote No. 86), Ensign Amendment No. 476, to ensure that our troops serving in harm's way remain America's top budget priority by ensuring full funding for the Department of Defense within the regular appropriations process, reducing reliance on supplemental appropriations bills, and by improving the integrity of the Congressional budget process. **Pages S3454–58, S3505**

Pending:

DeMint Amendment No. 489, to establish a reserve fund for Social Security reform. **Pages S3464–66**

Allard Amendment No. 491, to pay down the Federal debt and eliminate government waste by reducing spending on programs rated ineffective by the Program Assessment Rating Tool. **Pages S3466–68**

Grassley/Dorgan Amendment No. 464, to limit farm payments to $250,000 per person per year and apply the savings to renewable energy/rural development, conservation, and nutrition. **Pages S3482–83, S3488**

Grassley Amendment No. 502, to ensure the appropriate use of funds provided for the Smithsonian Institution. **Pages S3483–87**

Baucus/Rockefeller Amendment No. 504, to affirm the Senate's commitment to the reauthorization of the State Children's Health Insurance Program. **Pages S3487–94**

Cornyn Amendment No. 511, to provide a deficit-neutral reserve fund for the reauthorization of the State Children's Health Insurance Program (SCHIP) that will cover kids first. **Pages S3498–S3503**

Hutchison Amendment No. 517, to provide tax equity for citizens of states which do not have a state income tax by providing for a permanent extension of the state and local sales tax deduction from federal income taxes, now scheduled to expire at the end of 2007. **Pages S3506–12**

A unanimous-consent agreement was reached providing that Senate continue consideration of the resolution at 9:30 a.m., on Thursday, March 22, 2007. **Page S3545**

Nomination Confirmed: Senate confirmed the following nomination:

W. Craig Vanderwagen, of Maryland, to be Assistant Secretary for Preparedness and Response, Department of Health and Human Services. **Page S3545**

Messages from the House: **Page S3516**

Measures Referred: **Page S3516**

Additional Cosponsors: **Pages S3517–18**

Statements on Introduced Bills/Resolutions: **Pages S3519–34**

Additional Statements: **Pages S3515–16**

Amendments Submitted: **Pages S3534–44**

Authorities for Committees to Meet: **Pages S3544–45**

Privileges of the Floor: **Page S3545**

Record Votes: Seven record votes were taken today. (Total—88) **Pages S3503, S3504, S3505, S3506**

Adjournment: Senate convened at 9:15 a.m., and adjourned at 7:52 p.m., until 9:30 a.m. on Thursday, March 22, 2007. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3545.)

Committee Meetings

(Committees not listed did not meet)

2007 FARM BILL

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the performance of the United States trade and food aid programs for the 2007 Farm Bill, after receiving testimony from Michael W. Yost, Administrator of the Foreign Agricultural Service, Department of Agriculture; William Hammink, Director, Office of Food for Peace, United States Agency for International Development; Thomas Melito, Director, International Affairs and Trade, Governmental Accountability Office; Charles Sandefur, Alliance for Food Aid, Washington, D.C.; Tim Hamilton, Food Export Association of the Midwest USA, McLean, Virginia, on behalf of the Coalition to Promote U.S. Agricultural Exports; David Kauck, CARE USA, Richmond, Vermont; and Joel Nelsen, California Citrus Mutual, Exeter.

APPROPRIATIONS: AIR FORCE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2008 for Air Force, after receiving testimony from Michael W. Wynne, Secretary, and General T. Michael Moseley, Chief of Staff, USAF, both of the United States Air Force.

APPROPRIATIONS: DEPARTMENT OF ENERGY

Committee on Appropriations: Subcommittee on Energy and Water Development concluded a hearing to examine proposed budget estimates for fiscal year 2008 for the Department of Energy, after receiving testimony from Raymond L. Orbach, Under Secretary of Energy for Science.

APPROPRIATIONS: THE JUDICIARY

Committee on Appropriations: Subcommittee on Financial Services and General Government concluded a hearing to examine proposed budget estimates for fiscal year 2008 for the federal judiciary, after receiving testimony from Julia S. Gibbons, Judge, U.S. Court of Appeals, Sixth Circuit Chair of the Budget Committee of the Judicial Conference; and James C. Duff, Director, Administrative Office of the U.S. Courts.

POLICY OPTIONS

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine nuclear and strategic policy options, after receiving testimony from Robert L. Gallucci, Georgetown University Edmund A. Walsh School of Foreign Service, Washington, D.C.; Sidney B. Drell, Stanford University, Palo Alto, California; and Keith B. Payne, Missouri State University Graduate Department of Defense and Strategic Studies, Fairfax, Virginia.

IRAN SANCTIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine assessing the effectiveness of the current United States' sanctions on Iran relating to minimizing potential threats from Iran, after receiving testimony from R. Nicholas Burns, Under Secretary of State for Political Affairs; Stuart Levey, Under Secretary of the Treasury for Terrorism and Financial Intelligence; and

Mark Foulon, Acting Under Secretary of Commerce for Industry and Security.

CONSUMER PRODUCT SAFETY COMMISSION

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Insurance, and Automotive Safety concluded an oversight hearing to examine the Consumer Product Safety Commission, after receiving testimony from Nancy A. Nord, Acting Chairman, and Thomas H. Moore, Commissioner, both of the United States Consumer Product Safety Commission; Sally Greenberg, Consumers Union, Rachel Weintraub, Consumer Federation of America, and John C. Dean, National Association of State Fire Marshals, all of Washington, D.C.; and Frederick Locker, Toy Industry Association and Juvenile Products Manufacturers Association, New York, New York, on behalf of the Consumer Product Safety Commission Coalition of the National Association of Manufacturers.

GLOBAL WARMING

Committee on Environment and Public Works: Committee held a hearing to examine a perspective on global warming—an increase in the average temperature of the earth's atmosphere, especially a sustained increase sufficient to cause climatic change, receiving testimony from former Vice President of the United States Al Gore.

Hearing recessed subject to the call.

GOVERNMENT ACCOUNTABILITY OFFICE

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine an overview of Government Accountability Office assistance to Congressional oversight, focusing on past work, and future challenges and opportunities, after receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office.

LONG-TERM HEALTH IMPACTS OF 9/11

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine a review of treatment, diagnosis, and monitoring efforts, focusing on the long-term health impacts from September 11, after receiving testimony from Mayor Michael R. Bloomberg, Edward Skyler, Deputy Mayor for Administration, Robin Herbert, World Trade Center (WTC) Medical Monitoring Program Data and Coordination Center at Mount Sinai, Kerry J. Kelly, New York City Fire Department Bureau of Health Services, Joan Reibman, Bellevue Hospital WTC Environmental Health Center, and Jeanne Mager Stellman, Columbia University Mailman School of Public Health, all of New York, New York; James Melius, New York State Laborers' Health and Safety Trust Fund, Albany; and Jeffrey L. Endean, Morris County Sheriff's Office, Succasunna, New Jersey.

NATIONAL SECURITY LETTERS

Committee on the Judiciary: Committee concluded a hearing to examine the findings of the Inspector General of the improper use of the National Security Letters by the Federal Bureau of Investigation relating to the misuse of the Patriot Act powers, after receiving testimony from Glenn A. Fine, Inspector General, Department of Justice.

IDENTITY THEFT

Committee on the Judiciary: Subcommittee on Terrorism, Technology and Homeland Security concluded a hearing to examine recent developments involving the security of sensitive consumer information relating to identity theft and solutions for an evolving problem, including S. 238, to amend title 18, United States Code, to limit the misuse of Social Security numbers, to establish criminal penalties for such misuse, after receiving testimony from Ronald J. Tenpas, Associate Deputy Attorney General, Department of Justice; Lydia B. Parnes, Director, Bureau of Consumer Protection, Federal Trade Commission; Joanne McNabb, California Office of Privacy Protection, Sacramento; Jim Davis, University of California, Los Angeles; and Chris Jay Hoofnagle, University of California, Berkeley Boalt Hall School of Law.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 22 public bills, H.R. 1615–1636; 1 private bill, H.R. 1637; and 3 resolutions, H. Con. Res. 96; and H. Res. 258–259 were introduced. **Pages H2820–21**

Additional Cosponsors: **Pages H2821–22**

Reports Filed: Reports were filed today as follows:

H.R. 545, 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, with an amendment (H. Rept. 110–35, Pt. 2);

Supplemental report on H.R. 1433, to provide for the treatment of the District of Columbia as a Congressional district for purposes of representation in the House of Representatives (H. Rept. 110–52, Pt. 3);

H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, with an amendment (H. Rept. 110–62);

H. Res. 260, providing for consideration of H.R. 1433, to provide for the treatment of the District of Columbia as a Congressional district for purposes of representation in the House of Representatives (H. Rept. 110–63); and

H. Res. 261, providing for consideration of H.R. 1591, making emergency appropriations for the fiscal year ending September 30, 2007 (H. Rept. 110–64). **Pages H2819, H2820**

Speaker: Read a letter from the Speaker wherein she appointed Representative Schakowsky to act as Speaker Pro Tempore for today. **Page H2747**

Chaplain: The prayer was offered by the guest Chaplain, Rev. Thomas McCarthy, St. Paul Catholic Church, Salem, OH. **Page H2747**

Gulf Coast Hurricane Housing Recovery Act of 2007: The House passed H.R. 1227, to assist in the provision of affordable housing to low-income families affected by Hurricane Katrina, by a recorded vote of 302 ayes to 125 noes, Roll No. 172. Consideration of the measure began on Tuesday, March 20th. **Pages H2752–69**

Agreed to the Jindal motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with amendments, by a recorded vote of 249 ayes to 176 noes, with 1 voting ''present'', Roll No. 171. Subsequently, Representative Frank reported the bill back to the House with the amendments and the amendments were agreed to. **Pages H2766–69**

On a demand for a separate vote on a certain amendment agreed to in the Committee of the Whole on Tuesday, March 20th:

By a yea-and-nay vote of 242 yeas to 184 nays, Roll No. 170, agreed to the Al Green (TX) amendment (No. 5 printed in Part B of House Report 110–53) that extends FEMA housing assistance for evacuees of Hurricanes Katrina, Rita, and Wilma until December 31, 2007 and provides tenant-based rental assistance upon termination of FEMA housing assistance (agreed to in the Committee of the Whole on Tuesday, March 20th). **Pages H2765–66**

Amendments offered in the Committee of the Whole today:

Rejected:

Neugebauer amendment (No. 6 printed in Part B of House Report 110–53) that sought to strike section 306 of the bill, which authorizes funds for eligible families to continue receiving voucher assistance after the termination of the Disaster Voucher Program (by a recorded vote of 185 ayes to 247 noes, Roll No. 168) and **Pages H2752–59, H2763–64**

Price (GA) amendment (No. 7 printed in Part B of House Report 110–53) that sought to strike section 103 of the bill, which eliminates the prohibition of use for match requirement (by a recorded vote of 93 ayes to 333 noes, Roll No. 169). **Pages H2759–60, H2762–63, H2764**

Certain words used in debate were objected to and, on request, were taken down and read at the Clerk's desk. The Chair found that the words were in violation of the spirit of debate and announced that the words would be stricken from the record and that the Member in question would not be allowed to proceed in debate for the remainder of the legislative day. Subsequently, Representative Frank moved that the Member in question be allowed to proceed in order on this day. Agreed to the Frank motion by a yea-and-nay vote of 265 yeas to 160 nays, Roll No. 167. **Pages H2760–62**

H. Res. 254, the rule providing for consideration of the bill, was agreed to on Tuesday, March 20th.

Suspensions: The House agreed to suspend the rules and pass the following measures:

Joshua Omvig Veterans Suicide Prevention Act: H.R. 327, amended, to direct the Secretary of Veterans Affairs to develop and implement a comprehensive program designed to reduce the incidence of suicide among veterans, by a ⅔ yea-and-nay vote of 423 yeas with none voting ''nay'', Roll No. 174; **Pages H2772–78, H2785–86**

Agreed to amend the title so as to read: ''To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop and implement a comprehensive program designed to reduce the incidence of suicide among veterans.''. **Page H2786**

Dr. James Allen Veteran Vision Equity Act: H.R. 797, amended, to improve compensation benefits for veterans in certain cases of impairment of vision involving both eyes, by a ⅔ yea-and-nay vote of 424 yeas with none voting ''nay'', Roll No. 175; **Pages H2778–82, H2786–87**

Agreed to amend the title so as to read: ''To amend title 38, United States Code, to improve

compensation benefits for veterans in certain cases of impairment of vision involving both eyes, to provide for the use of the National Directory of New Hires for income verification purposes, to extend the authority of the Secretary of Veterans Affairs to provide an educational assistance allowance for qualifying work study activities, and to authorize the provision of bronze representations of the letter ''V'' for the graves of eligible individuals buried in private cemeteries in lieu of Government-provided headstones or markers.'' **Page H2787**

Veterans' Compensation Cost-of-Living Adjustment Act of 2007: H.R. 1284, to increase, effective as of December 1, 2007, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, by a ⅔ yea-and-nay vote of 418 yeas with none voting ''nay'', Roll No. 176; **Pages H2782–85, H2795**

Judicial Disclosure Responsibility Act: H.R. 1130, to amend the Ethics in Government Act of 1978 to extend the authority to withhold from public availability a financial disclosure report filed by an individual who is a judicial officer or judicial employee, to the extent necessary to protect the safety of that individual or a family member of that individual, by a ⅔ yea-and-nay vote of 415 yeas with none voting ''nay'', Roll No. 177; and **Pages H2787–88, H2795–96**

Preventing Harassment through Outbound Number Enforcement (PHONE) Act of 2007: H.R. 740, to amend title 18, United States Code, to prevent caller ID spoofing, by a ⅔ yea-and-nay vote of 413 yeas to 1 nay, Roll No. 178. **Pages H2790–93, H2796–97**

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure:

Hawaiian Homeownership Opportunity Act of 2007: H.R. 835, to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians, by a ⅔ yea-and-nay vote of 262 yeas to 162 nays, Roll No. 173. **Pages H2769–72, H2785**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed until Thursday, March 22nd:

Native American Methamphetamine Enforcement and Treatment Act of 2007: H.R. 545, amended, 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 and **Pages H2788–90**

Permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust: H. Con. Res. 66, to permit the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. **Pages H2793–95**

Quorum Calls—Votes: Eight yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H2761–62, H2763–64, H2764, H2765–66, H2768, H2769, H2785, H2786, H2786–87, H2795, H2795–96, and H2796–97. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 1:05 a.m.

Committee Meetings

USDA'S RURAL DEVELOPMENT PROGRAMS

Committee on Agriculture: Subcommittee on Specialty Crops, Rural Development, and Foreign Agriculture held a hearing to review the USDA rural development programs and the agency's rural development proposal for the 2007 Farm Bill. Testimony was heard from Tom Dorr, Under Secretary, Rural Development, USDA; and public witnesses.

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on NOAA. Testimony was heard from VADM Conrad C. Lautenbacher, Administrator, NOAA, Department of Commerce.

The Subcommittee also held a hearing on Department of Justice Overview. Testimony was heard from public witnesses.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Financial Services and General Government held a hearing on the Federal Judiciary. Testimony was heard from Julia Smith Gibbons, Circuit Judge, U.S. Court of Appeals for the Sixth Circuit; and James C. Duff, Director, Administrative Office of the U.S. Courts.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Enhancing Privacy and Civil Rights While Meeting Homeland Security Needs. Testimony was heard from the following officials of the Department of Homeland Security: Hugo Teufel III, Chief Privacy Officer; and Daniel Sutherland, Office Civil Rights and Liberties; and Linda

Koontz, Director, Information Management Issues, GAO.

INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment and Related Agencies held a hearing on Holocaust Museum/National Gallery of Art/Commission on Fine Arts/National Capital Planning Commission/Advisory Council on Historic Preservation. Testimony was heard from Sara Bloomfield, Director, U.S. Holocaust Memorial Museum; Earl A. Powell III, Director, National Gallery of Arts and Chairman, Commission of Fine Arts; and Thomas Luebke, Secretary, Commission on Fine Arts; Patricia E. Gallagher, Executive Director, National Capital Planning Commission; and John Fowler, Executive Director, Advisory Council on Historic Preservation.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a hearing on Public Broadcasting. Testimony was heard from the following officials of the Corporation for Public Broadcasting: Patricia Harris, President and CEO; Cheryl Halpern, Chairman, Board of Directors; and Kenneth A. Konz, Inspector General; Ken Stern, CEO, National Public Radio; and Paula Kerger, CEP, Public Broadcasting Service.

MILITARY CONSTRUCTION, VETERANS' AFFAIRS AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction, Veterans' Affairs and Related Agencies continued appropriation hearings. Testimony was heard from public witnesses.

STATE, FOREIGN OPERATIONS AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on State, Foreign Operations and Related Programs held a hearing on International Affairs Budget. Testimony was heard from Condoleezza Rice, Secretary of State.

MILITARY COMMANDS BUDGET

Committee on Armed Services: Held a hearing on the Fiscal Year 2008 National Defense Authorization Budget Request from the U.S. Strategic Command, Northern Command, Transportation Command, and Southern Command. Testimony was heard from the following officials of the Department of Defense: GEN James E. Cartwright, USMC, Commander, U.S. Strategic Command; ADM Timothy J. Keating, USN, Command, NORAD and U.S. NORTHCOM; GEN Norton A. Schwartz, USAF, Commander, U.S. Transportation Command; and ADM James Stavridis, USN, Commander, U.S. Southern Command.

DEFENSE COUNTERPROLIFERATION/COUNTERTERRORISM

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on Department of Defense counterproliferation, counterterrorism, and science and technology priorities. Testimony was heard from the following officials of the Department of Defense: John Young, Director, Defense Research and Engineering; James Tegnelia, Director, Defense Threat Reduction Agency; Anthony J. Tether, Director, Defense Advanced Research Project Agency; Thomas H. Killion, Deputy Assistant Secretary, Army, Research and Technology; RADM William Landay III, USN, Chief of Naval Research; and Terry Jaggers, Deputy Assistant Secretary, Air Force, Science, Technology and Engineering, Office of the Assistant Secretary, Acquisition.

CONCURRENT BUDGET RESOLUTION FISCAL YEAR 2008

Committee on the Budget: Ordered reported, as amended, the Concurrent Resolution on the Budget for Fiscal Year 2008.

ESEA REAUTHORIZATION

Committee on Education and Labor: Held a hearing on ESEA Reauthorization: Options for Improving NCLB's Measures of Progress. Testimony was heard from Peter McWalters, Commissioner, Department of Education, State of Rhode Island; Valerie A. Woodruff, Secretary of Education, State of Delaware; and public witnesses.

CLIMATE CHANGE PERSPECTIVES

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality and the Subcommittee on Energy and Environment of the Committee on Science and Technology held a joint hearing entitled "Perspectives on Climate Change." Testimony was heard from former Vice President Al Gore, of TN; and a public witness.

SHAREHOLDER VOTE ON EXECUTIVE COMPENSATION PAY; COMMITTEE BUSINESS

Committee on Financial Services: Began mark of H.R. 1257, Shareholder Vote on Executive Compensation Act.

Will continue tomorrow.

The Committee also approved pending Committee business.

DRUG-RESISTANT TUBERCULOSIS THREAT

Committee on Foreign Affairs: Subcommittee on Africa and Global Health held a hearing on the Global Threat of Drug-Resistant TB: A Call to Action for World TB Day. Testimony was heard from Representative Engel; the following officials of the Department of State: Mark R. Dybul, Coordinator, Office of the U.S. Global AIDS Coordinator; and Kent R. Hill, Assistant Administrator, Bureau for Global Health, U.S. Agency for International Development; Julie L. Gerberding, M.D., Director, Centers for Disease Control and Prevention, Department of Health and Human Services; and public witnesses.

The Subcommittee also held a briefing on this subject, Testimony was heard from Mario Raviglione, M.D., Director, Stop TB Department, Work Heath Organization.

U.S.-PAKISTAN POLICY

Committee on Foreign Affairs: Subcommittee on Middle East and South Asia held a hearing on U.S. Policy Toward Pakistan. Testimony was heard from public witnesses.

SECURING LIQUID NATURAL GAS TANKERS

Committee on Homeland Security: Held a hearing entitled "Securing LNG Tankers to Protect the Homeland." Testimony was heard from Jim Wells, Director, Energy, NRC, Natural Resources and Environment, GAO; RADM Brian M. Salerno, USCG, Director, Inspection and Compliance, U.S. Coast Guard, Department of Homeland Security; and H. Keith Lesnick, Director, Office of Deepwater Post Licensing, Maritime Administration, Department of Transportation; J. Mark Robinson, Director, Office of Energy Projects, Federal Energy Regulatory Commission, Department of Energy; and public witnesses.

RADIATION DETECTION TECHNOLOGIES

Committee on Homeland Security: Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology held a hearing entitled "Countering the Nuclear Threat to the Homeland: Evaluating the Deployment of Radiation Detection Technologies." Testimony was heard from the following officials of the Department of Homeland Security: Vayl Oxford, Director, Domestic Nuclear Detection Office; and Jayson Ahern, Assistant Commissioner, Office of Field Operations, Customs and Border Protection.

ISSUANCE OF SUBPOENAS—INVESTIGATION OF RECENT U.S. ATTORNEYS TERMINATION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law approved a motion authorizing the Chairman of the Committee on the Judiciary to issue subpoenas to the following individuals to secure testimony pursuant to the Committee's investigation concerning the recent termination of U.S. Attorneys and related subjects: D. Kyle Sampson; Karl Rove, Harriet Miers; William Kelley; and Scott Jennings.

MORTGAGES IN URBAN AMERICA

Committee on Oversight and Government Reform: Subcommittee on Domestic Policy held a hearing on Foreclosure, Predatory Mortgage and Payday Lending in America's Cities. Testimony was heard from public witnesses.

DISTRICT OF COLUMBIA HOUSE VOTING RIGHTS ACT OF 2007

Committee on Rules: Granted, by a vote of 7 to 4, a closed rule. The rule provides one hour and twenty minutes of general debate on H.R. 1433, District of Columbia House Voting Rights Act of 2007, with one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary and twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Oversight and Government Reform. The rule waives all points of order against consideration of the bill except those arising under clauses 9 or 10 of Rule XXI. The rule provides that the amendment printed in the report shall be considered as adopted. The rule waives all points of order against the bill, as amended, and provides that the bill, as amended, shall be considered as read. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Conyers, Representatives Sensenbrenner, Issa, King of Iowa, Sessions, Rohrabacher, Flake, Bishop of Utah, and Price of Georgia.

U.S. TROOPS READINESS, VETERANS' HEALTH AND IRAQ ACCOUNTABILITY ACT

Committee on Rules: Granted, by a vote of 9 to 4, a closed rule. The rule provides 4 hours of general debate on H.R. 1591, U.S. Troops Readiness, Veterans' Health and Iraq Accountability Act, equally divided and controlled by the Chairman and Ranking Minority Member ofthe Committee on Appropriations. The rule waives all points of order against consideration of the bill except those arising under clauses 9 or 10 of Rule XXI. The rule provides that the amendment printed in the report shall be considered as adopted. The rule waives all points of order against the bill, as amended, and provides that the bill, as amended, shall be considered as read. Finally, the rule provides one motion to recommit with or

without instructions. Testimony was heard from Chairman Obey, Representatives Lynch, Waters, Woolsey, Lee, Watson, Jackson-Lee of Texas, Lewis of California, Kirk, Sessions, Hunter, Shays, McHugh, Flake, Wilson of South Carolina, Cole of Oklahoma, Gingrey, King of Iowa, and Kuhl.

WOMEN-OWNED BUSINESSES FEDERAL CONTRACTING

Committee on Small Business: Subcommittee on Contracting and Technology held a hearing on Federal Government Efforts in Contracting with Women-Owned Businesses. Testimony was heard from Jovita Carranza, Deputy Administrator, SBA; Frank Spampinato, Chief Acquisition Officer, Department of Energy; Glenn Perry, Director, Contracts and Acquisitions Management, Department of Education; Thomas Luedtke, Assistant Administrator, NASA; and public witnesses.

FAA FINANCING PROPOSAL

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on the Federal Aviation Administration's Financing Proposal. Testimony was heard from Representatives Tiahrt and Barrow; from the following officials of the Department of Transportation: Daniel K. Elwell, Assistant Administrator, Aviation Policy, Planning and Environment, FAA; and Calvin L. Scovel III, Inspector General; Gerald Dillingham, Director, Physical Infrastructure Issues, GAO; and public witnesses.

KATRINA TAX RELIEF ACT; GENETIC INFORMATION NONDISCRIMINATION ACT

Committee on Ways and Means: Ordered reported, as amended, the following bills: H.R. 1562, Katrina Housing Tax Relief Act of 2007; and H.R. 493, Genetic Information Nondiscrimination Act of 2007.

MEDICARE ADVANTAGE

Committee on Ways and Means: Subcommittee on Health held a hearing on the Medicare Advantage. Testimony was heard from Leslie V. Norwalk, Acting Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Mark Miller, Executive Director, Medicare Payment Advisory Commission; and Peter R. Orszag, Director, CBO.

BRIEFINGS—HOT SPOTS FBI/CIA

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Hot Spots. The Committee was briefed by departmental witnesses.

The Committee also met in executive session to receive a briefing on FBI/CIA. The Committee was briefed by departmental witnesses.

COMMITTEE MEETINGS FOR THURSDAY, MARCH 22, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Military Construction and Veterans' Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2008 for military construction, 10 a.m., SD–124.

Full Committee, business meeting to markup the Supplemental Appropriations Bill for fiscal year 2007, 2 p.m., SD–106.

Committee on Armed Services: to hold hearings to examine the United States Southern command, Northern command, and Joint Forces command in review of the defense authorization request for fiscal year 2008 and the future years defense program, 9:30 a.m., SH–216.

Full Committee, to receive a closed briefing on the detention and judicial capacity in Iraq, 2 p.m., S–407, Capitol.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine causes and consequences relating to mortgage market turmoil, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation Operations, Safety, and Security, to hold hearings to examine the Federal Aviation Administration (FAA) modernization, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine the "Future of Coal" report recently published by the Massachusetts Institute of Technology, 2:30 p.m., SD–366.

Committee on Finance: to receive testimony on "Keeping America's Promise" relating to health care and child welfare services for Native Americans, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the nomination of Ford M. Fraker, of Massachusetts, to be Ambassador to the Kingdom of Saudi Arabia, 10:30 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine deconstructing reconstruction, focusing on problems, challenges, and the way forward in Iraq and Afghanistan, 10 a.m., SD–342.

Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine a review of the Merit Systems Protection Board and the Office of the Special Counsel, focusing on the safeguarding of the merit systems principles in preparation for the consideration of the reauthorization of the two agencies, 2:30 p.m., SD–342.

Committee on Indian Affairs: to hold an oversight hearing to examine Indian housing, 9:45 a.m., SR–485.

Committee on the Judiciary: business meeting to consider S. 376, to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, S. 849, to promote accessibility, accountability, and openness in Government by strengthening section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), S. 236, to require reports to Congress on Federal agency use of data mining, S. 119, to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts, S. 888, to amend section 1091 of title 18, United States Code, to allow the prosecution of genocide in appropriate circumstances, S. 621, to establish commissions to review the facts and circumstances

surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II, and S. Res. 108, designating the first week of April 2007 as ''National Asbestos Awareness Week'' and to discuss the possibility of the issuance of certain subpoenas in the connection with investigation into the replacement of U.S. attorneys, 10 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Conditions and Trends in Rural Communities, 10 a.m., and on Rural Development, 1 p.m., 2362A Rayburn.

Subcommittee on Commerce, Justice, Science and Related Agencies, on DEA/Bureau of Alcohol, Tobacco and Firearms, 2 p.m., H–310 Capitol.

Subcommittee on Energy and Water Development and Related Agencies, on Department of Energy: Nuclear Nonproliferation, 10 a.m, 2362B Rayburn.

Subcommittee on Financial Services and General Government, on Small Business Administration, 10 a.m., 2220 Rayburn.

Subcommittee on Interior, Environment, and Related Agencies, on Minerals Management Service/Office of Surface Mining, 9:30 a.m., B–308 Rayburn.

Subcommittee on Legislative Branch, on Library of Congress and Open World: Budget, 10 a.m, H–144 Capitol.

Subcommittee on Military Construction, Veterans' Affairs and Related Agencies, on Army Budget, 2 p.m., H–143 Capitol.

Subcommittee on Transportation, and Housing and Urban Development and Related Agencies, on FAA, 10 a.m., 2358 Rayburn.

Committee on Armed Services, Subcommittee on Air and Land Forces and the Subcommittee on Seapower and Expeditionary Forces, hearing on Department of Defense Aircraft Programs, 2 p.m., 2118 Rayburn.

Committee on Education and Labor, hearing on the BP-Texas City Disaster and Worker Safety, 10 a.m., 2175 Rayburn.

Subcommittee on Higher Education, Lifelong Learning, and Competitiveness, hearing on The Higher Education Act: Approaches to College Preparation, 1:30 p.m., 2175 Rayburn.

Committee on Energy and Commerce, to mark up the following bills: H.R. 518, International Solid Waste Importation and Management Act of 2007; and H.R. 493, Genetic Information Nondiscrimination Act of 2007, 2:30 p.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, to continue hearings on The Adequacy of FDA Efforts to Assure the Safety of the Drug Supply, Part II, 9:30 a.m., 2123 Rayburn.

Subcommittee on Telecommunications and the Internet, hearing entitled ''Oversight of the National Telecommunications and Information Administration and Innovations in Interoperability,'' 9 a.m., 2322 Rayburn.

Committee on Financial Services, to continue mark up of H.R. 1257, Shareholder Vote on Executive Compensation Act, 9:30 a.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on Foreign Policy and National Security Implications of Oil Dependence, 10 a.m., 2172 Rayburn.

Subcommittee on Africa and Global Health, hearing on Prospects for Peace in Guinea, 2 p.m., 2200 Rayburn.

Subcommittee on International Organizations, Human Rights and Oversight and the Subcommittee on Europe, joint hearing on Polling Data on European Opinion of American Policies, Values and People, 3 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment, hearing entitled ''Over-classification and Pseudo-classification: The Impact on Information Sharing'', 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights and Civil Liberties, hearing on Changing Tides: Exploring the Current State of Civil Rights Enforcement within the Department of Justice and an oversight hearing on the Civil Rights Division of the Department of Justice, 10 a.m., 2237 Rayburn.

Subcommittee on Courts, the Internet, and Intellectual Property, hearing on Reforming Section 115, of the Copyright Act for the Digital Age, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Insular Affairs, hearing on the following bills: H.R. 900, Puerto Rico Democracy Act of 2007; and H.R. 1230, Puerto Rico Self-Determination Act of 2007, 10 a.m., 1324 Longworth.

Subcommittee on Fisheries, Wildlife and Oceans, to mark up the following bills: H.R. 50, Multinational Species Conservation Funds Reauthorization Act of 2007; H.R. 465, Asian Elephant Conservation Reauthorization Act of 2007; and H.R. 1205, Coral Reef Conservation Amendments Act of 2007, 4 p.m., 1334 Longworth.

Committee on Science and Technology, Subcommittee on Energy and Environment, hearing on NOAA Fiscal Year 2008 Budget, 2 p.m., 2318 Rayburn.

Subcommittee on Space and Aeronautics, hearing on FAA's Research and Development Budget Priorities for Fiscal Year 2008, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''The New Hidden Tax on Small Business,'' 10 a.m., 2360 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, hearing on Education Benefits for National Guard and Reserve members, 2 p.m., 349 Cannon.

Committee on Ways and Means, Subcommittee Income Security and Family Support, hearing on Assistance for Elderly and Disabled Refugees, 12:30 p.m., B–318 Rayburn.

Subcommittee on Select Revenue Measures, hearing on the Alternative Minimum Tax, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, hearing on Counterintelligence, 1 p.m., H–405 Capitol.

Next Meeting of the SENATE

9:30 a.m., Thursday, March 22

Senate Chamber

Program for Thursday: Senate will continue consideration of S. Con. Res. 21, Budget Resolution.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, March 22

House Chamber

Program for Thursday: To be announced.

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