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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC.
April 20, 2007.

I hereby appoint the Honorable EARL POMEROY to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

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

Lord God, in whom all can take refuge, on this day of reflection and mourning for the victims and all those affected by the tragedy which took place on the campus of Virginia Tech, we appeal to Your boundless mercy and steadfast love.

The whole House of Representatives pulsates with compassion for the surviving student body, faculty and especially the parents of those young people now taken into Your eternal embrace.

May love conquer hatred. In Your infinite goodness heal the wounded, reinforce the bonds of relationships that hold Your people together.

Knowing how fragile life is and how precious the time we have together, enable all to draw closer to You and to one another in learning true wisdom, in affirming their deepest love and commitments and in reaching out to the alienated and those most in need.

We ask for Your help, Lord, calling upon Your holy name, now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. PITTS led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

H.R. 1130. An act 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 message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 378. An act to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes.

The message also announced that pursuant to Public Law 106–286, the Chair, on behalf of the President of the Senate, and after consultation with the Republican Leader, appoints the following members to serve on the Congressional-Executive Commission on the People's Republic of China:

The Senator from Nebraska (Mr. HAGEL).

The Senator from Kansas (Mr. BROWNBACK).

The Senator from Oregon (Mr. SMITH).

The Senator from Florida (Mr. MARTINEZ).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain five 1-minute speeches per side.

HONORING COMMANDER CAROL BOHN, U.S. NAVY, RETIRED

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

Mr. MCNERNEY. Mr. Speaker, I ask my colleagues to join me in honoring Commander Carol Bohn, U.S. Navy, retired.

Commander Bohn provided 25 years of outstanding service to our country as a commissioned officer in the Navy Nurse Corps and continues, in retirement, to provide exceptional service to our community and to our men and women in uniform.

A member of the VFW for approximately 15 years, Commander Bohn now serves as chaplain for the VFW Pleasanton Post 6298. She was instrumental in leading drives to obtain essential items for our Nation's troops, and her efforts have improved the morale of our men and women in uniform deployed overseas

Commander Bohn is also instrumental in organizing Pleasanton's yearly Veterans Day Parade, which honors the many sacrifices made by our fighting men and women. Through Commander Bohn's tireless efforts, the

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people of Pleasanton and the 11th Congressional District are assured that our veterans will not be forgotten.

I ask my colleagues to join me in recognizing this outstanding citizen and leader.

SURRENDER IN IRAQ DAY

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

Mr. POE. Mr. Speaker, in World War I, the U.S. and Allied victory was called Armistice Day. In World War II, it was called VE Day, Victory in Europe, and VJ Day, Victory over Japan. Now, this Congress has already proclaimed SI Day, Surrender in Iraq Day.

By proclaiming a day to the world that we plan to ''get out of Dodge,'' no matter the situation, no matter the consequences, because some lack the moral will to win defies commonsense and basic military logic. You never tell the enemy that you will retreat, much less give them the day, month and year.

I am sure that in the rat holes of Iraq where the cowardly enemy hide there is joy and laughter. Congress knows as much about running the details of a military operation as FEMA does about disasters.

Let the generals finish America's duty. We have the duty to give them the tools, weapons, money and the troops to take care of business.

General Stonewall Jackson allegedly faced the same complaints from the Confederate Congress and reportedly responded: ''Send more troops, not more questions.''

We cannot retreat and allow Surrender in Iraq Day to become part of our history.

And that's just the way it is.

FUNDING FOR THE IRAQ WAR

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

Mr. EMANUEL. Mr. Speaker, earlier this month the President said, ''If Congress fails to pass a bill that I can sign by mid-April, the Army will be forced to consider cutting back on equipment, equipment repair and quality of life initiatives for our Guard and Reserve forces.''

Today, though, the Pentagon reports it has enough money to pay for the war in Iraq through June. So despite the doomsday reports from the White House, our military leaders are confident we have sufficient funding while we debate a new direction for the war in Iraq.

Then the President said that the timeline for redeployment that was part of our funding would undermine our troops and send the wrong signal to the enemy. Yesterday, Secretary Gates said our debate here in Congress has had a positive impact by ''communicating to the Iraqis that this is not an open-ended commitment.''

Mr. Speaker, this is not the time for scoring political points or posturing and positioning. The President should know that after 4 years of chaos and bloodshed, the American people sent Democrats to Washington to bring a new direction to our Iraq policy.

Today, thousands of American troops find themselves in the middle of someone else's civil war, backing an Iraqi government that has yet to stand up for itself.

Democrats are calling for a new direction in Iraq.

DEMOCRAT TAX HIKE

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

Mr. PITTS. Mr. Speaker, some Democrats like to boast about all the increased spending in their budget plan, but they are less eager to discuss how all this new spending is going to be paid for. That is because it is paid for with the largest tax increase in American history, nearly $400 billion over 5 years.

Mr. Speaker, while some Democrats on Capitol Hill may not understand the impact this tax hike would have, my constituents most certainly do. Several have written in to let me know how it would affect their families.

One woman said it would mean less money for vital health care costs. Another parent said it would hurt her ability to pay for after-school activities for her kids. Someone else said more money for Washington would mean less money for charitable causes. And one single parent told me it would mean, ''less food on our table.''

Mr. Speaker, the proposed tax increase would affect real families in real ways. Let's balance the budget by reining in spending, not by taking more money from hardworking American families.

HONORING DREYFOOS HIGH SCHOOL

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

Mr. KLEIN of Florida. Mr. Speaker, today I would like to honor a special group of south Florida high school students for being selected to participate in a prestigious debate competition this weekend in New York City.

The students, Zoe Friedland, Samuel Natale, Alexandre Pouille, Jemma Hinkly, Emily Deyes, Christopher Bahls-Mariles, and Rachael Mielke, hail from Dreyfoos High School in Palm Beach County, and will represent the school at the National Public Policy Forum debate championship this weekend

I wish these students the best of luck. They are some of the best and brightest, and I know they will represent south Florida well. I commend them for their hard work, dedication and perseverance that got them to this level and qualified them for this competition.

I also want to take this opportunity to express the condolences from my district to the family and friends of the Virginia Tech students who were tragically killed on Monday, and wish a speedy recovery to those who were injured.

Our children are the future of our Nation and our greatest asset. I join my colleagues in the House of Representatives to express our grief and sympathy. Our thoughts and prayers are with their friends and families.

STAND UP FOR OUR TROOPS

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

Mr. PUTNAM. Mr. Speaker, our troops in combat deserve to be sent the resources and reinforcements that they need to be successful in their mission in Iraq, without strings and without delay.

Putting in place an inflexible timeline that culminates with a date certain time for withdrawal micromanages our commanders in the field and undermines the efforts of our troops on the ground. The Washington Post describes the Democrat plan as ''an attempt to impose detailed management on a war without regard for the war itself.''

The L.A. Times called for the bill to be vetoed saying, ''It's absurd to try and micromanage the conflict, and the evolution of Iraqi society, with arbitrary timetables and benchmarks.''

I urge my colleagues to stand up for our troops. Our troops deserve a clean bill, not one bulging with add-ons and political statements.

GONZALES REFUSED TO ANSWER CRITICAL QUESTIONS IN THE JUSTICE DEPARTMENT SCANDAL

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

Mr. PALLONE. Mr. Speaker, Attorney General Gonzales cancelled a vacation and an entire week of work so he could prepare for his testimony before the Senate Judiciary Committee yesterday on the expanding U.S. Attorney scandal, but it does not seem to have helped him very much.

Despite all that prep time, the Attorney General could still not remember why most of the prosecutors had been fired by him in the first place. Worse yet, Gonzales said he could not recall attending a meeting where the discussion of the fate of these prosecutors was debated.

Democratic and Republican senators alike grew increasingly frustrated throughout the day as the Attorney General answered ''I do not recall'' to more than 70 questions. It was so bad that conservative Republican Senator

JEFF SESSIONS said that he was concerned about Gonzales' recollection, considering that these events only took place last December.

Either the Attorney General is deceiving the Senate about what he remembers or he is so lacking that he can sit through discussions about the potential firing of eight U.S. Attorneys and simply not remember being there. Neither bodes well for Gonzales. It's time the President sets aside his friendship and asks his Attorney General to step aside.

WE NEED TO REDUCE THE PROLIFERATION OF FIREARMS IN OUR SOCIETY

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

Mr. MORAN of Virginia. Mr. Speaker, I cannot imagine how more tragic life could be than to be the parent of a child and be told that their father or mother is not going to ever see them again, that he or she was killed in Iraq. This is the month of military families where we recognize military families, and the best thing we could do is to say 2,100 children having been given that information is enough, but this is also the anniversary of the Columbine massacre.

At the very time when we are offering our condolences for more than 30 people being slaughtered at Virginia Tech. While it is certainly appropriate to grieve with those parents who thought they were sending a child to a nurturing, secure learning environment, only to find that their child's life was cut off before they could realize their potential, it is even more appropriate that we act and respond to these tragedies, to try to prevent them, because we know unless we can reduce the proliferation of firearms in our society, that this will continue to happen time and time again.

Our words of condolences after a tragedy will be hollow unless we can stand up before the fact to the gun lobby and to those who think that we can continue to offer grievances and not change the situation.

Mr. Speaker, we need to renew the assault weapon ban. We need to end the gun show loophole. We need to restrict handgun purchase to no more than one per month. We need to stop these tragedies from recurring again and again and again.

SHAREHOLDER VOTE ON EXECUTIVE COMPENSATION ACT

The SPEAKER pro tempore (Mr. PALLONE). Pursuant to House Resolution 301 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. 1257.

□ 0914

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. 1257) to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation, with Mr. POMEROY (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on Wednesday, April 18, 2007, a request for a recorded vote on amendment No. 7 printed in the CONGRESSIONAL RECORD by the gentleman from North Carolina (Mr. MCHENRY) had been postponed.

Are there further amendments to the bill?

□ 0915

AMENDMENT NO. 9 OFFERED BY MR. PRICE OF GEORGIA

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. 9 offered by Mr. PRICE of Georgia:

Strike all after the enacting clause and insert the following:

SEC. 1. DISCLOSURE OF EXECUTIVE COMPENSATION.

Congress finds and declares that the shareholder disclosures relating to executive compensation required by the rules issued by the Securities and Exchange Commission on September 8, 2006 (71 Fed. Reg. 53158) provide an adequate and complete mechanism for shareholder approval of such compensation.

Mr. PRICE of Georgia. I want to thank the chairman of the committee for his kindness in allowing appropriate amendments within committee.

Mr. Chairman, I had hoped that this would be an absolutely open rule on the floor of the House, but it seems that this is as open as we get in this Congress, and I appreciate the opportunity to present an amendment or two on this important bill. This is an important debate that we are having.

If you look at the backdrop for it, it is important to appreciate the history of what is happening in many of our business sectors in this Nation. Seventy-five percent of the IPOs in the world are not in the United States. There is a reason for that. The number of public companies converting to private increases daily, and there is a reason for that. The number of U.S. companies looking to move offshore is increasing, and there is a reason for that.

As it relates to this issue in 2006, the Securities and Exchange Commission adopted sweeping changes to the rules regarding disclosure of compensation paid to executive officers and directors of public companies. This amendment, my amendment, amendment No. 9, simply states that the disclosures of executive compensation adopted by the Securities and Exchange Commission in 2006 provide a complete and adequate mechanism for shareholder approval.

SEC rules approved last summer direct companies to publish a table showing executives' total compensation, designed to bring better disclosure to shareholders. Companies must also detail stock option grants. The centerpiece of it was a single pay number, a single pay number meant to replace a jumble of charts and tables that appear now in proxy statements sent annually to investors. The single number will combine salary and bonuses and perks and other compensation awarded in a given year, with details for each component provided in a summary composition table.

Publicly traded corporations compete for the trust of investors, and these votes that have been proposed in the underlying bill can already be arranged for today if the corporations feel they are warranted as illustrated by AFLAC's recent nonbinding shareholder vote on executive compensation.

Now, if investors become displeased with a board of directors, then they have several choices available to them. They can seek to elect different board members. They can sell their stock and shift their investments to other companies whose corporate governance and decisions are more to their liking, or they can ask the government to expand regulation.

Regrettably, it is this last option that we are faced with today. Further, regulation from Congress is rarely the answer, and it certainly is not now.

I would ask my colleagues to seriously consider this amendment. My amendment is a vote for transparency. It is a vote for disclosure over increased government expansion and regulation. A vote against this amendment will increase the incentives for companies to go from public to private and to move from onshore to offshore.

I will close by saying this. Most Americans have a general sense that some CEOs have levels of pension that are greater than warranted by merit. They know that there must be a correction. They also know well that Washington should not be the author of that correction.

I urge adoption of my amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is an amendment, the purpose of which is to let people vote against the bill without voting against the bill. What the amendment says is, we don't need the bill. There are some Members who are apparently reluctant to vote against the bill. There would be no reason to vote for this amendment in the normal course of events. What it says is that we don't need anything else.

Again, the effect of this amendment is exactly, exactly the same as voting ''no'' on the bill. But some Members have a problem. There are a lot of examples of excessive compensation in the minds of many. I would note that this Congress will not be making any judgment about what is or isn't excessive.

One amendment was offered by a Republican that would have had us differentiate based on some definition of ''excessive.'' I hope that is voted down. I don't think we should be that intrusive. What the amendment says is, we don't need a bill. Well, if you don't need the bill, you vote ''no.'' Why would you vote for an amendment that says you don't need a bill instead of simply voting ''no''?

The answer is, you don't want to be accused of voting ''no'' on the bill, so you vote for an amendment which has the same effect as killing the bill but is worded slightly differently.

I do note, and I acknowledge my colleagues on the other side agreeing, because someone said, oh, the government shouldn't get involved in this. What this does is celebrate a significant government involvement in the pay practices of corporations. What it says is that the rules issued by the Securities and Exchange Commission, dominated by Republicans, run by a former Republican Member of this House as the chairman, that those rules are adequate and complete. In other words, it says, ''Those are a good thing. That's all we need.''

Understand that those rules were a ''mandate,'' to use the word that has been used here, a significant mandate by the Federal Government into private corporations. It says to private corporations, we, the Securities and Exchange Commission, this was done last year, we order you against your will, because if you want to do it, you could have done it voluntarily, we order you as the Federal Government to print on every proxy form the following information in the following form.

I am glad they did that. I am glad that my colleagues implicitly repudiate this notion that somehow the Federal Government is not supposed to tell corporations what to do. The SEC did do that. But now the question is, what do you do with the information?

It is interesting. I was just shown by one of the members of the staff an article where the corporation, United Health, was asked to allow a vote, then, by the shareholders on this information which the SEC has put forward, and they said, well, that would put us at a competitive disadvantage in America because some companies would do it and some wouldn't.

This bill simply eliminates the competitive disadvantage. It says every corporation can do it.

I was asked before, why don't you leave this to the market. That's what this bill does. The market consists of the people who own the shares, who buy the shares. This bill empowers them.

Finally, I do want to note that my colleagues are giving a different set of arguments, my colleagues on the other side, today apparently, than Wednesday. On Wednesday, there was a lot of patriotism and a lot of talk about, let's not do what other countries do, let's stick with America. There were a lot of references to America's success in the corporate world. The gentleman from Georgia offering this amendment to kill the bill without a vote to kill the bill, says, America is doing so well, why jeopardize it?

So I urge Members to study the two alternative approaches. In fact, the gentleman from Georgia today says America is not doing so good, we've got to be careful; we're losing IPOs, we're losing things. The argument that we have been hearing, and he is joined by others in making it, is that we're losing them primarily to England because of the corporate practices in England. That's what the committee appointed by the Secretary of the Treasury said, or inspired by him said. That's what the McKinsey report said: England does this.

What we are proposing today is exactly the model that has been followed in England. If you believe what the gentleman from Georgia said, which is that we are losing financial business, I think that has been overstated, but we are losing financial business to others, and the country that we are told we are losing it to does exactly what we are doing.

The fact is that letting the people who own the company vote on information that the SEC has required the company to put forward as to whether or not they approve or disapprove that that's what the people they hired should be paid is not at all intrusive. It hasn't caused problems in England. We think it has had a reasonable effect in moderating corporate excesses. That is why I hope that we will vote down this amendment.

By the way, if this amendment is voted down, the people who don't want to vote for the bill don't have to vote for the bill. But they ought to be willing to vote ''yes'' or ''no'' on the bill and not defeated by this kind of wording which gives people a chance to vote ''no'' without standing up and doing it.

Mr. ROSKAM. Mr. Chairman, I move to strike the requisite number of words.

The other day, Mr. Chairman, when we originally debated the bill, the chairman of the committee gently admonished one of the other speakers, one of the gentlemen from California, for selectively quoting a particular article.

We all do that, though, don't we? He was making the point Wednesday, when we discussed this bill, about this particular issue, and the chairman, in sort of a gentle nudge, teased him a little bit, but sort of called him out and said, you know, read the entire article.

It seems to me that the chairman of the committee may be falling into that same trap a little bit. Because coming to this floor now and having a conversation of the range of the Securities and Exchange Commission and sort of, by implication, giving the imprimatur of approval on rules that the SEC promulgated is not a great celebration necessarily of the entire framework of the Securities and Exchange Commission.

It is not as if we have a choice today. We are in the minority. We don't get to set the debate. It is not as if we get to take the Etch-A-Sketch of Securities and Exchange law and go and shake it today and come up and create a new thing.

Now, if the gentleman from Georgia says, well, within the context of this, there is something that is decent that is happening here that the SEC has done, then so be it. But that is not an imprimatur of everything——

Mr. FRANK of Massachusetts. Will the gentleman yield?

Mr. ROSKAM. I would be happy to yield.

Mr. FRANK of Massachusetts. I apologize, then. I inferred that the Members on the other side were being supportive of what our former colleague, Mr. Cox, did. If, in fact, I have incorrectly assumed that my colleagues were supportive of what the Republican SEC has done, rather than simply taking account of it, I will withdraw that, and I will not impute to you approval of what Mr. Cox has done.

Mr. ROSKAM. Mr. Chairman, reclaiming my time, I would suggest the chairman should resist the temptation to overcharacterize a particular argument.

Mr. DEFAZIO. Mr. Chairman, I move to strike the requisite number of words.

That was an extraordinary and revealing exchange. I was also going to point out that Mr. PRICE was supporting the recent mandatory rulings of the Republican-run SEC for disclosure, but then deprive the public, the stockholders, from being able to do anything meaningful once they find out about scandalous levels of executive compensation or board compensation.

Everyone talks about the board as the remedy. The board is often a part of the problem, being paid huge amounts of money for showing up once or twice a year at meetings.

So, now, I mean, at least this is a little more honest. They don't even want the stockholders to be able to find out how much the executive is being paid, out of fear that somehow they might be able to do something about it, I guess. I mean, this is absolutely extraordinary.

I heard some other things. They say, if a corporation feels it is warranted, the gentleman from Georgia says, they can vote on executive salary. Oh, the board, who got a sweet deal, who are supporting the CEO who has got a sweet deal, if they feel it is warranted, they will allow those little peons, the stockholders, to vote on it. This is America. These are public corporations.

Now, would the gentleman say if someone inherits some stock, or someone has been a lifelong investor in a company, and there is a coup by some

corporate raiders, and they install a board, and they just start dumping an excessive, as the gentleman said, sometimes greater than warranted salary on a CEO, that they should not have the power to do something about it?

He says, well, you know, they can elect other people to the board. Well, no, because the election to the board process is fixed too. You get either to vote for the nominees or withhold. But if they get a single vote, and their buddy sitting next to them is going to vote, they will get their own stock for themselves. They are elected to the board. Ninety-nine percent of the people may have withheld, 99.999 may have withheld. That one person votes for himself. He is still on the board.

That is the way the rules work now. Apparently you think that is just fine. You admit that there is excessive salary being paid here, excessive compensation. No one can look at those numbers and say that they aren't, the gentleman even admitted, greater than warranted in some cases.

Well, then, give the stockholders a meaningful remedy. That is all we are doing here. We are just saying, it is not even mandatory, just that you can have, once you get the mandatory disclosure put in place by the Republicans, we Democrats are saying the stockholders should be allowed to have a referendum on that and not have a runaround by the board or not have their capability to put a measure before the corporation denied by the board.

□ 0930

I have a major stockholder of Bank of America stock in my district, and he has been constantly frustrated in attempting to move forward questions about board compensation, about executive compensation, about governance. And he is a major stockholder, as are the rest of his family. But he is thwarted. It is a little bit like the old Soviet Union: They are in charge, they don't have to listen to him. It is not democratic.

But the gentleman from Georgia says, well, sell your stock. That is a great remedy. Let the corporate raiders take it over, sell your stock. Now, come on. Give people recourse. And, you know, the reason that some investors are going to Europe is because they have more regulation in Europe and they have less excessive compensation to boards and CEOs, and they know that their dollars and/or pounds or Euros are being better cared for within that investment. That is why we are losing people overseas, not because of disclosure of excessive compensation or the possibility stockholders might be able to vote on it.

Mr. PUTNAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am happy to yield my time to my good friend from Georgia, the sponsor of the amendment, Mr. PRICE.

Mr. PRICE of Georgia. Mr. Chairman, I thank the gentleman for yielding; I appreciate that. And I appreciate my good friend from Oregon being so transparent in his truth as he made a very interesting argument for more regulation and the fixing of CEO salaries. Which is remarkable, Mr. Speaker. The mischaracterization of this amendment is extremely curious.

The chairman of the committee says this amendment is superfluous, it is not necessary. Well, it is absolutely vital. And the reason it is vital is because it is important for us to say that we believe it is appropriate, the action that has been taken by the Securities and Exchange Commission as it relates to CEO compensation and the disclosure requirements. That is important, because it is important for us as a Congress to say we condone and appreciate the work that the administration, the executive branch is doing in this area. It is also important because it draws attention to the issue and says to the American people, educates them to what is now available to them as shareholders.

My good friend from Oregon says that this isn't mandatory. Well, it is mandatory. The bill states it is mandatory. There isn't any way out of it. It is Congress inserting itself into the functioning in very specific ways of corporations. And, Mr. Chairman, I don't know about your constituents, but my constituents know that that is the last place they want Congress, I promise you that.

My good friend from Oregon states that the vote is fixed, it is not really a vote. Well, if he truly believes that, then why on Earth would he support the underlying bill? If the vote is already fixed, why support the underlying bill? It doesn't make any sense.

So I would also just highlight for Congress and for anyone who is a shareholder that the opportunity for these kinds of votes already exists within the structure of corporate governance right now, within the structure of shareholder rights, as was demonstrated by a good company from Georgia, AFLAC, who went ahead and already has these nonbinding shareholder votes. But there is a difference between having individuals in the private sector, shareholders and individuals outside of the mandating of government to have it occur and have government come in with its heavy hand and say, this is exactly what you need to do because we know best.

Mr. Chairman, in my district I believe that my constituents know better how to act and how to relate to corporations than Washington. And I appreciate the gentleman's time.

The Acting CHAIRMAN. 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.

AMENDMENT NO. 11 OFFERED BY MR. PUTNAM

Mr. PUTNAM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. PUTNAM:

Page 4, line 13, strike ''Any proxy'' and insert ''Subject to paragraph (3), any proxy''.

Page 5, line 6, strike ''In any proxy'' and insert ''Subject to paragraph (3), in any proxy''.

Page 6, line 13, strike the close quotation marks and following period and after such line insert the following:

''(3) DEFERRED COMPENSATION EXEMPTION.—The shareholder vote requirements of this subsection shall not apply to an issuer if the compensation of executives as disclosed pursuant to the Commission's compensation disclosure rule indicates that the issuer provides the majority of the issuer's executive compensation in the form of non-qualified deferred compensation.''.

Mr. PUTNAM. Mr. Chairman, today's debate on shareholder votes highlights differing views on executive compensation. It is important to note that shareholders already have the power to propose votes on executive compensation. In fact, during the 2007 proxy season, 64 corporations will hold votes on whether to provide shareholders nonbinding votes on executive pay.

As my friend from Georgia referenced, AFLAC has already voluntarily agreed to include an advisory vote on executive compensation on its 2007 proxy statement, an example of market forces and shareholder views at work.

These examples reflect boards' responsiveness to improving corporate governance and holding executives accountable to fulfill their duty of increasing shareholder value by growing profits and creating jobs. However, my colleagues on the other side of the aisle argue that boards of directors' pay for CEOs is disconnected from their performance. I would argue that if you believe that, then you should support this amendment that focuses on performance and encourages greater accountability.

The amendment I offer today brings attention to what is known as nonqualified, deferred compensation. It allows the issuers to be exempt from the nonbinding shareholder vote on executive pay if the issuer provides the majority of the executive's compensation in the form of that nonqualified deferred compensation. And the reason for that is that nonqualified deferred compensation is subject to forfeiture. Unlike worker or union pension plans, it is contingent compensation. In other words, it is based on the performance of the company, the CEOs, and the executives. Those that have poor performance forfeit some of their compensation.

My amendment gets to the heart of shareholder frustration, which is that if a CEO fails to fulfill their fiduciary duties, then they should be held accountable. Let me give you an example.

Recently, a CEO of a major corporation announced that he would be leaving his post at the end of the year. The board of directors of that company decided not to give a large incentive bonus to that CEO because the company reported a 28 percent decrease in their profit for the last quarter of the year. While the CEO claimed that he deserved a $7.65 million bonus, the board reached an agreement and the CEO will receive less than half of what he thought he was entitled to. The board exercised discretion based on performance, holding executives accountable.

Mr. Speaker, this amendment aligns management interest with shareholder interest, enhancing shareholder value and equity in the company. Nonqualified deferred compensation packages help to drive financial performance, meet growth targets, and ensure the retention of good performing executives. Simply put, if the executive does not perform and the company suffers, then the compensation should reflect as much.

I would also like to point out that in 2004 both Democrats and Republicans created rules that determine when it is appropriate to defer certain types of compensation. It is unnecessary for shareholders to have a nonbinding vote if there is no constructive receipt of that compensation. They are voting on something that may or may not actually be paid out to poorly performing CEOs. We should be encouraging this type of performance-based compensation, not second-guessing.

I would urge my colleagues on both sides of the aisle to adopt this amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

First, Mr. Chairman, I look forward to the subdebate between the gentleman from Illinois and the gentleman from Georgia on the Republican side.

Just to recap, I said I was glad that the gentleman from Georgia, apparently on behalf of the Republicans, agreed with what the SEC did. The gentleman from Illinois took me to task and said, nothing in the amendment was approving. So I said, okay, I withdraw the notion that it was approving.

But then the gentleman from Georgia came back and said, it does approve. So I would urge the two of them to work that out. I would be glad to either give them the acknowledgment, as the gentleman from Georgia said, that they support it; or retract that compliment to Mr. Cox, as the gentleman from Illinois prefers. But I am confused now as to their difference.

As to the gentleman from Florida's amendment, it does exactly what our amendment is inaccurately accused of doing, it intrudes the Congress into the internal pay decisions of the corporation.

We are strictly, scrupulously, completely neutral as to how the corporations pay their CEOs and others. We simply say that the market should work, that these shareholders should decide. And the gentleman said, shareholders have that right now. They do in some places, they do in some States, they do in some corporations; they do not in others. There is no uniform, legally enforceable right for shareholders to do this; and some corporations have refused to do it. United Health Service recently refused a request from a pension fund to do that. There is no uniform right.

By the way, it is a matter of State law or Federal law. This notion that we are intruding on the private corporation, as they said on Wednesday, makes no sense. Private corporations are the creation of positive law, and positive law says, here are the rights and here are the duties, et cetera.

Indeed, the gentleman from Georgia, who, unlike the gentleman from Illinois, approves of what the SEC did, says Washington shouldn't decide. But on the other hand, he is for what the SEC did. Has the SEC decamped to Wichita when I wasn't looking? I would have thought, as chairman of the committee, if the SEC had moved out of Washington, someone would have told me. Maybe they're not getting my mail. But how can you say that Washington should tell corporations what to do and be so supportive of this SEC intervention?

And on the subject of intervention, what the gentleman from Florida would do, would have us say is, you have to have a shareholder vote if you have certain kinds of compensation, but you don't have to have a shareholder vote if you have other kinds of compensation. And what is the majority, and is it nonqualified deferred? It would be a far greater intrusion both substantively and procedurally than what we say.

We say, have a vote, let the shareholders vote. Terribly radical. Let those people who own the corporation give their opinion on what the CEO should be paid.

The gentleman from Florida says ''no,'' but here is the deal: Some corporations hate that. They don't want these pesky shareholders having a say on how many hundred million dollars a guy ought to get when he gets fired, so we will say ''yes'' in some cases, ''no'' in others.

The gentleman said we should kind of give them an incentive. Well, I don't think that is the case. I don't think Congress ought to be picking and choosing as to what is the right kind of corporate compensation and what is not the right kind of corporate compensation. But that is what the amendment does. The amendment does exactly what, as I said, our bill carefully avoids doing: It puts Congress into the decision-making process and says, if you do it the way we, Congress, think is right, you are okay; if you don't do it the way Congress thinks is right, you have a shareholder vote.

Now, I don't think a shareholder vote is any problem. But for those who do, if you really do, then you are intruding the Congress into that process in a way that we have sought to avoid. So I hope that the amendment is defeated.

Mr. ROSKAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think in response to the chairman's observations about the gentleman from Florida's amendment, I do take the chairman at face value that what you are trying to do and the way you are looking at it is trying to create a neutral framework by which these matters are determined. No question about that. But it seems to me that the beauty of this amendment is that it really does seem to get at the heart of the matter that is really prompting this sort of national conversation.

In other words, I think the gentleman from Florida has come up with a more surgical way to accomplish the very task that the chairman of the committee is trying to do. So while the chairman's bill in and of itself is a bit of a blunt instrument, I think that the gentleman from Florida's amendment sharpens that blunt instrument and helps to really cut to the cause and the issue that is before the Congress, and I urge its passage.

Mr. DEFAZIO. Mr. Chairman, I move to strike the requisite number of words.

First, since the gentleman from Georgia wouldn't allow me to correct his mischaracterization of my position, I guess we are having a little issue over the meaning of the word ''fix.'' Now, if he means ''fixed'' as in ''setting,'' that is, setting the salary, he is totally wrong. I never said that, and that is not what this bill would do. It would just allow a referendum by the owners of the company on the package being paid to the corporate executive.

Now, if he means ''fixed'' in terms of what he stated on his own, he said some are greater than warranted and then he talked about correction; if we are talking about that kind of ''fix,'' he is absolutely right, and that is what this bill would do. It would allow the stockholders a vote. He doesn't want to allow them to vote on that compensation.

□ 0945

Then how are you going to fix it? That is extraordinary.

Now, Mr. PUTNAM makes an interesting argument. This poor CEO, whoever he was who totally underperformed who would receive compensation under his amendment that would be exempt from a vote, saw his compensation, having screwed up the corporation and making the board of directors mad and underperforming, losing money for the stockholders. He

didn't get that $6.75 million. He only got $3 million. Wow. He was penalized. Well, maybe the stockholders would rather he was fired and he got nothing. Three million bucks for screwing up. That is not exactly a corrective action. I don't know what world you folks live in over there, but for people in my district, that would be like winning the lottery big. Three million bucks. And this is for a guy who didn't do his job properly. And that is the kind of, and that would be exempt from the stockholders, because that is corrective action. He only got three million. Don't worry. He only got three million. And only three million came out of your assets to go to this guy who lowered the value of your investment and messed up the company, probably fired a bunch of workers and who knows what else he did that messed things up. So it is just extraordinary.

So now you are getting in the weeds here. You are actually determining what sorts of compensation would be voted on and what wouldn't. You are getting into fixing something, regulating something. We are just saying we want to allow a referendum. It is kind of the democratic process that most of us understand around here. If people are part of a public corporation, they should get a vote on executive compensation. They should also be allowed to put other measures before the board in a meaningful way. But the Republicans apparently don't believe in corporate democracy.

Mr. PRICE of Georgia. Mr. Chairman, I move to strike the requisite number of words.

I want to commend the gentleman from Florida for his amendment. I do think that it focuses the attention of this issue where it ought to be.

But I want to address a couple of remarkable misstatements from my friends on the other side. They have said, the gentleman from Oregon said that, I don't want to allow a shareholder vote.

Well, I mean, that is absolutely ridiculous. I am all in favor of a shareholder vote if it is done without the mandate from Washington. That is the distinction that we have here, Mr. Chairman. We have a party that is desirous of increasing regulation and increasing the mandate from government. And we have defenders of a system that allows individuals to act in concert in the way that they best deem appropriate. That is the difference. It is a fundamental philosophical difference.

They believe that mandates from Washington are the solution to this and virtually every other problem. Well, I simply don't believe that. I simply don't believe that, and I know that my constituents don't believe that.

It is also clear from the comments made by my good friend from Oregon that class warfare is alive and well. And that is also something that I think does a disservice to this body, and does a disservice to our Nation, does a disservice to the discussion.

To my good friend, the chairman, he was somewhat astounded by the fact that the gentleman from Illinois and I could think differently, and I appreciate that because the lock-step group on the other side is in full swing. And I understand that. That is all right. But we have an opportunity to think on this side of the aisle. And we have an opportunity to reach conclusions. They may be the same conclusions, they may be different conclusions, but we have an opportunity to think on this side of the aisle. And for that I am appreciative.

What I am only asking for in this bill and in the amendment that I am supporting is to provide the opportunity for the American people to think and to act for themselves without the mandate, without the dictates from the Federal Government.

So I urge my colleagues to support the amendment of the gentleman from Florida.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have been intrigued by the debate that has been transpiring here. I wanted to come to the floor to make one simple point, and that is that I appreciate the efforts on behalf of the Financial Services Committee and Chairman FRANK to start demystifying the process. There is a lot of talk about supporting of shareholder rights and what not. But the fact is that we don't have a uniform system in this country that actually guarantees people the right to exercise corporate democracy in ways that most people would take for granted. In terms of the most important stakeholders, the people who own these corporations, they are too often treated like children that need to be kept at bay. You don't have to read very many business pages in the New York Times, just for the last year, to discover areas of systematic abuse in terms of what anybody would expect to be the treatment of shareholders. And, unfortunately, that is aided and abetted by government policy.

I appreciate what is happening with the Financial Services Committee to take some steps to try and demystify the process. I see this as one simple step to allow shareholders just an advisory vote on compensation. I thought it was a pretty good idea. I thought it was being part of a larger conversation. I think it is a warning shot about corporate behavior and to State regulators to take seriously the rights of the people who own these companies. All of us, I think, support capitalism. But the way that the shareholders are treated must make us be suspect.

Then on top of this, I hear the amendment from my friend from Florida. Again, I may be a little biased, getting my information from the business pages of the newspaper, but the Sunday before last, it was fascinating looking at the hash that has been made by SEC in terms of trying to explain what total compensation is. It is almost now beyond the capacity of individuals to understand because we get in here, make these distinctions that torture and twist information.

I thought the proposal that is brought forward by Financial Services, was pretty straightforward. Yet this amendment again would start parsing that out, distinguishing between different types of compensation and making it harder for shareholders to have a clear understanding.

I would respectfully suggest that we vote against this amendment; we support the underlying bill; and most important, we support the philosophy from Financial Services to demystify corporate governance, that we give a little more respect to the rights of shareholders and our responsibility as people who establish the rules of the game.

I think the Sarbanes-Oxley legislation was rushed through after years of sort of holding it at bay in the aftermath of scandals where Congress wouldn't act, to the point where Congress was forced to act.

I appreciate what is happening in the Financial Services Committee where they are looking at this subject in a systematic fashion. I look forward to subsequent proposals that come forward so that we can give shareholders the rights that they deserve as the people who are after all really the owners of our capitalistic system.

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

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

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

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

AMENDMENT NO. 8 OFFERED BY MR. PRICE OF GEORGIA

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. 8 offered by Mr. PRICE of Georgia:

Page 6, line 13, strike the close quotation marks and following period and after such line insert the following:

''(3) CONDITIONAL IMPLEMENTATION.—

''(A) CONDITIONAL EFFECTIVE DATE.—Subject to subparagraph (C), this subsection shall be effective with respect to any solicitation of a proxy, consent, or authorization for an annual or other shareholder meeting occurring on or after the date that is 90 days after the Commission transmits to Congress the report required under subparagraph (B).

''(B) STUDY ON RECRUITMENT AND RETENTION OF EXECUTIVES.—The Commission shall conduct a study to determine the effect of the separate vote requirements under this subsection on the ability of issuers to recruit and retain executives, and not later than 90

days after the date of enactment of this Act, shall transmit to Congress a report containing the findings of such study.

''(C) DETERMINATION BY COMMISSION.—This subsection shall not take effect if the Commission determines, pursuant to the study required under subparagraph (B), that the requirements of this subsection would significantly hinder issuers' recruitment and retention of executives.''.

Mr. PRICE of Georgia. Mr. Chairman, I think that this amendment gets to what the consequences of this underlying bill are. Now, we have heard some contradictory information from the proponents of this bill. Some say it doesn't mean anything. Some say it is very important and that the consequences are remarkable.

I would suggest that, frankly, we don't know what mandating to companies and to publicly traded companies in this Nation, what this bill will do. I don't think that we, as Congress, know. I think the consequences may be remarkable and significant.

I do know that it would be helpful and appropriate for all of us to have that information, to have the information about what the unintended consequences of this might be. So this amendment is an amendment to address that. It would ensure that this legislation will not compromise fair competition and a level playing field for publicly traded companies. The amendment would require the SEC, the Securities and Exchange Commission, to conduct a study to determine whether a separate nonbinding vote, what the bill mandates, whether or not that would hinder a publicly traded company's ability to compete for the best available candidates for its officers and directors.

It would make sense that it would be helpful for us and for the Nation to know whether or not that would be a consequence. If, in fact, the SEC finds that the rules would hamper the company's ability to compete for the best candidates, then the nonbinding shareholder vote will not be required.

For every publicly traded company, there are thousands of privately held firms. Large privately held corporations compete with publicly traded corporations for the same talent pool of CEOs and, presumably, pay the same compensation levels. Responsibility, our responsibility dictates that we don't add yet another reason for companies to list on foreign exchanges or otherwise be discouraged from becoming publicly traded.

So this is a very simple amendment, provides for a study that would determine the consequences in terms of whether or not publicly traded companies would be able to attract the best talent. I urge my colleagues to support it.

Mr. MILLER of North Carolina. Mr. Chairman, I move to strike the last word.

I think this amendment makes clear how radical an idea the minority party thinks democracy is, whether it is in corporations or in government, and how wary they are of voting, whether in corporations, by shareholders or in politics.

Usually the minority party is very critical, hostile to the idea that regulatory agencies should play a role in our democracy, in our economy. Regulatory agencies play an important role. They work out a lot of details. They address new problems more quickly than Congress can in a way that is consistent with what Congress has done before. But this is not a complicated proposal. This is a straightforward proposal. There are not details to work out. Either we want to do this or we are not going to do this and we are not making it up as we go along.

Britain did this in 2001. We have got 6 years' experience under Britain, the way it has worked in Britain, and it has worked just fine in Britain.

The minority party has come to the curious position, after more than 200 years of experience in American democracy, of thinking the Congress, the Members of the House of Representatives and the other body, elected by the people should be mere advisers, an advisory body to the President, and that anyone appointed by the President necessarily must be wiser and more knowledgeable than the folks who are actually elected by the people.

Mr. Chairman, we were elected by the people. We are speaking for the people. We are acting on their behalf. This amendment will undermine democracy in the boardroom in corporate America, and it will undermine democracy in our government, and I urge we vote against it.

Mr. ROSKAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is interesting, the majority has now slipped into I think the same arguable bad habit that the chairman accused us of, because now the SEC has been criticized as Presidential appointees lacking the wisdom that Congress has.

Let's just discuss this amendment for a minute, because I really do think it is a good amendment. It gets to the heart of this matter. And it basically, for purposes of our discussion today, Mr. Chairman, it accepts, I think, the premise of the chairman. It says, here we go. Let's go back to the underlying bill and just focus our conversation for a minute. The underlying bill says, let's put a nonbinding referendum on the ballot. The chairman has made a number of arguments in favor of it. But the gentleman from Georgia, essentially says, in this amendment, okay, let's do that, but first, just hit the pause button. Just put the pause button on just for a bit and let the Securities and Exchange Commission, who, over the past day or so of debate, have risen to the point of almost Superman status, they have been so widely complimented and called wise and so forth by the other side of the aisle. Let's ask that commission what their opinion is. Let's study it. Let's look at it. And if, if, if, they say no problem, then there is no problem. No harm, no foul.

□ 1000

The bill is put into place and on we go. But if the Securities and Exchange Commission says that public companies enter into a competitive disadvantage because of this, then ought we not consider that? Shouldn't we then hit the stop button? Because we have heard the other side get up on the floor today and over the past few days and talk about the free market and how they are in favor of capitalism, and we have heard the gentleman from Oregon a couple of minutes ago telling us that the reason that companies are going to Europe is somehow because they don't have shareholder rights, and the logic was so dizzying, I couldn't even follow it.

But accepting everything that the other side says for the sake of argument is then implicit in accepting this amendment. Because all this amendment says, and let's be very clear about it, is it simply says hit the pause button for 90 days. Just wait 90 days. So let's assume for the sake of argument that this blows through the Senate. Let's assume for the sake of argument that it is signed into law on June 1. I would submit to you between June 1 and September 1 we can wait to take the temperature to find out if this is a good idea or if somehow this hinders us competitively.

Mr. CROWLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I appreciate what we are doing here today. This is important, I think, for the American people to understand the critical role that Congress plays here in providing transparency and openness and helping corporate America do what they do best, and that is to generate and grow our economy.

But I rise in opposition to my friend, the gentleman from Georgia's, amendment. And I do so because, it is interesting, there seems to be a doublespeak, Mr. Chairman, coming from the other side of the aisle. On the one hand they say that there is too much government involvement, and at the same time their amendment would add another layer of government involvement, a further study that would slow this whole process down.

I don't understand what is wrong with transparency. Transparency in our markets is what makes our markets so attractive to investors, to investors who want to know what is going on within that publicly traded company.

This amendment would make the effective date of the bill conditional on the SEC's performance of a study to determine the effect of shareholder vote requirements on the ability of issuers to recruit and retain executives. The bill would not take effect if the SEC finds the vote would ''significantly hinder issuers' recruitment and retention of executives.''

In effect, this is a way to kill the bill without voting against the bill. It would permit the SEC and the business executives to effectively veto the Congress with a study.

This amendment would make nonbinding shareholder votes on compensation subject to an SEC study and the SEC's finding.

And I should just remind our friends on the other side that Congress does not generally make laws that apply only if agencies make certain findings.

I would also note for the record that this amendment was defeated in committee by a vote of 27 yeas to 32 nays with 1 present, therefore a vote against this amendment.

And again I just want to come back to what I talked about before, and it relates as well to the Putnam amendment, and that is what is wrong with transparency? What is wrong with those individuals, moms and pops, moms who are soccer field moms, understanding what their investment is doing, how their investment dollars are being spent?

If the other side of the aisle wants to continue to align themselves with the Bob Nardellis and the Ken Lays of the world over Joe and Mary Six-Pack, so be it. But I would just point out that I think that the American stockholders would like to know what is happening in corporate America.

I wonder how many stockholders in GE understood that when Jack Welch retired as a CEO, what that package actually entailed. GE shareholders would provide him with a ''lifetime access to company facilities and services comparable to those which are currently made available to him by the company,'' that they are unconditional and irrevocable. And don't forget about the use of an $80,000 per month Manhattan apartment owned by the company, aka the shareholders. I wonder how many shareholders know that they are supplying a rent-free apartment for Jack Welch in Manhattan; courtside seats at the New York Knicks and U.S. Open; seats at Wimbledon; box seats, and, Mr. FRANK, I hope you will forgive me, at the Red Sox-Yankees baseball games; country club fees.

Who paid for all this and who continues to pay for all this? The shareholders, who are the individual citizens, pension funds, 401(k)s. We the people who invest in these public corporations are the ones who pay for all this. Is it right that we pay for this and have no ability to learn about it or no ability to really hold these public corporations accountable? I don't think so.

The other side of the aisle seems to think that is okay and that is how corporate America should conduct itself.

I believe that shareholders have the right to know what the full compensation packages, the total compensation packages, of the employees running their, the shareholders', companies. And it goes back to Mr. PUTNAM's amendment again. What we need to oppose is this amendment, as well as the Putnam amendment, because it injects the government too far into the board rooms, creates new hassles for corporate America, and it disrespects and ignores the owners of shareholders, the constituency of those executives as well as our constituents that we represent.

So I oppose this and the Putnam amendment.

Mr. GARRETT of New Jersey. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just come to the floor to rise to answer the question that the gentleman from the other side just raised as far as the information that the shareholders have the right to know, and I agree with him completely. The shareholders do have a right to know what is going on in the corporations that they are investing in.

When you think about it, what should be the ultimate objective of any of the legislation that we are addressing here today or any of the amendments that we are addressing here today? And that, I think, is to make sure that the shareholders, A, have information, and, B, have the best return on their investment possible, whether we are talking about senior citizens who are relying upon their investments for their pensions and their security for their remaining days and they have to make absolutely certain that these investments are good investments because this is what they are relying on because they are no longer working or whether these are young people who are just starting out and are beginning to put a way a little money for their children for their education 5, 10, 15, 20 years down the road.

They want to be sure that their investments have a good return as well. They want to have information as well. Or maybe it is somebody in their middle years, such as myself, 40, 47 years old. We want to make sure that the money that we set aside for our retirement is going to be there and that we are getting a good return. So we want information as well. So the gentleman on the other side of the aisle is correct when he says we need to know that information.

Well, that is exactly what this amendment does. This is to provide more information. And that is exactly what the SEC has already done with their proposed rules and regulations as far as providing more information to the American investor as far as the pay packages that are going to CEOs.

So let's step back again and see what is already out there. The SEC has initiated proceedings to make sure that the investor, whether it is a senior citizen, middle-income family, or a young person starting out, has the information that should be available to them. And I commend the gentleman from Georgia because he is following on in that tradition of making sure investors have additional information. Because what do we not want to do by any legislation that passes through this House? What we should not want to do is to hurt the investor. What we should not want to do is to add costs to the system that are unnecessary. What we should not want to do is hurt that senior citizen by adding a burdensome process to the system that will actually diminish the value of his or her current investments.

What we should not want to do is hurt that young family just starting out putting money aside for their children's education by hurting the investments that they have already made. The underlying language in this bill has the potential to do that. This amendment by the gentleman from Georgia (Mr. PRICE) will alleviate that problem.

This amendment simply asks to investigate, to study, to find out, to perform, to provide transparency, if you will, to the system to make sure that whatever we do here is for the benefit of the investor in the long run.

I will just close on this: the other day I had my own amendment, which says that, like the other side of the aisle, we too on this side of the aisle agree that some of the pay packages that we read about in the media seem egregiously high or very excessive and what have you and we have our questions about them as well; but like this amendment and my amendment that came yesterday, we all want to do the same thing and make sure that at the end of the day the investor is not hurt by the actions of the other side of the aisle or by Congress, but are helped.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Let me begin with the gentleman from New Jersey's worrying that the investor might be hurt by what we would do. I guess the motto of investor in this case should be ''Stop me before I vote again.''

How are we going to hurt the investor? We are going to say to those investors, You know the information that is going to be presented to you because the SEC mandated that companies do it? You get to say whether you approve or disapprove of that proposal.

That is going to hurt the investor? Are investors so much in need of protection from themselves that they must be prevented from voting on this?

This is part of the problem. It is an inversion of capitalism here. The CEOs don't own the company. The boards don't own the company. The shareholders own the company. They are the market. And all this bill does is to empower them.

By the way, when the gentleman from Illinois says we are rushing in, he has a very different definition of ''rushing in'' than I do. This takes effect in 2009. We, in fact, were approached by some, the Business Roundtable. They still don't like the bill.

Mr. PRICE of Georgia. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Chairman, I appreciate the gentleman for yielding.

Given that it has that implementation date, which I think is appropriate, and given that my amendment asks for a study for a period of 90 days, is there any reason why the gentleman would oppose the amendment?

Mr. FRANK of Massachusetts. Yes. And reclaiming my time, I will tell him what it is. If all this asks for was for the SEC to study it, I would support the amendment. And section B, ''The commission shall conduct a study,'' I would be glad to support that. Indeed, the commission could do that on its own. What I object to is a point has been made before and it is constitutional, Congress being made to wait for permission from the regulatory agency to do things.

So, again, and I appreciate the gentleman, but I do want to go back to the error of the gentleman from Illinois when he said we had to hit the pause button. This does not take effect until 2009. We are not rushing into anything. And we delayed the effective date at the request of the Business Roundtable so there would be no burden in paperwork on the company.

Between now and 2009, if the SEC wants to do a study, it can do a study. If you want to mandate that they do it, I would be glad to mandate that, although the SEC has been somewhat overworked. The difference is, and the reason I object is, this says that Congress will not go forward with what most of us on our side, and many on the other side, think is a good idea until the SEC gives us permission. I do not think constitutionally we should await permission from the regulatory agency.

By the way, the gentleman from Illinois, I don't understand. He wants to find an inconsistency, and when he can't find one, somehow he manufactures one. I never said the SEC was all wise and all knowing. He is caricaturing things that weren't even said. What I did was to acknowledge that the SEC has moved here and the SEC, I do want to remind my colleagues, is in Washington. All this rhetoric about no mandates from Washington is wholly inconsistent with the affirmation of the SEC's having correctly proposed the information.

I would also say to the gentleman from Georgia, I was not struck by the fact that he and the gentleman from Illinois differ. It has been clear to me for some time. I have been on the committee. The gentleman from Georgia and his Republican colleagues often differ, and I will say in the spirit of the French assembly ''vive la difference.'' I encourage people to differ with the gentleman from Georgia. I would hardly chide them for it.

□ 1015

What I was responding to is the gentleman from Illinois accusing me of misstating the views of the gentleman from Georgia, and I am glad the gentleman from Georgia cleared that up.

But back to the main point. We have until 2009. Yes, the SEC has the right to study this if it wants to. And if this was simply a mandate that the SEC study it, it would be a different story. But saying that the bill is contingent on the SEC's finding seems to me constitutionally unwise. That's why I would not support it as is, but I would support a modified version.

Mr. Chairman, I will yield to the gentleman from Illinois.

Mr. ROSKAM. Mr. Chairman, my only point is that the 2009 date, and that is a fair observation on your part that it's not going to happen tomorrow, but if this becomes law, it's going to happen no matter what. So even if the SEC comes up and sends a signal flair and says, hey, this is going to be a train wreck, this is going to be a real problem; and we're going to see more and more companies either going private, unwilling to go public, which is sort of the subtext of a lot of what's going on, or ultimately going to Europe, my point is that this will not stop.

Mr. FRANK of Massachusetts. Let me take back my time.

Two points. First of all, I do want to respond to this really terrible argument that this might drive companies to go private. Do Members realize, Mr. Chairman, how viciously that attacks the CEOs? That argument says this: A CEO faced with the possibility of people voting on his or her salary will take that company private. I think that is a terrible thing to say.

Secondly, if the SEC makes a recommendation, we are here to listen to it.

The Acting CHAIRMAN. 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 ayes appeared to have it.

Mr. FRANK of Massachusetts. 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. 13 by Mr. SESSIONS of Texas.

Amendment No. 5 by Mr. GARRETT of New Jersey.

Amendment No. 2 by Mr. CAMPBELL of California.

Amendment No. 7 by Mr. MCHENRY of North Carolina.

Amendment No. 9 by Mr. PRICE of Georgia.

Amendment No. 11 by Mr. PUTNAM of Florida.

Amendment No. 8 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. 13 OFFERED BY MR. SESSIONS.

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

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. SESSIONS:

Page 6, line 13, strike the close quotation marks and following period and after such line insert the following new paragraph:

''(3) DISCLOSURE OF ACTIVITIES TO INFLUENCE VOTE.—Notwithstanding paragraphs (1) or (2)(B), a shareholder's vote shall not be counted under such paragraphs if the shareholder has spent, directly or indirectly, more than a de minimis amount of money (as determined by the Commission) on activities to influence a vote of other shareholders unless such shareholder discloses to the Commission, in accordance with rules prescribed by the Commission—

''(A) the identity of all persons or entities engaged in such a campaign;

''(B) the activities engaged in to influence the vote; and

''(C) the amount of money expended on such a campaign.''.

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 177, noes 222, not voting 39, as follows:

[Roll No. 236]

AYES—177

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hobson
Hulshof
Inglis (SC)
Issa
Jindal
Johnson, Sam
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
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)

Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—222

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Emanuel
Engel
Eshoo
Etheridge
Farr
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Petri
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
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

NOT VOTING—39

Alexander
Baldwin
Bishop (UT)
Bordallo
Brady (PA)
Cantor
Carson
Christensen
Conyers
Cubin
Culberson
Davis, Jo Ann
Doolittle
Ehlers
Faleomavaega
Fattah
Ferguson
Fortuño
Gerlach
Hayes
Higgins
Hoekstra
Hunter
Jones (NC)
Lampson
Levin
Lowey
Marchant
Melancon
Millender-McDonald
Mollohan
Myrick
Platts
Rohrabacher
Simpson
Thornberry
Walsh (NY)
Wicker
Young (AK)

□ 1044

Ms. SOLIS, Ms. VELÁZQUEZ and Mrs. CAPPS and Messrs. CLEAVER, ALTMIRE, MCNERNEY and DINGELL changed their vote from ''aye'' to ''no.''

Mr. ROGERS of Alabama changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. CARSON. Mr. Chairman, on April 20th I was not able to cast the first in a series of votes on H.R. 1257. Had I been available, I would have voted no on Roll No. 236.

AMENDMENT NO. 5 OFFERED BY MR. GARRETT OF NEW JERSEY

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

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. Garrett of New Jersey:

Page 4, line 13, strike ''Any proxy'' and insert ''Subject to paragraph (3), any proxy''.

Page 5, line 6, strike ''In any proxy'' and insert, ''Subject to paragraph (3), in any proxy''.

Page 6, line 13, strike the close quotation marks and following period and after such line insert the following:

''(3) CONDITIONS TRIGGERING VOTE.—The shareholder vote requirements of this subsection shall only apply if the executive compensation (as disclosed pursuant to the Commission's compensation disclosure rules) exceeds by 10 percent or more the average compensation for comparable positions—

''(A) in companies within the issuer's industry; and

''(B) among companies with comparable total market capitalization,

as determined in accordance with regulations issued by the Commission.''.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 155, noes 244, not voting 39, as follows:

[Roll No. 237]

AYES—155

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Blackburn
Blunt
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hobson
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Knollenberg
Kuhl (NY)
Lamborn
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Neugebauer
Nunes
Paul
Pearce
Pence
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sessions
Shadegg
Shays
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Tiahrt
Tiberi
Turner
Upton
Walberg
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—244

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boehner
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown (SC)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Duncan
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Filner
Fortenberry
Frank (MA)
Giffords
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kline (MN)
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Lee
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey

Marshall
Matheson
Matsui
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Rogers (KY)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—39

Alexander
Baldwin
Bishop (UT)
Bordallo
Brady (PA)
Buyer
Cantor
Conyers
Cubin
Davis, Jo Ann
Ehlers
Faleomavaega
Fattah
Ferguson
Fortuño
Gerlach
Hayes
Higgins
Hoekstra
Hunter
Jones (NC)
Lampson
Levin
Lowey
McCarthy (NY)
McHenry
Melancon
Millender-McDonald
Mollohan
Moore (WI)
Myrick
Peterson (PA)
Platts
Rohrabacher
Simpson
Thornberry
Walsh (NY)
Wicker
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

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

□ 1052

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. McHENRY. Mr. Chairman, on rollcall No. 237 I was inadvertently detained. Had I been present, I would have voted "aye."

Mr. PETERSON of Pennsylvania. Mr. Chairman, on rollcall No. 237 I was unavoidably detained. Had I been present, I would have voted "aye."

Stated against:

Ms. MOORE of Wisconsin. Mr. Chairman, on rollcall No. 237, had I been present, I would have voted "no."

AMENDMENT NO. 2 OFFERED BY MR. CAMPBELL OF CALIFORNIA

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

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. CAMPBELL of California:

Page 4, line 13, strike "Any proxy" and insert "Subject to paragraph (3), any proxy".

Page 5, line 6, strike "In any proxy" and insert "Subject to paragraph (3), in any proxy".

Page 6, line 13, strike the close quotation marks and following period and after such line insert the following:

"(3) MAJORITY-ELECTED BOARD EXEMPTION.—The shareholder vote requirements of this subsection shall not apply with respect to any issuer that requires the members of its board of directors to be elected by a majority of the votes cast in a shareholder election of such board.".

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 161, noes 241, not voting 36, as follows:

[Roll No. 238]

AYES—161

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cannon
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
English (PA)
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Harman
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hobson
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
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)
Murphy, Tim
Musgrave
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Smith (NE)
Smith (TX)
Souder
Sullivan
Tancredo
Terry
Tiahrt
Tiberi
Turner
Upton
Walberg
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOES—241

Abercrombie
Ackerman
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)
Braley (IA)
Brown, Corrine
Butterfield
Camp (MI)
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
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
Duncan
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Farr
Filner
Frank (MA)
Giffords
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Hastings (FL)
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Mitchell
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)
Petri
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—36

Alexander
Bishop (UT)
Bordallo
Brady (PA)
Brown-Waite, Ginny
Cantor
Carney
Conyers
Cubin
Davis, Jo Ann
Ehlers
Faleomavaega
Fattah
Ferguson
Fortuño
Gerlach
Hayes
Higgins
Hoekstra
Hunter
Jones (NC)
Lampson
Levin
Lowey
Melancon
Millender-McDonald
Miller, George
Mollohan
Myrick
Platts
Rohrabacher
Ruppersberger
Simpson
Thornberry
Walsh (NY)
Wicker

ANNOUNCEMENT BY THE ACTING CHAIRMAN

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

□ 1100

Mr. PORTER changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. RUPPERSBERGER. Mr. Chairman, on rollcall No. 238, I voted "no," put card in and I guess it did not register. I was present and voted "no."

AMENDMENT NO. 7 OFFERED BY MR. MCHENRY

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

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. MCHENRY:

Page 3; line 18, strike the close quotation marks and following period and after such line insert the following new paragraph:

''(3) DISCLOSURE OF VOTE TO PENSION FUND BENEFICIARIES.—A shareholder who is casting the vote permitted under this subsection on behalf of the beneficiaries of a pension fund shall be required to disclose to such beneficiaries whether such vote was cast to approve or disapprove the compensation.''.

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 164, noes 236, not voting 38, as follows:

[Roll No. 239]

AYES—164

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
English (PA)
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
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)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Ryan (WI)
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Space
Stearns
Sullivan
Tancredo
Terry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOES—236

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Farr
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Hill
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Petri
Platts
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
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

NOT VOTING—38

Alexander
Baldwin
Bishop (UT)
Bordallo
Brady (PA)
Cantor
Christensen
Conyers
Cubin
Davis, Jo Ann
Ehlers
Faleomavaega
Fattah
Ferguson
Fortuño
Gerlach
Hayes
Higgins
Hinchey
Hobson
Hoekstra
Hunter
Jones (NC)
Lampson
Levin
Lowey
Melancon
Millender-McDonald
Mollohan
Murtha
Rogers (MI)
Rohrabacher
Sali
Simpson
Thornberry
Walsh (NY)
Wicker
Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

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

□ 1107

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 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 148, noes 257, not voting 33, as follows:

[Roll No. 240]

AYES—148

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cannon
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
English (PA)
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Hobson
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Sali
Schmidt
Sessions
Shadegg
Shays
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Tancredo
Terry
Tiahrt
Tiberi
Turner

Upton
Walberg
Wamp
Weldon (FL)
Westmoreland
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOES—257

Abercrombie
Ackerman
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)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Camp (MI)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
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
Duncan
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Farr
Filner
Fortenberry
Frank (MA)
Giffords
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Regula
Reyes
Rodriguez
Rogers (KY)
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)
Sensenbrenner
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—33

Alexander
Bishop (UT)
Bordallo
Brady (PA)
Cantor
Christensen
Conyers
Cubin
Davis, Jo Ann
Ehlers
Faleomavaega
Fattah
Ferguson
Fortuño
Gerlach
Hayes
Herger
Higgins
Hoekstra
Hunter
Jones (NC)
Lampson
Levin
Lowey
Melancon
Millender-McDonald
Mollohan
Rohrabacher
Simpson
Sullivan
Thornberry
Walsh (NY)
Wicker

ANNOUNCEMENT BY THE ACTING CHAIRMAN

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

□ 1114

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. PUTNAM

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. PUTNAM) 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 160, noes 240, not voting 38, as follows:

[Roll No. 241]

AYES—160

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cannon
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Emerson
English (PA)
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hobson
Hulshof
Inglis (SC)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Roskam
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Sullivan
Tancredo
Terry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—240

Abercrombie
Ackerman
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)
Braley (IA)
Brown, Corrine
Butterfield
Camp (MI)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Donnelly
Doyle
Duncan
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Everett
Farr
Filner
Fortenberry
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gillmor
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Petri
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Rogers (KY)
Ross
Rothman
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
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

NOT VOTING—38

Alexander
Bishop (UT)
Bordallo
Brady (PA)
Cantor
Christensen
Conyers
Cubin
Davis, Jo Ann
Doggett
Ehlers
Faleomavaega
Fattah
Ferguson
Fortuño
Gerlach
Gonzalez
Hayes
Higgins
Hoekstra
Hunter
Issa
Jones (NC)
Lampson

Levin
Lewis (CA)
Lowey
Melancon
Millender-McDonald
Mollohan
Napolitano
Perlmutter
Rohrabacher
Roybal-Allard
Simpson
Thornberry
Walsh (NY)
Wicker

ANNOUNCEMENT BY THE ACTING CHAIRMAN

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

□ 1121

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Chairman on roll-call No. 241, had I been present, I would have voted no.

AMENDMENT NO. 8 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 162, noes 242, not voting 34, as follows:

[Roll No. 242]

AYES—162

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Barton (TX)
Biggert
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
English (PA)
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Harman
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hobson
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
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)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Tiahrt
Tiberi
Turner
Upton
Walberg
Wamp
Weldon (FL)
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—242

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Burgess
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
Dicks
Dingell
Doggett
Donnelly
Doyle
Duncan
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Farr
Filner
Fortenberry
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Hastings (FL)
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Petri
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Regula
Reyes
Rodriguez
Rogers (KY)
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
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—34

Alexander
Bishop (UT)
Bordallo
Brady (PA)
Cantor
Christensen
Cleaver
Conyers
Cubin
Davis, Jo Ann
DeLauro
Ehlers
Faleomavaega
Fattah
Ferguson
Fortuño
Gerlach
Hayes
Higgins
Hoekstra
Hunter
Jones (NC)
Lampson
Levin
Lowey
Melancon
Millender-McDonald
Mollohan
Perlmutter
Rohrabacher
Thornberry
Walsh (NY)
Westmoreland
Wicker

ANNOUNCEMENT BY THE ACTING CHAIRMAN

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

□ 1127

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. LEVIN. Mr. Chairman, I rise in strong support of H.R. 1257, the Shareholder vote on Executive Compensation Act.

Earlier this year, the Ways and Means Committee held a series of hearings on the state of the U.S. economy. We heard from experts across a variety of disciplines and a wide spectrum of political perspectives, and one of the recurring themes we heard from them was that income inequality is rising, and that this trend is eroding the public's confidence in the fundamental fairness of our society and our public policy. Recent data indicate that in 2005, the share of national income going to the top one percent of earners jumped to 19.3 percent, representing the highest degree of income concentration since 1929.

Rising executive compensation is, of course, just one component of this trend, but it is one of the most visible. What are middle-class families who are struggling with the rising costs of health care and higher education to think when they read about CEOs that are given tens and even hundreds of millions of dollars to leave companies whose stock price has fallen precipitously? These executives are not being rewarded for their performance, they are apparently being rewarded for squandering billions of dollars of shareholder value.

Mr. Chairman, corporations are creations of government, and by law, their boards have a fiduciary responsibility to the shareholders who are the owners of that corporation. A variety of scandals from Enron to options backdating have called into question the independence of boards that are often hand-picked by management, and we have taken steps both through legislation and the regulatory process to strengthen the independence of boards of directors.

The measure before us is a relatively modest additional step to ensure that corporations and their management operate in the interest of shareholders. All we are saying in this bill is that shareholders own these corporations, and they should have an annual, non-binding vote on the corporation's executive compensation disclosures.

The opposition of the minority to this is simply inconsistent. They call for an "ownership society" that would all too often shift ever greater risk onto individuals, and then oppose giving individual shareholders a non-binding vote on the compensation of senior executives who are the guardians of their investment. Corporations do not exist to serve the interests of management, they exist to serve the interest of their owners.

Mr. Chairman, it is not too much to ask that hardworking Americans who have made an investment in a company be given the opportunity of an advisory vote on the pay of managers who are essentially their employees. Again, the Shareholder Vote on Executive Compensation is a modest, common-sense reform that will strengthen corporate governance in our society, and I urge its adoption.

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCDERMOTT) having assumed the chair, Mr. POMEROY, 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. 1257) amending the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation, pursuant to House Resolution 301, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, 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.

MOTION TO RECOMMIT OFFERED BY MR. FEENEY

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

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

Mr. FEENEY. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Feeney moves to recommit the bill, H.R. 1257, to the Committee on Financial Services with instructions to report the same to the House forthwith with the following amendment:

Page 6, line 15, strike the close quotation marks and following period and after such line insert the following new paragraph:

''(3) CLARIFICATION OF NON-BINDING NATURE OF THE VOTE.—A decision of the board of directors that is contrary to, or inconsistent with, the shareholder vote provided for in paragraphs (1) and (2)(B), shall not be construed to affect the determination of a breach of any duty or obligation owed by the board to the issuer or its shareholders.''.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 5 minutes.

Mr. FEENEY. Mr. Speaker, this motion to recommit clarifies that this nonbinding vote is in fact nonbinding: no court may consider the board's refusal to follow the shareholders' advisory vote as a breach of that board's duties of care or loyalty to the shareholders. It clarifies that although such a vote is compulsory, the result cannot be, and it cannot force a board of directors to act in a way that contravenes its best interest.

Mr. SHAYS offered an important amendment during the markup process to clarify that nothing in this bill imposes any new fiduciary duties on boards that the majority of the committee accepted. However, I am concerned not only about whether this statute imposes new, additional obligations on a board; I am concerned that a court might construe a board's decision to disregard the advice of a shareholders' advisory vote as prima facie evidence of a board's failure to satisfy its existing duties.

The chairman has frequently said, ''This bill does not do what this bill does not do.'' I hope he is right, because in the Financial Services Committee hearing and markup, in the Rules Committee, and on the floor, he has stressed that this bill is purely advisory. Rather than hope, though, I offer this motion to recommit in order to be certain and to protect the directors in their discretionary exercise of their duties.

If this provision is redundant, that is fine. We do a lot worse here than redundancy. As Chairman FRANK often advises, the law is filled with redundancies, and when Members oppose language in language in bills because they are redundant, they are typically being disingenuous.

So if this bill really does bar frivolous litigation by activist shareholders, then the majority should have no trouble accepting this motion to recommit. However, if it does not preclude private rights of action, as I fear that it does not, then this motion is critical. If the majority cannot support an amendment that limits frivolous litigation, then their motives are suspect.

This motion to recommit protects America's competitive position vis-a-vis international capital markets. If a court can weigh a vote intended as noncompulsory when evaluating whether directors have breached their fiduciary duties, the real beneficiaries of this bill will be trial lawyers racing to the courthouse. The losers will be American enterprise, American stockholders, and, ultimately, American workers.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, never has the willingness of the minority to abuse the process for purely political ends been truer than today.

Mr. Speaker, this bill was voted on in committee in a multi-day markup. A number of amendments were offered and debated. One amendment offered by the gentleman from Connecticut (Mr. SHAYS) aimed directly at this point, and the language was accepted by us and is in the bill, and it says that nothing in here shall create a new fiduciary duty; and it was intended to achieve exactly what we are now told this has sought to achieve. If Members genuinely thought it was inadequate, they had the rest of the markup to try to amend it. And we are here under an open rule. If the Members thought that the bill that we had voted on and which they had every chance to amend needed further amendment, the democratic procedure, the procedure that shows respect for the process, would have been to file an amendment. Had this been an amendment, we could have debated it for more than 5 minutes. We could even have read it for more than 2. This was delivered to me about 2 minutes before we started.

I am not one of the more modest Members of the body, I concede. But I do not credit myself with being on my own, off the top of my head, not having practiced law ever except for the fact that I am a member of the bar, I am not able to fully analyze this. It might be something very useful. And people who are genuinely interested in adding it to the bill could have offered it in committee; they could have offered it under the open rule; we could have debated it. We have had a large number of roll calls; we just had seven roll calls.

Now, we have been told in the past, well, I had to do a recommit, you wouldn't give me any other chance. Members on the other side had every opportunity at the committee and in this open rule fully to debate this and to offer amendments. They chose not to. They chose instead to legislate by ambush.

Mr. Speaker, I had underestimated the tenderness of the feelings of the Members opposite. I confess to insensitivity, but I will not confess to the disrespect for our legislative process that Members—

Mr. FEENEY. Mr. Speaker, will the gentleman yield?

Mr. FRANK of Massachusetts. Of course not. The gentleman asked for a courtesy. Had the gentleman offered this in committee, I would have been glad to have a dialogue with him. Had he seriously wanted this amendment and offered it during the floor, we could have talked about it. But to wait until the last minute when we can't read it, to refuse to take advantage of an open rule, to refuse to offer it in committee, and now ask me to yield to you? Of course not.

Now, I want to emphasize again: this may or may not be good. I will guarantee the Members here will look at this. We have a way to go on this bill. It has to go to the Senate. If in fact we need further to tighten the language,

and it was the gentleman from Connecticut, Mr. SHAYS' amendment that we adopted that sought to do this, if the gentleman from Florida is right and Mr. SHAYS' was inadequate, if the gentleman from Florida is right and Mr. SHAYS' amendment doesn't do the job, we will analyze it seriously. But I urge Members, do not on a serious legal issue, when we have had 2 minutes to look at a complex legal principle, vote to put it into a bill when the Members advocating it deliberately refused to subject it to an open democratic process.

I hope this is repudiated.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 184, nays 222, not voting 27, as follows:

[Roll No. 243]

YEAS—184

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hobson
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
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)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—222

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Everett
Farr
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (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

NOT VOTING—27

Alexander
Bishop (UT)
Brady (PA)
Cantor
Conyers
Cubin
Davis, Jo Ann
Ehlers
Fattah
Ferguson
Gerlach
Hayes
Higgins
Hoekstra
Hunter
Jones (NC)
Lampson
Levin
Lowey
Melancon
Millender-McDonald
Mollohan
Perlmutter
Rohrabacher
Thornberry
Walsh (NY)
Wicker

□ 1156

Mr. HASTINGS of Florida changed his vote from ''yea'' to ''nay.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. BOUCHER was allowed to speak out of order.)

MOMENT OF SILENCE IN MEMORY OF THOSE SLAIN AT VIRGINIA TECH UNIVERSITY

Mr. BOUCHER. Mr. Speaker, as Members may know, Governor Kaine of Virginia has asked that today be a national day of mourning for the students and the faculty members who lost their lives at Virginia Tech on Monday of this week. In observance of Governor Kaine's request, I ask that the House join our Nation for a moment of silence at this time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 269, noes 134, not voting 30, as follows:

[Roll No. 244]

AYES—269

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boozman
Boren
Boswell
Boucher
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Camp (MI)
Capito
Capps
Capuano
Carnahan
Carney
Carson
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Duncan
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Filner
Fortenberry
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heller
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski

Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Knollenberg
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McMorris Rodgers
McNerney
McNulty
Meehan
Meeks (NY)
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pastor
Payne
Peterson (MN)
Petri
Pickering
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Reyes
Rodriguez
Rogers (KY)
Ros-Lehtinen
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)
Sensenbrenner
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOES—134

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Barton (TX)
Biggert
Bilbray
Blackburn
Blunt
Boehner
Bonner
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Brown (SC)
Buchanan
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cannon
Cardoza
Carter
Castle
Coble
Cole (OK)
Conaway
Crenshaw
Cuellar
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hensarling
Herger
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller, Gary
Musgrave
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Pitts
Poe
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (MI)
Roskam
Royce
Sali
Schmidt
Sessions
Shadegg
Shays
Simpson
Smith (NE)
Smith (TX)
Sullivan
Tancredo
Tanner
Terry
Tiahrt
Walberg
Wamp
Westmoreland
Wilson (NM)
Wilson (SC)
Young (AK)

NOT VOTING—30

Alexander
Bishop (UT)
Brady (PA)
Cantor
Conyers
Cubin
Davis, Jo Ann
Ehlers
Fattah
Ferguson
Gerlach
Gohmert
Hayes
Higgins
Hoekstra
Hunter
Jones (NC)
Lampson
Levin
Lowey
Meek (FL)
Melancon
Millender-McDonald
Mollohan
Pascrell
Perlmutter
Rohrabacher
Thornberry
Walsh (NY)
Wicker

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1205

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. LOWEY. Mr. Speaker, I regrettably missed rollcall votes 236–244. Had I been present, I would have voted in the following manner: Rollcall No. 236: "no"; rollcall No. 237: "no"; rollcall No. 238: "no"; rollcall No. 239: "no"; rollcall No. 240: "no"; rollcall No. 241: "no"; rollcall No. 242: "no"; rollcall No. 243: "no"; rollcall No. 244: "yea".

SUBSTITUTION OF CONFEREE ON H.R. 1591, U.S. TROOP READINESS, VETERANS' HEALTH, AND IRAQ ACCOUNTABILITY ACT, 2007

The SPEAKER pro tempore. Without objection and pursuant to clause 11 of rule I, the Chair removes the gentleman from North Carolina (Mr. PRICE) as a conferee on H.R. 1591 and appoints the gentlewoman from Michigan (Ms. KILPATRICK) to fill the vacancy.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferees.

LEGISLATIVE PROGRAM

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

Mr. BLUNT. Mr. Speaker, I rise for the purpose of inquiring about next week's schedule, and I yield to my friend from Maryland, the majority leader.

Mr. HOYER. I thank the gentleman for yielding.

On Monday, the House will meet at 12:30 p.m. for morning hour business and at 2 p.m. for legislative business. We will consider several bills under suspension of the rules. There will be no votes before 6:30 p.m.

On Tuesday, the House will meet at 10:30 a.m. for morning hour business and at noon for legislative business. We will consider additional bills under suspension of the rules. A complete list of those bills, Mr. Speaker, will be available by the end of business today. We will also expect to consider H.R. 362, the 10,000 Teachers, 10 Million Minds Science and Math Scholarship Act; and H.R. 363, Sowing the Seeds through Science and Engineering Research Act.

On Wednesday and Thursday, the House will meet at 10 a.m. on both those days. On Friday, no votes are expected, and Friday is not scheduled at this date. We will consider H.R. 1332, the Small Business Lending Improvements Act; and H.R. 249, a bill to restore the prohibition on the commercial sale and slaughter of wild free-roaming horses and burros.

Mr. BLUNT. Mr. Speaker, I thank my friend for that information.

Last evening we did appoint conferees to the conference on the emergency supplemental for the war. Would we expect to have a conference report, do you think, sometime next week? I think it has been 94 days now since the President requested that, and I am wondering if we would anticipate a conference report anytime next week.

Mr. HOYER. Will the gentleman yield?

Mr. BLUNT. I would yield.

Mr. HOYER. I thank the gentleman for yielding.

Of course, as he knows, it was only 38 days ago that the President made his last request for an addition to the supplemental, and 94 days sounds like longer than I think it has been. But notwithstanding that, we do expect the supplemental to be on the floor next week. That is our expectation. If things go as we hope, the supplemental will be on the floor, and, hopefully, we can get that to the President either very late next week or no later than a week from this coming Monday. We think that is important.

As you know, you and I and others were down at the White House to discuss whether there was room for agreement and accommodation on this issue. We are still having those discussions, as you know, and we are hopeful that that can be reached.

Mr. BLUNT. Mr. Speaker, I thank my friend for that response. And we would hope to see that bill next week on the floor or as soon as possible because there is some great likelihood from that White House meeting that the gentleman mentioned that there is going to have to be a second bill if we can't resolve these issues that lead toward a veto.

On one of those issues we did yesterday, the House voted on the motion to instruct the conferees to sustain the House position. Does the gentleman have any information on the likelihood of the House or Senate view of the deadline issue that we discussed yesterday?

I yield to the gentleman.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding and for his question. And, frankly, I don't want to anticipate what the conferees are going to do, having been appointed just last night. There was a vote on the House floor. Frankly, the vote would have had no effect whether it passed or

failed in light of the fact that it instructed the House to do what it had already done. So if it had failed, presumably the House was going to be in the same position that it otherwise would have been in.

But notwithstanding that, I don't want to anticipate what the conferees are going to do in light of the fact that they have just been appointed, but I do know that the chairmen of the conference on both sides, House and Senate, want to see this matter resolved quickly, sent to the President, would want to see the troops funded. We were very pleased to see the Department of Defense make it very clear, as, frankly, General Speer and General Ward made clear to me in Europe, that funding is available and will be able to be accommodated through June.

As the gentleman knows, last year when the President made a request for a supplemental, that was not passed until mid-June, that supplemental. So I was pleased to see the Department of Defense indicate that that would be okay. It is not perfect. That is not what they would choose, but, in any event, through the month of June. We hope to get this work done long before that.

Mr. BLUNT. I thank the gentleman for that answer, Mr. Speaker. I hope we can. I think we do need to continue to talk about how we ultimately resolve this issue.

Now, in the information that I am getting from both the Defense Department and our Members that have military installations is that while the war effort, itself, with lots of changing of categories of money and determinations of money around may be very well up through June, that the defense effort generally is impacted because money that would have been spent for National Guard training or money that would have been spent to pay obligations to a contractor are not available in this process.

Now, the last time Secretary Gates, at least, who was not Secretary at the time, said that the spend-out was not quite as quick, and he also said that the need was not quite as critical. But the gentleman is absolutely right in pointing out that last time this process took a long time, and one of the reasons it took a long time was that the House leaders, the majority leaders at that time, were in conflict with the Senate about additional spending. I don't see any of those discussions, frankly, going on, but the additional spending last time at $14.5 billion did not occur because the House leaders wouldn't accept that and we passed the bill in the House last time a month after the President sent the request up, and then it was a number of months, almost 4 or 5 months, before we got a final bill because we were fighting that additional spending, and at some point we are going to have to also engage not just on the issues of deadlines and whether or not we are micromanaging the effort, but the additional spending was the real problem last time. I would like to think that there was some effort going on there. I don't know that there is.

My next question, though, is that the gentleman's goals for the appropriations process really would require us to pretty quickly move on the budget itself. We missed a deadline that we often miss. I don't want to belabor that point, but that April 15 deadline we normally had to hit if we had a real opportunity to get the bills out of the House by the Fourth of July, which we did in the first part of the last Congress and all but one of the bills in the second part of the last Congress.

What is your sense of where we are on the conferees for the budget and a final budget document?

□ 1215

Mr. HOYER. Obviously, we are very hopeful that we will pass a budget, that we will pass a budget in a timely fashion. As you know, we did pass a budget through the House in a timely fashion. The Senate passed its budget. It is now in conference.

Because of the April break, Easter-Passover break, we have not reached the April 15th. As a matter of fact, I talked to Mr. CONRAD just an hour ago, I talked to Mr. SPRATT just an hour ago, and we are very hopeful that we will come to an agreement.

I would observe, of course, last year the disagreement was between the Republican leadership in the Senate and the Republican leadership in the House. I understand what the gentleman is saying. Some of the votes in the Senate were overwhelming and bipartisan in terms of some of these issues. So this is an issue that we've got to overcome. We hope we can overcome it and move the budget.

But I want to tell the gentleman, he is absolutely correct. I am very focused. Mr. OBEY is very focused. We are going to pass appropriation bills in a timely fashion. We hope to finish by the 30th of June. Very frankly, the more quickly we can move appropriation bills, perhaps the more flexibility we will have in June's schedule. But as you know, June now is scheduled for every Monday and every Friday meeting to effect that business, which is critical.

As the gentleman knows, we met last year for the full year. We left here in December and nine of the 11 appropriation bills were unpassed. We don't want to be in that position. The gentleman knows, and I know, that part of that problem was the Senate's inability to move its business as quickly as we would like, as quickly as we did. The Labor-Health bill, of course, never passed this floor last year, but we are hopeful that that will happen.

I will go over the schedule of the appropriations process with the gentleman at some point in time. We are hopeful that mid-May to the end of June we will pass our appropriation bills. I will tell the gentleman it will be my intention to discuss with both Chairman SPRATT and Chairman OBEY that if the budget process cannot be resolved, not in this House, but in the other House, that it would be my hope that the House would mark its bills to the House-passed number, as you know we have done in the past; and that would certainly be my intention.

Again, I have not discussed that with Mr. OBEY at this point in time, that's premature, nor have I discussed it with others, but we are hopeful to move ahead on the appropriation bills.

As you know, passage of the budget has a much greater impact in the Senate than it does in the House with respect to the rules process under which appropriation bills are considered in the Senate.

Mr. BLUNT. I thank the gentleman for sharing that with me. And certainly there were occasions where we had to do exactly what the gentleman is suggesting, and that is always one option. At some point, based on the meeting the deadlines we hope to meet and you hope to meet on the calendar, you have to decide whether that is the option you have to go to or not, as opposed to a conference report that we can agree to that lets us move forward that way.

I would also like to repeat one of the comments the gentleman made simply because we don't get much credit here or didn't get much credit for efforts we did make to control spending. And you are absolutely right, a year ago at this time the fight was between the Senate, which was led by Republicans at the time, and the House that was led by the Republicans on that additional spending.

And I just want to make the point that you already made once, but we don't hear it emphasized very often, but that was the fight. House Republicans did win, and we spent $14.5 billion less than our friends on the other side intended to spend, offered to spend, wanted to spend; and that is what that time frame was all about.

We do, I believe, have more concerns in overall defense spending just because the spend-down has been quicker this year than last year, and Secretary Gates, not me, would be the source for that view of the difference in the 2 years. But clearly, the process, as the gentleman rightly pointed out, is never as easy as we want, as quick as we want, and there are obstacles there.

I would like to, before we conclude today, ask a couple more questions. One is the concern that I have and many of our Members have on the rule that was used this week to waive PAYGO for the D.C. bill and to create a new obstacle for Members who hope to offer a motion to recommit.

Twelve years and, now, a few months ago, when Republicans took control of the House, they extended the motion to recommit to the minority at that time and never failed to offer that motion to recommit under the traditions of the House. I believe, while it often was not

allowed the minority in previous years, never in either previous times or the last 12 years was an actual tabling motion put in the rule, which creates a different circumstance intentionally, but a different circumstance than was ever created in this House before.

And I wonder really two things: Would that tabling motion be something that we will see again? And also, would we expect to see the PAYGO effort in the future waived for the principal reason to be on the floor and handled in a separate vote and a separate piece of legislation, like we did this time?

Is that now the anticipated norm for this process, Mr. Leader?

Mr. HOYER. Would the gentleman yield?

Mr. BLUNT. I would.

Mr. HOYER. The gentleman and I have a slightly different perspective on what the rule provided.

First of all, as you know, motions to recommit were available in both of the bills that were on the floor. The tabling referred to that, if the second bill had not been adopted or the PAYGO provision had not been adopted, they would both be tabled. The reason for that was, we wanted to be consistent with our pledge to the PAYGO principle.

What we didn't want, what I don't want, and you and I have discussed this, is, I'm frankly ''perplexed,'' might be the word, as someone who has been in the legislative body for some 40 years; and I think the parliamentarians were accurate in their determination of germaneness, but germaneness has always meant to me in 40 years, I will tell my friend, that it is pertinent to the subject at hand.

You know that when you add a PAYGO provision, which frankly you abandoned on your side in 2002, you did not want to be constrained by PAYGO. I understand why you didn't want to be constrained by PAYGO because you couldn't pay for your tax cuts. You talked about spending. We've cut revenues very deeply. There were different philosophical arguments about that; but the fact is, they were not paid for, and as a result, the deficits have in large part expanded very greatly.

With respect to the rule, yes, the rule was structured in a way that limited to the subject matter at hand, whether it was the tax bill or the D.C. voting rights bill, motions to recommit to those subjects, as opposed to expanding to subjects that, frankly, from my perspective, are used for political purposes.

I will tell my friend that the motion last night and the motion on the previous D.C. bill had nothing to do with D.C. voting rights. And last night's bill had everything to do with trying to focus on our Members being targeted. And, in fact, the memorandum that you sent—not you, but somebody sent around to all of your Members expressed the purpose of your motion to recommit to target Members for political reasons, from my perspective.

In that context, if you are asking me if it is my intent in the future to try to limit you from doing that, the answer to that question is ''yes.'' If your question is, do I want to make sure that you have a motion to recommit with or without instructions, a motion to recommit, of course, kills the bill, as the motion to recommit to report back promptly kills the bill.

The irony is, the gentleman from North Carolina offered a motion to recommit the other day with respect to guns that related to the District of Columbia. Excuse me, I'm not sure it related directly to the District of Columbia, which would have had the perverse effect of offering the amendment and, if adopted, would have killed the amendment in the same process. That is because it was referring it back to committee. The committee would not have reported out that amendment.

If he had really been interested, in my opinion, in passing that amendment, as opposed to politically giving a vote that was difficult for Members on our side of the aisle, what he would have done is moved his gun amendment to be reported back forthwith and had his vote on that up or down.

But I will tell my friend, as he well knows, I want to make sure that from my perspective, and I have told him, I will not suggest a change in the rules, we did not change the rules, there was some discussion about that, without discussing it with him. I want your side to feel that you are getting a fair shot at relevant motions to recommit with or without amendments that do not kill the bill in the process. I don't think that is something that is unfair to expect.

Mr. BLUNT. Well, I thank my friend for that.

But I do think in that view of this that there is a significant restriction of the rights available to Members. Members have to defend what they do on the floor. Let me make a couple of points.

One is, in the incident you mentioned when the gentleman from Texas offered a motion to recommit well within the rules, and, by the way, in that case and many other cases the only option that the minority has had has been the option of last resort, unless you take that away, which was the motion to recommit. All of our amendments were rejected; no matter how germane they might have been, they were not allowed.

The Members of the House are the ones who have the opportunity to decide what is the right vote and what's not. And, in fact, stopping that vote offered under the rules by a Member in good faith I think was a violation of that Member's rights as a Member of the House.

Now, you could have had that vote, it might have killed the bill, but you could have started a new bill just like you did anyway. The only difference would have been that the Member of the House that brought the issue to the floor would have had his full rights as a Member to have his issue not only debated, but voted on. And we were literally seconds from actually having that vote, which under the rules of the House would have sent the bill to the committee promptly.

There may have been no way to leave the committee with that bill, but you could have started a new bill just like you did. The only difference would have been that the gentleman from Texas would have had his motion voted on, as I believe he had a right to.

On the other issue, we did have PAYGO for 8 years of the 12 years we were in the majority. We complied with it. We still never took away the ability of your side to do just what you said we shouldn't be able to do.

Mr. HOYER. Will the gentleman yield on that issue?

Mr. BLUNT. Let me finish the thought, and then I will.

I can give you many instances where not only did your side try to avail themselves of that right, which we never then took away, and it probably did create political concerns for our Members; but the House has been here longer than any Member has been here and will be here longer than any Member will be here. And beginning to change the rules in that way or change the rights of Members to offer their objections, their ideas, their improvements as Members always have is a bigger step than I think the gentleman may realize.

And in terms of whether things are germane or not, I very well remember a bill to create the Homeland Security part of our government and the motion to recommit was about corporate inversions. Now, that is every bit as tangential as anything the gentleman just mentioned. But we didn't go back the next week and say, we're never going to allow the minority to have that vote again because it was troublesome for us. Troublesome for us and protecting the rights of Members as they relate to past Members and future Members I think are two different things.

I will yield to my friend.

Mr. HOYER. I thank the gentleman for yielding.

We could go on for some period of time on this. We have a different perspective, not on providing fairness for all Members. I said the gentleman from North Carolina; it was the young gentleman from Texas, and I thank you for correcting me on that.

Frankly, I want to tell my friend that if the gentleman from Texas was sincere, in my view, in wanting his amendment adopted, he would not have rereferred it to committee. Very frankly, in my opinion, his amendment would have passed. The bill would have been reported back forthwith, and the bill would have passed.

We all make a judgment as to what the purposes of amendments are. My view is, the gentleman voted against the underlying bill. The gentleman was opposed to the underlying bill. His motion was to do two things: to provide

an instance where on an issue not related to voting rights in the District of Columbia, but on an issue he thought the majority of the House supported which, I think he was correct, he wanted attached to that, and therefore create a dichotomy for Members. They either had to vote for an issue they were for and kill the bill, or vote against an issue they were for and be perceived as being against the proposition.

□ 1230

I understand what you are saying. I do not believe that it is fair legislative process to necessarily believe that that needs to be made in order.

Now, having said that, we did not amend the rules. Consistent with the rules, we provided a process on PAYGO. You waived PAYGO on a regular basis when it was in effect. As a result of doing so, you narrowed the scope of amendments. Not only did you do that, but you also waived the necessity to pay for things from time to time.

But, having said that, I want to reiterate to my friend, and we have had good discussions and will continue to have good discussions, but I am not going to say that we are going to allow our Members to be put in very difficult positions for what we perceive to be for political reasons only, not for the substance. If the gentleman from Texas had wanted to amend the substance with the motion to recommit, he had that available to him and have it reported back forthwith so it could be adopted. He had that available to him. He chose not to take that route.

It caused us some consternation, as was noticed, I am sure by some, particularly to me, because I felt very strongly about that bill. The majority of this House has now passed that bill, with significant support from your side of the aisle. As a matter of fact, it was a bill sponsored by one of your leaders, a former chairman of your campaign committee.

We want to make sure that we consider legislation on this floor fairly, and we will certainly work with you toward that end. But I don't want to assure the gentleman that I am not going to try to provide for the consideration of legislation and amendments thereto which are germane and relevant.

Mr. BLUNT. I would say to my friend, we do have a disagreement on this and I think we do see what my good friend perceives as a minor change in procedure differently because I don't think it is that at all.

I would say a couple of things: one is 18 times at least in the minority our friends on the other side used the same rule that my friend now so vigorously objects to because it would kill the bill. Eighteen times. They never were able to do it, but 18 times used it, many times with the provisions just like the one I cited earlier that were every bit as tangential as the one the gentleman is speaking to.

Also I am sure in terms of, I don't know if the word was ''sincerity'' or what, but I do know that our friend from Texas is a sincere and dedicated Member.

Mr. HOYER. If the gentleman will yield on that, you understood my phrase. It was my perception. I did not question his sincerity. But the perception of what he did, offering the amendment, and within the ambit of the same amendment he offered killing the bill to which the amendment would be attached, appeared to me to be an act that was at least contradictory.

Mr. BLUNT. Mr. Speaker, my friend knows as well, if not better than anybody, how to explain exactly how a Member could be motivated to do both of those things and has defended the rights of the minority for a number of years in an extraordinary way on similar kinds of issues. But the point here is that we are about more than the moment, and my friend said that he wants to do everything he can to prevent his Members from being put in a difficult political situation. The truth is, this is a difficult job, and Members who run for it should understand it is a difficult job and there are things that not only have to be decided, but have to be explained as part of that job. And while changing a procedure, a process, in a way that has never been handled before with this tabling inclusion this week may seem insignificant, I don't think it is.

Also, on our side during the time we had PAYGO, my friend mentioned spending, we never waived PAYGO for spending. On any spending bill, we always adhered to the PAYGO rule. You always had that available to you.

We will move forward. I do appreciate the fact that we are going to continue to talk about these issues before we do anything to change the overall rules of the House. I am concerned, however, when we change what one of our outside observers has referred to recently as the norms of the House. This rule this week was not only outside the norms of the House; it was unique in the way it handled this tabling issue. It was not unique in the way it divided the bills. I am not complaining about that. I am complaining about the potential for a Member to use all the tools previously available to them to actually, frankly, stop legislation that they didn't like if they didn't like it. But you can't do that unless 217 other people join you in that.

We are not in the majority on our side, we understand that, and for us to do anything under the rules of the House, with a majority vote, Democrats have to join us. If we make those options too appealing, that is, frankly, not our fault. Changing the rules for the momentary relief of Members has greater long-term consequences than I believe my friend realizes.

I yield to the gentleman.

Mr. HOYER. I thank the gentleman for his observations. This has probably gone on longer than the Members or the public wants it to, but let me simply observe that waivers obviously relate to and PAYGO relates to entitlement spending, and while you may not have waived it with respect to spending, because PAYGO does not affect discretionary spending, what it affects, of course, is entitlement spending.

The reason it affected the D.C. bill was because the Member from Utah would have had to have been paid and would have been entitled to be paid. So a relatively de minimis sum was involved in that.

Frankly, the gentleman and I have a disagreement in terms of the rule that was used. First, the rules have not been amended. They have not been amended. Secondly, this rule was consistent with our rules.

The only thing that this rule did that I think caused so much consternation on your side was it adopted PAYGO without opening the bill up to what were amendments that were extraneous to the subject matter and offered the bill on its merits. You were free to offer a motion to recommit, with or without amendments, on the subject matter of the bills, either bill. That was your right then.

The tabling simply referred to making sure that we kept our promise that bills would have PAYGO on them, and if they didn't have PAYGO on them, we weren't interested in passing them, because we were going to be faithful to our pledge on that rule. That is what the tabling dealt with. It didn't deal with your motion to recommit.

If you had defeated H.R. 1906, the second bill with the PAYGO provision, H.R. 1905 would not have gone forward. But our side of the aisle believed that both were important and wanted them together because we wanted the PAYGO provision in there, a relatively de minimis sum in terms of the budget, but consistent with our rule.

If I can make another observation on another matter, you mentioned the supplemental had been pending 94 days. It has been pending 73 days. I think that is an important distinction. That is almost a month of legislative work, if not more.

Mr. BLUNT. Mr. Speaker, we will get our staffs together and look at the calendar later because they seem to be in disagreement on that, even at this moment as you give me that information.

I am going to make one, hopefully, final comment on this issue for now, though I am sure it is going to be an issue we talk about in the future.

Mr. HOYER. I am sure.

Mr. BLUNT. For my friend to understand, it is not a concern about this bill. It is not a concern about what happened on that bill. It is the fact that the tabling addition may be within the rules, but extraordinary. If it is within the rules it has never been done before. The tabling addition changes the consequences of a Member's motion. When you change the consequences of a Member's motion, you take a right away from the Member that the Member previously had.

We may have to discuss this. I can see we are still not quite on the same wavelength. It is not about this bill, Mr. HOYER. It is not about this week. It is about doing something that has never been done before that has consequential impact, and I believe this does. I think you and I should continue to talk about it. I think our Members in the minority are justly concerned about it, as you would have been in the minority if we had done something we never did in the majority, which is change the consequences of your motion to recommit.

ADJOURNMENT TO MONDAY, APRIL 23, 2007

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debate.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. HOYER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

APPOINTMENT OF MEMBERS TO CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 276d, clause 10 of rule I, and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Members of the House to the Canada-United States Interparliamentary Group:

Mr. MANZULLO, Illinois
Mr. MCCOTTER, Michigan
Mr. STEARNS, Florida
Mr. ENGLISH, Pennsylvania
Mr. BROWN, South Carolina

APPOINTMENT OF MEMBERS TO MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 276h and the order of the House of January 4, 2007, the Chair announces the Speaker's appointment of the following Members of the House to the Mexico-United States Interparliamentary Group:

Mr. MCCAUL, Texas
Mr. WELLER, Illinois
Mr. DREIER, California
Mr. MACK, Florida
Mr. FORTUÑO, PUERTO RICO

COMMUNICATION FROM STAFF MEMBER OF THE HONORABLE RICK LARSEN, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Luke Loeffler, Community Representative, Office of the Honorable RICK LARSEN, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 12, 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 Municipal Court of the City of Bellingham, Whatcom County, Washington, 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,

LUKE LOEFFLER,
Community Representative.

COMMUNICATION FROM THE HONORABLE BRIAN P. BILBRAY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable BRIAN P. BILBRAY, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 4, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a judicial subpoena for documents issued by the United States District Court for the District of Columbia.

After consulting with the Office of General Counsel, I will make the determinations required by House Rule VIII.

Sincerely,

BRIAN P. BILBRAY,
Member of Congress.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

RECOGNIZING NEWTON CHISHOLM MIDDLE SCHOOL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. TIAHRT) is recognized for 5 minutes.

Mr. TIAHRT. Mr. Speaker, I rise today to honor the Chisholm Middle School in Newton, Kansas, for a prestigious award they recently received. Chisholm Middle School was one of only 16 schools selected by the Intel Corporation and Scholastic for their Schools of Distinction Awards.

Chisholm received this award under the category of Collaboration and Teamwork. They were also awarded the ''Best of the Best'' award in part for their impressive academic record and exceptional staff, as well as their engaged and involved parents, community leaders, and local businesses.

Intel and Scholastic sponsor the awards and honor those schools which demonstrate academic excellence in the areas of science, mathematics, technology, literacy, and leadership. They reward the selected schools with $10,000 as well as other wonderful prizes to acknowledge their achievement.

The school chosen as ''Best of the Best'' also receives an additional $15,000 grant from the Intel Foundation and other prizes such as computer software. What an accomplishment it is for Chisholm Middle School to receive these grants for new technology and software.

It is wonderful to see families and communities come together to support the youth of America. The students, parents, educators, community leaders, and local businesses should all be commended for working together to improve education, for bringing excitement to learning, and for investing in the future of our generations.

The grants Chisholm Middle School received will go a long way in bringing new and exciting technology into the classroom. In fact, on Monday, April 30, they are hosting a reception in their media center to demonstrate the new technology that they have purchased with this award. That will be an interesting and exciting day at Chisholm Middle School.

In order to maintain a competitive edge in the global economy, America's schools need to provide quality education to ensure the next generation is well prepared. Schools across the Nation are striving for this kind of quality education.

It is evident that through the dedication of teachers, parents, communities, doors of opportunities are opening for America's young people. I encourage you to keep striving for excellence, and you will reap the benefits of hard work and perseverance.

I would like to also note that Ogden Elementary School in Ogden, Kansas, received a School of Distinction Award in the Mathematics Achievement category. The State of Kansas had two schools that were recipients of the Schools of Distinction Award for 2006.

We are proud of our students at Chisholm and Ogden for this high honor, and today I am pleased to offer congratulations on the floor of the United States House of Representatives.

□ 1245

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EARTH DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LEE) is recognized for 5 minutes.

Ms. LEE. Mr. Speaker, in 2 days we will once again celebrate Earth Day, and this year's theme is a call to action on climate change.

Since the last Earth Day in 2006, a number of important events have taken place that have dramatically raised awareness on the important issue of climate change. Two groundbreaking reports left no doubt that human beings are responsible for global warming.

My home State of California passed landmark legislation to regulate greenhouse gas emissions. A group of major businesses and leading climate and environmental groups joined forces for the first time to launch the Climate Action Partnership and lobby for Federal regulations of greenhouse gases.

Al Gore won an Oscar for his powerful documentary on global warming, ''An Inconvenient Truth.''

The Department of the Interior proposed listing the polar bear as threatened under the Endangered Species Act due to disappearing sea ice.

The Supreme Court ruled in a landmark case that the Environmental Protection Agency has the authority to regulate carbon dioxide emissions as a pollutant under the Clean Air Act.

The United Nations Security Council had its first meeting on the issue of climate change as an urgent matter of international peace and security.

These events make the facts about climate change very clear. I am proud to say for the first time in a long time, this year's Earth Day finally holds the promise of real action on climate change, thanks to the election of a Democratic Congress last November.

Already, under the leadership of our Speaker, NANCY PELOSI, the House of Representatives has laid out a bold agenda to combat global warming and move America towards energy independence. For the first time, the House has created a Select Committee on Energy Independence and Global Warming to help develop policy recommendations on this important issue.

As a part of our 100-hour agenda, the House also passed H.R. 6, the Clean Energy Act of 2007, repealing the $14 billion in taxpayer subsidies to profit-soaked oil companies. Instead of forcing our constituents to pay oil companies twice, once at the pump and again with their taxes, we shifted these funds to support the development of clean alternative energy and improved energy efficiency.

We also passed a budget last month that makes substantial investments in research and development of new cutting-edge renewable energy technologies which will also fund the rapid deployment of these technologies.

Because we are also committed to leading by example, our leadership has called upon the chief administrative officer of this House to develop and implement a ''Green the Capitol'' initiative. This initiative will reduce our energy consumption and develop sustainable practices for the United States Capitol and congressional office buildings.

These initiatives are just the first step. Later this year, the House will also consider an innovation agenda that emphasizes the importance of developing alternative energy technologies and ensures that America continues to be a world leader in the green economy of the 21st century; also, a targeted energy package focusing on promoting energy alternatives and addressing global warming that will take another significant step forward in securing our energy independence; and a major farm bill that will promote American-made biofuels as well as other renewable energy, energy efficiency and conservation programs.

We will also continue to develop legislation to regulate greenhouse gases and address some of the difficult challenges in stopping global climate change.

While the House moves forward with this agenda, we must also recognize that there is a substantial amount of activity that is already going on locally in our communities to combat climate change.

In many ways, in the Bay Area, in my district in California, we represent the hub of the environmental movement. Research is ongoing into alternative and renewable energy at the University of California, Berkeley, one of the premier public universities in our country. We hold the promise of a cleaner and brighter future for our children.

Bay Area businesses in my district have also taken the lead in greening their activities to reduce waste, improving energy efficiency, and save water, minimizing the impact on our environment.

Innovative programs funded in part through the city of Oakland are also training youth in my district about the importance of environmental stewardship and are providing them with new job opportunities and new career paths.

Community-based organizations in my district have also taken the lead in advocating for environmental justice and equity for all of our constituents. Together, our community is at the forefront of a robust environmental movement that is quite literally changing the world for the better.

On this Earth Day, let us celebrate all of this local ingenuity, as well as what we are doing in the House of Representatives from participating in local cleanups to just shopping at our local farmers' markets.

SAN JACINTO DAY

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, growing up in Houston, Texas, I always liked April 21 because it was a school holiday. I believed there was no school on that day because it was my mother's birthday and she never really told me differently. I was proud to be the only kid that had a mom with a school holiday.

It was only later that I came to find out the holiday also represented the most important day and most important military victory in Texas history, one that is studied in military schools throughout the world. It occurred near what is now Houston, Texas. It was a unique holiday for southeast Texas called ''San Jacinto Day.''

After Santa Anna, the Dictator of Mexico, invaded Texas with his massive army, and then stormed over the Alamo walls, killing William Travis, Davy Crockett, Jim Bowie, and the other Texas Volunteers on March 6, 1836, he went looking for the rest of the Texans that wanted independence from Mexico.

General Sam Houston had been building the Texas Army, and Santa Anna's three armies were giving chase. The Texas army and their families fled east in what historians call the ''runaway scrape.''

Finally, near the San Jacinto River and the Buffalo Bayou at Lynch's Ferry, Sam Houston stopped to fight. He and his army of 700 faced Santa Anna and his army of over 1,600 on the marshy plains of San Jacinto, Texas.

Scout Deaf Smith was ordered to burn the only escape bridge, thus trapping both armies between the river and the marshes.

It was April 21, 1836. General Sam wanted to charge into battle the next day at dawn, but decided not to wait any longer. So in the middle of the afternoon, General Sam and the Boys marched in single line in broad daylight with little cover towards the Mexican army.

The outnumbered Texans were an odd, terrifying-looking bunch. Without regular uniforms, they were dressed in buckskins, with pistols in their belts, bowie knives, long muskets, and tomahawks. They came from every State in the United States and from Mexico. The Tejanos, Mexicans loyal for Texas independence, were led by Captain Juan Sequin. So as not to confuse the Tejanos with Santa Anna's army, General Sam had Sequin put a playing card in the headband of each Tejano so they could be easily recognized.

This was General Houston's first Texas battle. Santa Anna's veteran army had yet to lose any battle. The Texans charged, yelling, ''Remember the Alamo! Remember Goliad!'' They carried a flag of a partially nude Miss Liberty, and the fife played a bawdy house song called ''Come to the Bower.''

Santa Anna army's, caught napping, was routed. Most of the enemy were killed or wounded. The rest were captured or disappeared. The victory was stunning. Only a dozen Texans were

killed. Santa Anna was captured, disguising himself in a private's uniform.

Texans wanted Santa Anna hung because of the Alamo and for murdering Colonel Fannin and his 300 volunteers at Goliad after they had surrendered to the Mexican army. Wise and politically astute General Sam Houston would have none of the lynching and spared Presidente Santa Anna for later bartering power.

Texas became a free and independent nation that day and claimed what is now Texas, and parts of New Mexico, Oklahoma, Kansas, Colorado and even Wyoming. It was one of the largest land transfers in world history as a result of just one battle. The latter land was sold to the United States to pay Texas' war debts. Texas was a republic for over 9 years, and then it was admitted to the Union in 1845 by 1-vote margin. Some now wish the vote had gone the other way.

In 1936, Texans built the San Jacinto Monument to honor the Texas War of Independence and General Sam's Victory. It looks exactly like the Washington Monument, but it has a star on top, and, of course, it is bigger.

Today, the bugles are silent and the battlefield is surrounded by petrochemical plants. Not much is said nowadays about Texas independence or San Jacinto Day. It is not even a school holiday anymore. But tomorrow, proud Texans will be at the San Jacinto Battleground to honor the few brave Texans and Tejanos that made Texas a new, free, independent nation.

We remember our past knowing we were a nation once, and sometimes we still act like an independent people and country. And the rest, they say, is Texas history.

I will fly the Lone Star flag proudly on San Jacinto Day, and I will take my mom a bunch of flowers, remembering that this glorious day was once a school holiday to celebrate my mother's birthday.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SURGE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, several months ago the administration announced the so-called ''surge,'' or escalation of troops into Baghdad and the surrounding area. It was claimed by the administration that the escalation of over 2,800 more troops in Iraq was needed to get control of Baghdad and increase the security of the Iraqi people.

Just what has been the result of that claim? The exact opposite. Instead of control, we are seeing a surge in violence. We are seeing a surge in bombings and attacks. On one day alone, Wednesday of this past week, 171 Iraqis were killed in a wave of bombings. These were people going about their lives, going to the market, going to work, riding the bus; 171 people. They are not just a number, they are mothers, they are fathers, sisters, brothers, friends, neighbors and, yes, children.

The violence and brutality should not be ignored or swept under the rug or become just another statistic. These are people whose lives have been cut short.

□ 1300

You have to wonder if anyone in Iraq is safe anymore, especially when a bomber can enter the green zone and the parliament building to bomb the cafeteria. How can we expect Iraqi parents to send their children to school?

How could we imagine how much courage it takes just to go to the market around the corner from your home for food? Not to mention the bravery it must take to volunteer to serve as part of the Iraqi security force.

Our brave men and women in uniform are doing all they can do to provide security to the Iraqi people. It is not their fault that this security seems to be out of their reach. The fault lies entirely at the desk of one person, the Commander in Chief.

He is sending troops back for third and fourth tours of duty, and he has extended those tours by months. How many of those troops were provided sufficient training or body armor? How many are given access to mental health care? And once they make it home, how many were left in the squalor of Walter Reed hospital? This is unacceptable and against everything our country stands for.

Poll after poll has found that the Iraqis and the American public want an end to this occupation. Even this Congress has gone on record several times calling for an end to this occupation.

The administration seems to be the only one who wants to stay the course, but it is time to face the facts. The mission is not accomplished. We are not winning. More people are dying every single minute and every single hour and every single day we stay in Iraq.

I say enough is enough. Bring our troops home. I will not stop, I will not rest and I will not back down in my fight until every last soldier, Marine, airmen and sailor is home safe with his or her family.

WAR IS HELL

The SPEAKER pro tempore (Mr. MCDERMOTT). Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I want to start off by commenting on the lady's speech that was just made. I understand her position. War is hell. It is a horrible thing. We have been out to Bethesda and Walter Reed Hospital, and we have seen the damage that war has done to a lot of our young people.

It is a terrible thing. It was a terrible thing in all the other conflicts we have been involved in where people have been killed and maimed, World War I, World War II, Korea, Vietnam, the Revolutionary War, the Civil War. War is horrible. Nobody wants war. We all want our troops home as quickly as possible. There is no question about that. Where we differ is what this war is all about and what will happen if we do not do what is necessary.

Yesterday, a Sunni insurgent coalition in Iraq announced an Islamic cabinet, and they named an al Qaeda leader as their Minister of War. Throughout this whole debate over these years, the opponents on the other side have said al Qaeda was not involved in Iraq, that we did not have any reason to go in there. Al Qaeda was involved in Iraq. Osama bin Laden was involved in Iraq. The people that bombed the USS *Cole*, the World Trade Center, our embassies around the world were in Iraq, and now they have appointed a war minister over there who is the head of al Qaeda in Iraq today.

So there is a world war against terrorism. Al Qaeda is the main leader of that war against the United States and the rest of the world. It is a war that we cannot afford to lose. They are using children as bombs. They are taking carloads of dynamite and other explosives and are driving into crowded places to kill people.

We all know how horrible that is, and we also know how horrible it was when al Qaeda operatives flew into the World Trade Center and killed over 3,000 people, the worst tragedy in American history, and it was on our soil. So we are in a world war against radicals, al Qaeda, and we cannot back down.

If we back down in Iraq, as my colleagues on the other side want us to do, it is going to send a signal, already is sending a signal to them, the al Qaeda and the terrorists, that we will not persevere, that we will back down, and they will, as they said yesterday, create an Islamic State in Iraq. And if you create an Islamic State in Iraq and do away with the democracy that is there now, you are going to provide a breeding ground for more terrorism and more attacks on the West and Europe and the rest of the world.

This is a war that may go on for a while, but it is one we must not and cannot lose. My colleagues on the other side are well-intentioned, but the fact of the matter is they want to encourage and they are encouraging by their factions, our enemy, our mortal enemy, the terrorists and al Qaeda.

Now, yesterday, I was very distressed when the majority leader in the United States Senate said that we have lost the war. To say that when al Qaeda is appointing a war minister in Iraq is a

tragic mistake. It should never have been said. The man that they appointed, al-Muhajer, is a terrorist, and his goal is to destroy the United States and our allies and change the whole world to radical Islam. That is his goal. That is Osama bin Laden's goal. They are there, and they want to destroy us and we must hang tough.

The President is standing there by himself. I know his popularity is very, very low, as Lincoln's was and George Washington's was when they were losing the wars that they were involved in, but this is something that the American people have to realize is absolutely essential if we are going to survive as a Nation in the long term.

These people want to destroy us, and if we back down in Iraq, make no mistake, they will gain in strength and they will attack us again and our allies again around the world with acts of terrorism. They will be coming out from under the doors like cockroaches, and it is going to be hard to stop them. My view is we either whip them there or we are going to have to fight them here.

HONORING WOODBURY MIDDLE SCHOOL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Mrs. JONES) is recognized for 5 minutes.

Mrs. JONES of Ohio. Mr. Speaker, last week I had the pleasure of attending a middle school in my congressional district. The middle school is Woodbury. I have a T-shirt to represent Woodbury Middle School. I thought I could wear it on the floor of the House, but they told me it was inappropriate attire so I had to take it off. But this is a Woodbury T-shirt, and I promised those students at Woodbury Middle School that this week on the floor of the House I would talk about what a great time I had at Woodbury Middle School.

The reason I was there, and let me recognize the principal, Barbara Whitaker; the vice principals, WeMet Smith and Eric Grundton; and teacher friends of mine, my neighbor, Barbara Norton; Chante Taylor, who is the wife of one of my district staffers; Aisha Mason, who is the wife of Senator Lance Mason.

But what I was there for we have Ohio achievement tests, and we decided on this particular day at this particular school, we are going to celebrate the achievements of the young people of Woodbury Middle School. We had a wonderful time. The band played. They are doing a production of ''Annie,'' and ''Annie'' did a production. We had a dance troupe that I learned how to do a certain dance with these young people. We even had a chance to quote Nas, a famous rapper, who talks about I can be what I want to be.

We had a great time. We had a wonderful chance to really celebrate the fact that these young people are going to do a great job on this Ohio achievement test. So Woodbury Middle School, I keep my promise. Hurray for Woodbury Middle School. Pass that test.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. SMITH) is recognized for 5 minutes.

(Mr. SMITH of New Jersey addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

RESIGNATION AS MEMBER OF COMMITTEE ON APPROPRIATIONS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Appropriations:

HOUSE OF REPRESENTATIVES,
Washington, DC, Apr. 19, 2007.

Hon. NANCY PELOSI,
Speaker, the Capitol,
Washington, DC.

DEAR SPEAKER PELOSI: I am writing to temporarily resign from my seat on the Committee on Appropriations, effective immediately.

I understand how the most recent circumstances may lead some to question my tenure on the Appropriations Committee. Therefore, I feel it may be in the best interest of the House that I temporarily resign from the Committee, until this matter can be resolved.

Sincerely,

JOHN T. DOOLITTLE,
U.S. Representative.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LEVIN (at the request of Mr. HOYER) for today on account of a family emergency.

Mr. MELANCON (at the request of Mr. HOYER) for today.

Mr. EHLERS (at the request of Mr. BOEHNER) for today on account of traveling to his district with the President of the United States.

Mr. FERGUSON (at the request of Mr. BOEHNER) for today on account of personal reasons.

Mr. SIMPSON (at the request of Mr. BOEHNER) for today until 11:30 a.m. on account of medical reasons.

Mr. THORNBERRY (at the request of Mr. BOEHNER) for today and April on account of attending to family matters.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.
Mr. SCHIFF, for 5 minutes, today.
Ms. WOOLSEY, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Ms. LEE, for 5 minutes, today.
Ms. JACKSON-LEE of Texas, for 5 minutes, today.
Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. TIAHRT, for 5 minutes, today.
Mr. POE, for 5 minutes, today and April 23, 24, 25, and 26.
Mr. BURTON of Indiana, for 5 minutes, today and April 23, 24, 25, and 26.
Mr. SMITH of New Jersey, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Mrs. JONES of Ohio, for 5 minutes, today.

ENROLLED BILLS SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 137. An act to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

H.R. 727. An act to amend the Public Health Service Act to add requirements regarding trauma care, and for other purposes.

H.R. 753. An act to redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee, as the ''Clifford Davis and Odell Horton Federal Building''.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on April 19, 2007 she presented to the President of the United States, for his approval, the following bill.

H.R. 1132. To amend the Public Health Service Act to provide waivers relating to

grants for preventive health measures with respect to breast and cervical cancers.

ADJOURNMENT

Mrs. JONES of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until Monday, April 23, 2007, at 12:30 p.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1195. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — 6-Benzyladenine; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2006-0325; FRL-8117-9] received March 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1196. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Tetraconazole; Pesticide Tolerance [EPA-HQ-OPP-2006-0576; FRL-8121-3] received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1197. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Tribenuron Methyl; Pesticide Tolerance [EPA-HQ-OPP-2006-0207; FRL-8117-2] received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1198. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Thifensulfuron Methyl; Pesticide Tolerance [EPA-HQ-OPP-2006-0208; FRL-8117-1] received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1199. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Spinosad; Pesticide Tolerance [EPA-HQ-OPP-2006-0579; FRL-8114-4] received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1200. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Fluopicolide; Pesticide Tolerance [EPA-HQ-OPP-2006-481; FRL-8120-1] received March 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1201. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Bacillus thuringiensis Vip3Aa20 Protein and the Genetic Material Necessary for its Production in Corn; Temporary Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2006-0783; FRL-8120-5] received April 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1202. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Utah; State Implementation Plan Corrections [EPA-R08-OR-2005-UT-0001; UT-001-0052a; EPA-R08-OAR-2006-0654; EPA-R08-OR-2005-UT-0006; FRL-8300-1] received received April 12, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1203. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Delegation of Authority to the States of Iowa, Missouri and Nebraska for New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP); and Maximum Achievable Control Technology (MACT) Standards [FRL-8269-6] received January 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1204. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Treatment of Data Influenced by Exceptional Events [EPA-HQ-OAR-2005-0159; FRL-8289-5] received March 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1205. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone; Listing of Ozone Depleting Substitutes in Foam Blowing [EPA-HQ-OAR-2004-0507, FRL-8291-3] (RIN: 2060-AN11) received March 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1206. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — New York: Incorporation by Reference of State Hazardous Waste Management Program [EPA-R02-RCRA-2006-0518; FRL-8278-2] received March 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1207. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgaiton of Air Quality Implementation Plans; Illinois [EPA-R05-OAR-2005-IL-0001; FRL-8290-5] received March 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1208. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Arkansas; Prevention of Significant Deterioration and New Source Review; Economic Development Zone for Crittenden County, Arkansas; and Stage I Vapor Recovery [EPA-R06-OAR-2005-AR-0001; FRL-8297-6] received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1209. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee; Approval of Revisions to the Knox County Portion of the Tennessee State Implementation Plan [EPA-R04-OAR-2006-0787-20062 1(a); FRL-8297-4] received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1210. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Prevention of Signficant Deterioration [EPA-R05-OAR-2006-0779; FRL-8296-3] received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1211. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Vermont: Final Authorization of State Hazardous Waste Mangement Program Revisions [EPA-R01-RCRA-2007-0135; FRL-8287-8] received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1212. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Cook Composites and Polymers Company [EPA-R05-OAR-2006-0542; FRL-8285-3] received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1213. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances and Notification on Certain Substances for Which Significant New Use Rules are Not Being Issued [EPA-HQ-OPPT-2003-0063; FRL-7699-5] (RIN: 2070-AB27) received March 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1214. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Ohio; Volatile Organic Compound Emission Control Measures for Cincinnati and Dayton [EPA-R05-OAR-2006-0545; FRL-8292-3] received March 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1215. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of Arizona; Boundry Redesignation; Finding of Attainment for Miami Particulate Latter of 10 Microns or Less (PM10) Nonattainment Area; Determination Regarding Applicability of Certain Clean Air Act Requirements; Correction [EPA-R09-OAR-2006-AZ-0558; FRL-8292-6] received March 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1216. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Arizona; Motor Vehicle Inspection and Maintenance Programs [EPA-R09-OAR-2005-AZ-0009; FRL-8284-2] received March 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1217. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana [EPA-R05-OAR-2006-0774; FRL-8284-5] received March 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1218. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Lead; Renovation, Repair, and Painting Program; Notice of Availability [EPA-HQ-OPPT-2005-0049; FRL-8116-6] (RIN: 2070-AC73) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1219. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revised Model Administrative Settlement Agreement and Order on

Consent for Removal Actions — received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1220. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Regulation of Fuels and Fuel Additives: Renewable Fuel Standard Program [EPA-HQ-OAR-2005-0161; FRL-8299-9] (RIN: 2060-AN76) received April 12, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1221. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Pollutants and Facilities; Rhode Island; Negative Declaration [EPA-R01-OAR-2007-0136; A-1-FRL-8295-6] received April 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1222. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Department's ''Major'' final rule — Clean Air Fine Particle Implementation Rule [EPA-HQ-OAR-2003-0062; FRL-8295-2] (RIN: 2060-AK74) received April 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1223. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy a determination made pursuant to Section 1306 of the National Defense Authorization Act for FY 2003, Pub. L. 107-314; to the Committee on Foreign Affairs.

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. FRANK: Committee on Financial Services. H.R. 1676. A bill to reauthorize the program of the Secretary of Housing and Urban Development for loan guarantees for Indian housing (Rept. 110–102). Referred to the Committee of the Whole House on the State of the Union.

Mr. LANTOS: Committee on Foreign Affairs. H.R. 1678. A bill to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes (Rept. 110–103, Pt. 1) Ordered to be printed.

Ms. VELÁZQUEZ: Committee on Small Business. H.R. 1332. A bill to improve the access to capital programs of the Small Business Administration, and for other purposes; with an amendment (Rept. 110–104). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of the rule XII, the Committee on Foreign Affairs discharged from further consideration. H.R. 1678 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. MALONEY of New York (for herself, Mr. SHAYS, Mr. ACKERMAN, Mr. ALLEN, Mr. ANDREWS, Mr. BAIRD, Mr. BERMAN, Mr. BLUMENAUER, Mr. BOSWELL, Ms. CORRINE BROWN of Florida, Mrs. CAPPS, Mr. CASTLE, Mr. CHANDLER, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CLEAVER, Mr. CONYERS, Mr. COSTA, Mr. CROWLEY, Mr. CUMMINGS, Ms. DELAURO, Mr. DINGELL, Mr. DOYLE, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. FATTAH, Mr. FRANK of Massachusetts, Mr. GILCHREST, Mr. GONZALEZ, Mr. GRIJALVA, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOLT, Ms. HOOLEY, Mr. INSLEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, Mr. KILDEE, Mr. KIND, Mr. KUCINICH, Mr. LANGEVIN, Mr. LANTOS, Mr. MARKEY, Mrs. MCCARTHY of New York, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. NADLER, Mrs. NAPOLITANO, Mr. OLVER, Mr. PALLONE, Mr. RAHALL, Ms. ROYBAL-ALLARD, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SERRANO, Ms. SLAUGHTER, Ms. SOLIS, Mr. STARK, Mr. TANNER, Mr. THOMPSON of California, Mr. TOWNS, Mr. VAN HOLLEN, Mr. WALSH of New York, Ms. WASSERMAN SCHULTZ, Ms. WATSON, Mr. WEXLER, and Mr. WU):

H.R. 1975. A bill to designate certain National Forest System lands and public lands under the jurisdiction of the Secretary of the Interior in the States of Idaho, Montana, Oregon, Washington, and Wyoming as wilderness, wild and scenic rivers, wildland recovery areas, and biological connecting corridors, and for other purposes; to the Committee on Natural Resources.

By Mr. DOYLE (for himself, Mr. TIM MURPHY of Pennsylvania, Mr. ENGLISH of Pennsylvania, Mrs. CAPITO, Mr. MOLLOHAN, Mr. DINGELL, Mr. RAHALL, Mr. HOLDEN, and Mr. CARNEY):

H.R. 1976. A bill to amend the Internal Revenue Code of 1986 to modify the refined coal credit to include qualified coal waste sludge recycling; to the Committee on Ways and Means.

By Ms. BERKLEY:

H.R. 1977. A bill to amend the Internal Revenue Code of 1986 to allow solar and geothermal investment credit for public utility property; to the Committee on Ways and Means.

By Mr. HALL of Texas (for himself, Mr. CONAWAY, Mr. MARCHANT, Mr. POE, Mr. NEUGEBAUER, Mr. MCCAUL of Texas, Mr. CULBERSON, Mr. HENSARLING, Mr. BURGESS, Mr. SAM JOHNSON of Texas, Mr. BARTON of Texas, Mr. THORNBERRY, Ms. GRANGER, Mr. HINOJOSA, Mr. EDWARDS, and Mr. ORTIZ):

H.R. 1978. A bill to designate the United States courthouse located at 101 East Pecan Street in Sherman, Texas, as the ''Paul Brown United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. ADERHOLT (for himself, Mr. DAVIS of Alabama, and Mr. BRALEY of Iowa):

H.R. 1979. A bill to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization; to the Committee on the Judiciary.

By Mr. HINOJOSA (for himself, Mr. FRANK of Massachusetts, Ms. WATERS, and Mr. RENZI):

H.R. 1980. A bill to authorize appropriations for the Housing Assistance Council; to the Committee on Financial Services.

By Mr. LANGEVIN (for himself, Mr. THOMPSON of Mississippi, and Ms. JACKSON-LEE of Texas):

H.R. 1981. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to issue regulations establishing security standards for foreign repair stations performing maintenance for aircraft used to provide air transportation; to the Committee on Homeland Security.

By Mr. HINOJOSA (for himself, Mr. FRANK of Massachusetts, and Mr. RENZI):

H.R. 1982. A bill to authorize appropriations for the rural housing and economic development program of the Department of Housing and Urban Development; to the Committee on Financial Services.

By Ms. SCHAKOWSKY (for herself, Mrs. BONO, Mr. BOOZMAN, and Mr. WYNN):

H.R. 1983. A bill to amend title XIX of the Social Security Act to require Medicaid coverage of professional services of optometrists that are otherwise covered when furnished by a physician; to the Committee on Energy and Commerce.

By Mr. BAIRD (for himself, Mr. ALTMIRE, Mr. VISCLOSKY, Mr. BRADY of Pennsylvania, Mr. BERRY, Mr. MOLLOHAN, Ms. SUTTON, and Mr. DEFAZIO):

H.R. 1984. A bill to amend title 23, United States Code, to clarify that the Buy America provision applies to an entire bridge project; to the Committee on Transportation and Infrastructure.

By Mr. CUMMINGS:

H.R. 1985. A bill to foster the development of minority-owned small businesses; to the Committee on Small Business, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLSWORTH:

H.R. 1986. A bill to require potential Federal contractors to certify they owe no Federal tax debt; to the Committee on Oversight and Government Reform.

By Mr. JEFFERSON:

H.R. 1987. A bill to amend the Internal Revenue Code of 1986 to allow the small agri-biodiesel credit for biodiesel derived from waste vegetable oils; to the Committee on Ways and Means.

By Mr. JINDAL:

H.R. 1988. A bill to establish the Gulf Coast Disaster Loan Refinancing Program; to the Committee on Small Business.

By Mr. PEARCE:

H.R. 1989. A bill to establish the Fort Stanton-Snowy River Cave National Conservation Area, and for other purposes; to the Committee on Natural Resources.

By Mr. POMEROY (for himself, Mr. RAMSTAD, Mr. UDALL of Colorado, Mr. SALAZAR, Mr. CARTER, Mr. PERLMUTTER, and Mr. BRALEY of Iowa):

H.R. 1990. A bill to amend title XVIII of the Social Security Act to extend reasonable cost contracts under Medicare; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIAHRT:

H.R. 1991. A bill to amend title 37, United States Code, to authorize the payment of travel costs for members of the Selected Reserve occupying designated specialties when

the members attend inactive duty training or a unit training assembly necessary for maintaining mission readiness when the training or assembly location is outside of the commuting limits of the members' duty stations; to the Committee on Armed Services.

By Mr. INSLEE (for himself, Mr. SHAYS, Mr. DICKS, Mr. MARKEY, Mr. GRIJALVA, Mr. ABERCROMBIE, Mr. MCDERMOTT, Mr. WOLF, Ms. BEAN, Mr. HINCHEY, Mr. MORAN of Virginia, Mr. PALLONE, Mr. SERRANO, Ms. JACKSON-LEE of Texas, Mr. KILDEE, Mr. UDALL of Colorado, Ms. DELAURO, Mr. GORDON, Mr. GENE GREEN of Texas, Mr. HASTINGS of Florida, and Ms. LEE):

H. Con. Res. 122. Concurrent resolution supporting the goal and mission of America Recycles Day; to the Committee on Energy and Commerce.

By Ms. NORTON (for herself, Mr. GRAVES, Mr. HOYER, Mr. MORAN of Virginia, Mr. VAN HOLLEN, Mr. CUMMINGS, Mr. WYNN, Mr. WOLF, and Mr. TOM DAVIS of Virginia):

H. Con. Res. 123. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; to the Committee on Transportation and Infrastructure.

By Ms. NORTON (for herself, Mr. GRAVES, Mr. HOYER, Mr. MORAN of Virginia, Mr. VAN HOLLEN, Mr. CUMMINGS, Mr. WYNN, Mr. WOLF, and Mr. TOM DAVIS of Virginia):

H. Con. Res. 124. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service; to the Committee on Transportation and Infrastructure.

By Ms. HOOLEY (for herself, Mr. FILNER, Mr. SKELTON, Mr. HOLDEN, Mr. PASTOR, Mr. ELLISON, Mr. GUTIERREZ, Mr. ARCURI, Ms. CORRINE BROWN of Florida, Mr. LEVIN, Mr. KIND, Mr. WU, Mr. WEINER, Ms. BALDWIN, Mr. ROTHMAN, Mr. VAN HOLLEN, Ms. KAPTUR, Mr. CAPUANO, Mr. KANJORSKI, Ms. BEAN, Ms. DEGETTE, Mr. LARSEN of Washington, Ms. HERSETH SANDLIN, Mr. RYAN of Ohio, Mr. BARROW, Mr. INSLEE, Mr. MATHESON, Mr. BOSWELL, Mr. MCNERNEY, Mr. DOYLE, Mr. MCNULTY, Mr. HINOJOSA, Mr. PEARCE, Mr. LINCOLN DAVIS of Tennessee, Mrs. MCCARTHY of New York, Ms. CARSON, Mr. VISCLOSKY, Ms. SUTTON, Ms. LINDA T. SÁNCHEZ of California, Ms. JACKSON-LEE of Texas, Mr. UDALL of Colorado, Mrs. JONES of Ohio, Ms. LEE, Mr. HARE, Ms. ROYBAL-ALLARD, Mr. ALTMIRE, Mr. GEORGE MILLER of California, Mr. OLVER, Mr. COHEN, Ms. MATSUI, Mrs. NAPOLITANO, Ms. SLAUGHTER, Mr. RAHALL, Mr. BISHOP of New York, Mr. LOEBSACK, Mr. CARNAHAN, Mr. SHERMAN, Mr. ETHERIDGE, Mr. SHULER, Mr. CARNEY, Mr. CARDOZA, Mr. BERRY, Mr. ALLEN, Mr. MICHAUD, Mr. SNYDER, Mr. HILL, Mr. BOYD of Florida, Mr. BOREN, Mr. MITCHELL, Mr. WELLER, Mr. CLEAVER, Mr. AL GREEN of Texas, Mr. BAKER, Mr. BOEHNER, Mrs. BIGGERT, and Mr. BLUMENAUER):

H. Res. 326. A resolution commemorating the 25th anniversary of the Vietnam Veterans Memorial; to the Committee on Armed Services, and in addition to the Committee on Natural Resources, 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.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. HALL of Texas, Mr. NEAL of Massachusetts, Mr. EHLERS, Mr. RANGEL, Mrs. MALONEY of New York, Mr. WOLF, Mr. LANTOS, Mr. DOOLITTLE, and Mr. CALVERT.

H.R. 89: Mr. LEWIS of Kentucky.

H.R. 111: Mr. SMITH of Nebraska, Ms. ROYBAL-ALLARD, Mr. REICHERT, and Mr. WAMP.

H.R. 174: Ms. JACKSON-LEE of Texas.

H.R. 211: Mr. BOYD of Florida and Mr. YARMUTH.

H.R. 281: Mr. CUMMINGS, Mr. BECERRA, and Mr. HONDA.

H.R. 303: Mr. FARR.

H.R. 315: Mr. RAHALL.

H.R. 405: Mr. MCNERNEY.

H.R. 473: Mr. BARRETT of South Carolina.

H.R. 503: Mr. ROGERS of Kentucky, Mr. TOWNS, Ms. SOLIS, Mr. RYAN of Ohio, and Mr. MILLER of North Carolina.

H.R. 522: Mr. DELAHUNT, and Mr. KENNEDY.

H.R. 552: Mr. ENGLISH of Pennsylvania, Mr. KING of Iowa, Mr. JOHNSON of Georgia, Mr. PRICE of North Carolina, Ms. SCHAKOWSKY, Ms. KAPTUR, Mr. SNYDER, Ms. NORTON, Mr. ENGEL, Mr. ALTMIRE, and Ms. BALDWIN.

H.R. 579: Mr. BURTON of Indiana, Mr. HINOJOSA, and Ms. ESHOO.

H.R. 601: Mr. WALBERG, Mr. SIRES, Mr. WYNN, Ms. WATSON, and Ms. LEE.

H.R. 648: Mr. ROTHMAN.

H.R. 692: Mrs. MUSGRAVE.

H.R. 699: Mr. YOUNG of Alaska.

H.R. 741: Mr. ISRAEL, Mr. PAYNE, and Mr. SHUSTER.

H.R. 760: Mr. FARR, Ms. SOLIS, and Ms. WOOLSEY.

H.R. 779: Mr. KUHL of New York.

H.R. 823: Mr. PERLMUTTER, Mr. COHEN, Ms. DEGETTE, Ms. WOOLSEY, Ms. NORTON, Mr. LANTOS, and Mr. STARK.

H.R. 864: Mrs. CAPPS, Mr. GRIJALVA, Mrs. MUSGRAVE, Mr. CAMP of Michigan, Ms. JACKSON-LEE of Texas, and Mr. PETERSON of Minnesota.

H.R. 890: Mr. PATRICK MURPHY of Pennsylvania, Mr. MARKEY, and Mr. SCHIFF.

H.R. 893: Mr. PLATTS.

H.R. 938: Mr. WELDON of Florida.

H.R. 980: Mr. SULLIVAN, Mr. WU, Mr. WAXMAN, Mr. PASTOR, and Mr. POE.

H.R. 998: Mr. PRICE of North Carolina.

H.R. 1010: Mr. LEVIN and Mr. EMANUEL.

H.R. 1014: Mr. SAXTON, Mrs. JONES of Ohio, Mr. HONDA, and Ms. DELAURO.

H.R. 1043: Mrs. MCCARTHY of New York.

H.R. 1112: Mr. BARTLETT of Maryland.

H.R. 1113: Mr. WEINER, Mr. WOLF, Mr. MORAN of Virginia, Mr. LATOURETTE, Ms. SCHAKOWSKY, Ms. LEE, Mr. GERLACH, Mr. DAVIS of Illinois, Mr. HARE, Ms. MOORE of Wisconsin, Mr. MARKEY, Mr. MCNULTY, Ms. JACKSON-LEE of Texas, Mr. BARROW, Ms. NORTON, Mr. KILDEE, Mr. HINCHEY, and Mr. MCCOTTER.

H.R. 1148: Ms. ZOE LOFGREN of California.

H.R. 1176: Mr. CARDOZA, Mr. ORTIZ, Ms. SOLIS, and Mr. SIRES.

H.R. 1193: Mr. GOHMERT, Mr. PORTER, Mr. ENGLISH of Pennsylvania, Mr. HIGGINS, Mr. DICKS, Mr. ABERCROMBIE, Mr. ROTHMAN, Mr. PAYNE, Mr. PRICE of North Carolina, Ms. NORTON, Ms. WOOLSEY, and Mrs. DRAKE.

H.R. 1194: Mr. CARNEY, Mr. JACKSON of Illinois, Mr. MELANCON, Mr. ALLEN, Ms. BEAN, Mr. BARROW, Mr. ROSS, Ms. HARMAN, and Mr. FEENEY.

H.R. 1198: Mr. PORTER and Mr. FORBES.

H.R. 1252: Mr. KUHL of New York.

H.R. 1261: Mr. FORBES.

H.R. 1279: Ms. MCCOLLUM of Minnesota, Mr. RAHALL, Ms. ZOE LOFGREN of California, Mr. LEWIS of Kentucky, and Mr. LAHOOD.

H.R. 1282: Mr. DOYLE, Mr. BRADY of Pennsylvania, and Mr. KENNEDY.

H.R. 1325: Mr. HILL and Ms. SUTTON.

H.R. 1328: Mr. BERMAN, Ms. ZOE LOFGREN of California, Ms. LINDA T. SÁNCHEZ of California, and Mr. LARSON of Connecticut.

H.R. 1344: Mr. HOLT and Mr. KUCINICH.

H.R. 1360: Mr. WOLF.

H.R. 1381: Mr. AL GREEN of Texas, Ms. LEE, and Mr. ROTHMAN.

H.R. 1391: Ms. WOOLSEY.

H.R. 1398: Mr. MORAN of Kansas, Mr. DAVIS of Kentucky, Ms. FOXX, Mr. HASTINGS of Washington, Mr. ROGERS of Alabama, Mr. SESSIONS, Mr. PUTNAM, Mrs. MCMORRIS RODGERS, Mr. SIMPSON, and Mr. ADERHOLT.

H.R. 1400: Mr. ROHRABACHER, Ms. HOOLEY, Mr. WAXMAN, Mr. SALI, Mr. KING of Iowa, Mrs. BLACKBURN, Mr. FRANKS of Arizona, Mr. YARMUTH, Mr. JOHNSON of Georgia, Mr. BARROW, Mr. GERLACH, Mr. MURPHY of Connecticut, Ms. FOXX, Mr. LEWIS of Kentucky, Mr. WELDON of Florida, Ms. BEAN, Ms. DELAURO, Mr. GARRETT of New Jersey, Mr. TERRY, Mr. WALDEN of Oregon, Mr. CAMPBELL of California, Mr. RUSH, Mr. GINGREY, and Mr. KILDEE.

H.R. 1415: Mrs. MALONEY of New York, Mr. CAPUANO, Mr. COURTNEY, Mr. WELCH of Vermont, Ms. WOOLSEY, and Mr. MEEHAN.

H.R. 1416: Mrs. MALONEY of New York, Mr. HONDA, Ms. WOOLSEY, and Ms. DEGETTE.

H.R. 1434: Mr. MCGOVERN, Mr. KUCINICH, and Ms. SUTTON.

H.R. 1459: Mr. ROTHMAN, Mr. SIRES, and Mr. WELDON of Florida.

H.R. 1469: Mr. ROSS, Mr. MOORE of Kansas, and Mr. YARMUTH.

H.R. 1474: Mr. DAVIS of Alabama and Mr. POMEROY.

H.R. 1537: Ms. SOLIS, Mr. HASTINGS of Florida, Ms. NORTON, and Mr. ALLEN.

H.R. 1552: Ms. MCCOLLUM of Minnesota, Mr. PLATTS, Mr. PRICE of North Carolina, Mr. MURTHA, Mr. LARSON of Connecticut, and Mr. BISHOP of Georgia.

H.R. 1567: Mr. MILLER of North Carolina and Mr. SAXTON.

H.R. 1576: Mrs. CUBIN and Mr. BOSWELL.

H.R. 1583: Mr. HIGGINS, Mr. ARCURI, Mr. CROWLEY, Ms. CLARKE, and Mr. MCNULTY.

H.R. 1588: Mr. GALLEGLY.

H.R. 1590: Mr. ARCURI and Mr. BRALEY of Iowa.

H.R. 1608: Mr. MORAN of Virginia and Mr. SCHIFF.

H.R. 1618: Mr. MCCOTTER, Ms. JACKSON-LEE of Texas, and Mr. UPTON.

H.R. 1644: Mr. PRICE of North Carolina, Mr. LYNCH, Mr. YARMUTH, Ms. LINDA T. SÁNCHEZ of California, Mr. ALLEN, Mr. CUMMINGS, Mr. LEVIN, Mr. LANTOS, Mr. TIERNEY, Mr. PATRICK MURPHY of Pennsylvania, and Ms. WATSON.

H.R. 1646: Mr. WYNN.

H.R. 1649: Mrs. EMERSON, Ms. KAPTUR, Mr. SALAZAR, and Mr. BARTLETT of Maryland.

H.R. 1675: Mr. HASTINGS of Florida.

H.R. 1709: Ms. JACKSON-LEE of Texas and Mr. JOHNSON of Illinois.

H.R. 1717: Mr. GINGREY, Mr. JOHNSON of Georgia, Mr. PRICE of North Carolina, Mr. SCOTT of Georgia, and Mr. WESTMORELAND.

H.R. 1738: Mr. ISSA, Mr. MCHUGH, Mr. BILIRAKIS, Mr. RANGEL, Mr. MCNULTY,

Mr. ALLEN, and Ms. JACKSON-LEE of Texas.

H.R. 1765: Mr. ACKERMAN, Mr. HINOJOSA, and Mr. ENGLISH of Pennsylvania.

H.R. 1769: Mrs. MCMORRIS RODGERS.

H.R. 1772: Mr. REHBERG, Mr. RODRIGUEZ, Mr. FARR, Mr. CLEAVER, Mr. HASTINGS of Florida, and Mr. RANGEL.

H.R. 1773: Mr. LOBIONDO.

H.R. 1797: Mr. GOODE and Mrs. MCMORRIS RODGERS.

H.R. 1812: Mr. MCNULTY.

H.R. 1873: Mr. BARTLETT of Maryland, Mr. JOHNSON of Georgia, Ms. MOORE of Wisconsin, Mr. BUCHANAN, and Mr. DAVID DAVIS of Tennessee.

H.R. 1892: Mr. LINCOLN DAVIS of Tennessee.

H.R. 1909: Mr. POE, Ms. JACKSON-LEE of Texas, Mrs. WILSON of New Mexico, and Mr. GONZALEZ.

H.R. 1943: Mr. CUMMINGS, Mr. WATT, Mr. TOWNS, Mr. LEWIS of Georgia, Mr. PAYNE, Mr. CLAY, Mr. GRIJALVA, Ms. CORRINE BROWN of Florida, Mr. COHEN, Ms. WOOLSEY, Mr. JOHNSON of Georgia, and Mr. WYNN.

H.R. 1945: Mr. DELAHUNT.

H.R. 1964: Mr. CLAY and Ms. NORTON.

H.J. Res. 12: Mr. BURTON of Indiana and Mr. PEARCE.

H. Con. Res. 25: Mr. JEFFERSON, Ms. KAPTUR, Mr. JOHNSON of Illinois, and Mr. SIMPSON.

H. Con. Res. 48: Mrs. DAVIS of California, Mr. LAHOOD, and Mr. CARNAHAN.

H. Con. Res. 75: Mrs. MUSGRAVE.

H. Con. Res. 80: Mr. BLUMENAUER and Ms. WATSON.

H. Res. 111: Ms. CARSON and Mr. JORDAN.

H. Res. 143: Mr. OLVER, Mr. ALTMIRE, and Mr. SMITH of Washington.

H. Res. 185: Ms. BERKLEY.

H. Res. 186: Mr. WILSON of South Carolina, Mr. BOREN, Mr. ENGLISH of Pennsylvania, and Mr. MEEKS of New York.

H. Res. 247: Ms. WASSERMAN SCHULTZ and Ms. JACKSON-LEE of Texas.

H. Res. 250: Mr. RADANOVICH, Mrs. MUSGRAVE, Mr. CHABOT, Mr. MCKEON, Mr. SESSIONS, Mr. GARRETT of New Jersey, Mrs. BLACKBURN, Mr. WESTMORELAND, Mr. ROYCE, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. DANIEL E. LUNGREN of California, Mr. SALI, Mr. WALBERG, Mr. WILSON of South Carolina, and Mr. PEARCE.

H. Res. 282: Mr. CLEAVER, Ms. ROYBAL-ALLARD, Mr. WILSON of Ohio, Mr. DOYLE, Mr. WU, and Mr. PALLONE.

H. Res. 291: Ms. CARSON, Mr. MCHUGH, Mr. GENE GREEN of Texas, Mr. PEARCE, and Mr. CONAWAY.

H. Res. 320: Mr. MCKEON, Mr. NEAL of Massachusetts, Ms. KILPATRICK, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SHUSTER, Mrs. JO ANN DAVIS of Virginia, Mrs. CAPPS, Mr. SHULER, Ms. JACKSON-LEE of Texas, Mr. BROWN of South Carolina, Mr. LEWIS of Kentucky, Mr. MCCOTTER, Mr. LIPINSKI, Ms. FALLIN, Mrs. CAPITO, Mr. BOUSTANY, Mr. WESTMORELAND, Mr. MACK, Mr. MORAN of Kansas, Mr. KUHL of New York, Mrs. SCHMIDT, and Mr. DENT.

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Senate

The Senate met at 10 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 Lord God, we thank You for Your gifts to us. You have given us peace during life's storms and comfort for our pain. You have given us strength for our present duties and courage to face future challenges. Lord, You have given us redemption that frees us from guilt and grateful love that keeps us walking on the right road. You help us find encouragement through friendships. You illuminate our darkness with the light of Your word.

Strengthen our Senators for today's journey. Let Your power pilot them, Your wisdom instruct them, Your hand protect them, and Your word direct them.

We pray in Your great 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 20, 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 MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, today there will be a period for morning business for only 30 minutes. Senators are allowed to speak for 10 minutes each during this time. At 10:30, the Senate will begin consideration of S. 761, the America COMPETES Act. During today's session, consideration of the bill is limited to debate only. No amendments will be in order.

Our managers, Senators BINGAMAN and ALEXANDER, are expected to be here at 10:30. The distinguished Republican leader and I will give our opening statements on the bill, and that will be followed by the two managers of this legislation.

As I previously announced, there are no rollcall votes today or on Monday, but on Monday we expect amendments to this bill. We hope people who believe it can be improved will offer amendments. There are no rollcall votes on Monday, as I have indicated, so that any amendments offered to this bill would occur Tuesday. I would like to complete those votes prior to the conference recess period, which starts at 12:30 on Tuesday.

Next week, the House will send to us the conference report on the supplemental appropriations bill. We hope to get that on Tuesday or Wednesday. I will continue to discuss Senate consideration of this matter with the Republican leader.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business until 10:30 a.m, with Senators permitted to speak for up to 10 minutes each.

The Senator from Colorado.

COLUMBINE ANNIVERSARY REMEMBRANCE

Mr. ALLARD. Mr. President, my wife Joan and I were horrified at the violence and bloodshed at Virginia Tech on Monday.

I was already preparing to come to the floor today to speak on another tragedy. Today marks the eighth anniversary of the Columbine murders. Next Thursday, it will be 7 months since the shooting at Platte Canyon High School in Bailey, CO. April has become a month of awful memories, a month of terrible reminders of the presence of evil and the ability of lost souls to stray far into the darkness.

I stood on this floor in April 1999 to express my shock and dismay at what had happened in Littleton. I offered my condolences to all those who lost loved ones, and to those whose loved ones have been wounded, hurt, and terrified. Today I remember them again, but I also must add sympathy and support for those at Virginia Tech.

Words cannot adequately convey the deep sense of loss all of us are feeling over this tragedy. But words—these words, and the words of our prayers—are what we have to offer.

Yet again, America is in shock.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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There are far too many of my colleagues who have had this experience—who have watched as news of school violence spread across our country. This week's tragedy was in Virginia, but it is obviously of nationwide concern.

Thirty-two lives, most of them young and from the best and brightest in our society, ended Monday by savage violence. Last year, one lost life in Bailey; thirteen lives lost in 1999 at Columbine in Littleton; and there are others lost around this Nation, and around the world, in similar tragedies: Dawson College in Montréal, Gutenberg School in Erfurt, Germany.

These are wounds, scars, that will not be removed, and for those who bear the worst of this burden my wife and I offer all our compassion, our sympathy and our prayers.

Our Nation continues to grieve with the families and friends of those killed and the injured students and teachers. Although we know exhaustive details of what happened at Columbine, and are learning more from Blacksburg, we are still attempting to understand why. People are trying to cope with the terror that keeps thrusting itself into our lives. It has become obvious at this point that there are no easy answers. We need to examine the problems facing our youth, but it is critical that we take time to carefully consider the solutions being offered.

In the coming months there will be time, and there will be a need, for us to commit ourselves to finding a way to attempt to prevent this from happening again. We must ask ourselves how this could happen, and what can be done to prevent it. There is, I am sure, no simple solution. But we must pledge ourselves to doing what we can. After Columbine, the Nation took a serious look at school safety. But Bailey—and the murders in Pennsylvania last year at Nickel Mines Amish School—showed us that it is not always troubled students. Virginia Tech showed us it is not just grade schools or high schools. We need to think about ways to provide a better, more secure future.

Watching the aftermath in Blacksburg, I am reminded of the healing Colorado undertook 8 Aprils ago. I remember the memorial service held the weekend after the Columbine murders. Tens of thousands of people attended the memorial service. Among those gathered in sorrow, Joan and I witnessed a strong belief in God. We prayed together and searched for answers. I hope the students, faculty and families of Virginia Tech can find their way to face this terrible time.

Again, I offer my deepest sympathy to those who are suffering. And I want to let my colleagues from Virginia, and their constituents, know the people of Colorado will be thinking of you today as we mark the eighth anniversary of Columbine.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is now closed.

AMERICA COMPETES ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to consideration of S. 761, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 761) to invest in innovation and education to improve the competitiveness of the United States in the global economy.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, sometime last year, word was received that Senators Bingaman and Alexander had an idea. The idea was to do something about our country's educational slide the wrong way. I spoke to them on several occasions. They wanted to see what we could do to increase our competitiveness internationally. Their suggestion was, first, let's do a study and find out how bad it is; is it as bad as we think it is. These two fine Senators got other Senators to join with them in the idea. They received a study from the National Academy of Sciences to find out where we were internationally with our science programs. The information was not good. As a result of that, we have the legislation now before the Senate.

This legislation is not the know-all and cure-all, but it is certainly a major step forward, if we can do this, and there is no reason we cannot.

I am happy and pleased to speak about the America COMPETES legislation. America COMPETES comes from the words ''creating opportunities to meaningfully promote excellence in technology, education, and science,'' COMPETES. This is something we should do and are doing on a bipartisan basis. The bill is sponsored by both leaders and 50 Senators. That is a step in the right direction. Frankly, this is the way we used to do legislation here. There was so much that was done on a bipartisan basis. If we are able to complete this legislation, it will allow us to move forward on other meaningful legislation dealing with this subject generally.

The bill is the result clearly of a truly bipartisan effort. This legislation has been in the making for 2 years. I said last year. Time flies by. It was the year before last that these two Senators came to me to talk about this subject. They asked the National Academy to make recommendations on steps we should take as a nation to maintain our competitive advantage. The result was the Augustine report, ''Rising Above the Gathering Storm.'' The report warned that the Nation's traditional advantages are eroding at a time when many other nations are gathering strength and that decisive action is needed now.

We faced a challenge such as this before, one that occurred when I was in high school. In 1957, when the Soviets launched Sputnik, there was panic and concern. That panic and concern came about from our inability to do what they were doing to maintain our technological superiority. The Soviet Union clearly was ahead of us. Our great country responded to these threats quickly. The following year Congress passed, on a bipartisan basis, the National Defense Education Act, the sole purpose of which was to keep the United States ahead of the Soviet Union, to increase investment in math and science education. As a result of that bipartisan legislation, our country trained a whole new generation of engineers and scientists and ensured our preeminence in technology innovation for a generation.

The fact is, Federal investment in the basic sciences and research has long been a critical component of America's competitive dominance globally. Some economists have estimated that more than half of the country's economic growth since World War II has been a result of that technological innovation and dominance. Today, sadly, our position of dominance has been lost. We can debate where we are, but our dominance is not there—strong, of course, but dominant, no. We are challenged by emerging countries such as India and China where national investment in basic research, math, and science education continues to grow at a far greater pace than in the United States.

The Augustine panel cited many examples, but some statistics are striking. Consider that in 2005, more than 600,000 engineers graduated from institutions of higher education in China, 600,000; 350,000 in India; in the United States, 70,000—70,000 in the United States, 600,000 in China, and 350,000 in India. We can't keep up at that rate. China's population is more than the United States, of course, yet they graduate eight times the number of engineers even though they are only three times larger than the United States. The report also found that American 12th graders, seniors in high school, performed below the national average for 21 countries on a general knowledge of math and science.

Another study cited in the report had American 15-year-olds rank 24th out of 40 countries on a math assessment. I am embarrassed to tell the Senate and everyone within the sound of my voice Nevada students ranked 43rd out of 50 States in the Nation on math assessment.

As other countries become more competitive, it is clear we must refocus our energies on enhancing the Federal commitment to funding basic research in education.

My mind goes back to Paul Simon. The three of us had the opportunity to serve with him. Of course, Senator ALEXANDER served with him in different capacities when he was part of the Cabinet. He was a wonderful man, uneducated himself, no college education, wrote more than 20 books. He was a newspaper publisher when he was 19 years old. He knew that education was important, even though he was uneducated. He wrote a book called ''The Tongue-Tied American,'' about our declining knowledge of languages and how it was hurting us internationally. I joined with him in legislation to give summer workshop programs sponsored by the Federal Government where we could pay math and science teachers on an elementary and secondary level so they could make more money than other teachers to keep up with math and science and keep them in the classroom. Paul Simon has passed away, but I am sure he is smiling on us today as a result of our trying to move forward on something that was his vision many years ago.

The America COMPETES Act addresses concerns of Paul Simon and the National Science Foundation. It is in effect a downpayment, a very modest first step in ensuring that America retains its competitive edge.

I extend my appreciation to Senators BINGAMAN and ALEXANDER for authorizing the academy study. This study, along with a number of recent reports and books, brought a much needed sense of urgency to this issue. There are also chairmen and ranking members of committees who have expressed an interest in and support of what we are doing. Senators INOUYE, STEVENS, KENNEDY, ENZI, LIEBERMAN, ENSIGN, MIKULSKI, HUTCHISON, and NELSON of Florida have been instrumental in crafting this legislation. This legislation will double the Federal investment for the National Science Foundation over the next 4 years and for the Office of Science at the Department of Energy over the next decade. I personally think it should be more than five. I am happy if we can do this. I hope we can. I am confident we can.

The bill provides grants to States in order to better align elementary and secondary school curriculum with the knowledge and skills needed for the global economy. Nevada has a program recognizing where we are in the overall scheme. It is called a P–16 Council.

This Federal legislation we have introduced and are considering now will also strengthen our math and science teaching workforce—that was Paul Simon's dream—by recruiting and training teachers to teach in high-need schools and help improve math instruction at the elementary and middle school level, through Math Now grants.

I suggest to the two authors and the two managers of this bill we go back and look at the idea Senator Simon had—and I joined with him—that we have summer workshop programs sponsored by the Federal Government for elementary and secondary teachers so they can update their math and science skills, get paid for doing that, and stay teaching. We have such a shortage of math and science teachers.

On the high school level, we have far fewer physics teachers than we have schools. Of course, the other reason for doing this is, with the collective bargaining agreements—I support them, and we have them in many of our schools, in most of our school districts—it makes it very difficult to pay math or science teachers more than you can pay a PE teacher. This summer workshop program would allow that to take place.

So I hope that is something Senator ALEXANDER and Senator BINGAMAN will look at and see if we can come up with that. It is not only important to produce these math and science teachers but to keep them in the schools also.

America COMPETES will expand important advanced placement and international baccalaureate, IB, programs by increasing the number of math, science, and foreign languages AP and IB courses and preparing more teachers to teach these challenging courses. This is essential for all States. But take, again, Nevada, where only 6 percent of 12th graders took the AP calculus exam and only 7 percent took the AP science exam.

If signed into law, our bill will do much of what the Augustine Report recommended, but the truth is, in years to come we will have to do even more.

Although we make new and significant investments in research, we still must address our tax structure and make sure we do as much as possible to encourage investment in research and development.

In 1844, this Congress was approached by an individual who said he had a great idea. He could not raise the money in the private sector, but he had an idea that would revolutionize the communications of this country, and in 1844 Congress appropriated $40,000 for a man to build a telegraph line between Washington, DC, and Baltimore, MD. It revolutionized—revolutionized—the communication industry, the telegraph.

The Federal Government is going to have to understand there are times when we have to advance moneys for research and development that cannot come from the private sector. I hope we will look to do it. We should start by finally making the R&D tax credit permanent.

We must also do more in education. The bill strengthens educational opportunities in science, technology, engineering, math, and critical foreign languages, but this, again, is a first step—but it is a big first step.

As an example, we must take a very hard look at our high schools. As Bill Gates has said, and often, our high schools were designed for a 20th century economy and often do not address the needs of the 21st century workforce.

Bill Gates and Melinda Gates now are giving money to schools, school districts, but they have a lot of strings on it. For example, recently they gave money to a New York school district, with this proviso: You can only use this money if you are going to make your schools smaller.

Nevada, again—we have high schools in Nevada that have more than 5,000 students. How in the world can students learn well—and try to make that basketball team—with 5,000 students? Some of the schools are not that big now, but we have many schools in southern Nevada that have over 3,000 students. So the Gates recognize this. We have to recognize this also as part of our problem. The average school in America is about 50 years old.

We should also realize that unless our most basic commitments to America's students are met—by properly funding title I and No Child Left Behind and making a college education accessible and affordable—these efforts alone in this bill cannot prepare our students for the global economy.

The American COMPETES Act is a tremendously important step in maintaining this Nation's competitive advantage. I look forward to doing whatever I can to make this legislation a reality.

I express my appreciation to the Republican leader for joining in this legislation. This is something he and I have talked about now for 3 months since we have assumed our roles in this 110th Congress. We are going to work to make sure this legislation goes forward.

I say to everyone within the sound of my voice, for this legislation there is going to be no cloture motion filed.

We are either going to do this or not do it. This is something we need to do. We need to prove we can do things on a bipartisan basis. And if we cannot do this, Mr. President, we are in real trouble.

So I hope we can move forward on this legislation. I hope it sets a foundation for the first of many items we can do on a bipartisan basis to move this country forward.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I thank my good friend, the majority leader, for his remarks and indicate that even though this is a Reid-McConnell bill, the true inspirations for this measure being on the Senate floor right now are Senator ALEXANDER from Tennessee and Senator BINGAMAN from New Mexico.

They made an extraordinary contribution in pulling together a disparate group of Senators from different committees to produce an extremely important piece of legislation.

The America COMPETES Act is vitally important legislation that this Senate must pass to ensure America retains its competitive edge in the global economy of the 21st century.

This bill, sponsored by my good friend and counterpart on the other side of the aisle, Senator REID, also enjoys broad bipartisan support, as I just indicated. Our two parties' cooperation shows how we can and should work together to accomplish important things for the American people.

The story of this bill began 2 years ago, when Senators ALEXANDER and BINGAMAN, from the Energy Committee, with then-Chairman PETE DOMENICI's blessing, asked the National Academy of Sciences a simple question: What are the top 10 actions that policymakers in Washington could take to keep America in the lead in science and technology for the 21st century?

That was the question. The National Academies turned to leaders of business, government, and academia for an answer, including three Nobel prize winners and a university president who is now the Secretary of Defense.

The respected former CEO of Lockheed Martin, Norm Augustine, headed the panel and produced the report we have all heard so much about, titled ''Rising Above the Gathering Storm.''

Mr. Augustine summed up the problem we face when he wrote in that report:

> In the five decades since I began working in the aerospace industry, I have never seen American business and academic leaders as concerned about this nation's future prosperity as they are today.

However, his report also specifically recommended to us how we attack this problem, and maintain America's lead in science and innovation.

Additional recommendations were made by the Council on Competitiveness and by the President in his American Competitiveness Initiative.

The good news is, boosting the number of rocket scientists—along with mathematicians, engineers, and computer designers—is not rocket science. We currently have the greatest scientific and technological enterprise in the world.

We have the finest system of colleges and universities anywhere. But in many ways we have become complacent, while other countries are catching up.

They see by investing in science and technology and in the education of their citizens, they can attract jobs and create wealth. We must make the same investment in our future if we are to maintain our leadership through this century and beyond in the global marketplace.

This bill, S. 761, will help maintain and improve the competitive edge of the United States over the next century by increasing our investment in basic research, strengthening educational opportunities in science, technology, engineering, and math at all educational levels, and encouraging young people to pursue careers in those fields.

From my home State of Kentucky, that means scholarships for future math and science teachers. It means increased research and development at our State universities, which could lead to new discoveries, new high-tech companies, and, of course, new jobs.

This fall, Kentucky will open the Academy of Mathematics and Science in Kentucky at Western Kentucky University, located in Bowling Green. Thanks to the leadership of Dr. Julia Roberts, director of the Center for Gifted Studies at WKU, the academy will bring together talented high-school students from all over the Commonwealth to study advanced math and science year-round—year-round—for college credit.

This bill will provide Federal support to advanced academies such as the Kentucky Academy throughout the Nation. A good friend of mine at the University of Kentucky, its president, Lee Todd, has also been working for decades to highlight the importance of math, science, and engineering in keeping Kentucky competitive. In a letter he recently sent me, President Todd wrote:

> The National Academies' report ''Rising Above the Gathering Storm'' has the wrong title. The ''storm'' is not gathering—it is already here. . . . We are putting our economic future at risk. We must do better.

Now, President Todd knows what he is talking about. Prior to assuming the presidency of one of the State's flagship institutions of higher learning, he was a highly regarded engineer and successful entrepreneur. He has built technology companies that compete in the global economy, and he understands the challenges we face.

The America COMPETES Act will make it easier for leaders like him to create more opportunities for technical learning and careers. I want to commend him for all the hard work he has done, and I ask unanimous consent his entire letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF THE PRESIDENT,
UNIVERSITY OF KENTUCKY,
Lexington, KY, March 8, 2007.

Hon. MITCH MCCONNELL,
Washington, DC.

DEAR SENATOR MCCONNELL: The ''America COMPETES Act'' provides the visionary investment in education and research America needs, and we appreciate your continued leadership in support of the act. If we are serious about competing in the global economy, we have to pursue bold policy change.

The National Academies' report ''Rising above the Gathering Storm'' has the wrong title. The ''storm'' is not gathering—it is already here. America is not producing enough engineers, scientists, and mathematicians to maintain our role as a world leader in technological advance. We are putting our economic future at risk. We must do better.

The same is true for Kentucky. If we want to recruit and retain knowledge-based businesses, we have to change the way we teach our kids. We must inspire a lot more of them to seek technical careers, and they need to have the skills necessary to fill high-paying jobs and create new ones. That is why I am leading a statewide Task Force on Science, Technology, Engineering, and Math (STEM). We will soon announce recommendations that have much in common with the ''America COMPETES Act.'' Tinkering with Kentucky's current structure will not be enough if we want real and lasting change in math and science education. The time has come for fundamental change.

A second initiative the Task Force will share with the ''America COMPETES Act'' is recognition of the vital role energy education and research play in our future economic and homeland security. Kentucky is well positioned to provide solutions to America's need for energy independence.

Senator McConnell, I want our state to be a national leader in producing STEM graduates and solving America's energy problems. For too long, we have been willing to wait and watch as other states make tough choices that result in progress for them and leftovers for us. Kentucky has that opportunity to lead right now if we are willing to take action. I am ready to work with you in any way I can to move Kentucky and America forward.

Thank you again for your leadership in math and science and your strong and consistent support for the University of Kentucky.

Sincerely,

LEE T. TODD, Jr.,
President.

Mr. MCCONNELL. Finally, Mr. President, I especially want to commend, once again, as I did at the outset of my remarks, my good friend from the neighboring State of Tennessee, Senator ALEXANDER, for his extraordinary leadership in building the case for this legislation, helping to craft its various components, and shepherding it through each stage of the process to this point.

It was Senator ALEXANDER who, 2 years ago, along with Senator BINGAMAN, asked the National Academy of Sciences the question that led to their recommendations, and sparked this entire process.

Their inquiry led to the release of the Academy's report, which made plain for all that the leadership of the United States in science and technology is eroding, with serious consequences for our workers, our jobs, our economy, and our very way of life.

Three different committees contributed titles to this bill—the Energy, Commerce and HELP Committees—so I also want to thank those committees' leaders—Senators INOUYE and STEVENS, Senators DOMENICI and BINGAMAN, and Senators KENNEDY and ENZI—for their cooperation and hard work on this important bipartisan bill.

In a sign of how cooperative their efforts have been, this bill was actually assembled last year when Republicans held the majority, but it was created in such a bipartisan fashion that we are bringing the very same bill up today under a Democratic majority.

That is a credit to the Republican leaders of these three committees, who worked closely with their Democratic counterparts every step of the way to craft this important legislation.

I also want to recognize the efforts of my friend and predecessor as Republican leader, Senator Bill Frist of Tennessee. Senator Frist invested a great deal of time and energy last year to bring these three committees together, and he was the primary sponsor of the bill last year, along with Senator REID.

America has led the world in innovation for over a century. From the light bulb, to the airplane, to the integrated circuit, America has given the world the tools to live happier, easier, and more productive lives.

Now the rest of the world is beginning to catch up. Nations such as China and India are seeing the benefits of brainpower and what it can do to remake their economies.

The America COMPETES Act is the best way to keep more of the jobs of the 21st century right here in America, and the best way to ensure that our children have the skills to keep America at the forefront of innovation and discovery.

Once again, I thank all of my colleagues for working on this comprehensive, bipartisan solution to reinvigorate scientific exploration and invention at home. This bill is an investment in our children, our schools, and in the future of America.

It is a bill this Senate can pass and the President can sign into law. With my colleagues' support, I hope to see exactly that in the very near future.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, first I thank Senator REID and Senator MCCONNELL for their fine statements and their willingness to be the lead in bringing this bill to the floor. It is bipartisan legislation. It is legislation that was developed in the last Congress. We were not able to complete action on it there, so we are trying to do so at this time.

It does represent the work of three committees over the past year. Those are the Energy and Natural Resources Committee, the Commerce, Science and Transportation Committee and, of course, the Health, Education, Labor and Pensions Committee. I am fortunate to serve on two of those committees.

The chairman and ranking member of each of the three committees are cosponsoring this bill. In fact, we now have 57 Members of the Senate who are cosponsoring this legislation, with Senators REID and MCCONNELL as the lead sponsors.

This bill reflects a deep undercurrent of anxiety in this country. It was highlighted recently by the very best-selling book by Tom Friedman called ''The World Is Flat.'' It is also highlighted by the report to which Senator MCCONNELL just referred, the ''Rising Above the Gathering Storm'' report issued by the National Academies of Science and Engineering. Both of these publications highlight a strengthening, worldwide, of the effort in science and technology.

Although we in the United States are still a world leader in these areas, other nations are clearly catching up. Without effort and intervention now, and attention to this issue now, I fear we may lose our edge in high technology areas that are critical to our future economy. The high technology competition has been an ongoing effort and continues and will continue indefinitely.

In the 1980s, during the Cold War, we were about to lose our semiconductor leadership to Japan. Motivated then by national security concerns, the U.S. Government worked with industry to help preserve our domestic chip-making capability. Along with Secretary of Defense Caspar Weinberger and Dr. Bob Noyce, Gordon Moore from Intel, and others, we were able to launch a public-private partnership called Sematech. This partnership developed early phase technologies designed to keep our semiconductor industry competitive.

Sematech was a success. It kept our industry competitive through the 1990s and even today. But the issue we are faced with here in 2007 is even more troubling. India and China and other countries from the former Soviet Union now represent nearly 3 billion new capitalists who are coming at us in a competitive way through the Internet where, in one click, anyone in this country can order a product from anywhere in the world and have that delivered to his or her doorstep. Not only can these countries and entrepreneurs in these countries manufacture at a fraction of the cost that oftentimes is required here in the United States, but in coordination with their Governments they are climbing up the value chain by developing the professional talents in areas such as research and engineering and in telemedicine and in finance—in a whole variety of areas.

We have taken for granted that our Nation would never be displaced in many of these areas. These are areas that represent part of the pillars of our national identity. Many Americans have grown up assuming the United States would always be the leader in high technology, but that is not a foregone conclusion. It is not the simple box fan that is being made in China today that concerns people. It is the sophisticated code from Beijing for enterprise server software or state-of-the-art locomotives and turbines designed in Bangalore when they used to be designed in this country.

The data paints a disturbing picture about the trends with which we are faced. Right now the United States invests about 2.7 percent of its gross domestic product in research and development. That is not bad. It puts us No. 5 in the world in the percentage of our gross domestic product invested in research and development. Yet we are still behind Korea. We are still behind Japan. Both those countries invest over 3 percent of their gross domestic product in research and development.

However, the issue is not to look at the static snapshot that says today we are fifth in this level of effort, but to look at the change in the rate of commitment over time.

Let me do that with a chart here. I have several charts I want to briefly take people through, to make the case for what we are up against. This is the Emerging Economies Rapidly Increasing Research and Development Investments chart. The top line with the orange dots upon it shows the United States and shows we are investing more than other nations. But the bottom line, which, of course, is rising rapidly, is fast-growing economies. Those economies are specifically China, Ireland, Israel, Singapore, South Korea, and Taiwan. So clearly we have a circumstance where the rate of change is not favorable to us. In fact, during this same timeframe, China's research and development per GDP grew from .6 percent to 1.4 percent. That is still well behind us, the United States, but it doubled in slightly more than a half dozen years, at a 7-percent annual growth rate.

The trend line on the chart is self-evident. We need to begin to focus again on this area if we are going to maintain our ability to compete in biotechnology, in semiconductors, in flat panel displays. In some of those areas, particularly flat panel displays, the reality is we no longer compete effectively.

Let me move to a second chart. This second chart shows the widening trade deficit in certain advanced technologies, in areas such as semiconductors, pharmaceuticals, and telecommunications. As the sophistication of the imports we bring into this country increases, so will the sophistication of the research and development that is needed to support this type of manufacturing. You can see this orange line here, which represents the trade balance in advanced technology. You can see that up until somewhere around 2000, or the late 1990s, we had a very positive balance of trade with regard to advanced technology products. Since then, the line has been going down and going down rapidly. This is a concern which all of us should focus on, and this legislation is designed to address this concern head on.

The third chart shows the average science literacy score of 15-year-old students by country. This is very hard to read. Unfortunately, the lettering is too small. But the main point can be understood. These, of course, are the future scientists and engineers in the world, young people on whom we depend to become future scientists and engineers and innovators. Obviously, we are concerned that the United States ranks way down here on the chart compared to 15-year-old students in all of these countries above us: Japan, South Korea, Australia, Netherlands, Czech Republic, New Zealand, Canada, Switzerland, France, Belgium, Sweden, Ireland, Hungary—you can follow on down. We come in right behind Iceland. We need to do better. I think

everyone in this country who is concerned about the future of our economy and the future of our children knows we need to do better by those children and provide a better opportunity for them to compete in this world.

Let me move to the fourth chart. If we look further up the pipeline of future innovators, the news is not that much better. This chart shows the fraction of United States undergraduates who receive science and engineering degrees, so you can see that at least three times more college students graduate with science and engineering degrees in China each year than in the United States. This is not a favorable trend either. Obviously, there are more people in China. But our ability to compete in the world, to a substantial extent, is going to depend on how many people we can train and equip to compete in this science and competition.

The fifth chart I have here relates to trained scientists and engineers. This shows that China now produces almost as many Ph.D.'s as the United States. Again, the trend is the disturbing part of this chart. It is not that China is producing nearly as many doctoral degrees in the natural sciences and math and engineering as is the United States today. That is a fact but one that does not cause great concern. The concern is that we were dominant in this area and have been for a very long time. Now that has changed very dramatically. Universities in these other countries are first-class universities and people need to focus on that. Universities such as Tsinghua, in China, are very high quality. If they turn out a Ph.D. in engineering or science or the natural sciences in these schools, those individuals are world-class scientists in their fields.

There is a 1995 quote by Alan Greenspan that sums up the importance of investment in research and development and education:

> 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.

Much of the prosperity we have enjoyed and have come to expect has been the result of the focus we have had on science and engineering in our history.

The final chart I have here is one from ''The Economist.'' It is based on the 2006 work that was done by three individuals at the Federal Reserve. It deals with this broad category of so-called intangible assets, assets such as research and development, information technology, even finance.

Basically what it says is, as a percentage of gross domestic product, there is a very large amount of our gross domestic product that is tied to these so-called intangible assets. They now account for nearly 11 percent of our gross domestic product—that is $3.1 trillion in 2003. In other words, growth that is attributed to such areas is absolutely crucial to our overall economy—again, another reason why we need to be concerned about this issue.

With this background, let me briefly talk about what is in the bill before I defer to my colleague here, Senator ALEXANDER. In the Energy and Natural Resources Committee, the portion of the bill that was developed out of that committee, we do several things. First, we create a director for math and science education in the Department of Energy whose job it is to coordinate math and science education, departmentwide. The director would report to the Under Secretary for Science in the Department of Energy.

Next, we would significantly increase funding for the Department of Energy's Office of Science to match the multiyear funding profile of the President's advanced competitiveness initiative which he presented to us here this year.

Third, the bill proposes to create an Advanced Research Projects Agency for Energy, to translate basic research that is carried out in the Office of Science into solutions for critical problems facing the applied energy programs in the Department.

Examples of such problems would include hydrogen fuel storage using new materials or applying nanoscience to a new generation of solid-state lights.

The bill will also address broader themes related to math and science education. According to the National Academy of Sciences, the technical building blocks of our Nation's economic strength have been eroding for a time. We need to produce students who are prepared to meet the challenges of the 21st century. That means more attention to math and science education.

America COMPETES contains a number of important provisions to improve K–12 math and science education, strengthen science and math skills of our teaching workforce. I know Senator REID talked eloquently about that need and, of course, the commitment our former colleague, Paul Simon, had to progress in that area.

First, it provides incentives for universities to systematically change the way they prepare teachers to teach math and science. The legislation provides grants to universities to integrate the teacher preparation programs with rich content subject matter in math and science, develop bachelor's degree programs in math and science with concurrent teacher certification, as well as master's degree programs in math and science for people who are currently teaching in our schools.

Second, to make these programs attractive to students who are inclined to study these subjects—math, science, and engineering—the legislation significantly expands the National Science Foundation scholarships for students to become math and science teachers.

The legislation significantly expands opportunities for teachers to strengthen their math and science skills. The bill increases training for teachers to become qualified to teach advanced placement courses and international baccalaureate courses in math and science. The bill provides significant training opportunities for teachers at both the National Science Foundation, as well as our National Laboratories, and there I think some of the summer programs Senator REID was talking about are intended to take place at our universities, at our laboratories. Clearly, he is right in saying we need to provide the financial wherewithal so that teachers can take advantage of these programs and can upgrade their knowledge and then give that knowledge to their students the next school year.

Further, the legislation provides grants to States to promote better alignment of elementary and secondary education with the knowledge and skills needed for success in postsecondary education and in the 21st century workforce.

The bill significantly increases funding for the National Science Foundation, essentially doubling that budget in 5 years, while ensuring that the math and science education programs that are in the National Science Foundation increase at the same rate as the overall budget increases.

The bill helps manufacturers by increasing funding for the National Institute of Standards and Technology, or NIST, by 33 percent over 4 years.

As I have said many times, this America COMPETES bill is only an authorization bill. The hard part, obviously, is going to be providing the funds to carry out the programs in this bill to meet these authorization targets we have set.

In this regard, we were successful just a month or so ago, with Senator ALEXANDER's good help, in adopting an amendment in the Senate which was an amendment to the budget resolution. It was adopted 71 to 1 to provide $1 billion in additional leeway or additional opportunity to meet the President's request in the areas of funding for the Department of Energy's Office of Science, the National Science Foundation, and NIST. Because of that amendment to the budget resolution, virtually all of the authorization we are calling for in this legislation will be permitted to be appropriated this year, and that is very good news.

This bill is a good bill. It is bipartisan. Like most bipartisan bills, it is the product of much negotiation. Many competing views, many competing interests have had a chance to be heard.

I am proud of the way this bill has come together. Our staffs deserve great credit for the hard work they have put into this legislation.

I particularly commend Senator ALEXANDER. He is the person who got this initiative started and came to me initially and said: Let's do this letter to the National Academies and see if they will do a study and tell us what are the most important things we can do in this country to keep this country competitive in world markets. That is what

then led to the Augustine Commission report and, of course, that combined with the other reports that came forward—and there were several other very useful reports—that have gotten us to this point. Senator ALEXANDER deserves particular credit for the success we have had so far.

I hope all colleagues will look seriously at this legislation and will support the effort to move ahead with it. This is authorizing legislation. In doing the appropriations bills that will come to the floor later this year, we still will have an opportunity to debate the specific funding levels for some of these programs. This sets out a framework for progress which can be very beneficial to this country and a framework which is long overdue.

I urge my colleagues to support the legislation.

I yield the floor. I know my colleague from Tennessee wishes to speak at this time.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from New Mexico. No one in the Senate on either side of the aisle has been more consistent or more effective in advancing our Nation's position in science and technology. He is also a delight to work with. It is rare to have a chance to work across the aisle in the way we have the last couple of years, not only on this legislation, but Senator BINGAMAN, for example, noticed that we were losing our edge in world-class computing. He saw that because of a visit to Japan. He came to me, and we worked together to try to restore that edge. He constantly is doing that in a quiet and effective way. It is a pleasure to work with him.

I also thank the majority leader, Senator REID, and the Republican leader, Senator MCCONNELL. Senator BINGAMAN and I went to see the majority leader 2 years ago when he was the minority leader. We asked him to do exactly what he has done. He and Senator Frist did. They created an environment in which this bill had a chance to succeed. Then Senator MCCONNELL stepped right up, following Senator Frist's tremendous help and leadership in this effort, and it is fairly remarkable that we worked so evenly together in the last Republican Senate on this bill that the legislation was introduced in the Democratic Senate in the same way because we worked together on it and, hopefully, that has produced a better result.

I begin my remarks with a story. Last August, a group of Senators went to China. We were led by two of our most distinguished Members, Senator STEVENS and Senator INOUYE, the two leaders of the Commerce Committee and two of the major contributors to this legislation. Those two Senators were very well received in China. Senator INOUYE, of course, is a Congressional Medal of Honor winner from World War II, and Senator STEVENS was a Flying Tiger. He flew the first cargo plane into Beijing toward the end of World War II. So he was very well received in China.

As a result, we had a chance to meet with the senior leaders of China in a way most Americans had not to that time. We spent an hour with President Hu. We spent another hour with the No. 2 leader in China, Mr. WU, who is chairman of the National People's Congress.

We talked about the issues one would expect an American delegation of a dozen Senators would talk about with the leaders of China. We talked about their military posture. We talked about North Korea. We talked about Iraq. We talked about Iran. But, Mr. President—I can still see this—in both of the meetings we had, one with Mr. Hu, the second with Mr. WU, there was one subject about which those two leaders of China were most animated, and that was the subject we are discussing today: how to develop China's brain power advantage so they can create more good, new jobs in China. That was the subject they really wanted to talk about.

President Hu had gone to the Chinese Academy of Sciences and the Chinese Academy of Engineering just a month earlier in July. He assembled them in the Great Hall of the people. He outlined a new 15-year plan to make China a technology leader in the world.

In his speech, President Hu said China must ''promote a huge leap forward in science and technology. We shall put strengthening independent innovation capability at the core of economic structure adjustment.''

Anyone who follows China knows that when their leaders talk about leaps forward, it is a pretty big deal. President Hu's new plan appears more likely to succeed and includes reforming China's universities and massively investing in new research.

We regularly see stories of how Chinese-born academicians, some of our most distinguished faculty members at our major universities, are now accepting invitations to go back to China, their homeland, and create great universities there. There are a lot of people here—one-half of the Nobel Prize winners in physics who are American are immigrants or the sons and daughters of immigrants.

So China is serious about this plan. Mr. Hu said:

> We all bear the time-honored mission to provide strong scientific support for the construction of a well-off society by improving our independent innovation capability and building an innovative country. I hope that our scientists and technicians will strive hard to make our brilliant achievements and constantly contribute to our country and our people.

Those are the leaders of China. They know what to do.

The United States has a remarkable position. As Senator BINGAMAN said, Senator REID said, and Senator MCCONNELL said, we don't want to take it for granted because we can't. But let's stop and think about where we are. This huge brain power advantage we have in the United States of America has given us a situation in which we produce about 30 percent of the gross national product in the world in for about 5 percent of the people. About 30 percent of all the dollars, volume in the world this year is being produced in this country, a country that only includes 5 percent of the people. How does that happen? The United States has a number of advantages: its location, its resources, the great diversity we have here, the fact we have turned all that diversity into one country. But when we look at all of our advantages—and I should quickly put the great entrepreneurial engine we have here, the fact that if you want to come to a big country and start from scratch and create a company—and I have had the privilege to help do that in the private sector—this is the place to do it. But when you look at our major advantage, it is our brainpower.

No other country has had the broad system of education we have had. No other country has the large number of great research universities the United States of America has. No other country has the great National Laboratories we have. As a result, over the last century, especially since World War II, no other country has come close to turning its brainpower advantage into jobs, into dollars, into a high standard of living for a large number of people, and the rest of the world sees that. They see it on television. They see it on the Internet. They see it because more than half a million students from around the world, many of the brightest men and women in the world, come here to our universities, and they see what we have been able to do, and they say: Why can't we do this at home in China? Why can't we do this at home in India? Why can't we do this in Ireland? And they are doing it. We are glad they are doing it. We want them to have a high standard of living, too. The more money they make, the more goods they can buy from the United States of America. So we encourage that activity.

It also spreads our democracy, our ideals. We go to Thailand or some other country, and we find the Minister of Agriculture is a graduate of the University of Tennessee. He has learned here. He goes there and teaches about agriculture, and he promotes our ideas. Our higher education system has probably been the most effective foreign aid we have ever invested in, just those half million students who go there.

However, we are at risk of losing our brainpower advantage. If we lose our brainpower advantage, we lose our advantage and our standard of living. In other words, in plain English, we don't have as much money in our pockets, we don't have as many good jobs, and our families don't have the kind of prosperity many have come to take for granted. That is what this piece of legislation is about.

We talk a lot about outsourcing jobs, about growing new jobs. Well, this is the way to keep good new jobs in the United States and to grow them. When a graduate of a university, such as the student at the University of Maryland—I think he dropped out, actually—a foreign student—creates Google, that creates thousands and thousands of new jobs in the United States, as Thomas Edison did years ago, as Bill Gates did more recently, and as thousands of entrepreneurs do every day. It takes the brainpower advantage to create the job and it takes the brainpower advantage to work at the facility or the plant that has the jobs.

That is why, toward the end of a long Budget Committee hearing 2 years ago, I was getting a little depressed listening to what I heard about the numbers. According to the budget 2 years ago, and the budget last year, and the budget this year, we are on an unsustainable course in terms of being able to pay for Medicare and Medicaid. So the question came to me: Well, if we are going to squeeze out everything else in order to pay for Medicare and Medicaid and other programs, the war in Iraq, then how are we going to invest in this great engine of brainpower that creates the money that pays all the bills? I struggled with this as the Governor of Tennessee. I was trying to raise our standard of living in Tennessee. We were the third poorest State 25 years ago when I became Governor, based on family incomes. We already had low taxes. We had a right-to-work law. We needed to change some rules about the usury limit in banking. We needed to add a new four-lane highway system. All those were progrowth. But the most progrowth action I discovered we could take was to improve our colleges and our universities and our research facilities. That is progrowth.

As a result of better schools, better colleges, and better universities, combined with our other advantages, we moved ahead in our State. Better schools meant better jobs. Better colleges and universities mean better jobs. More research means better jobs. So we are talking today about better jobs—progrowth.

We better realize as well that we have some pretty big bills to pay. Last year, we spent $237 billion on debt, $378 billion on Medicare, $545 billion on Social Security, $70 billion or more on hurricanes, and we are spending about $4 billion a week on Iraq. What this legislation does is authorizes $4 billion a year over the next 4 years. As Senator BINGAMAN said, we made room for it in the budget this year to create and encourage and continue to push ahead this brainpower engine that creates the money to pay for all these necessary and urgent needs we have, these priorities we have. This is a progrowth piece of legislation.

I would say this may be the most important piece of legislation the Congress considers in this 2-year session. If it is not the most important piece of legislation, there is certainly no more important subject to most American families than: How do I keep money in my pocket to pay my bills? How do we keep our jobs from going to India and China? How do we keep our economic advantage? How do we come close to continuing to be the country that produces 30 percent of all the money in the world for only 5 percent of the people? That is why, at the end of that Budget Committee hearing I mentioned a little earlier, I literally walked down the street to the National Academy of Sciences and asked them, on behalf of Senator BINGAMAN and myself, with the approval of Senator DOMENICI, the chairman of our committee, and with the endorsement of Representatives BOEHLERT and GORDON in the House of Representatives—I said: Most ideas in Washington fail for lack of the idea. You are here at the end of a long day in the National Academies. You are supposed to be our advisers. So let me ask you a question: Why don't you tell us the 10 most important things we can do, in priority order, to keep our brainpower advantage? I said to them: I am merely one Senator, but I will bet if you do that, we will do it. We will take your advice.

The National Academy of Sciences and of Engineering and the Institute of Medicine formed an immediate group. They asked Norm Augustine, the former chief executive officer of Lockheed Martin and a member of the National Academy of Engineering, to chair the group. He turned to 21 distinguished Americans who know a lot about the world and our country, Craig Barrett, chairman of the board of Intel; Steven Chu, cowinner of the Nobel prize in physics and Director of Lawrence Berkeley National Laboratory; Robert Gates, who was then head of Texas A&M and now is the Secretary of Defense, and a number of others; the former head of MIT, Peter O'Donnell, a Texas businessman who has worked on AP courses, and they did this report: ''Rising Above The Gathering Storm.'' They didn't make 10 recommendations, they made 20, and they made them in priority order. Their priorities began with K–12 education. They went next to engineering and research. They went next to higher education. They went next to incentives for innovation.

At that point, we formed a bipartisan group of Senators and began to have what we called ''homework sessions'' with the various agencies of the Federal Government that had jurisdiction over these programs and the areas where the programs would fit. We also recognized that Senator LIEBERMAN, Senator ENSIGN, and others had been working hard with the Council on Competitiveness, and they had similar recommendations. We also acknowledged that Senators HUTCHISON, BOND, and MIKULSKI had for many years been advocating various aspects of these programs, so we tried to integrate all of this into a whole. That produced a long piece of legislation that had to make its way through five different committees, but it attracted 70 sponsors last year—35 Democrats, 35 Republicans. The Republican leader, Senator Frist, and the Democratic leader, Senator REID, were the principal sponsors of the bill.

Senator BINGAMAN has done a good job of outlining most of the provisions of the bill, so I will, in a few minutes, put those into the record, but there is no other piece of legislation during the past 2 years that was so broadly recommended by disinterested groups outside of the Senate and the House, that has been worked on by so many Senators here, and that has moved forward in the way this has. Making this even more remarkable is not only was it introduced by the Democratic and Republican leaders, it has been brought directly to the floor for debate. So what we hope is our colleagues will carefully read the bill, bring their amendments to the floor, and maybe we can operate in an old-fashioned way here. Maybe we can consider the amendments, or the improvements, debate them, vote on them, go to the next amendment, and then after we have finished with that, have a vote on whether to pass the bill, which I believe we will. I think we have a good chance of doing that.

Mr. President, I wish to now insert into the RECORD a few items that are important for our colleagues and those who are following this debate, so I ask unanimous consent that following my remarks a ''Dear Colleague'' letter of April 10, written by Senator REID and Senator MCCONNELL to all of our colleagues, signed by the chairmen and Democratic and Republican leaders of the three major committees which contributed to this, and which produced 50 cosponsors—we hope there will be more by next week—be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a two-page summary of the America COMPETES Act be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 2.)

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a list of the cosponsors of the America COMPETES Act, the 50 cosponsors, as it stands today, be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 3.)

Mr. ALEXANDER. Finally, Mr. President, I ask unanimous consent that a section-by-section analysis of the America COMPETES Act be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 4.)

Mr. ALEXANDER. Mr. President, we will have plenty of time to debate this next week, so I will reserve most of my comments until then, but let me reiterate some of the major provisions that are here. As Senator BINGAMAN said, this is only an authorization bill. It is permission to establish programs, but it is backed up by an amendment to the Budget Act which creates room in the appropriations bill to pay for these programs.

Here is what we intend to do: Double funding for the National Science Foundation; set the Department of Energy's Office of Science on track to double its funding; strengthen the skills of thousands of math and science teachers by establishing training and education programs at summer institutes hosted by the national laboratories; and by increasing support for teacher institutes for programs at the National Science Foundation.

These are the kinds of programs that Senator REID, the majority leader, was talking about.

Expand the teacher scholarship programs at NSF; help establish academies for math and science in the various States.

North Carolina has had one for a long time, and 20 years ago, when I was Governor, I went to see if Tennessee could create one. We decided we didn't have the money to do it, so we created a summer Governor's school, which turned out to be a good idea, where outstanding students from math and science could go to the University of Tennessee for 4 weeks in the summer. The faculty loves it, the students love it, and they participate in the Oak Ridge Laboratory. They go back fired up into their classrooms, and the teachers are fired up as well. Our Governor Bredesen wants to create a summer school for math and science, and he has started on a modest basis, but this will help him expand that.

We will expand advanced placement in international baccalaureate programs by increasing the number of teachers who are trained to teach math, science, and foreign languages. This would allow thousands of new students to take these courses. The AP courses, as we call them, are a good track to college, and college is a good track to success. Those students are the ones who will help create the jobs to keep our high standard of living. But we have a lot of students, many of them lower income, who don't take these courses and who easily could. So we will help pay for their tests, and we will train more teachers so they can be taught, and we will see that three or four times more students will be able to do this.

These programs weren't picked out of thin air. This group of distinguished Nobel laureates, university presidents, and business leaders spent their summer 2 years ago reviewing many programs. For example, the AP program comes from a Texas program which has been successful for 10 years. They picked the 20 best ideas in priority order from among hundreds of ideas. This is not merely a group of Senators and Congressmen picking our best friend's favorite program. We all have one of those. This is the National Academies of Sciences and Engineering and the Institute of Medicine reviewing hundreds of programs with a distinguished panel in answering our question exactly what do we need to do to keep our brainpower advantage, and they say here are the first 20 things you ought to do.

Not in this legislation are other provisions that were part of this report and that were acted on in the last Congress. One was the temporary extension of the research and development tax credit. It should be made permanent. Another are several provisions for attracting and keeping in this country talented professionals from overseas. These 500,000 foreign students who are here include some of the brightest students from China, some of the brightest students from India, some of the brightest from around the world. They are going to create jobs somewhere. We would like for them to stay and create jobs here, yet our archaic immigration laws prevent that. They require these students to swear they are going home before they come. They make it hard for them to stay once they get here.

So the Senate, last year, in debating the immigration bill, adopted three of the provisions from this report. One, for example, pins a green card on any foreign student who gets a graduate degree in math, science, engineering and technology so that person can stay here and create jobs for us here.

I am hopeful when we get to the immigration legislation within a few weeks that we will do at least that much to change our archaic immigration laws and allow those students to stay here and create jobs for us. We talk a lot about outsourcing jobs. This would be insourcing brain power, and we would be smart to do it.

I particularly thank our staffs, and we will do this specifically by name next week. This is a complex bill with many different parts, as the section-by-section analysis shows. They have worked evenly to try to make this a well-crafted bill. We have more work to do.

I conclude by again thanking the Democratic and Republican leaders, Senator BINGAMAN, Senator DOMENICI, especially, who was chairman of our committee last year, STEVENS and INOUYE, ENZI and KENNEDY, ENSIGN and LIEBERMAN, BOND, HUTCHISON, CHAMBLISS, MURKOWSKI, and MIKULSKI—all of these Senators made major contributions. I am sure they will be on the Senate floor next week to address this legislation and to support it.

We are talking about keeping our brain power advantage so we keep our jobs. We are talking about a country that has grown accustomed to 30 percent of all of the money in the world being produced each year with just 5 percent of the people, and we are saying, unless we take at least these steps, that won't continue.

EXHIBIT 1

U.S. SENATE,
Washington, DC, April 10, 2007.

DEAR COLLEAGUE: We are writing to invite you to cosponsor the America COMPETES Act; a bipartisan bill to help America maintain its edge in science, technology, engineering, and mathematics in an increasingly competitive global economy. An earlier version of this bill was introduced in the final days of the 109th Congress as S. 3936.

The America COMPETES Act is based upon recommendations from both the national Academies' ''Rising Above the Gathering Storm'' report and the Council on Competitiveness' ''Innovate America'' report. It contains revised versions of the legislation approved by both the Senate Energy and Commerce Committees [from the 109th Congress] in response to those recommendations: S. 2197, the PACE–Energy bill, and S. 2802 the American Innovation and Competitiveness bill, which were reported without opposition to the Senate floor. The bill also includes provisions developed by the bipartisan leadership of the HELP Committee to improve science, technology, engineering, mathematics, and critical foreign language skills.

The competitiveness package would significantly increase the federal investment in basic research, foster and innovative infrastructure, improve the teaching of math, science, engineering and technology to our children, and encourage the brightest minds to pursue careers in these fields. Among other provisions, the bill would: Double the investment in basic research at the national Science Foundation (NSF), the National Institutes of Standards and Technology (NIST), and the Department of Energy's Office of Science (DOE–SC) over five to ten years; Improve teacher training in math and science, through summer institutes hosted by the NSF and the DOE–SC and grants to increase university degree programs that combine math and science study with concurrent teacher certification; and Increase support for Advanced Placement programs to expand access for low income students to take and succeed in college preparatory courses.

This bill alone will not secure American leadership in the decades to come. But it is a critical first step toward protecting our competitive position in the world. We hope you will join us in this effort and cosponsor this bipartisan legislation.

Sincerely,

Harry Reid, Majority Leader; Jeff Bingaman, Chairman, Committee on Energy and Natural Resources; Daniel K. Inouy, Chairman, Committee on Commerce, Science, and Transportation; Edward M. Kennedy, Chairman, Committee on Health, Education, Labor, and Pensions; Joseph I. Lieberman, U.S. Senator; Barbara A. Mikulski, U.S. Senator; Bill Nelson, U.S. Senator; Mitch McConnell, Republican Leader; Pete V. Domenici, Ranking Member, Committee on Energy and Natural Resources; Ted Stevens, Vice-Chairman, Committee on Commerce, Science, and Transportation; Michael B. Enzi, Ranking Member, Committee on Health, Education, Labor, and Pensions; John Ensign, U.S. Senator; Lamar Alexander, U.S. Senator; Kay Bailey Hutchison, U.S. Senator.

EXHIBIT 2

SUMMARY OF THE ''AMERICA COMPETES ACT''

The ''America COMPETES Act'' is a bipartisan legislative response to recommendations contained in the National Academies' ''Rising Above the Gathering Storm'' report and the Council on Competitiveness' ''Innovate America'' report. The bill is similar to the ''National Competitiveness Investment Act'' that Senators Frist, Reid, Stevens, Inouye, Domenici, Bingaman, Enzi, Kennedy, Ensign, Lieberman, Alexander, Mikulski, Hutchison, and others introduced in September 2006. Several sections of the bill are derived from proposals contained in the ''American Innovation and Competitiveness Act of 2006'' (S. 2802), approved without opposition by the Senate Commerce Committee, and the ''Protecting America's Competitive Edge Through Energy Act of 2006'' (S. 2197) approved without opposition by the Senate Energy Committee last year. Accordingly, the America COMPETES Act focuses on three primary areas of importance to maintaining and improving United States' innovation in the 21st century: (1) Increasing research investment, (2) strengthening educational opportunities in science, technology, engineering, and mathematics from elementary through graduate school, and (3) developing an innovation infrastructure. More specifically, the America COMPETES Act would:

INCREASE RESEARCH INVESTMENT BY:

Doubling funding for the National Science Foundation (NSF) from approximately $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.

Establishing the Innovation Acceleration Research Program to direct federal agencies funding research in science and technology to set as a goal dedicating approximately 8 percent of their Research and Development (R&D) budgets toward high-risk frontier research.

Authorizing the National Institute of Standards and Technology (NIST) from approximately $703 million in Fiscal Year 2008 to approximately $937 million in Fiscal Year 2011 and requiring NIST to set aside no less than 8 percent of its annual funding for high-risk, high-reward innovation acceleration research.

Directing NASA to increase funding for basic research and fully participate in interagency activities to foster competitiveness and innovation, using the full extent of existing budget authority.

Coordinating ocean and atmospheric research and education at the National Oceanic and Atmospheric Administration and other agencies to promote U.S. leadership in these important fields.

STRENGTHEN EDUCATIONAL OPPORTUNITIES IN SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, AND CRITICAL FOREIGN LANGUAGES BY:

Authorizing competitive grants to States to promote better alignment of elementary and secondary education with the knowledge and skills needed for success in postsecondary education, the 21st century workforce, and the Armed Forces, and grants to support the establishment or improvement of statewide P–16 education longitudinal data systems.

Strengthening 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.

Expanding the Robert Noyce Teacher Scholarship Program at NSF to recruit and train individuals to become math and science teachers in high-need local educational agencies.

Assisting States in establishing or expanding statewide specialty schools in math and science that students from across the state would be eligible to attend and providing expert assistance in teaching from National Laboratories' staff at those schools.

Facilitating the expansion of Advanced Placement (AP) and International Baccalaureate (IB) programs by increasing the number of teachers prepared to teach AP/IB and pre-AP/IB math, science, and foreign language courses in high need schools, thereby increasing the number of courses available and students who take and pass AP and IB exams.

Developing and implementing programs for bachelor's degrees in math, science, engineering, and critical foreign languages with concurrent teaching credentials and part-time master's in education programs for math, science, and critical foreign language teachers to enhance both content knowledge and teaching skills.

Creating partnerships between National Laboratories and local high-need high schools to establish centers of excellence in math and science education.

Expanding existing NSF graduate research fellowship and traineeship programs, requiring NSF to work with institutions of higher education to facilitate the development of professional science master's degree programs, and expanding NSF's science, mathematics, engineering and technology talent program.

Providing Math Now grants to improve math instruction in the elementary and middle grades and provide targeted help to struggling students so that all students can master grade-level mathematics standards.

Expanding programs to increase the number of students from elementary school through postsecondary education who study critical foreign languages and become proficient.

DEVELOP AN INNOVATION INFRASTRUCTURE BY:

Establishing a President's Council on Innovation and Competitiveness to develop a comprehensive agenda to promote innovation and competitiveness in the public and private sectors.

Requiring the National Academy of Sciences to conduct a study to identify forms of risk that create barriers to innovation.

EXHIBIT 3

COSPONSORS, ALPHABETICAL

[* = original cosponsor]

Sen Alexander, Lamar [R–TN]—3/5/2007*; Sen Bennett, Robert F. [R–UT]—4/19/2007; Sen Biden, Joseph R. [D–DE]—4/18/2007; Sen Bingaman, Jeff [D–NM]—3/5/2007*; Sen Brown, Sherrod [D–OH]—3/15/2007*; Sen Cantwell, Maria [D–WA]—3/5/2007* Sen Cardin, Benjamin L. [D–MD]—4/18/2007; Sen Carper, Thomas R. [D–DE]—3/5/2007* Sen Chambliss, Saxby [R–GA]—3/7/2007; Sen Clinton, Hillary Rodham [D–NY]—3/5/2007* Sen Cochran, Thad [R–MS]—4/17/2007; Sen Coleman, Norm [R–MN]—3/5/2007*; Sen Collins, Susan M. [R–ME]—3/14/2007; Sen Cornyn, John [R–TX]—3/5/2007*; Sen Craig, Larry E. [R–ID]—3/5/2007*; Sen Demenici, Pete V. [R–NM]—3/5/2007*; Sen Durbin, Richard [D–IL]—3/6/2007; Sen Ensign, John [R–NV]—3/5/2007*; Sen Enzi, Michael B. [R–WY]—3/5/2007*; Sen Feinstein, Dianne [D–CA]—3/6/2007; Sen Hagel, Chuck [R–NE]—3/29/2007; Sen Hutchison, Kay Baily [R–TX]—3/5/2007*; Sen Inouye, Daniel K. [D–HI]—3/5/2007*; Sen Isakson, Johnny [R–GA]—3/29/2007; Sen Kennedy, Edward M. [D–MA]—3/5/2007*; Sen Kerry, John F. [D–MA]—3/5/2007*; Sen Klobuchar, Amy [D–MN]—3/14/2007; Sen Kohl, Herb [D–WI]—3/5/2007*; Sen Landrieu, Mary L. [D–LA]—3/5/2007*; Sen Lautenberg, Frank R. [D–NJ]—3/8/2007; Sen Levin, Carl [D–MI]—4/19/2007; Sen Lieberman, Joseph I. [ID–CT]—3/5/2007*; Sen Lott, Trent [R–MS]—4/18/2007; Sen Lugar, Richard G. [R–IN]—3/5/2007*; Sen Martinez, Mel [R–FL]—3/5/2007*; Sen McCaskill, Claire [D–MO]—3/8/2007; Sen McConnell, Mitch [R–KY]—3/5/2007*; Sen Menendez, Robert [D–NJ]—3/5/2007*; Sen Mikulski, Barbara A. [D–MD]—3/5/2007*; Sen Murkowski, Lisa [R–AK]—3/5/2007*; Sen Nelson, Bill [D–FL]—3/5/2007*; Sen Nelson, E. Benjamin [D–NE]—4/19/2007; Sen Obama, Barack [D–IL]—3/5/2007*; Sen Pryor, Mark L. [D–AR]—3/5/2007*; Sen Roberts, Pat [R–KS]—3/5/2007*; Sen Rockefeller, John D., IV [D–WV]—3/5/2007*; Sen Salazar, Ken [D–CO]—3/5/2007*; Sen Smith, Gordon H. [R–OR]—3/5/2007*; Sen Stabenow, Debbie [D–MI]—4/19/2007; Sen Stevens, Ted [R–AK]—3/5/2007*; Sen Voinovich, George V. [R–OH]—3/5/2007*; and Sen Warner, John [R–VA]—3/5/2007*.

EXHIBIT 4

THE AMERICA COMPETES ACT

SECTION-BY-SECTION ANALYSIS

Section 1. Short Title

Section 1 would provide that the legislation be cited as the ''America COMPETES Act.''

Section 2. Organization of Act into Divisions; Table of Contents

Section 2 would organize the legislation into four divisions. Division A would contain sections related to commerce and science; Division B would contain sections related to the Department of Energy; Division C would contain sections related to education; Division D would contain sections related to the National Science Foundation. This section would also provide a Table of Contents for the legislation.

DIVISION A—COMMERCE AND SCIENCE

Section 1001. Short Title

This section would provide that this division may be cited as the ''American Innovation and Competitiveness Act''

TITLE I—OFFICE OF SCIENCE AND TECHNOLOGY POLICY; GOVERNMENTWIDE SCIENCE

Section 1101. National Science and Technology Summit

This section would require the President to convene a National Science and Technology Summit within 180 days of enactment to evaluate the health and direction of nation's science and technology enterprise and to identify key research and technology challenges and recommendations for research and development investment over the next five years as a result of the summit.

Section 1102. Study on Barriers to Innovation

Section 1102 would require the Director of the Office of Science and Technology Policy to enter into a contract with the National Academy of Sciences to conduct a study to identify forms of risk that create barriers to innovation one year after enactment and four years after enactment. The study is intended to support research on the long-term value of innovation to the business community and to identify means to mitigate risks presently associated with such innovation activities.

Section 1103. National Innovation Medal

Section 1103 amends Section 16 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3711) to rename the ''National

Technology Medal'' as the ''National Technology and Innovation Medal.''

Section 1104. Release of Scientific Research Results

Section 1104 would require the Director of the Office of Science and Technology Policy (OSTP), in consultation with the Director of the Office of Management and Budget and the heads of all federal civilian agencies that conduct scientific research to develop and issue a set of principles for the communication of scientific information by government scientists, policy makers, and managers to the public within 90 days after the date of enactment of this Act. It is based upon recommendations from the National Science Board's review of the policies of federal science agencies concerning the suppression and distortion of research findings and their impact on the quality and credibility of all future government-sponsored scientific research results.

Section 1105. Semiannual Science, Technology, Engineering, and Mathematics Days

Section 1105 expresses a Sense of Congress that OSTP should encourage all elementary and middle schools to observe a Science, Technology, Engineering and Mathematics Day twice in every school year for the purpose of facilitating the interaction of science, technology, engineering, and mathematics mentors and grade school students. This section also expresses a Sense of Congress that OSTP should encourage involvement of federal employees, the private sector and institutions of higher learning in such days.

Section 1106. Study on Service Science

Section 1106 would express a Sense of Congress that the Federal Government should better understand and respond strategically to the emerging management and learning discipline known as, ''service science.''

Subsection (b) would require the Director of OSTP, through the National Academy of Sciences, to conduct a study on how the Federal Government should best support service science through research, education, and training.

TITLE II—INNOVATION PROMOTION

Section 1201. President's Council on Innovation and Competitiveness

Section 1201 requires the President to establish a President's Council on Innovation and Competitiveness to develop a comprehensive agenda to promote innovation in the public and private sectors. The Council, which could be constituted by designating an existing body to perform its functions, would include the Secretaries of Commerce, Defense, Education, Health and Human Services, Homeland Security, Labor, and Treasury along with the heads of the National Aeronautics and Space Administration, the Securities and Exchange Commission, the National Science Foundation, the Office of the United States Trade Representative, the Office of Management and Budget, the Office of Science and Technology Policy, the Environmental Protection Agency, and other relevant federal agencies involved in innovation. As the President's Council on Innovation and Competitiveness develops a comprehensive agenda for strengthening innovation and competitiveness it should the consult with advisors from the private sector, labor, scientific organizations, academic organizations, and other nongovernmental organizations working in the area of science or technology.

Section 1202. Innovation Acceleration Research.

Section 1202 would require the President, through the head of each federal research agency, to establish the ''Innovation Acceleration Research Program'' to support and promote innovation in the United States by requiring each department or agency that sponsors scientific research to set as a goal 8% of its annual research budget to be directed towards innovation acceleration research.

TITLE III—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Section 1301. NASA's Contribution to Innovation

Section 1301 would direct that NASA be regarded as a full participant in interagency activities to promote competitiveness and innovation and to enhance science, technology, engineering and mathematics education. It would identify NASA's balanced science program as an essential part of NASA's contribution to innovation in and the economic competitiveness of the United States and that funding NASA at the levels authorized in the NASA Authorization Act of 2005 (P.L. 109–155) would enable NASA's programs to contribute to U.S. innovation and competitiveness.

Section 1302. Aeronautics Institute for Research

Section 1302 would consolidate NASA's aeronautics research authorized under the NASA Authorization Act of 2005 (P.L. 109–155) into an Aeronautics Institute for Research within NASA. Subsection (c) would require the Institute to cooperate with relevant programs in the Department of Transportation, the Department of Defense, the Department of Commerce, and the Department of Homeland Security, including the Joint Planning and Development Office established under the VISION 100-Century of Aviation Reauthorization Act (P.L. 108–176). The Aeronautics Institute would be allowed to accept assistance, staff, and funding from other federal departments and agencies.

Section 1303. Basic Research Enhancement

Section 1303 would establish, within NASA, a Basic Research Executive Council to oversee the distribution and management of programs and resources engaged in support of basic research activity including the most senior agency official representing the space science, earth science, life and microgravity sciences, and aeronautical research. The duties of the Council will be to set criteria for identification of basic research, set priority of research activity, review and evaluate research activity, make recommendations regarding needed adjustments in research activities, and provide annual reports to Congress on research activities.

Section 1304. Aging Workforce Issues Program

Section 1304 would express a Sense of Congress that the Administrator of NASA should implement a program to address aging workforce issues in aerospace that would (1) document technical and management experiences of senior NASA employees before they leave NASA; (2) provide incentives for retirees to return to NASA to teach new NASA employees about their lessons and experiences; (3) provide for the development of an award to recognize and reward senior NASA employees for their contributions to knowledge sharing.

Section 1305. Conforming Amendments

Section 1305 would amend Section 101(d) of the National Aeronautics and Space Administration Authorization Act of 2005 (42 U.S.C. 16611(d)) by adding that the assessment undertaken by NASA examine the number and content of science activities which may be considered as fundamental, or basic research, whether incorporated within specific missions or conducted independently of any specific mission. In addition, this section would require NASA to assess how NASA science activities can best be structured to ensure that basic and fundamental research can be effectively maintained and coordinated in response to national goals in competitiveness and innovation.

Section 1306. Fiscal Year 2008 Basic Science and Research Funding

Section 1306 provides additional authorization, above the levels authorized in the National Aeronautics and Space Administration Act of 2005 (P.L. 109–155), of $160 million for the funding of basic science and research for fiscal year 2008. The availability of these funds is made contingent upon unobligated balances being available to the NASA

TITLE IV—NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Section 1401. Authorization of Appropriations

Section 1401 would authorize appropriations for the National Institute of Standards and Technology (NIST) from Fiscal Year 2008 through Fiscal Year 2011, including authorizations for the Hollings Manufacturing Extension Partnership Program (MEP). The MEP authorizations would be taken from the authorizations provided for NIST. Authorization levels would be set as follows:

	FY 2008	FY 2009	FY 2010	FY 2011
NIST Total	$703.611	$773.972	$851.369	$936.506
MEP	$115	$120	$125	$130

All amounts are in millions.

Section 1402. Amendments to the Stevenson-Wydler Technology Innovation Act of 1980

Section 1402 would eliminate the Under Secretary of Commerce for Technology at the Department of Commerce and the related Technology Administration at the Department of Commerce.

Section 1403. Innovation Acceleration

Section 1403 would establish the Innovation Acceleration Research Program of Section 1202 at NIST, to be known as the ''Standards and Technology Acceleration Research Program'' to support and promote innovation in the United States through high-risk, high-reward research and set aside no less than 8 percent of the funds made available to the measurement laboratories at NIST each year for the program.

Section 1404. Manufacturing Extension

Section 1404 would amend Section 25(c)(5) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(c)(5)) by inserting a probationary program for MEP centers that have not received a satisfactory rating. If the issues of a center are not addressed in one year, the Director would be required to conduct a competition to select a new operator for the center.

Subsection (b) would allow the acceptance of funds from other. federal agencies and the private sector by the Secretary of Commerce and Director to strengthen U.S. manufacturing. Any private sector funding would not be considered a part of the federal share for the purpose of center cost-sharing. Funding accepted from other federal departments or agencies may be considered in the calculation of the federal share of capital and annual operating and maintenance costs under 15 U.S.C. 278k(c).

Section 1405. Experimental Program to Stimulate Competitive Technology

Section 1405 would re-establish the Experimental Program to Stimulate Competitive Technology (EPSCoT), previously managed by the Technology Administration, at NIST.

Subsection (d) would require that in making awards under this section, the Director of NIST shall ensure that the awards are awarded on a competitive basis that includes a review of the merits of the activities that are subject to the award. A special emphasis would be given to those projects which would increase the participation of women, Native

Americans (including Native Hawaiians and Alaska Natives), and other underrepresented groups in science and technology. Subsection (d)(2) would impose a matching requirement that not less than 50 percent of the cost of activities (other than planning activities) carried out by an EPSCoT award be funded by non-federal sources.

Section 1406. Technical Amendments to the NIST Act and Other Technical Amendments

Section 1406 would make several technical amendments to the NIST Act. Subsection (a) would lift the limitation on NIST-sponsored research fellowships under current law. Subsection (b) would clarify NIST's authority to issue grants and cooperative agreements, along with contracts, cooperative research and development agreements, and other appropriate instruments, bringing NIST authority into conformance with the Federal Grant and Cooperative Agreement Act (31 U.S.C. 6301–08). The subsection also would clarify NIST's authority to purchase memberships in scientific organizations and pay registration fees for NIST employees' attendance at conferences.

Subsection (c) would permit NIST to utilize a portion of its operating funds in the production of high priority Standard Reference Materials and ensure that, once recovered through sales, the working capital fund resources are available to maintain future supplies. In addition, this authority would permit funds transferred to NIST from other federal agencies for the production of Standard Reference Materials to be transferred to the fund.

Subsection (d) would update several measurements found in statute to be consistent with current practice and internationally recognized standards.

Subsection (e) would allow NIST to retain the depreciation surcharge that is assessed against all federal agencies and returned to the Treasury for the upkeep of public buildings.

Subsection (f) would strike NIST authority for the Non-Energy Inventions program. This program is no longer operated by NIST. Rather, it is now operated by the Department of Energy.

TITLE V—OCEAN AND ATMOSPHERIC PROGRAMS

Section 1501. Ocean and Atmospheric Research and Development Program

Section 1501 would require the Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Director of NSF and the Administrator of NASA, to establish a coordinated program of ocean and atmospheric research and development to promote United States leadership in ocean and atmospheric science.

Section 1502. NOAA Ocean and Atmospheric Science Education Programs

Section 1502 would require the Administrator of NOAA to conduct, develop, support, promote, and coordinate formal and informal educational activities at all levels to enhance public awareness and understanding of ocean, coastal, and atmospheric science and stewardship by the general public. In conducting those activities the administrator shall build upon the existing educational programs and activities of the agency.

Subsection (b) would require the Administrator of NOAA, appropriate NOAA programs, ocean and atmospheric science and education experts, and interested members of the public to develop a science education plan that would set forth education goals and strategies for NOAA, as well as programmatic actions to carry out such goals and priorities over the next 20 years. This plan would be reevaluated and updated every 5 years.

DIVISION B—DEPARTMENT OF ENERGY

Section 2001. Short Title

Section 2001 would specify that this Division may be referred to as the, ''Protecting America's Competitive Edge Act through Energy (PACE-Energy) Act.''

Section 2002. Definitions

Section 2002 would provide definitions for purposes of the Division.

Section 2003. Mathematics, Science and Engineering Education at the Department of Energy

Section 2003 would create a, ''Director of Mathematics, Science and Engineering Education Programs'' at the Department of Energy to coordinate all Mathematics, Science, and Engineering Education Departmentwide. The Director would report to the Undersecretary of Science. Section 2003 would also amend the Department of Energy Science Education Enhancement Act to establish new programs in science, mathematics, and engineering education, including:

Specialty Schools for Math and Science—This portion of Section 2003 would create a competitive grant program to assist States in establishing or expanding public, statewide specialty schools that provide comprehensive mathematics, science, and engineering education. In addition, this portion of Section 2003 would authorize scientific and engineering staff of the National Laboratories to assist in teaching courses in statewide specialty schools in mathematics and science education, and to use National Laboratory scientific equipment in the teaching of courses. This portion of Section 2003 would authorize $140 million over 4 years for these schools.

Experiential-Based Learning Opportunities—This portion of Section 2003 would establish summer internships, including internships at the National Laboratories, for middle and high school students to promote experiential, hands-on learning in math and science. This portion of Section 2003 would authorize $15 million annually for this program from Fiscal Year 2008 through Fiscal Year 2011.

National Laboratories Centers of Excellence in Mathematics and Science Education—This portion of Section 2003 would establish a program at each of the National Laboratories to support a Center of Excellence in Mathematics and Science at one public secondary school located in the region of the national laboratory. This portion of Section 2003 would also require the Secretary to consider the performance of these Centers in determining the contract award fee for the management and operations contractor of each national laboratory.

Summer Institutes—This portion of Section 2003 would establish a program of summer institutes at each of the National Laboratories, and through grants to universities and other nonprofit entities, to strengthen the math and science teaching skills of K–12 teachers. This portion of Section 2003 would authorize $190 million over 4 years for these institutes.

Nuclear Science Education—This portion of Section 2003 would create a program for competitive, merit-based grants to universities that establish or expand nuclear science and engineering degree programs. This portion of Section 2003 would authorize approximately $140 million over 4 years for these grants.

Section 2004. Department of Energy Early Career Research Grants

Section 2004 would authorize research grants for early-career scientists and engineers pursuing innovative, independent research. Eligible individuals must have completed a doctorate within the previous 10 years, and must show promise in a field of science or technology. Grants awarded under this section would be for 5 years at a level of up to $100,000 per year during the grant period. Section 2004 would authorize $91 million over 4 years for this program.

Section 2005. Advanced Research Projects Authority—Energy

Section 2005 would establish the Advanced Research Projects Authority—Energy (ARPA–E) as a new agency within the Department of Energy. The mission of ARPA–E would be to support research with the potential to overcome long-term, high-risk technological barriers in the development of applied energy technologies (including carbon neutral technologies). The Director of ARPA–E would report to the Undersecretary of Science. An external advisory board would recommend to the Director, on an annual basis, key areas of energy research to include in the ARPA–E research portfolio.

Section 2006. Authorization of Appropriations for the Department of Energy Office of Science

Section 2006 would authorize a doubling of Office of Science funding over ten years. This rate of increase matches that in the President's American Competitiveness Initiative. The Fiscal Year 2008 request for the Office of Science was $4.4 billion. The authorization is $4.6 billion.

Section 2007. Discovery Science and Engineering Innovation Institutes

Section 2007 would establish multi-disciplinary institutes centered at National Laboratories to apply fundamental science and engineering discoveries to technological innovations related to the missions of the Department and the global competitiveness of the United States. Each Institute would be authorized to receive $10 million in federal funding annually.

Section 2008. PACE Graduate Fellowship Program

Section 2008 would establish a competitive graduate fellowship program for up to 700 students pursuing doctoral degrees in mission areas of the Department. The section requires that students be selected for the fellowship program through a competitive merit review process (involving written and oral interviews) that will result in a wide distribution of awards throughout the United States. This section would authorize $93 million over 4 years for these fellowships.

Section 2009. Title IX Compliance

Section 2009 would require the Department of Energy to conduct compliance reviews of two grant recipients to determine compliance with the provisions of Title IX of the Education Amendments of 1972. Title IX of the Education Amendments of 1972 required government agencies to ensure that female students had equal access to the programs supported by federal grants.

Section 2010. High-Risk, High-Reward Research

Section 2010 would require the Secretary of Energy to establish a grant program to encourage the conduct of high-risk, high-reward research at the Department of Energy.

Section 2011. Distinguished Scientists Program

Section 2011 would establish a joint program between universities and national laboratories to support up to 100 distinguished scientists positions. These scientists would hold joint appointments at the labs and their universities, and would promote academic and scientific excellence cooperation between the two institutions. Section 2011 would authorize $290 million over 4 years for these appointments.

DIVISION C—EDUCATION

Section 3001. Findings

Section 3001 presents findings that the United States needs to build on and expand the impact of existing education programs that work to ensure a well-educated populace to remain competitive in the global economy.

Section 3002. Definitions

Section 3002 contains definitions that are used throughout the Education Division.

TITLE I—TEACHER ASSISTANCE

SUBTITLE A—TEACHERS FOR A COMPETITIVE TOMORROW

Section 3111. Purpose

Section 3111 would provide that the purpose of this subtitle is to develop and implement undergraduate programs leading to a baccalaureate degree with concurrent teacher certification that provide integrated courses of study in mathematics, science, engineering, or critical foreign languages and teacher education, and master's degree programs in mathematics, science, or critical foreign language education for current teachers to enhance their content knowledge and pedagogical skills.

Section 3112. Definitions

Section 3112 contains definitions that are used in this subtitle.

Section 3113. Programs for Baccalaureate Degrees in Mathematics, Science, Engineering, or Critical Foreign Languages, with Concurrent Teacher Certification.

Section 3113 would authorize competitive grants for partnerships to develop and implement programs that integrate programs of study for undergraduate students majoring in mathematics, engineering, science or a critical foreign language with teacher education, so that students can obtain baccalaureate degrees with concurrent teacher certification. These partnerships would consist of institutions of higher education, departments of mathematics, engineering, science or critical foreign languages, teacher preparation programs and high-need local educational agencies and their schools.

Section 3114. Programs for Master's Degrees in Mathematics, Science, or Critical Foreign Languages Education

Section 3114 would authorize competitive grants for partnerships to develop and implement 2- or 3-year part-time master's degree programs in mathematics, science, or critical foreign language education for current teachers to improve their content knowledge and pedagogical skills. These partnerships would consist of institutions of higher education, departments of mathematics, engineering, science or critical foreign languages, teacher preparation programs and high-need local educational agencies and their schools.

Section 3115. General Provisions

Section 3115 contains provisions that would be applicable to both the baccalaureate and master's degree programs. Under both programs, grants would be for five years; matching funds would be required; and grant funds could be used only to supplement, not supplant, other Federal or State funds. The Secretary would be required to evaluate the programs and provide an annual report to Congress.

Section 3116. Authorization of Appropriations

Section 3116 would authorize to be appropriated a total for both programs of $210,000,000 for Fiscal Year 2008, and such sums as may be necessary for each of the three succeeding fiscal years, and specify the proportion of the total funding that is to be spent carrying out each of the two programs.

SUBTITLE B—ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE PROGRAMS

Section 3121. Purpose

Section 3121 would provide that the purpose of this subtitle is to raise academic achievement through Advanced Placement (AP) and International Baccalaureate (IB) programs by increasing the number of teachers serving high-need schools who are qualified to teach AP or IB courses in mathematics, science, and critical foreign languages; increasing the availability of such courses in high-need schools, including courses that prepare students to enroll and succeed in AP and IB; and increasing the number of students attending high-need schools who take such courses and take and pass the examinations.

Section 3122. Definitions

Section 3121 contains definitions that are used in this subtitle.

Section 3123. Advanced Placement and International Baccalaureate Programs

Section 3123 would authorize competitive grants to achieve the purposes of this subtitle and would authorize to be appropriated $58,000,000 for Fiscal Year 2008, and such sums as may be necessary for each of the three succeeding fiscal years.

TITLE II—MATH NOW

Section 3201. Math Now for Elementary School and Middle School Students Program

Section 3201 would authorize a grant program to improve instruction in mathematics for elementary school and middle school students, and to provide targeted help to students struggling with mathematics, to enable all students to reach or exceed grade-level academic achievement standards. Grants would be awarded to implement mathematics instructional materials and interventions, provide professional development activities, and conduct continuous progress monitoring of students in mathematics. State educational agencies would be awarded grants on a competitive basis to enable them to award grants to eligible local educational agencies. Priority would be given to applications for projects that would implement statewide strategies for improving mathematics instruction and raising the mathematics achievement of students, particularly those in grades 4 through 8. There would be a matching requirement, but the Secretary would have the authority to waive all or part of it in cases of serious hardship. The section would authorize to be appropriated $146,700,000 for Fiscal Year 2008, and such sums as may be necessary for each of the 3 succeeding fiscal years.

TITLE III—FOREIGN LANGUAGE PARTNERSHIP PROGRAM

Section 3301. Findings and Purpose

Section 3301 presents findings that the United States faces a shortage of skilled professionals with higher levels of proficiency in foreign language and that the ability of students to become proficient can be addressed by starting language learning at a younger age and expanding opportunities for continuous foreign language education from elementary school through postsecondary education. The purpose of this title is to increase significantly both the opportunities to study critical foreign languages programs and the number of students who become proficient in critical foreign languages.

Section 3302. Definitions

Section 3302 contains definitions that are used in this title.

Section 3303. Program Authorized

Section 3303 would authorize a competitive grant program to enable institutions of higher education and local educational agencies working in partnership to establish articulated programs of study in critical foreign languages so that students from elementary school through postsecondary education can advance their knowledge successfully and achieve higher levels of proficiency in a critical foreign language.

Section 3304. Authorization of Appropriations

Section 3304 would authorize to be appropriated $22,000,000 for Fiscal Year 2008, and such sums as may be necessary for each of the three succeeding fiscal years.

TITLE IV—ALIGNMENT OF EDUCATION PROGRAMS

Section 3401. Alignment of Secondary School Graduation Requirements with the Demands of 21st Century Postsecondary Endeavors and Support for P–16 Education Data Systems

Section 3401 would provide that this title would authorize competitive grants to States to promote better alignment of elementary and secondary education with the knowledge and skills needed to succeed in academic credit-bearing coursework in institutions of higher education, in the 21st century workforce and in the Armed Forces. The title would also authorize competitive grants to support the establishment or improvement of statewide P–16 education longitudinal data systems to assist States in improving the rigor and quality of content knowledge requirements and assessments, ensure that students are prepared to succeed in postsecondary endeavors, and enable States to have valid and reliable information to inform education policy and practice. The section would authorize to be appropriated $100,000,000 for Fiscal Year 2008, and such sums as may be necessary for Fiscal Year 2009.

DIVISION D—NATIONAL SCIENCE FOUNDATION

Section 4001. Authorization of Appropriations

Subsection (a) would authorize appropriations for the National Science Foundation (NSF) at the following levels for 4 ears.

	FY 2008	FY 2009	FY 2010	FY 2011
NSF	$6.808	$7.433	$8.446	$11.200

All amounts are in $ billion.

Subsection (b) would require the Director of NSF to create a plan for spending this increased funding within 180 days of enactment, taking into account the priorities established by the Science Summit authorized under Section 101(c) of this Act.

Section 4002. Strengthening of Education and Human Resources Directorate through Equitable Distribution of New Funds

Section 4002 would provide for annual funding increases for the education and human resources programs of the National Science Foundation to ensure the continued involvement of experts at the National Science Foundation in improving science, technology, engineering and mathematics education at the elementary, secondary and postsecondary level. As appropriations for the National Science Foundation increase, funds for the education and human resources programs would increase by a proportional amount.

Section 4003. Graduate Fellowships and Graduate Traineeships

Section 4003 would require the Director of NSF to expand both the Graduate Research Fellowship Program and the Integrative Graduate Education and Research Traineeship Program for an additional 1,250 students each over the next 5 years. Within the amounts authorized under Section 4001,

this section would authorize appropriations at the following levels in Fiscal Years 2008 through 2011 to support the expansion of the Graduate Research Fellowship Program (GRF) and the Integrative Graduate Education and Research Traineeship Program (IGERT).

	FY 2008	FY 2009	FY 2010	FY 2011
GRF	$24	$36	$48	$60
IGERT	$22	$33	$44	$55

All amounts are in $ million.

Section 4004. Professional Science Master's Degree Programs

Section 4004 would require the Director of NSF to establish an NSF clearinghouse to share program elements used in professional science master's degree (PSMD) programs and other advanced degree programs related to science, mathematics, technology, and engineering, to help institutions of higher education establish professional science master's programs. The clearinghouse would be established in conjunction with 4-year institutions of higher education, graduate schools, industry, and federal agencies.

Subsection (b) would require the Director to award grants to 4-year institutions of higher education to facilitate the institutions' creation or improvement of professional science master's degrees programs. The program would make awards to a maximum of 200 4-year institutions of higher institutions for a 3 year period. Any grant renewals would be for a maximum of 2 additional years. The Director would be required to give preference in making awards to 4-year institutions of higher education seeking federal funding to support pilot professional science master's degree programs to applicants that secure more than ⅔ of their funding for such professional science masters degree programs from sources other than the Federal Government.

Within the amounts authorized under Section 4001, Subsection (d) would authorize appropriations at the following levels in Fiscal Years 2008 through 2011 to carry out this section.

	FY 2008	FY 2009	FY 2010	FY 2011
PSMD	$15	$18	$20	$20

All amounts are in $ million.

Section 4005. Increased Support for Science Education through the National Science Foundation

Within the amounts authorized under Section 4001, Section 4005 would authorize appropriations for the science, mathematics, engineering, and technology talent program established in section 8(7) of the National Science Foundation Act of 2002 (P.L. 107–368) at the following levels in Fiscal Years 2008 through 2011.

	FY 2008	FY 2009	FY 2010	2011
Tech Talent	$40	$45	$50	$55

All amounts are in $ million.

Section 4006. Meeting Critical National Science Needs

Section 4006, subsection (a) would require the Director of NSF to include consideration of the degree to which NSF awards and research activities assist in meeting critical national needs in innovation, competitiveness, the physical and natural sciences, technology, engineering, and mathematics.

Subsection (b) would require the Director of NSF to give priority in the selection of awards and the allocation of NSF resources under the Research and Related Activities budgetary account to those projects that can be expected to make contributions in physical and natural sciences, technology, engineering, and mathematics, or which can be expected to enhance competitiveness or innovation in the United States.

Subsection (c) would clarify that the priority consideration required by Section 4006 does not restrict or bias the grant selection process against other areas of research consistent with the mandate of the Foundation.

Section 4007. Reaffirmation of the Merit-Review Process of the National Science Foundation

Section 4007 would clarify that nothing in this Act shall be interpreted to require or recommend that NSF change its (1) merit-review system or (2) peer review process. These processes should continue to be used in determining what grants NSF will fund.

Section 4008. Experimental Program to Stimulate Competitive Research

Section 4008 would authorize the NSF's Experimental Program to Stimulate Competitive Research (EPSCoR) at $125 million for Fiscal Year 2008, of the funds authorized in Section 4001, increasing each year from Fiscal Year 2009 to Fiscal Year 2011 by the same percentage by which NSF's overall funding increases.

Section 4009. Encouraging Participation

Subsection (a) would require the Director of NSF to establish a program to provide mentors for women who are interested in careers in science, technology, engineering, and mathematics by paring such women with mentors who are working in industry.

Subsection (b) would require the Director of NSF to establish a program to provide grants to community colleges to provide apprenticeships and other appropriate training to allow women to enter higher-paying technical jobs in fields related to science, technology, engineering, or mathematics.

Subsections (c) and (d) establish the requirements for application and the evaluation criteria of this program.

Section 4010. Cyberinfrastructure

Section 4010 would require the Director of NSF to develop and publish a plan that describes the current status of broadband access for scientific research purposes in EPSCoR-eligible jurisdictions and outlines actions that could be taken to ensure that broadband connections are available to enable participation in NSF programs that rely heavily on highspeed networking and collaborations across institutions and regions.

Section 4011. Federal Information and Communications Technology Research

Section 4011 would require the Director of NSF to establish a grant program for basic research in advanced information and communications technologies focused on enhancing or facilitating the availability and affordability of advanced communications services to all Americans. In developing this program, the Director shall consult with a Federal Advanced Information and Communications Technology Research Board composed of individuals with expertise in information and communications technologies, including representatives from the National Telecommunications and Information Administration, the Federal Communications Commission, the NIST, the Department of Defense, and representatives from industry and educational institutions. Within the amounts authorized by Section 4001, Section 4011 would authorize appropriations to carry out this section at the following levels in Fiscal Years 2008 through 2011

	FY 2008	FY 2009	FY 2010	FY 2011
Telecommunications Basic Research	$45	$50	$55	$60

All amounts are in $ million.

Section 4012. Robert Noyce Teacher Scholarship Program

Section 4012 would increase support for the Robert Noyce Scholarship Program to recruit and train individuals to become math and science teachers in high need local educational agencies. It would increase the undergraduate scholarship amount from $7,500 to $10,000 per year for a maximum of two years (in exchange for teaching service) and add a summer internship component for freshmen and sophomores interested in the program. Provisions that require repayment of scholarship or stipend by recipients who do not complete their service requirement would be amended to require repayment through a federal student loan with terms consistent with provisions in parts B and D of title IV of the Higher Education Act. Within the amounts authorized by Section 4001, Section 4012 would authorize appropriations to carry out this section at the following levels in Fiscal Years 2008 through 2011

	FY 2008	FY 2009	FY 2010	FY 2011
Noyce Program	$117	$130	$148	$200

All amounts are in $ million.

Section 4013. Sense of the Senate Regarding the Mathematics and Science Partnership Programs of the Department of Education and The National Science Foundation

Section 4013 would provide a sense of the Senate that mathematics and science partnership programs operated by the Department of Education and the National Science Foundation are complementary not duplicative, and the two agencies should have ongoing collaboration to ensure the two components continue to work in concert.

Section 4014. National Science Foundation Teacher Institutes for the 21st Century

Section 4014 would specifically authorize and increase support for the Teacher Institutes for the 21st Century summer institute program at the National Science Foundation to provide cutting-edge professional development for elementary and secondary school math and science teachers who teach in high need schools. It would provide for follow-up training and support during the academic year for participating teachers. Within the amounts authorized by Section 4001, Section 4014 would authorize appropriations to carry out this section at the following levels in Fiscal Years 2008 through 2011.

	FY 2008	FY 2009	FY 2010	FY 2011
Teacher Institutes	$84	$94	$106	$140

All amounts are in $ million.

Mr. ALEXANDER. Mr. President, I see no other Senator on the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. 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.

MOMENT OF SILENCE FOR THE VICTIMS AND FAMILIES OF THE TRAGEDY AT VIRGINIA TECH

Mr. REID. Mr. President, yesterday I spoke to Governor Kaine, Tim Kaine,

the Governor of Virginia, a wonderful man. He is a public servant for all of the right reasons. He has been burdened as Governor of the State with this terrible tragedy at Virginia Tech.

He called me and made sure that we were involved in the decisionmaking he has. He has appointed a blue ribbon panel that is going to look into this situation. It is the right thing to do. He has also asked that the people around the country, at 12 o'clock noon, stand in a moment of silence in memory of the loved and lost in that terrible tragedy in Blacksburg, VA, at Virginia Tech University.

As a memento of that, many people around the country are wearing the colors of the Virginia Tech Hokies. I am proud to do that. In just a minute, Mr. President, we will stand in silence with the rest of the country in recognition of the tragedy in Virginia.

Will the Chair advise me when the hour of 12 noon arrives?

The ACTING PRESIDENT pro tempore. The Chair will.

The noon hour has arrived.

Mr. REID. The Senate will stand in silence for 1 minute.

(Moment of silence)

Mr. President, thank you very much.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. Mr. President, I now ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 12:01 p.m., recessed subject to the call of the Chair and reassembled at 2:13 p.m., when called to order by the Acting President pro tempore (Mr. WHITEHOUSE).

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

IRAQ

Mr. REID. Mr. President, we heard again this afternoon the same old story from President Bush about the war in Iraq. He claimed again that his new escalation strategy is working, that the signs of success are everywhere, and that victory is imminent. He also, once again, attacked those of us with the courage to ask the tough questions and tell the truth about Iraq.

In an effort to shift attention from this administration's failed policies—and I say that in the plural—the President and his allies have repeatedly questioned whether I and my fellow Democrats support our troops. No one wants us to succeed in Iraq more than Democrats. We have proven that time and time again since this war started more than 4 years ago. We take a backseat to no one in supporting our troops, and we will never abandon our troops in a time of war.

Given the White House spin machine that has been working overtime in an effort to defend its failed policies, it is important for me to repeat what I said yesterday afternoon in this Chamber: The longer we continue down the President's path, the further we will be from responsibly ending this war. I said it yesterday, I say it again: The longer we continue down the President's path, the further we will be from responsibly ending this war. But there is still a chance to change course, and we must change course.

Partisans who launched attacks on my comments are the same ones who continue to support the failed strategy that hurts our troops. Is this administration supporting the troops when it sends our brave men and women into battle without the necessary body armor; with vehicles that are not properly armored? I ask, is the administration supporting the troops when it fails to provide them the health care they have earned when they come home?

Our responsibilities end with these troops—never. They don't end when they leave Iraq. They don't end when they get back home. We have to continue to help them. That is what we have done.

Is the administration supporting the troops by threatening to delay their funding unless Congress continues to rubberstamp its failed policy?

I believe supporting our troops means giving them the funding they need and a strategy they deserve. It means stopping the partisan attacks. And it means spending time working together on a bipartisan basis to develop an effective strategy to successfully end this war.

I wish some of my detractors felt the same. An effective strategy is exactly what we are offering the President and our troops—no more, no less. Let's all understand, changing course in Iraq will increase America's security by bringing this war to a responsible end and permitting our troops to more effectively fight terror all over the world. This is precisely the strategy President Bush is vowing to veto.

We heard the same old story from the President today because his strategy calls for more of the same. It is a failed strategy for our troops in Iraq. It is a failed strategy for our security at home. It is dangerous that the President refuses to recognize the reality on the ground in Iraq.

For those who claim we are on the right path in Iraq, I ask them to look at this week's newspapers. I am only going to mention now a few things we find in this week's news.

The White House announced additional National Guard troops would be sent to Iraq; many, if not most, without the necessary training and equipment. The White House extended tours in Iraq for all active Army troops from 12 to 15 months. A week after the Iraqi Parliament was bombed in the Green Zone, which is the most secure part of Baghdad, almost 200 Iraqis lost their lives in that city on Wednesday. The bombings continue today. They will continue tomorrow. We are losing about four American troops every day this month.

I went to the White House this Wednesday with Speaker PELOSI to meet with the President and talk about a bipartisan way to craft an effective strategy in Iraq. We did so because we believe, as do the American people, that the lives of too many of our soldiers and too many Iraqis are on the line. The President refused to work with us.

How has the President responded? He has chosen to repeat his inflexible veto threats and continued to attack those who questioned his failed policies. Meanwhile, our troops and our national security are suffering.

It is painfully clear to me, the American people, bipartisan majorities in both the House and the Senate, military experts all over this country, and the Iraq Study Group, that the only way to succeed is to give our troops the strategy their sacrifices deserve. These groups all know there is no military solution in Iraq.

General Petraeus, the commander on the ground, has said so himself: 20 percent can be won militarily; 80 percent has to be won through our diplomatic efforts, politics, and economics.

I repeat, the only way to succeed lies through a comprehensive political, diplomatic, and economic strategy—so says the commander on the ground there, General Petraeus. Unfortunately, the only one to whom this is not obvious is our President.

The longer we continue down the President's path, the further we will be from success. But there is still a chance to change course, and we must change course. That is what we are offering the President in the supplemental we passed in both bodies with bipartisan support. We are offering a reasonable and attainable timeline to reduce combat missions and refocus our efforts on the real threats to our security. We are offering action, not just words.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I wanted to say to my friend and

my colleague and our leader that the President of the United States, when he was Governor of Texas, had a reputation as someone who reached out as a uniter, bringing together the two parties in a bipartisan way. Since the President has been elected President and has served in that capacity, he has chosen to change, for what reason I do not know because the country yearns for bipartisanship. That was clearly one of the messages that came out of last year's election, the 2006 election, that the people of this country are tired of the partisan bickering, and they want us to come together. Yet, as the majority leader was just recounting, there has been occasion after occasion where it seems, unnecessarily, that the White House has gone out of its way to attack someone simply because they were a member of the other party.

I want to give the Senate an example. Because I had been twice before, over a 6-year period, to visit the President of Syria, immediately upon the Iraq study commission report that recommended that we open up to Syria, this Senator from Florida decided that I was going to go back, hoping that there might be some encounter in that conversation with the President of Syria that might crack the door a little bit. I did that in the week before Christmas.

The White House chose to attack me for having made that trip—however, very conveniently not attacking any Republican Senator who happened to follow, as did two Democratic Senators and one Republican Senator in a week or two after I made that trip.

So, too, it is noteworthy that the White House chose to attack Speaker NANCY PELOSI in her visit with President Assad while being mute about the congressional delegation that had just visited President Assad 4 days earlier, which included my good personal friends, the Congressman from Virginia, FRANK WOLF, and the Congressman from Pennsylvania, JOE PITTS.

When we are facing an issue of war and peace, as we are now, we have to come together. The person at the top has to set the standard and the atmosphere. These kind of attacks that become personal, as they were against Speaker PELOSI, are not going to do anybody any good.

Mr. REID. Will my friend yield?

Mr. NELSON of Florida. I will certainly yield.

Mr. REID. I certainly appreciate the Senator being here on the floor this afternoon. The Senator comes from the fourth most populous State, but soon to be the third, a State large in area with lots and lots of people moving there—thousands of people every month. It is a State that this good man has represented in so many different ways.

We first served together in the House of Representatives. If there were ever a person who served in Congress who served as a moderate, it would be the Senator from Florida. He is a person who is always looking for consensus, always trying to work things out, understanding that the art of legislation is compromise.

I so appreciate his brief statement today, and I apologize for interrupting it. I would just go back to more than 6 years ago when President Bush was elected. I, too, was so enthused about his coming here. He told me: I want to be a uniter, not a divider. I have been stunned by what has been going on. It started with Social Security; Medicare; the recent flap with the Attorney General, the Katrina situation, wiretaps, stem cells, Terry Schiavo, energy—on and on, with all these things that we, with rare exception, with a little bit of patience, with a President willing to work with us, could have done on a bipartisan basis. On the war, we have to resolve that on a bipartisan basis. This legislative body is reaching out. That is what we are doing.

I say to my friend, I appreciate very much not only his statement today but who he is, who he represents, and how he represents the people of Florida. We need more BILL NELSONs in this Congress of the United States.

Mr. NELSON of Florida. I am grateful to the leader. I believed it was necessary. Partisanship has gotten out of control around here. I was so encouraged, the day that we were sworn in when the two leaders, the Democratic leader and the Republican leader, convened us in a private meeting in the Old Senate Chamber. There was a wonderful spirit. It clearly was, in large part, as a message from the American people that they were tired of the partisan bickering. That was clearly one of the messages from the election.

We started off in this mutual camaraderie of how we can make a body like this function that cannot pass anything unless we have 60 votes out of 100 Senators in order to shut off debate. That means we have to have coming together. As the Good Book says, ''Come, let us reason together.''

It is harder and harder to do that in a poisonous, partisan atmosphere. But it has to be set at the top.

I cannot tell the White House what to do. I can sure recommend. But there is something that I can do; that is, I am responsible for myself and my actions and how I treat others, treat others in this Chamber.

There is an age-old principle, and it has to be: Treat others as you want to be treated. I will put that in the old English, which might be a little bit more familiar: Do unto others as you would have them do unto you.

If we had a little bit more of that, we could sure get some things done around here. Typically, what happens in these 51-to-49 votes, there is not that much difference that we couldn't have 10 votes on that side of the aisle or 10 votes on this side of the aisle go one way or another in reaching a mutual consensus. Yet over and over it has been avoided.

I felt compelled to say these things.

THE NATIONAL GUARD

Mr. NELSON of Florida. Mr. President, I want to share another idea, and this has nothing to do with these weighty matters, but it certainly has to do with some weighty matters about whether the National Guard of this country has the proper equipment.

There was a General Accounting Office report from last summer that showed that the National Guard is woefully inadequate in its equipment. It pointed out in that GAO study that my State of Florida had only 53 percent of the equipment that it ought to have. It said the State of New Mexico National Guard had only 33 percent.

What is happening is what you would expect: As the National Guard units in America are activated to go over to Iraq and Afghanistan, they take their equipment with them, and so often it is worn out or it has to stay for others to use, and they come back and they do not have the equipment; or it is like the 11 helicopters of the National Guard in Florida—a year from now, they are planning to take those helicopters from the Florida Guard and send them over to the Middle East. Can you imagine if that occurs and the Florida National Guard is faced with a major hurricane and they do not have any helicopters? Hurricanes are indiscriminate in the way they come in and tear up everything over a large swath of property, so that in a big one you cannot traverse the roads because everything is suddenly on top of them. So often you have to have helicopters to get supplies and personnel in to people who are hurting.

That is one example. That is a year from now if they take the helicopters from the Florida National Guard because they need them over in the Middle East. But let me tell you the condition of it today. The Florida National Guard—and I am quoting their own figures—is short 500 humvees. They are short 600 trucks, and this is either a 5-ton truck or a deuce and a half, 2½-ton truck—600 short. They are short 500 long-haul trailers, they are short 20 wreckers, and they are short 4,400 night-vision goggles. What do all of those shortages have to do with anything? It has to do—if the big one comes and the big one is a category 4 or 5 hurricane hitting a densely urbanized part of Florida direct from the water, the Florida Guard is going to need every bit of equipment it can get to respond to that emergency.

Let me give you another example. The report 6 months ago was that Fidel Castro was going to be dead within 6 months. Looks like that may have changed, at least by the more recent reports. But what happens and what will be the political condition in Cuba when he does pass away? Is the then caretaker government going to be in sufficient control, or is chaos going to

erupt and suddenly a mass outmigration of thousands and thousands of people trying to get to the United States? That is also when you need the National Guard.

Now, I have talked with the Coast Guard and the Navy, and they have a plan whereby they have an entire sentry line of ships that they line up, which I have questions on and we will talking about on another occasion, about that plan, because they have only modeled it if 10,000 were to flee. What happens if 100,000 flee? They are not prepared for that, and everybody in authority with that plan will tell you they are not prepared for it. But whatever it is, if it occurs, which we hope and pray that it will not, the National Guard is going to be a major component of trying to restore order and keep order. Their equipment has been depleted.

Now, if we end up having the typical category 1, 2, and 3 hurricanes, which are severe hurricanes, the Florida National Guard tells me they have adequate equipment, they certainly have the personnel, and they are the best trained in the country, they know how to handle hurricanes, and they are the best of the best. But if they do not have the equipment—they tell me they do for up to a category 3—but if the big one hits, then they are going to have to rely on getting equipment from other National Guards around the country. So what is the lag time on that? And when they reach out to another Guard—for example, the Pennsylvania National Guard with which they have a compact to share equipment—is the Pennsylvania Guard going to have sufficient equipment that they can lend to Florida in an emergency?

These are serious questions which need to be answered before the hurricane season and before any kind of potential outmigration from the island of Cuba so that we have preparations, they are adequately equipped to go along with the experts and expertise of the trained personnel and all of the emergency responders who would respond to that kind of an event.

I am going to continue to sound the alarm until we get some response. I do not believe the Florida Guard has the equipment for a category 5 hurricane coming right up Tampa Bay or hitting directly from the east coast from the Atlantic, in a high urbanized area such as the Dade-Broward line. So I am going to continue to ask this question, as uncomfortable as it will make some people, until somebody will respond.

I think one potential solution is that there be an agreement which would be cut with the Active-Duty—correct that—with the Army Reserves located in Florida that have equipment that there will be an immediate lending of that equipment and/or personnel to the Florida National Guard in the case of a major, catastrophic hurricane hit.

When a hurricane hits, it is a matter of life and death. As time goes on, as expert as our emergency responders are—and they are expert because they have been through a lot and they are quite experienced and well trained—the ability over time to get those supplies in, even supplies that have been prepositioned closer to where the hurricane is going to hit, the ability to get that transported in is critical in those first days because there is no power.

You wonder, night-vision goggles—what does that have to do with it, that the Florida Guard is 4,400 pairs of night-vision goggles short? It is because, in the aftermath of a hurricane, there is no electricity. Everything is dark at night. As troops are moving through all of that debris, they have to be able to see. That is what those night-vision goggles are for.

So this Senator will continue to sound the alarm. We will get the answers. And the good Lord willing, despite the warnings from La Nina in the Pacific that this is going to be a terribly active hurricane season in the Atlantic, the good Lord willing, we will not have that active hit on the mainland of the United States, but we better be prepared.

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 assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MORNING BUSINESS

Mr. NELSON of Florida. I ask unanimous consent that there now be a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COVER THE UNINSURED WEEK 2007

Mr. REID. Mr. President, I rise in recognition of Cover the Uninsured Week, which is being held this year from April 23 to 29. As many of us know, this nonpartisan initiative was created to focus the Nation's attention on one of the most serious challenges facing our health care system—ensuring access to quality, affordable coverage.

Since the first annual Cover the Uninsured Week was observed 5 years ago, the health care crisis has, unfortunately, worsened. At last count, nearly 46 million Americans lacked coverage, including 400,000 in my home State of Nevada. More than 100,000 of these uninsured Nevadans are children. The context for these numbers, which are staggering in themselves, is even more troubling. For too many, premium costs are escalating faster than they can manage while benefits are deteriorating. Being a hard-working American is also no longer a ticket to health coverage, as shown by the fact that 8 out of 10 uninsured people either work or are in working families. Even when they can find good health insurance, many families must shortchange other basic needs to afford out-of-pocket expenses or forgo necessary care altogether.

Every year we update these statistics and findings about the uninsured, but the same themes still ring true. The goal should be to ensure that all Americans can access and afford the health care they need, regardless of their income, age, employment, or health status. Sadly, we as a nation continue to fall short.

Cover the Uninsured Week is an opportunity to reflect on more than just this current state of affairs. It is also a time to call for a new direction on health care in America. Whether one is a Democrat or Republican, a Member of Congress or the State legislatures, we must all work together to heed the voices of the American people who are counting on us. So in honor of this year's Cover the Uninsured Week, let us all renew our commitment to improving our health care system. I look forward to a strong debate in the Senate on these vital issues, including the next step of updating the State Children's Health Insurance Program to better meet the needs of the Nation's children and families.

VIRGINIA TECH TRAGEDY

Mr. ALEXANDER. Mr. President, I have one other short comment I would like to make, and then I will yield the floor or note the absence of a quorum.

The Governor of Virginia has asked our country to take a moment of silence to remember the tragedy this week at Virginia Tech at noon today. It is also a good time for us to think about our responsibilities in the U.S. Congress. There is hardly any way we can express our grief to these families and to that university for what they have been through this week. It is of such a scale that it is hard to imagine. We want them to know we have been thinking about them, and we would like to do whatever we can to help them and to help make sure nothing like this happens again.

So while Virginia Tech and the Commonwealth of Virginia are reviewing their responsibilities in light of the tragedy this week at Virginia Tech, we in the Federal Government ought to be reviewing our responsibilities too. Our focus should be on whether Federal laws or regulations unwisely restrict or limit how universities are able to deal with students who have mental health problems or who otherwise exhibit behavior about which parents, authorities, or other third parties should know.

Generally, and many Americans do not know this, under Federal law universities cannot tell parents about

their child's problems or their grades without their student's consent. At least one professor at Virginia Tech who was tutoring the shooter has been quoted as saying that she felt that Federal laws prevented her from going to his parents or to others about her concerns. Therefore, I am sending a letter today to Senator KENNEDY and to Senator ENZI, the chairman and the ranking member of the Health, Education, Labor and Pensions Committee on which I serve. I am writing them to request that our committee ask the Secretary of Education, Margaret Spellings, to conduct a review of Federal laws, regulations, and relevant State laws that limit the ability of universities to tell parents or other third parties about a student's problem without the student's consent.

I would hope that Secretary Spellings could review not only the laws and the rules, but also the implementation of these rules on campus. I am a former president of a university. I understand it may very well be that faculty members, and perhaps even some administrators, are unaware of the rules, or at least uncertain about how to apply them.

My hope would be that Secretary Spellings could complete her review within 120 days, and after that our committee might hold a hearing or roundtable to determine whether there is action we need to take.

I ask unanimous consent to have printed in the RECORD at this point a copy of my letters to Senator KENNEDY and Senator ENZI and an article from the New York Times dated April 19 entitled, ''Laws Limit Options When a Student Is Mentally Ill,'' which describes very well the situation in which many university faculty members find themselves.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Hon. EDWARD M. KENNEDY,
Chairman, Senate Committee on Health, Education, Labor and Pensions, Washington, DC.

Hon. MICHAEL B. ENZI,
Ranking Member, Senate Committee on Health, Education, Labor and Pensions, Washington, DC.

DEAR TED AND MIKE, While Virginia Tech and the Commonwealth of Virginia are reviewing their responsibilities in light of the tragedy this week on the Virginia Tech campus, we in the federal government should be reviewing our responsibilities, too.

Our focus should be on whether federal laws or regulations unwisely restrict or limit how universities are able to deal with students who have mental health problems or who otherwise exhibit behavior about which parents, authorities or other third parties should know. Generally, under federal law, universities cannot tell parents about their children's problems without the student's consent. At least one professor at Virginia Tech who was tutoring the shooter has been quoted as saying she felt that federal laws prevented her from going to his parents or to others about her concerns.

Therefore, I am writing to request that our Committee on Health, Education, Labor and Pensions ask Secretary of Education Margaret Spellings to conduct a review of federal laws, regulations and relevant state laws that limit the ability of universities to tell parents or other third parties about a student's problems without the student's consent. I would hope that Secretary Spellings could review not only the laws and rules but also the implementation of these rules on campus.

As a former university president, I understand that it very may be that faculty members are unaware of the rules or uncertain about how to apply them. My hope would be that the Secretary could complete her review within 120 days and, after that, our committee might hold a hearing or roundtable to determine whether there is action we need to take.

Thank you very much.

Sincerely,

LAMAR ALEXANDER.

[From the New York Times, Apr. 19, 2007]

LAWS LIMIT OPTIONS WHEN A STUDENT IS MENTALLY ILL

(By Tamar Lewin)

Federal privacy and antidiscrimination laws restrict how universities can deal with students who have mental health problems.

For the most part, universities cannot tell parents about their children's problems without the student's consent. They cannot release any information in a student's medical record without consent. And they cannot put students on involuntary medical leave, just because they develop a serious mental illness. Nor is knowing when to worry about student behavior, and what action to take, always so clear.

''They can't really kick someone out because they're writing papers about weird topics, even if they seem withdrawn and hostile,'' said Dr. Richard Kadison, chief of mental health services at Harvard University. ''Most state laws are pretty clear: you can only bring students to hospitals if there is imminent risk to themselves or someone else, so universities are in a bit of a bind that way.'' But, he said, some schools do mandate limited amounts of treatment in certain circumstances.

''At the University of Missouri, if someone makes a suicide attempt, they mandate four counseling sessions, for example,'' said Dr. Kadison, an author of ''College of the Overwhelmed: The Campus Mental Health Crisis and What To Do About It.''

Universities can find themselves in a double bind. On the one hand, they may be liable if they fail to prevent a suicide or murder. After the death in 2000 of Elizabeth H. Shin, a student at the Massachusetts Institute of Technology who had written several suicide notes and used the university counseling service before setting herself on fire, the Massachusetts Superior Court allowed her parents, who had not been told of her deterioration, to sue administrators for $27.7 million. The case was settled for an undisclosed amount.

On the other hand, universities may be held liable if they do take action to remove a potentially suicidal student. In August, the City University of New York agreed to pay $65,000 to a student who sued after being barred from her dormitory room at Hunter College because she was hospitalized after a suicide attempt.

Also last year, George Washington University reached a confidential settlement in a case charging that it had violated antidiscrimination laws by suspending Jordan Nott, a student who had sought hospitalization for depression.

''This is a very, very difficult and gray area, when you take action to remove the student from the campus environment, versus when you encourage the student to use the resources available on campus,'' said Ada Meloy, director of legal and regulatory affairs at the American Council on Education. ''In an emergency, you can share certain information, but it's not clear what's an emergency.''

Ms. Meloy estimated that situations complicated enough to involve a university's lawyers arise, on average, about twice a semester at large universities.

While shootings like the one at Virginia Tech are extremely rare, suicides, threats and serious mental-health problems are not. Last year, the American College Health Association's National College Health Assessment, covering nearly 95,000 students at 117 campuses, found that 9 percent of students had seriously considered suicide in the previous year, and 1 in 100 had attempted it.

So mental health experts emphasize that, whatever a college's concerns about liability, the goal of campus policies should be to maximize the likelihood that those who need mental-health treatment will get it.

''What we really need to do is encourage students to seek mental health treatment if they need it, to remove any barriers to their getting help, destigmatize it, and make it safe, so they know there won't be negative consequences,'' said Karen Bower, a lawyer at the Bazelon Center for Mental Health Law in Washington, who represented Mr. Nott.

With the Virginia Tech killings, many universities are planning to remind faculty members of their protocols. ''We're actually going to go ahead and have the counseling service here do a session for all our instructors and faculty on what to look for, what the procedures are, and what the counseling center can do,'' said Shannon Miller, chairwoman of the English department at Temple University.

At Harvard, Dr. Kadison said, dormitory resident assistants watch for signs of trouble, and are usually the first to become aware of worrisome behavior—and to call a dean.

''The dean might insist that they get an evaluation to make sure they're healthy enough to live in a dorm,'' he said. ''If it's not thought that they're in any immediate danger, they can take or not take the recommendation.''

Last month, Virginia passed a law, the first in the nation, prohibiting public colleges and universities from expelling or punishing students solely for attempting suicide or seeking mental-health treatment for suicidal thoughts.

''In one sense, the new law doesn't cover new territory, because discrimination against people with mental health problems is already prohibited,'' said Dana L. Fleming, a lawyer in Manchester, N.H., who is an expert on education law. ''But in another sense, it's groundbreaking since it's the first time we've seen states focus on student suicides and come up with some code of conduct for schools.''

College counseling services nationwide are seeing more use. ''We're seeing more students in our service consistently every year,'' said Alejandro Martinez, director for counseling and psychological services at Stanford University, which sees about 10 percent of the student body each year. ''Certainly more students are experiencing mental illness, including depression. But there's also been a cultural shift,'' Mr. Martinez said, ''in that more students are willing to get help.''

College officials say that a growing number of students arrive on campus with a history of mental-health problems and a prescription for psychotropic drugs. But screening for such problems would be illegal, admissions officers say.

''We're restricted by the disabilities act from asking,'' said Rick Shaw, Stanford's admissions director. ''We do ask a question, as most institutions do, about whether a student has been suspended or expelled from school, and if they have been, we ask them to write an explanation of it.''

Federal laws also restrict what universities can reveal. Generally, the Family Educational Rights and Privacy Act, FERPA, passed in 1974, makes it illegal to disclose a student's records to family members without the student's authorization.

''Colleges can disclose a student's private records if they believe there's a health and safety emergency, but that health and safety exception hasn't been much tested in the courts, so it's left to be figured out case by case,'' Ms. Fleming said.

And the Health Insurance Portability and Accountability Act prohibits the release of medical records. ''The interaction of all these laws does not make things easy,'' she said.

Mr. LEVIN. Mr. President, on Monday America was devastated by the deadliest shooting rampage in our Nation's history. A gunman using two semi-automatic handguns, shot and killed 32 students and teachers and injured several dozen others before turning one of his guns on himself. Witnesses described scenes of chaos and grief, with students jumping from second-story windows to escape gunfire, while others heroically blocked their classroom doors to shield them from the gunman.

Many of us watched this tragedy unfold on the news, finding it difficult to grasp the true magnitude of it. Parents and grandparents across America were thinking about the horror of one's child being caught in the middle of such chaos. There is little that could be worse for a parent than sending a child off to college, only to lose them to a senseless act of gun violence.

I express condolences to the family, friends, and community touched by the tragedy at Virginia Tech. I know I reflect the feelings of the people of Michigan when I say that our thoughts and prayers are with them in this hour of pain and grief.

Mr. ISAKSON. Mr. President, today I express my sympathy and I know the sympathy of all of the Members of the Senate and the people of the United States of America on the tragic losses this week at Virginia Tech.

None of us can understand what happened in Blacksburg, VA, but all of us recognize the profound tragedy and the loss of youth in its prime.

I learned this week that one of those losses was a Georgian by the name of Christopher James ''Jamie'' Bishop, and I, from the floor of the Senate, send to Pine Mountain, GA, my sympathy on the tragic loss of Jamie.

Jamie, who was passionate about his art and an avid amateur photographer, grew up in Pine Mountain, GA, and was valedictorian of Harris County High School. He received his bachelor's degree in German from my alma mater, the University of Georgia, and was a Fulbright scholar at Christian-Albrechts-University in Kiel, Germany. He returned to the University of Georgia to earn his master's degree in German linguistics.

Jamie, who was known for wearing his hair in a ponytail, had been a German instructor at Virginia Tech since 2005. His wife, Stefanie Hofer, is an assistant professor of German there. By all accounts, Jamie was an intelligent, clever and passionate individual.

I am very proud as a Georgian to have known of his accomplishments, and I send his wife Stefanie and his parents Michael and Jeri my prayers and my hopes that they will accept our sympathy as they endure the heartbreak of the loss of Jamie.

To the families of all of those professors, employees, and students who lost their lives or were hurt in Blacksburg, VA, I extend my sympathy and my deepest prayers that we will find reconciliations out of tragedy.

ARMY AVIATION ASSOCIATION OF AMERICA

Mr. CHAMBLISS. Mr. President, I take great pride in recognizing the Army Aviation Association of America's, AAAA, 50th anniversary and in honoring their countless historic and noble contributions to the growth and strength of our Nation. Army aviation members play a critical role in every combat theater worldwide, and AAAA has proven to be a means of unwavering support. This unique organization has been the mechanism for increased communication and professional development among Army aviators throughout the history of organic Army aviation and the Army Aviation Branch. This contribution has led to vast leaps in battlefield mobility, lethality, and flexibility for the U.S. Army. AAAA and its members have distinguished themselves with thousands of volunteer hours and dollars providing direct support and scholarships to Army aviation soldiers and their family members. I can say with certainty that AAAA has truly lived its mission of ''Supporting the U.S. Army Aviation Soldier and Family'' since its inception in 1957. I am pleased to publicly recognize this longstanding commitment to our military personnel and congratulate the Army Aviation Association of America on 50 years of service.

RULES OF PROCEDURE OF THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mrs. FEINSTEIN. Mr. President, on April 18, 2007, the Joint Committee of Congress on the Library met and adopted the rules of procedure for the 110th Congress. I ask unanimous consent that pursuant to paragraph 2 of rule XXVI of the Standing Rules of the Senate that the rules of procedure of the Joint Committee of Congress for the Library be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF PROCEDURE OF THE JOINT COMMITTEE OF CONGRESS ON IHE LIBRARY, 110TH CONGRESS

TITLE I—MEETINGS OF THE COMMITTEE

1. Regular meetings may be called by the chairman, with the concurrence of the vice-chairman, as may be deemed necessary or pursuant to the provision of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

2. Meetings of the committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee on the same subject for a period of no more that 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed followed immediately by a recorded vote in open session by a majority of the members of the committee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of the committee staff personal or internal staff management or procedures;

(C) will tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of privacy of an individual;

(D) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interest of effective law enforcement;

(E) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(F) may divulge matters required to kept confidential under the provisions of law or Government regulation. (Paragraph 5(b) of rule XXVI of the Standing Rules of the Senate.)

3. Written notices of committee meetings will normally be sent by the committee's staff director to all members at least 3 days in advance. In addition, the committee staff will email or telephone reminders of committee meetings to all members of the committee or to the appropriate staff assistants in their offices.

4. A copy of the committee's intended agenda enumerating separate items of committee business will normally be sent to all members of the committee by the staff director at least 1 day in advance of all meetings. This does not preclude any member of the committee from raising appropriate non-agenda topics.

5. Any witness who is to appear before the committee in any hearing shall file with the clerk of the committee at least 3 business days before the date of his or her appearance, a written statement of his or her proposed

testimony and an executive summary thereof, in such form as the chairman may direct, unless the chairman waived such a requirement for good cause.

TITLE II—QUORUMS

1. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, 4 members of the committee shall constitute a quorum.

2. Pursuant to paragraph 7(a)(2) of rule XXVI of the Standing Rules, 2 members of the committee shall constitute a quorum for the purpose of taking testimony; provided, however, once a quorum is established, anyone member can continue to take such testimony.

3. Under no circumstance may proxies be considered for the establishment of a quorum.

TITLE III—VOTING

1. Voting in the committee on any issue will normally be by voice vote.

2. If a third of the members present so demand, a recorded vote will be taken on any question by rollcall.

3. The results of the rollcall votes taken in any meeting upon a measure, or any amendment thereto, shall be stated in the committee report on that measure unless previously announced by the committee, and such report or announcement shall include a tabulation of the votes cast in favor and the votes cast in opposition to each measure and amendment by each member of the committee. (Paragraph 7(b) and (c) of rule XXVI of the Standing Rules.)

4. Proxy voting shall be allowed on all measures and matters before the committee. However, the vote of the committee to report a measure or matters shall require the concurrence of a majority of the members of the committee who are physically present at the time of the vote. Proxies will be allowed in such cases solely for the purpose of recording a member's position on the question and then only in those instances when the absentee committee member has been informed of the question and has affirmatively requested that he be recorded. (Paragraph 7(a)(3) of rule XXVI of the Standing Rules.)

TITLE IV—DELEGATION AND AUTHORITY TO THE CHAIRMAN AND VICE CHAIRMAN

1. The chairman and vice chairman are authorized to sign all necessary vouchers and routine papers for which the committee's approval is required and to decide in the committee's behalf on all routine business.

2. The chairman is authorized to engage commercial reporters for the preparation of transcripts of committee meetings and hearings.

3. The chairman is authorized to issue, on behalf of the committee, regulations normally promulgated by the committee at the beginning of each session.

COMMEMORATING WORLD HEALTH DAY

Mr. AKAKA. Mr. President, I wish to make a few remarks regarding commemoration of World Health Day by the World Health Organization, WHO. On Saturday, April 7, 2007, WHO again commemorated its 1948 founding with the annual World Health Day. This year's theme is international health security.

In the words of WHO, ''Threats to health know no borders.''

Globalization, characterized by increased mobility of populations and the emergence of new, highly contagious diseases, make us increasingly vulnerable to pandemics and other health crises. Diseases such as highly pathogenic avian influenza, or ''bird flu,'' severe acute respiratory syndrome, or ''SARS,'' have entered our public health and security vocabulary. They are worthy of serious study, focus, and action. The spread of these and other virulent diseases and the potentially cataclysmic impact of a pandemic on countries around the world and here in the United States reminds us all of the critical need for adequate preparedness and continued awareness of threats to the health and well-being of Americans and people around the world.

We need a strategy to handle a pandemic flu outbreak, one that includes a multilayered and multinational approach to detecting and isolating viruses before they can spread. At my request, the Government Accountability Office has undertaken several investigations into how best to prepare for a possible pandemic flu outbreak. The first line of protection should be to deploy overseas public health specialists and veterinarians to detect a virus in its early stages. We need to provide more international assistance to countries least able to defend themselves. At the same time, DHS should develop sophisticated response plans to maintain critical services, such as water, power, transportation, and medical and financial services, in the event a pandemic forces the Nation to adopt a quarantine strategy.

The U.S. Centers for Disease Control, CDC, has established a global disease protection program, and DHS has created a new Office of Health Affairs that will bring together medical readiness and biological defense activities, including BioWatch. However, I remain concerned about the level of coordination between these and other domestic actors regarding pandemic planning. As chairman of the Subcommittee on Government Management, the Federal Workforce and the District of Columbia under the Committee on Homeland Security and Government Affairs, I hope to address this and other issues related to pandemic planning and response so that the United States is prepared for any natural or manmade attack, including a pandemic flu.

The mutation of avian influenza, a zoonotic disease that originated in birds but has since been transmitted to humans, is a high-profile reminder that we cannot cease our efforts to prepare for and respond to health crises. Since the H5N1 strain of bird flu was first detected in 1997, the threat has not abated. Of the 291 confirmed cases of bird flu reported to the WHO since that time, more than half, 171, have resulted in death. While these numbers may not seem large or significant, they are a warning signal that avian flu has mutated and continues to spread. As it does, it adapts and can become even more deadly. In our interdependent and highly mobile world, we are never immune and, as such, we cannot be complacent.

For example, my home State of Hawaii lies at the crossroads between Asia and the continental United States. Nearly 2 million people visit Hawaii every year from Asia. Given the large number of confirmed cases of avian influenza in Asia, it is easy to understand why Hawaii continues to take bird flu and pandemic planning very seriously. Unfortunately, this disease shows no signs of abating. According to the World Health Organization, just this month, the Cambodian Ministry of Health confirmed the country's seventh case of human infection with the H5N1 avian influenza virus. It is the first case to be confirmed in humans in Cambodia in 2007. On April 7, avian flu claimed the life of a 74th victim in Indonesia, while on April 11, Egypt confirmed the death of a 15-year-old girl in Cairo, its 14th victim from avian flu.

But we must also remember that pandemic flu is not the only risk to human health. To coincide with World Health Day 2007, the WHO released a report entitled ''Invest in Health, Build a Safer Future.'' In it, the WHO lists eight key issues linked to international health security. Highly contagious diseases is certainly one of those issues, but also included are the threat of chemical, radioactive, and biological terror threats, the threat of public health dangers on economic stability, and building health security, to include a framework for collaboration laid out by the International Health Regulations, IHRs, and a number of surveillance networks that can provide an early-warning and response system.

I commend the WHO for its ongoing efforts to raise awareness of the need to work toward international health security and to continue to address the threat of highly contagious disease, chemical, biological, and radiological terrorism, and the economic impact of pandemic disease. Global health is no longer just a matter of ensuring the vitality, economic stability, and environments of the United States and countries around the world. It is about security. It is about homeland security. In commemorating World Health Day 2007, WHO Director General Margaret Chan put a fine point on this notion by stating that, ''A foreign agent that invades a sovereign territory, evades detection, kills civilians and disrupts the economy is a security threat by most definitions . . . . The best defense against emerging and epidemic-prone diseases is not passive barriers at borders, airports and seaports. It is proactive risk management that seeks to detect an outbreak early and stop it at its source.'' Through a continuing focus on an all-hazards approach, a more comprehensive approach to defending our homeland, we can help mitigate the universal vulnerability the United States and other countries face against large-scale health catastrophes.

ADDITIONAL STATEMENTS

WINNING THE MASTERS

ZACH JOHNSON'S TRIUMPH

• Mr. HARKIN. Mr. President, recently, in a magnificent display of talent, skill, and old-fashioned Iowa grit, Zach Johnson won the Master's Golf Tournament in Augusta, GA.

The new Master's champ had this to say: ''I'm Zach Johnson and I'm from Cedar Rapids, IA. I'm a normal guy.''

Well, Zach Johnson may be a normal guy. But he clearly has an extraordinary ability to play the game of golf.

You might say that Zach Johnson is an overnight success that was a lifetime in the making. His golfing career has progressed steadily from his childhood on courses in Cedar Rapids, to college play at Drake University in Des Moines, followed by professional play in the Prairie Gold Tour, the Nationwide Tour, the PGA Tour, the U.S. Ryder Cup team, and, now, champion of Master's.

Obviously, there are many qualities that go into winning such a challenging tournament against the world's top players. It takes talent and skill. But it also takes intelligence and character. Zach Johnson is abundantly endowed in all of these departments.

Of course, Iowans are ecstatic about Zach's victory. And more than one Iowan has noted that his performance reflected the values we hold dear in the Hawkeye State. He was persistent and relentless. He didn't go for a flashy style of play; it was just steady-as-she-goes, day after day, tee after tee. He refused to yield. He met every challenge. Oh, and his strong putting skills didn't hurt, either.

For the record, I would note that Zach Johnson won not only one of the most difficult golf tournaments in the world, but also quite possibly one of the most difficult of all Master's tournaments in history. He braved gusting winds and bitterly cold weather. His winning score of one-over-par 289 tied the highest winning score in Master's history.

Zach Johnson has done Iowa proud. He is the first Iowan to win a major professional golf tournament since Jack Fleck upset Ben Hogan at the 1955 U.S. Open. I salute his great achievement at Augusta. And I wish him continued success in tournaments, and years, to come.•

MESSAGES FROM THE HOUSE

At 11:45 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1905. An act 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.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 1591) making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints the following as managers of the conference on the part of the House: Mr. OBEY, Ms. DELAURO, Mr. MURTHA, Mr. VISCLOSKY, Mrs. LOWEY, Mr. PRICE of North Carolina, Mr. DICKS, Mr. EDWARDS, Mr. MOLLOHAN, Mr. OLVER, Mr. SERRANO, MS. WASSERRMAN SCHULTZ, Mr. CLYBURN, MR. LEWIS of California, Mr. YOUNG of Florida, Mr. ROGERS of Kentucky, Mr. WOLF, Mr. WALSH, Mr. HOBSON, Mr. KNOLLENBERG, Mr. KINGSTON, Mr. FRELINGHUYSEN, and Mr. WICKER.

ENROLLED BILLS SIGNED

At 1:25 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 137. An act to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

H.R. 727. An act to amend the Public Health Service Act to add requirements regarding trauma care, and for other purposes.

H.R. 753. An act to redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee, as the ''Clifford Davis and Odell Horton Federal Building''.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1905. An act 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; to the Committee on Finance.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. AKAKA (for himself, Mr. DURBIN, Mr. LEAHY, and Mr. SCHUMER):

S. 1176. A bill to require enhanced disclosure to consumers regarding the consequences of making only minimum required payments in the repayment of credit card debt, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARPER (for himself, Mr. SUNUNU, Mr. GREGG, Mr. DODD, Mrs. FEINSTEIN, Mrs. LINCOLN, Mr. LIEBERMAN, and Ms. COLLINS):

S. 1177. A bill to amend the Clean Air Act to establish a national uniform multiple air pollutant regulatory program for the electric generating sector; to the Committee on Environment and Public Works.

By Mr. INOUYE (for himself, Mr. STEVENS, Mr. PRYOR, and Mr. SMITH):

S. 1178. A bill to strengthen data protection and safeguards, require data breach notification, and further prevent identity theft; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY:

S. 1179. A bill to amend the Internal Revenue Code of 1986 to extend the financing for Superfund for purposes of cleanup activities with respect to those Superfund sites for which removal and remedial action is estimated to cost more than $50,000,000, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU:

S. 1180. A bill to amend the Internal Revenue Code of 1986 to extend the placed-in-service date requirement for low-income housing credit buildings in the Gulf Opportunity Zone, and for other purposes; to the Committee on Finance.

By Mr. OBAMA:

S. 1181. A bill to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DODD (for himself, Mr. LIEBERMAN, Mr. KERRY, and Mr. KENNEDY):

S. 1182. A bill to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to increase the authorization of appropriations and modify the date on which the authority of the Secretary of the Interior terminates under the Act; 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. LEAHY (for himself, Mr. SPECTER, Mr. BIDEN, Mr. GRASSLEY, Mr. CORNYN, Ms. STABENOW, Mr. REID, Mr. DURBIN, and Mr. MENENDEZ):

S. Res. 162. A resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers; to the Committee on the Judiciary.

By Mr. DODD (for himself, Mr. ALEXANDER, Mrs. BOXER, Mr. DURBIN, Ms. CANTWELL, Mr. COLEMAN, Mr. LEVIN, Mr. BAYH, Mr. BENNETT, Mr. SCHUMER, Mr. DOMENICI, Mrs. CLINTON, Mr. HATCH, Mr. SALAZAR, and Mr. LIEBERMAN):

S. Res. 163. A resolution designating the third week of April 2007 as ''National Shaken Baby Syndrome Awareness Week''; considered and agreed to.

By Mr. SALAZAR (for himself, Mr. ALEXANDER, Mr. DODD, Mr. BURR, Mr. LEVIN, Mr. COLEMAN, Mr. COCHRAN, Ms. COLLINS, Mrs. CLINTON, Mr. CORKER, Mrs. MURRAY, Mr. AKAKA, Mr. CONRAD, and Mrs. LINCOLN):

S. Res. 164. A resolution designating the week beginning April 22, 2007, as ''Week of the Young Child''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 21

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. DODD) 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. 24

At the request of Mrs. BOXER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 24, a bill to amend the Safe Drinking Water Act to require a health advisory and monitoring of drinking water for perchlorate.

S. 98

At the request of Mr. KERRY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 98, a bill to foster the development of minority-owned small businesses.

S. 185

At the request of Mr. SPECTER, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 185, a bill to restore habeas corpus for those detained by the United States.

S. 206

At the request of Mrs. FEINSTEIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 206, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 326

At the request of Mrs. LINCOLN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 326, a bill to amend the Internal Revenue Code of 1986 to provide a special period of limitation when uniformed services retirement pay is reduced as result of award of disability compensation.

S. 380

At the request of Mr. WYDEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 380, a bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes.

S. 392

At the request of Mr. BIDEN, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 392, a bill to ensure payment of United States assessments for United Nations peacekeeping operations for the 2005 through 2008 time period.

S. 573

At the request of Ms. STABENOW, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors 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. 638

At the request of Mr. ROBERTS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 638, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 761

At the request of Mr. REID, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of S. 761, a bill to invest in innovation and education to improve the competitiveness of the United States in the global economy.

S. 773

At the request of Mr. WARNER, the name of the Senator from Louisiana (Mr. VITTER) 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. 777

At the request of Mr. CRAIG, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 777, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 803

At the request of Mr. ROCKEFELLER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 803, a bill to repeal a provision enacted to end Federal matching of State spending of child support incentive payments.

S. 831

At the request of Mr. DURBIN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 831, a bill to authorize States and local governments to prohibit the investment of State assets in any company that has a qualifying business relationship with Sudan.

S. 860

At the request of Mrs. CLINTON, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 860, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

S. 871

At the request of Mr. LIEBERMAN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 871, a bill to establish and provide for the treatment of Individual Development Accounts, and for other purposes.

S. 935

At the request of Mr. NELSON of Florida, the names of the Senator from California (Mrs. BOXER) and the Senator from Michigan (Ms. STABENOW) 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. 970

At the request of Mr. SMITH, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 970, a bill to impose sanctions on Iran and on other countries for assisting Iran in developing a nuclear program, and for other purposes.

S. 991

At the request of Mr. DURBIN, the names of the Senator from Florida (Mr. MARTINEZ) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 991, a bill to establish the Senator Paul Simon Study Abroad Foundation under the authorities of the Mutual Educational and Cultural Exchange Act of 1961.

S. 992

At the request of Mrs. BOXER, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 992, a bill to achieve emission reductions and cost savings through accelerated use of cost-effective lighting technologies in public buildings, and for other purposes.

S. 1017

At the request of Mr. ENZI, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1017, a bill to amend the Packers and Stockyards Act, 1921, to prohibit the use of certain anti-competitive forward contracts.

S. 1038

At the request of Mr. CORNYN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 1038, a bill to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use.

S. 1042

At the request of Mr. ENZI, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1042, a bill to amend the Public Health Service Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 1128

At the request of Mr. DODD, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1128, a bill to amend the National and Community Service Act of 1990 to establish a Summer of Service State grant program, a Summer of Service national direct grant program, and related national activities, and for other purposes.

S. 1154

At the request of Mr. NELSON of Nebraska, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1154, a bill to promote biogas production, and for other purposes.

S. 1155

At the request of Mr. DORGAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1155, a bill to treat payments under the Conservation Reserve Program as rentals from real estate.

S. 1156

At the request of Mr. DODD, the name of the Senator from Rhode Island (Mr.

REED) was added as a cosponsor of S. 1156, a bill to amend the Federal Food, Drug, and Cosmetic Act to reauthorize the Best Pharmaceuticals for Children program.

S. 1160

At the request of Ms. STABENOW, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1160, a bill to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops.

S. 1168

At the request of Mr. ALEXANDER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1168, a bill to amend the Clean Air Act to establish a regulatory program for sulfur dioxide, nitrogen oxides, mercury, and carbon dioxide emissions from the electric generating sector.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself, Mr. DURBIN, Mr. LEAHY, and Mr. SCHUMER):

S. 1176. A bill to require enhanced disclosure to consumers regarding the consequences of making only minimum required payments in the repayment of credit card debt, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. AKAKA. Mr. President, today, I am introducing the Credit Card Minimum Payment Warning Act. I thank Senators DURBIN, LEAHY, and SCHUMER for cosponsoring this legislation.

Too many consumers in our country are burdened by significant credit card debt. Revolving debt, mostly comprised of credit card debt, has risen from $54 billion in 1980 to more than $883 billion in 2007.

We must make consumers more aware of the long-term effects of their financial decisions, particularly in managing credit card debt. While it is relatively easy to obtain credit, especially on college campuses, not enough is being done to ensure that credit is properly managed. Currently, credit card statements fail to include vital information that would allow individuals to make fully informed financial decisions. Additional disclosure is needed to ensure that consumers completely understand the implications of their credit card use and the costs of only making the minimum payments.

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 included a requirement that credit card issuers provide information to consumers about the consequences of only making the minimum monthly payment. However, this requirement fails to provide the detailed information on billing statements that consumers need to know to make informed decisions. The bankruptcy law allows credit card issuers a choice between disclosure statements. The first option included in the bankruptcy bill would require a standard ''Minimum Payment Warning.'' The generic warning would state that it would take 88 months to pay off a balance of $1,000 for bank card holders or 24 months to pay off a balance of $300 for retail card holders. This first option also includes a requirement that a toll-free number be established that would provide an estimate of the time it would take to pay off the customer's balance. The Federal Reserve Board is required to establish the table that would estimate the approximate number of months it would take to pay off a variety of account balances.

There is a second option that the law permits. The second option allows the credit card issuer to provide a general minimum payment warning and provide a toll-free number that consumers could call for the actual number of months to repay the outstanding balance.

The options available under the Bankruptcy Reform law are woefully inadequate. They do not require issuers to provide their customers with the total amount they would pay in interest and principal if they chose to pay off their balance at the minimum rate. Since the average household with debt carries a balance of approximately $10,000 to $12,000 in revolving debt, a warning based on a balance of $1,000 will not be helpful. The minimum payment warning included in the first option underestimates the costs of paying a balance off at the minimum payment. If a family has a credit card debt of $10,000, and the interest rate is a modest 12.4 percent, it would take more than ten and a half years to pay off the balance while making minimum monthly payments of four percent.

My legislation would make it very clear what costs consumers will incur if they make only the minimum payments on their credit cards. If the Credit Card Minimum Payment Warning Act is enacted, the personalized information consumers would receive for their accounts would help them make informed choices about their payments toward reducing outstanding debt.

My bill requires a minimum payment warning notification on monthly statements stating that making the minimum payment will increase the amount of interest that will be paid and extend the amount of time it will take to repay the outstanding balance. The legislation also requires companies to inform consumers of how many years and months it will take to repay their entire balance if they make only minimum payments. In addition, the total cost in interest and principal, if the consumer pays only the minimum payment, would have to be disclosed. These provisions will make individuals much more aware of the true costs of their credit card debt. The bill also requires that credit card companies provide useful information so that people can develop strategies to free themselves of credit card debt. Consumers would have to be provided with the amount they need to pay to eliminate their outstanding balance within 36 months.

Finally, the legislation requires that creditors establish a toll-free number so that consumers can access trustworthy credit counselors. In order to ensure that consumers are referred only to trustworthy credit counseling organizations, these agencies would have to be approved by the Federal Trade Commission and the Federal Reserve Board as having met comprehensive quality standards. These standards are necessary because certain credit counseling agencies have abused their nonprofit, tax-exempt status and taken advantage of people seeking assistance in managing their debt.

In a report on customized minimum payment disclosures released in April 2006, the Government Accountability Office (GAO) found that consumers who typically carry credit balances found customized disclosures very useful and would prefer to receive them in their billing statements.

We must provide consumers with detailed personalized information to assist them in making better informed choices about their credit card use and repayment. Our bill makes clear the adverse consequences of uninformed choices, such as making only minimum payments, and provides opportunities to locate assistance to better manage credit card debt.

My bill is necessary to improve credit card disclosures so that consumers are provided relevant and useful information that hopefully will bring about positive behavior change among consumers. Consumers with lower debt levels will be better able to purchase a home, pay for their child's education, or retire comfortably on their own terms.

I will ask that a letter of support from the Consumer Federation of America, the Center for Responsible Lending, Consumer Action, Consumers Union, Demos, the National Association of Consumer Advocates, U.S. Public Interest Research Group, the National Council of La Raza, and the National Consumer Law Center be printed in the RECORD.

I will also ask that the text of the Credit Card Minimum Payment Warning Act be printed in the RECORD.

I urge my colleagues to support this important legislation that will empower consumers by providing them with detailed personalized information to assist them in making informed choices about their credit card use and repayment. This bill makes clear the adverse consequences of uninformed choices such as making only minimum payments and provides opportunities to locate assistance to reduce credit card debt.

Mr. President, I ask unanimous consent that the aforementioned materials be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

APRIL 17, 2007.

Hon. DANIEL K. AKAKA,
U.S. Senate,
Washington, D.C. 20510

DEAR SENATOR AKAKA: The undersigned national consumer and civil rights organizations write to strongly support the Credit Card Minimum Payment Warning Act. The Act would require credit card issuers to disclose more information to consumers about the costs associated with paying their bills at ever-declining minimum payment rates. The Act provides a personalized ''price tag'' so consumers can understand the real costs of credit card debt and avoid financial problems in the future.

Undisputed evidence links the rise in bankruptcy in recent years to the increase in consumer credit outstanding. These numbers have moved in lockstep for more than 20 years. Revolving credit, for example (most of which is credit card debt) ballooned from $214 billion in January 1990 to $873 billion currently. As family debt increases, debt service payments on items such as interest and late fees take an ever-increasing piece of their budget. For some families, this contributes to the collapse of their budget. Bankruptcy becomes the only way out.

Credit card issuers have exacerbated the financial problems that many families have faced by lowering minimum payment amounts. This decline in the typical minimum payment is a significant reason for the rise in consumer bankruptcies in recent years. A low minimum payment often barely covers interest obligations. It convinces many borrowers that they are financially sound as long as they can meet all of their minimum payment obligations. However, those who cannot afford to make these payments often carry so much debt that bankruptcy is usually the only viable option.

This bill will provide consumers several crucial pieces of information on their monthly credit card statement: A ''minimum payment warning'' that paying at the minimum rate will increase the amount of interest that is owed and the time it will take to repay the balance; The number of years and months that it will take the consumer to pay off the balance at the minimum rate; The total costs in interest and principal if the consumer pays at the minimum rate; The monthly payment that would be required to pay the balance off in 3 years.

The bill also requires that credit card companies provide a toll-free number that consumers can call to receive information about credit counseling and debt management assistance. In order to assure that consumers are referred to honest, legitimate non-profit credit counselors, the bill requires the Federal Reserve to screen these agencies to ensure that they meet rigorous quality standards.

Our groups commend you for offering this very important and long-overdue piece of legislation. It provides the kind of personalized, timely disclosure information that will help debt-choked families make informed decisions and, with the help of additional protections against abusive credit card lending, start to work their way back to financial health.

For more information, please contact Travis Plunkett at the Consumer Federation of America at 202–387–6121.

Sincerely,

Travis B. Plunkett, Legislative Director, Consumer Federation of America; Gail Hillebrand, Senior Attorney, Consumers Union; Cindy Zeldin, Federal Affairs Coordinator, Economic Opportunity Program, Demos: A Network for Ideas & Action; Kim Warden, Vice President, Federal Affairs, Center for Responsible Lending; Alys Cohen, Staff Attorney, National Consumer Law Center; Edmund Mierzwinski, Consumer Programs Director, U.S. Public Interest Research Group; Linda Sherry, Director, National Priorities, Consumer Action; Ira Rheingold, Executive Director, National Association of Consumer Advocates; Beatriz Ibarra, Assets Policy Analyst, National Council of La Raza.

S. 1176

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 ''Credit Card Minimum Payment Warning Act of 2007''.

SEC. 2. ENHANCED CONSUMER DISCLOSURES REGARDING MINIMUM PAYMENTS.

Section 127(b) of the Truth in Lending Act (15 U.S.C. 1637(b)) is amended by adding at the end the following:

''(11)(A) Information regarding repayment of the outstanding balance of the consumer under the account, appearing in conspicuous type on the front of the first page of each such billing statement, and accompanied by an appropriate explanation, containing—

''(i) the words 'Minimum Payment Warning: Making only the minimum payment will increase the amount of interest that you pay and the time it will take to repay your outstanding balance.';

''(ii) the number of years and months (rounded to the nearest month) that it would take for the consumer to pay the entire amount of that balance, if the consumer pays only the required minimum monthly payments;

''(iii) the total cost to the consumer, shown as the sum of all principal and interest payments, and a breakdown of the total costs in interest and principal, of paying that balance in full if the consumer pays only the required minimum monthly payments, and if no further advances are made;

''(iv) the monthly payment amount that would be required for the consumer to eliminate the outstanding balance in 36 months if no further advances are made; and

''(v) a toll-free telephone number at which the consumer may receive information about accessing credit counseling and debt management services.

''(B)(i) Subject to clause (ii), in making the disclosures under subparagraph (A) the creditor shall apply the interest rate in effect on the date on which the disclosure is made.

''(ii) If the interest rate in effect on the date on which the disclosure is made is a temporary rate that will change under a contractual provision specifying a subsequent interest rate or applying an index or formula for subsequent interest rate adjustment, the creditor shall apply the interest rate in effect on the date on which the disclosure is made for as long as that interest rate will apply under that contractual provision, and then shall apply the adjusted interest rate, as specified in the contract. If the contract applies a formula that uses an index that varies over time, the value of such index on the date on which the disclosure is made shall be used in the application of the formula.''.

SEC. 3. ACCESS TO CREDIT COUNSELING AND DEBT MANAGEMENT INFORMATION.

(a) GUIDELINES REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Board of Governors of the Federal Reserve System and the Federal Trade Commission (in this section referred to as the ''Board'' and the ''Commission'', respectively) shall jointly, by rule, regulation, or order, issue guidelines for the establishment and maintenance by creditors of a toll-free telephone number for purposes of the disclosures required under section 127(b)(11) of the Truth in Lending Act, as added by this Act.

(2) APPROVED AGENCIES.—Guidelines issued under this subsection shall ensure that referrals provided by the toll-free number include only those agencies approved by the Board and the Commission as meeting the criteria under this section.

(b) CRITERIA.—The Board and the Commission shall only approve a nonprofit budget and credit counseling agency for purposes of this section that—

(1) demonstrates that it will provide qualified counselors, maintain adequate provision for safekeeping and payment of client funds, provide adequate counseling with respect to client credit problems, and deal responsibly and effectively with other matters relating to the quality, effectiveness, and financial security of the services it provides;

(2) at a minimum—

(A) is registered as a nonprofit entity under section 501(c) of the Internal Revenue Code of 1986;

(B) has a board of directors, the majority of the members of which—

(i) are not employed by such agency; and

(ii) will not directly or indirectly benefit financially from the outcome of the counseling services provided by such agency;

(C) if a fee is charged for counseling services, charges a reasonable and fair fee, and provides services without regard to ability to pay the fee;

(D) provides for safekeeping and payment of client funds, including an annual audit of the trust accounts and appropriate employee bonding;

(E) provides full disclosures to clients, including funding sources, counselor qualifications, possible impact on credit reports, any costs of such program that will be paid by the client, and how such costs will be paid;

(F) provides adequate counseling with respect to the credit problems of the client, including an analysis of the current financial condition of the client, factors that caused such financial condition, and how such client can develop a plan to respond to the problems without incurring negative amortization of debt;

(G) provides trained counselors who—

(i) receive no commissions or bonuses based on the outcome of the counseling services provided;

(ii) have adequate experience; and

(iii) have been adequately trained to provide counseling services to individuals in financial difficulty, including the matters described in subparagraph (F);

(H) demonstrates adequate experience and background in providing credit counseling;

(I) has adequate financial resources to provide continuing support services for budgeting plans over the life of any repayment plan; and

(J) is accredited by an independent, nationally recognized accrediting organization.

By Mr. INOUYE (for himself, Mr. STEVENS, Mr. PRYOR, and Mr. SMITH):

S. 1178. A bill to strengthen data protection and safeguards, require data breach notification, and further prevent identity theft; to the Committee on Commerce, Science, and Transportation.

Mr. INOUYE. Mr. President, I rise today to introduce the Identity Theft

Prevention Act of 2007 with my colleagues Senator STEVENS and Senator PRYOR to protect Americans from identity theft.

The recent breaches of security that led to the loss of sensitive personal information remind all of us how vulnerable we are to thieves stealing our identity for criminal purposes. Identity theft is a growing threat to our personal security that must be met with new tactics and new laws in the information age.

We in the Congress and every consumer in America have seen the evolution of identity theft. The moment of greatest awareness was in February 2005 when ChoicePoint notified more than 145,000 people that their personal data had been accessed by unauthorized persons who used some of the information for identity theft. ChoicePoint was required to make these contacts under the California notification law, but this incident had nationwide effects. Since then, a number of data brokers, banks, universities and other entities that hold personal information have notified individuals that their personal information may have been compromised. The last major breach was made public in January 2007, when T.J. Maxx announced it had discovered a breach in the security of its customer payment data. As a result of hacker activity starting in 2005, information on more than 45 million credit and debit cards had been stolen.

The need to address this problem is long overdue. Every business that collects and stores sensitive personal information must ensure that the information is safeguarded. If a security breach occurs and the information could be used for identity theft, every affected consumer needs to be notified as soon as possible so they can best protect themselves and their families. The Identity Theft Prevention Act provides the Federal Trade Commission new enforcement tools to ensure businesses that hold a consumer's sensitive personal information use vigorous safeguards to prevent breaches from happening. The Act also requires businesses to appropriately notify consumers if their information is improperly released and could lead to identity theft. In addition, the Identity Theft Prevention Act provides consumers the ability to place a security freeze on their credit reports, so if they choose, they can eliminate the worry and the impact of an identity thief opening new lines of credit from stolen information.

Americans have demanded better protection for their sensitive personal information, and it is imperative that we respond to these demands effectively and expeditiously. I look forward to working with the other Members of the Senate to move this legislation forward.

By Mr. CASEY:

S. 1179. A bill to amend the Internal Revenue Code of 1986 to extend the financing for Superfund for purposes of cleanup activities with respect to those Superfund sites for which removal and remedial action is estimated to cost more than $50,000,000, and for other purposes; to the Committee on Finance.

Mr. CASEY. Mr. President, this Sunday we will celebrate Earth Day, a day when we should reaffirm our commitment to a clean, safe, and healthy environment for our children and future generations.

We have made a considerable amount of progress since Senator Gaylord Nelson established the first Earth Day thirty-seven years ago. We implemented the Clean Water Act and the Clean Air Act, both landmark bills that have made our beautiful country a cleaner place to live. We no longer have rivers so massively polluted they actually catch fire and burn. We no longer have unchecked amounts of toxic pollutants being pumped into the air we breathe. We should be proud of these accomplishments because they show us that we can pass meaningful and effective laws to protect the environment and public health without sacrificing our economy and economic productivity.

We still have serious threats to the safety and health of our environment. Obviously global climate change tops that list of threats. No other single issue has the potential to devastate our future and change the entire world so completely. We have an opportunity, if we get smart and take serious actions, to stop the cataclysmic changes that are just around the corner for this planet. The time to act is now. And I mean right now. Every year that we delay enacting a strong bill that forces us to make mandatory reductions to our carbon emissions the cost goes up. We simply cannot afford to wait. We cannot afford the cost of tackling an ever increasing carbon problem in future years. And we certainly cannot afford the long-term implications of climate change like rising sea levels that will displace large centers of population, droughts that will dramatically reduce fresh drinking water, and major storms like those that have hit the Gulf Coast and Atlantic seaboard over the past few years.

Climate change is certainly the most pressing environmental issue facing us today. But we should not forget about other important issues facing our constituents. Reducing mercury and other air pollutants, reducing pollution of our rivers and streams, preserving open space and stopping urban sprawl, increasing investments in renewable and alternative energy sources, establishing higher fuel efficiency standards, and reducing the number of unremediated Superfund sites continue to be top priorities for me.

For this reason and in honor of Earth Day, today I am introducing the Superfund Equity and Megasite Remediation Act of 2007. This legislation reinstates the polluter-pays tax that funds clean up of Superfund sites. In addition, my bill ramps up the tax for limited 5-year period in order to create a fund to clean up megasites, which cost more than $50 million each to remediate.

I know that Senator BOXER, the Chairman of the Environment and Public Works Committee, has been a longtime advocate for reinstating the polluter-pays principle in federal hazardous waste cleanup law. I look forward to working with her and all of my colleagues on the Environment Committee and the Finance Committee to make sure that we have a Superfund program that cleans up the polluted sites that blight our communities and prevent development and reuse, and does so in a way that polluters foot the bill, and not taxpayers. I urge all of my colleagues to join me in support of this bill, and do the right thing for our local towns on Earth Day.

By Ms. LANDRIEU:

S. 1180. A bill to amend the Internal Revenue Code of 1986 to extend the placed-in-service date requirement for low-income housing credit buildings in the Gulf Opportunity Zone, and for other purposes; to the Committee on Finance.

Ms. LANDRIEU. Mr. President, as the gulf coast recovers from Katrina and Rita, rebuilding our housing remains the key to our recovery. I have talked about this issue on this floor before. We need housing so that our citizens have a place to live while they rebuild our businesses, restore our infrastructure, and renew our communities. Congress and the President responded by making billions of dollars available to us and we are grateful for this assistance.

I am proud to say that this assistance is working. Every time I go home I see signs of improvement. They are often small: a gas station or a store reopening on a corner; children playing on a street where no one lived only a few months before. I wish I could say that these signs are everywhere, but they are not. Some parts of New Orleans are doing well, some are not. We knew from the start that recovery would take longer in some areas than in others; and we all knew that nothing would happen overnight.

America has never rebuilt a city of 500,000 people before. Our experience in Louisiana and in the Gulf has taught us some valuable lessons about postcatastrophe rebuilding and recovery. We have learned about the shortcomings of government programs at FEMA, the Small Business Administration, and other agencies. In responding to Katrina they used the systems that worked great for smaller disasters, but were woefully inadequate for larger ones. For future megacatastrophes we now understand that it may take government programs several months to ramp up before they are in a position to distribute assistance.

One of the key lessons we have learned from this catastrophe has been the affect of such massive destruction

and displacement on the supply and the costs of labor and building materials, and the impact these have on how long it takes to rebuild. New Orleans, for example, is about half the population it used to be. We do not have enough workers in building and contracting to meet the huge demand we have for this work. As a result, it may take several months to get building started. Developers are also having difficulty getting insurance and the infrastructure in many areas is still heavily damaged.

This timing delay means that Congress will have to reexamine the policies that we have enacted to help rebuild the Gulf region in order to ensure that they are meeting the new kinds of disaster recovery challenges Katrina and Rita have posed. The Gulf Opportunity Zone Act of 2005 was one of the major pieces of legislation that we passed. The GO Zone Act provided important tax incentives to encourage investment in businesses and housing in the Gulf.

To help ensure that we can rebuild our housing, GO Zone Act increased the state's allocation of Low Income Housing Tax Credits, LIHTC. These credits finance affordable and mixed income housing. Under the GO Zone Act, any housing developed with these tax credits must be built and operating by December 31, 2008. The statute refers to this as the ''placed in service'' date. This date is consistent with the normal LIHTC program guidelines that require tax credit housing developments to be placed in service within 2 years of allocation.

The Louisiana Housing Finance Agency, LHFA, reports that there was a great demand for these GO Zone credits. For the credits allocated in 2006, the LHFA received 266 applications from developers for more than $253 million. But it only funded 102 projects with $56.9 million in tax credits.

For 2007 and 2008, however, the State received far fewer applications. The reason for this is because of the placed-in-service date. Because of the labor shortage, increased costs, and lack of insurance that we are facing in the Gulf, developers are not sure whether they can get their projects placed in service by the end of 2008. Yet there is still a huge need for the housing that these credits will fund.

The placed-in-service date is also raising new concerns. I have heard from a number of organizations that already received tax credit allocations before 2006 who are concerned that they will not be able to get their developments placed in service by the end of 2008. The LHFA estimates that 65 percent of the affordable housing units under development in New Orleans, roughly 11,050 units, will not make the deadline to be available for rent by the end of 2008. In the surrounding parishes, home sales prices have literally hit the roof meaning working and middle-income families cannot reasonably justify living in the area that they still call home, 19 months since the storm. Again, the culprit is the shortages and increased costs that I mentioned before. Some developers have even told me that they face losing credits that had been allocated to them before the storm because building has been delayed in the region. Since Katrina, rental prices have increased by 39 percent.

Today, I am introducing legislation that will help to ensure that these housing tax credits are available so that we can continue the road to recovery. The Workforce Housing for the GO Zone Act of 2007 will extend the placed-in-service date for the GO Zone Low Income Housing Tax Credit by an additional 2 years. This will allow developers to make full use of the credits that are available to build affordable housing in the Gulf Coast.

Another critical provision lets GO Zone low-income housing projects receive additional federally subsidized loans without losing tax credits. The Low Income Housing Tax Credit provisions included in this bill further assist our people to return home. These credits are competitively awarded to qualified developers and subject to constant oversight by the State housing authority to make sure that only quality affordable housing is being constructed. The citizens of the gulf coast are ready to go back home, and this legislation helps get them there.

I ask unanimous consent that a copy of the legislation be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1180

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 ''Workforce Housing Construction for the GO Zone Act of 2007''.

SEC. 2. EXTENSION OF PLACED-IN-SERVICE DATE REQUIREMENT FOR LOW-INCOME HOUSING CREDIT BUILDINGS IN GULF OPPORTUNITY ZONE.

Section 1400N(c) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''or 2008'' in paragraph (3)(A) and inserting ''2008, 2009, or 2010'',

(2) by striking ''during such period'' in paragraph (3)(B)(ii) and inserting ''during the period described in subparagraph (A)'', and

(3) by striking ''or 2008'' in paragraph (4)(A) and inserting ''2008, 2009, or 2010''.

SEC. 3. PRESERVATION OF PREVIOUS LOW-INCOME HOUSING CREDIT BUILDINGS IN GULF OPPORTUNITY ZONE.

(a) IN GENERAL.—If an owner of a qualified low-income building (as defined in section 42(c)(2) of the Internal Revenue Code of 1986) located in the GO Zone (as defined in section 1400M(1) of such Code) in the second taxable year or later of the credit period (as defined in section 42(f)(1) of such Code) for such building—

(1) suffers a reduction in the qualified basis (as determined under section 42(b)(1) of such Code) of such building (hereinafter referred to as the ''lost qualified basis'') as a result of a disaster that caused the President to issue a major disaster declaration as a result of Hurricanes Katrina and Rita, but under subsection (j)(4)(E) of section 42 of such Code avoids recapture or loss of low-income housing credits previously allowed under such section with respect to such building (hereinafter referred to as the ''existing credits'') by restoring the lost qualified basis by reconstruction, replacement, or rehabilitation within a reasonable period established by the Secretary of the Treasury, and

(2) obtains an allocation of additional low-income housing credits under such section to fund, in whole or in part, the reconstruction, replacement, or rehabilitation of such building (hereinafter referred to as the ''new credits''),

then the qualified basis of such building for purposes of determining the new credits shall equal the excess (if any) of such building's qualified basis as of the close of the first taxable year of the credit period (as so defined) with respect to the new credits (assuming such reconstruction, replacement, or rehabilitation expenditures meet the requirements for treatment as a separate new building), over such building's qualified basis with respect to the existing credits as determined immediately prior to the disaster referred to in paragraph (1).

(b) SPECIAL RULE FOR TIME FOR MAKING ALLOCATIONS OF CREDITS.—For purposes of section 42(h)(1)(E)(ii) of the Internal Revenue Code of 1986, buildings described in subsection (a) shall be deemed to be qualified buildings.

(c) AVOIDANCE OF RECAPTURE OF CREDIT.—For purposes of section 42(j)(4)(E) of the Internal Revenue Code of 1986, qualified low-income housing projects (as defined in section 42(g)(1) of such Code) suffering casualty as a result of a disaster that caused the President to issue a major disaster declaration for the Go Zone (as defined in section 1400M(1))shall be deemed to have restored any casualty loss by reconstruction or replacement within a reasonable period if such loss is restored before January 1, 2011.

SEC. 4. CREDIT ALLOWABLE FOR CERTAIN BUILDINGS ACQUIRED DURING 10-YEAR PERIOD IN THE KATRINA, RITA, AND WILMA DISASTER AREAS.

Section 1400N(c) of the Internal Revenue Code of 1986 is amended by redesignating paragraph (5) as paragraph (6) and by inserting after paragraph (4) the following new paragraph:

''(5) CREDIT ALLOWABLE FOR BUILDINGS ACQUIRED DURING 10-YEAR PERIOD.—A waiver may be granted under section 42(d)(6)(A) (without regard to any clause thereof) with respect to any building in the Gulf Opportunity Zone, the Rita GO Zone, or the Wilma GO Zone.''.

SEC. 5. INCLUSION OF BASIS OF PROPERTY FOR MIXED INCOME HOUSING IN KATRINA, RITA, AND WILMA DISASTER AREAS.

Section 1400N(c) of the Internal Revenue Code of 1986, as amended by this Act, is amended by redesignating paragraph (6) as paragraph (7) and by inserting after paragraph (5) the following new paragraph:

''(6) INCREASE IN APPLICABLE FRACTION FOR MIXED INCOME PROJECTS.—

''(A) IN GENERAL.—In the case of any qualified low-income housing project under section 42(g) which is located in the Gulf Opportunity Zone, the Rita GO Zone, or the Wilma GO Zone and in which the applicable fraction for any building of such qualified low-income housing project is not less than 20 percent and not more than 60 percent but for the provisions of this subparagraph, the numerator of the applicable fraction under section 42(c)(1)(B) shall be increased by—

''(i) one or 5 percent of the total number of units (whichever adjustment provides the largest unit fraction) for each building in the qualified low income housing project in the case of the unit fraction under section 42(c)(1)(C), and

''(ii) five percent of the total floor space in the case of the floor space fraction under section 42(c)(1)(D).

''(B) APPLICATION.—Subparagraph (A) shall apply to—

''(i) housing credit dollar amounts allocated after December 31, 2007, and

''(ii) buildings placed in service after such date to the extent paragraph (1) of section 42(h) does not apply to any building by reason of paragraph (4) thereof, but only with respect to bonds issued after such date.''.

SEC. 6. OVER INCOME LOANS FOR KATRINA, RITA, AND WILMA DISASTER AREAS.

(a) IN GENERAL.—Section 1400N(a)(5)(B) of the Internal Revenue Code of 1986 is amended by adding ''and'' at the end of clause (ii), by striking clause (iii), and by redesignating clause (iv) as clause (iii).

(b) MORTGAGE REVENUE BONDS.—Section 1400T(a) of the Internal Revenue Code of 1986 is amended by adding ''and'' at the end of paragraph (1), by striking paragraph (2), and by redesignating paragraph (3) as paragraph (2).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after the date of the enactment of this Act.

SEC. 7. COMMUNITY DEVELOPMENT BLOCK GRANTS NOT TAKEN INTO ACCOUNT IN DETERMINING IF BUILDINGS ARE FEDERALLY SUBSIDIZED.

Section 1400N(c) of the Internal Revenue Code of 1986, as amended by this Act, is amended by redesignating paragraph (7) as paragraph (8) and by inserting after paragraph (6) the following new paragraph:

''(7) COMMUNITY DEVELOPMENT BLOCK GRANTS NOT TAKEN INTO ACCOUNT IN DETERMINING IF BUILDINGS ARE FEDERALLY SUBSIDIZED.—For purpose of applying section 42(i)(2)(D) to any building which is placed in service in the Gulf Opportunity Zone, the Rita GO Zone, or the Wilma GO Zone during the period beginning on January 1, 2006, and ending on December 31, 2010, a loan shall not be treated as a below market Federal loan solely by reason of any assistance provided under section 106, 107, or 108 of the Housing and Community Development Act of 1974 by reason of section 122 of such Act or any provision of the Department of Defense Appropriations Act, 2006, or the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006.''.

SEC. 8. APPLICATION OF THE DEFINITIONS AND SPECIAL RULES UNDER SECTION 42(I) OF THE INTERNAL REVENUE CODE OF 1986 FOR BOND-FINANCED PROJECTS.

(a) IN GENERAL.—For purposes of qualifying as a qualified residential rental project under section 142(d)(1) of the Internal Revenue Code of 1986 [in the Gulf Opportunity Zone, the Rita GO Zone, or the Wilma GO Zone], the special definitions and special rules for low-income units in section 42(i)(3) of such Code shall apply.

(b) EFFECTIVE DATE.—This section shall take apply to bonds issued after the date of the enactment of this Act.

SEC. 9. SPECIAL TAX-EXEMPT BOND FINANCING RULE FOR REPAIRS AND RECONSTRUCTIONS OF RESIDENCES IN THE GO ZONES.

Section 1400N(a) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) SPECIAL RULE FOR REPAIRS AND RECONSTRUCTIONS.—

''(A) IN GENERAL.—For purposes of section 143 and this subsection, any qualified GO Zone repair or reconstruction shall be treated as a qualified rehabilitation.

''(B) QUALIFIED GO ZONE REPAIR OR RECONSTRUCTION.—For purposes of subparagraph (A), the term 'qualified GO Zone repair or reconstruction' means any repair of damage caused by Hurricane Katrina, Hurricane Rita, or Hurricane Wilma to a building located in the Gulf Opportunity Zone, the Rita GO Zone, or the Wilma GO Zone (or reconstruction of such building in the case of damage constituting destruction) if the expenditures for such repair or reconstruction are 25 percent or more of the mortgagor's adjusted basis in the residence. For purposes of the preceding sentence, the mortgagor's adjusted basis shall be determined as of the completion of the repair or reconstruction or, if later, the date on which the mortgagor acquires the residence.

''(C) TERMINATION.—This paragraph shall apply only to owner-financing provided after the date of the enactment of this paragraph and before January 1, 2011.''.

By Mr. DODD (for himself, Mr. LIEBERMAN, Mr. KERRY, and Mr. KENNEDY):

S. 1182. A bill to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to increase the authorization of appropriations and modify the date on which the authority of the Secretary of the Interior terminates under the Act; to the Committee on Energy and Natural Resources.

Mr. DODD. Mr. President, today I join with my colleagues, Senators LIEBERMAN, KERRY, and KENNEDY, to introduce the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Amendments Act of 2007. Representatives COURTNEY and NEAL have introduced a companion bill in the House.

The Quinebaug and Shetucket Rivers Valley National Heritage Corridor, or QSHC, was established in 1994 as the fifth National Heritage Corridor. National Heritage Areas are designated by Congress to preserve distinctive landscapes of historic, cultural, natural, and recreational resources. The QSHC is commonly known as ''The Last Green Valley,'' a rare rural landscape in the populous Northeast. In fact, the Valley stands out in night images from space for its absence of lights. It contains aboriginal and colonial archaeological sites, mills and mill villages that preserve the history of the early industrial revolution, and traditional farming communities. The QSHC non-profit management entity has restored architecturally and historically important buildings, developed interpretive projects, and developed conservation and open space plans. It has consistently leveraged an average of $19 for every $1 of appropriated Federal money.

The QSHC has developed a plan to become a self-sustaining entity by 2015, as laid out in ''The Trail to 2015: A Sustainability Plan for the Last Green Valley.'' The plan calls for replacing Federal funds with fees for services, private and corporate support, and income from a permanent fund. In the interim, Federal funds are necessary for capacity-building, awareness programs, and ongoing education of land-use decision-makers.

The Quinebaug and Shetucket Rivers Valley National Heritage Corridor has created a collaboration of 35 municipalities dedicated to preserving a unique slice of our American heritage. With an extension of its authorization, this preserve can exist in perpetuity. I urge my colleagues to support reauthorization of the QSHC.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 162—COMMEMORATING AND ACKNOWLEDGING THE DEDICATION AND SACRIFICE MADE BY THE MEN AND WOMEN WHO HAVE LOST THEIR LIVES WHILE SERVING AS LAW ENFORCEMENT OFFICERS

Mr. LEAHY (for himself, Mr. SPECTER, Mr. BIDEN, Mr. GRASSLEY, Mr. CORNYN, Ms. STABENOW, Mr. REID, Mr. DURBIN, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 162

Whereas the well-being of all citizens of the United States is preserved and enhanced as a direct result of the vigilance and dedication of law enforcement personnel;

Whereas more than 900,000 men and women, at great risk to their personal safety, presently serve their fellow citizens as guardians of the peace;

Whereas peace officers are on the front lines in preserving the right of the children of the United States to receive an education in a crime-free environment, a right that is all too often threatened by the insidious fear caused by violence in schools;

Whereas 147 peace officers across the United States were killed in the line of duty during 2006, which is below the decade-long annual average of 167 deaths;

Whereas a number of factors contributed to this reduction in deaths, including—

(1) better equipment and increased use of bullet-resistant vests;

(2) improved training;

(3) longer prison terms for violent offenders; and

(4) advanced emergency medical care;

Whereas every other day, 1 out of every 16 peace officers is assaulted, 1 out of every 56 peace officers is injured, and 1 out of every 5,500 peace officers is killed in the line of duty somewhere in the United States; and

Whereas on May 15, 2007, more than 20,000 peace officers are expected to gather in Washington, D.C., to join with the families of their recently fallen comrades to honor those comrades and all others who went before them: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes May 15, 2007, as ''Peace Officers Memorial Day'', in honor of the Federal, State, and local officers that have been killed or disabled in the line of duty; and

(2) calls on the people of the United States to observe that day with appropriate ceremonies and respect.

Mr. LEAHY. Mr. President, I am proud to submit today a bipartisan resolution to designate May 15, 2007, as National Peace Officers Memorial Day. Joining me in the submission of this resolution are Senators SPECTER, REID, BIDEN, GRASSLEY, CORNYN, and STABENOW. I thank them for their leadership in recognizing the sacrifices

that law enforcement officers make each day for the American people.

This is now the eleventh year running that I have been involved in the submission of this resolution to keep alive in the memory of all Americans the sacrifice and commitment of those law enforcement officers who lost their lives serving their communities. For many years I submitted this worthy resolution with my old friend and our former colleague Senator Campbell, a former deputy sheriff who was a true leader on this issue. Both Senator Campbell, and I, as a former prosecutor, witnessed firsthand the risks faced by law enforcement officers every day while they serve and protect our communities.

I also want to thank each of our Nation's law enforcement officers for their commitment to the safety and protection of their fellow citizens. They are the real-life heroes; too many of whom too often make the ultimate sacrifice. It is important to support and respect our State and local police officers and all of our first responders, and to recognize their role in upholding the rule of law and keeping our Nation's citizens safe and secure.

Currently, more than 870,000 men and women who guard our communities do so at great risk. After the hijacked planes hit the World Trade Center in New York City on September 11, 2001, 72 peace officers died while trying to ensure that their fellow citizens in those buildings got to safety. That act of terrorism resulted in the highest number of peace officers ever killed in a single incident in the history of our country, and is a tragic reminder of how important it is for the Congress to provide all of the resources necessary to protect officers in the line of duty.

Since the first recorded police death in 1792, there have been more than 17,900 law enforcement officers who have made the ultimate sacrifice. We are fortunate in Vermont that we rank as the State with the fewest officer deaths in history, with 19 recorded; however, that is 19 deaths too many. In 2006, 147 law enforcement officers died while serving in the line of duty, well below the decade-long average of 165 deaths annually, and a drop from 2005 when 156 officers were killed. A number of factors contributed to this reduction, including better equipment and the increased use of bullet-resistant vests, improved training and advanced emergency medical care. I hope as the 110th Congress moves forward that all Senators can work together to ensure that all of our law enforcement officers have the full support and resources of the Federal Government.

I am proud of the work I have been involved in to help make it safer on the beat for our officers. Back in 1998, Senator Campbell and I authored the Bulletproof Vest Grant Partnership Act in response to the tragic Carl Drega shootout on the Vermont-New Hampshire border, in which two state troopers who lacked bulletproof vests were killed. Since then, we have successfully reauthorized this program three more times: in the Bulletproof Vest Partnership Grant Act of 2000, in the State Justice Institute Reauthorization Act of 2004, and most recently as part of the Violence Against Women and Department of Justice Reauthorization Act of 2005. It is now authorized at $50 million per year through fiscal year 2009 to help State, tribal and local jurisdictions purchase armor vests for use by law enforcement officers. I have already begun to work with my colleagues to make sure that the Bulletproof Vest Partnership grant program is fully funded this year. Bulletproof vests have saved the lives of thousands of officers and are a fundamental line of defense that no officer should be without. I know I am not alone in calling for the Senate to fully fund the Bulletproof Vest Partnership program and I truly hope my colleagues will agree that it is critical that we provide the funding authorized for this program. Hundreds of thousands of police officers are counting on us.

I am also pleased to join with Senator REED and others to introduce the Equity in Law Enforcement Act, which will provide parity in Federal benefits for law enforcement officers working in private educational institutions and for our Nation's rail carriers. Among these benefits are access to grants under the Bulletproof Vest Partnership, and survivor benefits. All of the men and women who serve our society as law enforcement officers should be equally entitled to all of the benefits the Federal Government provides, no matter where they serve.

National Peace Officers Memorial Day will provide the people of the United States, in their communities, in their State Capitals, and in the Nation's Capitol, with the opportunity to honor and reflect on the extraordinary service and sacrifice given year after year by our police forces. During the week of May 8-15, more than 20,000 peace officers are expected to gather in Washington to join with the families of their fallen comrades. I hope all Senators will join me in honoring their service by passing this important bipartisan resolution.

SENATE RESOLUTION 163—DESIGNATING THE THIRD WEEK OF APRIL 2007, AS ''NATIONAL SHAKEN BABY SYNDROME AWARENESS WEEK''

Mr. DODD (for himself, Mr. ALEXANDER, Mrs. BOXER, Mr. DURBIN, Ms. CANTWELL, Mr. COLEMAN, Mr. LEVIN, Mr. BAYH, Mr. BENNETT, Mr. SCHUMER, Mr. DOMENICI, Mrs. CLINTON, Mr. HATCH, Mr. SALAZAR, and Mr. LIEBERMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 163

Whereas the month of April has been designated ''National Child Abuse Prevention Month'' as an annual tradition that was initiated in 1979 by former President Jimmy Carter;

Whereas the most recent National Child Abuse and Neglect Data System figures reveal that almost 900,000 children were victims of abuse and neglect in the United States in 2005, causing unspeakable pain and suffering to our most vulnerable citizens;

Whereas among the children who are victims of abuse and neglect, more than 4 children die in the United States each day;

Whereas children aged 1 year or younger accounted for approximately 42 percent of all child abuse and neglect fatalities in 2005, and children aged 3 years or younger accounted for approximately 77 percent of all child abuse and neglect fatalities in 2005;

Whereas abusive head trauma, including the trauma known as ''Shaken Baby Syndrome'', is recognized as the leading cause of death of physically abused children;

Whereas Shaken Baby Syndrome can result in loss of vision, brain damage, paralysis, seizures, or death;

Whereas a 2003 report in the Journal of the American Medical Association estimated that, in the United States, an average of 300 children will die each year, and 600 to 1,200 more will be injured, of whom ⅔ will be babies or infants under 1 year in age, as a result of Shaken Baby Syndrome, with many cases resulting in severe and permanent disabilities;

Whereas medical professionals believe that thousands of additional cases of Shaken Baby Syndrome and other forms of abusive head trauma are being misdiagnosed or are not detected;

Whereas Shaken Baby Syndrome often results in permanent, irreparable brain damage or death to an infant and may result in extraordinary costs for the provision of medical care to the infant in just the first few years of life of the infant;

Whereas the most effective solution for ending Shaken Baby Syndrome is to prevent the abuse, and it is clear that the minimal costs of education and prevention programs may prevent enormous medical and disability costs and immeasurable amounts of grief for many families;

Whereas prevention programs have demonstrated that educating new parents about the danger of shaking young children and how they can help protect their child from injury can bring about a significant reduction in the number of cases of Shaken Baby Syndrome;

Whereas education programs have been shown to raise awareness and provide critically important information about Shaken Baby Syndrome to parents, caregivers, daycare workers, child protection employees, law enforcement personnel, health care professionals, and legal representatives;

Whereas ''National Shaken Baby Syndrome Awareness Week'' and efforts to prevent child abuse, including Shaken Baby Syndrome, are supported by groups across the United States, including those formed by parents and relatives of children who have been killed or injured by shaking, whose mission is to educate the general public and professionals about Shaken Baby Syndrome and to increase support for victims and the families of the victims in the health care and criminal justice systems;

Whereas Congress previously designated the third week of April 2001 as ''National Shaken Baby Syndrome Awareness Week 2001''; and

Whereas Congress strongly supports efforts to protect children from abuse and neglect: Now, therefore, be it

Resolved, That the Senate—

(1) designates the third week of April 2007 as ''National Shaken Baby Syndrome Awareness Week'';

(2) commends those hospitals, child care councils, schools, community groups, and other organizations that are—

(A) working to increase awareness of the danger of shaking young children; and

(B) educating parents and caregivers on how they can help protect children from injuries caused by abusive shaking; and

(C) helping families cope effectively with the challenges of child-rearing and other stresses in their lives; and

(3) encourages the citizens of the United States to—

(A) remember the victims of Shaken Baby Syndrome; and

(B) participate in educational programs to help prevent Shaken Baby Syndrome.

SENATE RESOLUTION 164—DESIGNATING THE WEEK BEGINNING APRIL 22, 2007, AS ''WEEK OF THE YOUNG CHILD''

Mr. SALAZAR (for himself, Mr. ALEXANDER, Mr. DODD, Mr. BURR, Mr. LEVIN, Mr. COLEMAN, Mr. COCHRAN, Ms. COLLINS, Mrs. CLINTON, Mr. CORKER, Mrs. MURRAY, Mr. AKAKA, Mr. CONRAD, and Mrs. LINCOLN) submitted the following resolution; which was considered and agreed to:

S. RES. 164

Whereas there are 20,000,000 children under the age of 5 in the United States;

Whereas numerous studies, including the Abecedarian Study, the Study of the Chicago Child-Parent Center, and the High/Scope Perry Preschool Study, indicate that low income children who have enrolled in quality, comprehensive early childhood education programs—

(1) improve their cognitive, language, physical, social, and emotional development; and

(2) are less likely to—

(A) be placed in special education;

(B) drop out of school; or

(C) engage in juvenile delinquency;

Whereas the enrollment rates of children under the age of 5 in early childhood education programs have steadily increased since 1965 with—

(1) the creation of the Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.);

(2) the establishment of the Early Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.); and

(3) the enactment of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.);

Whereas many children eligible for, and in need of, quality early childhood education services are not served;

Whereas only about one-half of all preschoolers who are eligible to participate in Head Start programs have the opportunity to do so;

Whereas less than 5 percent of all eligible babies and toddlers in the United States receive the opportunity to participate in Early Head Start;

Whereas only about 1 out of every 7 eligible children receives assistance under section 658C of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858a) to—

(1) enable the parents of the child to continue working; and

(2) provide the child with safe and nurturing early childhood care and education;

Whereas, although State and local governments have responded to the numerous benefits of early childhood education by making significant investments in programs and classrooms, there remains—

(1) a large unmet need for those services; and

(2) a need to improve the quality of those programs;

Whereas, according to numerous studies on the impact of investments in high-quality early childhood education, the programs reduce—

(1) the occurrence of students failing to complete secondary school; and

(2) future costs relating to special education and juvenile crime; and

Whereas economist and Nobel Laureate, James Heckman, and Chairman of the Board of Governors of the Federal Reserve System, Ben S. Bernanke, have stated that investment in childhood education is of critical importance to the future of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning April 22, 2007, as ''Week of the Young Child'';

(2) encourages the citizens of the United States to celebrate—

(A) young children; and

(B) the citizens who provide care and early childhood education to the young children of the United States; and

(3) urges the citizens of the United States to recognize the importance of—

(A) quality, comprehensive early childhood education programs; and

(B) the value of those services for preparing children to—

(i) appreciate future educational experiences; and

(ii) enjoy lifelong success.

AMENDMENTS SUBMITTED AND PROPOSED

SA 902. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 902. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the end of division A, add the following new title:

TITLE VI—SKIL ACT OF 2007

SEC. 1601 SHORT TITLE.

This title may be cited as the ''Securing Knowledge, Innovation, and Leadership Act of 2007'' or the ''SKIL Act of 2007''.

Subtitle A—Access to High Skilled Foreign Workers

SEC. 1611. H–1B VISA HOLDERS.

(a) IN GENERAL.—Section 214(g)(5) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(5)) is amended—

(1) in subparagraph (B)—

(A) by striking ''nonprofit research'' and inserting ''nonprofit'';

(B) by inserting ''Federal, State, or local'' before ''governmental''; and

(C) by striking ''or'' at the end;

(2) in subparagraph (C)—

(A) by striking ''a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))),'' and inserting ''an institution of higher education in a foreign country,''; and

(B) by striking the period at the end and inserting a semicolon;

(3) by adding at the end, the following new subparagraphs:

''(D) has earned a master's or higher degree from a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

''(E) has been awarded medical specialty certification based on post-doctoral training and experience in the United States.''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to any petition or visa application pending on the date of enactment of this Act and any petition or visa application filed on or after such date.

SEC. 1612. MARKET-BASED VISA LIMITS.

Section 214(g) of the Immigration and Nationality Act (8 U.S.C. 1184(g)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''(beginning with fiscal year 1992)''; and

(B) in subparagraph (A)—

(i) in clause (vi) by striking ''and'';

(ii) in clause (vii), by striking ''each succeeding fiscal year; or'' and inserting ''each of fiscal years 2004, 2005, 2006, and 2007;''; and

(iii) by adding after clause (vii) the following:

''(viii) 115,000 in the first fiscal year beginning after the date of the enactment of the Securing Knowledge, Innovation, and Leadership Act of 2007; and

''(ix) the number calculated under paragraph (9) in each fiscal year after the fiscal year described in clause (viii); or'';

(2) in paragraph (5), as amended by section 101(a), in the matter preceding subparagraph (A), by inserting ''101(a)(15)(H)(i)(b1) or section'' after ''under section'';

(3) in paragraph (8), by striking subparagraphs (B)(iv) and (D);

(4) by redesignating paragraphs (9), (10), and (11) as paragraphs (10), (11), and (12), respectively; and

(5) by inserting after paragraph (8) the following:

''(9) If the numerical limitation in paragraph (1)(A)—

''(A) is reached during the previous fiscal year, the numerical limitation under paragraph (1)(A)(ix) for the subsequent fiscal year shall be equal to 120 percent of the numerical limitation of the previous fiscal year; or

''(B) is not reached during the previous fiscal year, the numerical limitation under paragraph (1)(A)(ix) for the subsequent fiscal year shall be equal to the numerical limitation of the previous fiscal year.''.

Subtitle B—Retaining Foreign Workers Educated in the United States

SEC. 1621. UNITED STATES EDUCATED IMMIGRANTS.

(a) IN GENERAL.—Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following:

''(F) Aliens who have earned a master's or higher degree from an accredited United States university.

''(G) Aliens who have been awarded medical specialty certification based on post-doctoral training and experience in the United States preceding their application for an immigrant visa under section 203(b).

''(H) Aliens who will perform labor in shortage occupations designated by the Secretary of Labor for blanket certification under section 212(a)(5)(A) as lacking sufficient United States workers able, willing, qualified, and available for such occupations and for which the employment of aliens will not adversely affect the terms and conditions of similarly employed United States workers.

''(I) Aliens who have earned a master's degree or higher in science, technology, engineering, or math and have been working in a related field in the United States in a nonimmigrant status during the 3-year period preceding their application for an immigrant visa under section 203(b).

''(J) Aliens described in subparagraph (A) or (B) of section 203(b)(1) or who have received a national interest waiver under section 203(b)(2)(B).

''(K) The spouse and minor children of an alien who is admitted as an employment-based immigrant under section 203(b).''.

(b) LABOR CERTIFICATIONS.—Section 212(a)(5)(A)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(5)(A)(ii)) is amended—

(1) in subclause (I), by striking ''or'' at the end;

(2) in subclause (II), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(III) is a member of the professions and has a master's degree or higher from an accredited United States university or has been awarded medical specialty certification based on post-doctoral training and experience in the United States.''.

SEC. 1622. IMMIGRANT VISA BACKLOG REDUCTION.

Section 201(d) of the Immigration and Nationality Act (8 U.S.C. 1151(d)) is amended to read as follows:

''(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED IMMIGRANTS.—The worldwide level of employment-based immigrants under this subsection for a fiscal year is equal to the sum of—

''(1) 290,000;

''(2) the difference between—

''(A) the maximum number of visas authorized to be issued under this subsection during the previous fiscal year; and

''(B) the number of such visas issued during the previous fiscal year; and

''(3) the difference between—

''(A) the maximum number of visas authorized to be issued under this subsection during fiscal years 2001 through 2005 and the number of visa numbers issued under this subsection during such fiscal years; and

''(B) the number of visas calculated under subparagraph (A) that were issued after fiscal year 2005.''.

SEC. 1623. STUDENT VISA REFORM.

(a) IN GENERAL.—Section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) is amended to read as follows:

''(F) an alien—

''(i) who—

''(I) is a bona fide student qualified to pursue a full course of study in mathematics, engineering, technology, or the sciences leading to a bachelors or graduate degree and who seeks to enter the United States for the purpose of pursuing such a course of study consistent with section 214(m) at an institution of higher education (as defined by section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) in the United States, particularly designated by the alien and approved by the Secretary of Homeland Security, after consultation with the Secretary of Education, which institution or place of study shall have agreed to report to the Secretary of Homeland Security the termination of attendance of each nonimmigrant student, and if any such institution of learning or place of study fails to make reports promptly the approval shall be withdrawn; or

''(II) is engaged in temporary employment for optional practical training related to such alien's area of study following completion of the course of study described in subclause (I) for a period or periods of not more than 24 months;

''(ii) who—

''(I) has a residence in a foreign country which the alien has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study, and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study consistent with section 214(m) at an established college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in a language training program in the United States, particularly designated by the alien and approved by the Secretary of Homeland Security, after consultation with the Secretary of Education, which institution or place of study shall have agreed to report to the Secretary of Homeland Security the termination of attendance of each nonimmigrant student, and if any such institution of learning or place of study fails to make reports promptly the approval shall be withdrawn; or

''(II) is engaged in temporary employment for optional practical training related to such alien's area of study following completion of the course of study described in subclause (I) for a period or periods of not more than 24 months;

''(iii) who is the spouse or minor child of an alien described in clause (i) or (ii) if accompanying or following to join such an alien; or

''(iv) who—

''(I) is a national of Canada or Mexico, who maintains actual residence and place of abode in the country of nationality, who is described in clause (i) or (ii) except that the alien's qualifications for and actual course of study may be full or part-time, and who commutes to the United States institution or place of study from Canada or Mexico; or

''(II) is engaged in temporary employment for optional practical training related to such alien's area of study following completion of the course of study described in subclause (I) for a period or periods of not more than 24 months;''.

(b) ADMISSION.—Section 214(b) of the Immigration and Nationality Act (8 U.S.C. 1184(b)) is amended by inserting ''(F)(i),'' before ''(L) or (V)''.

(c) CONFORMING AMENDMENT.—Section 214(m)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(m)(1)) is amended, in the matter preceding subparagraph (A), by striking ''(i) or (iii)'' and inserting ''(i), (ii), or (iv)''.

SEC. 1624. L–1 VISA HOLDERS SUBJECT TO VISA BACKLOG.

Section 214(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)) is amended by adding at the end the following new subparagraph:

''(G) The limitations contained in subparagraph (D) with respect to the duration of authorized stay shall not apply to any nonimmigrant alien previously issued a visa or otherwise provided nonimmigrant status under section 101(a)(15)(L) on whose behalf a petition under section 204(b) to accord the alien immigrant status under section 203(b), or an application for labor certification (if such certification is required for the alien to obtain status under such section 203(b)) has been filed, if 365 days or more have elapsed since such filing. The Secretary of Homeland Security shall extend the stay of an alien who qualifies for an exemption under this subparagraph until such time as a final decision is made on the alien's lawful permanent residence.''.

SEC. 1625. RETAINING WORKERS SUBJECT TO GREEN CARD BACKLOG.

(a) ADJUSTMENT OF STATUS.—

(1) IN GENERAL.—Section 245(a) of the Immigration and Nationality Act (8 U.S.C. 1255(a)) is amended to read as follows:

''(a) ELIGIBILITY.—

''(1) IN GENERAL.—The status of an alien who was inspected and admitted or paroled into the United States or the status of any other alien having an approved petition for classification under subparagraph (A)(iii), (A)(iv), (B)(ii), or (B)(iii) of section 204(a)(1) may be adjusted by the Secretary of Homeland Security or the Attorney General, in the discretion of the Secretary or the Attorney General under such regulations as the Secretary or Attorney General may prescribe, to that of an alien lawfully admitted for permanent residence if—

''(A) the alien makes an application for such adjustment;

''(B) the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence; and

''(C) an immigrant visa is immediately available to the alien at the time the application is filed.

''(2) SUPPLEMENTAL FEE.—An application under paragraph (1) that is based on a petition approved or approvable under subparagraph (E) or (F) of section 204(a)(1) may be filed without regard to the limitation set forth in paragraph (1)(C) if a supplemental fee of $500 is paid by the principal alien at the time the application is filed. A supplemental fee may not be required for any dependent alien accompanying or following to join the principal alien.

''(3) VISA AVAILABILITY.—An application for adjustment filed under this paragraph may not be approved until such time as an immigrant visa become available.''.

(b) USE OF FEES.—Section 286(v)(1) (8 U.S.C. 1356(v)(1)) is amended by inserting before the period at the end ''and the fees collected under section 245(a)(2).''.

Subtitle C—Business Facilitation Through Immigration Reform

SEC. 1631. STREAMLINING THE ADJUDICATION PROCESS FOR ESTABLISHED EMPLOYERS.

Section 214(c) of the Immigration and Nationality Act (8. U.S.C. 1184) is amended by adding at the end the following new paragraph:

''(15) Not later than 180 days after the date of the enactment of the Securing Knowledge, Innovation, and Leadership Act of 2007, the Secretary of Homeland Security shall establish a pre-certification procedure for employers who file multiple petitions described in this subsection or section 203(b). Such precertification procedure shall enable an employer to avoid repeatedly submitting documentation that is common to multiple petitions and establish through a single filing criteria relating to the employer and the offered employment opportunity.''.

SEC. 1632. PROVIDING PREMIUM PROCESSING OF EMPLOYMENT-BASED VISA PETITIONS.

(a) IN GENERAL.—Pursuant to section 286(u) of the Immigration and Nationality Act (8 U.S.C. 1356(u)), the Secretary of Homeland Security shall establish and collect a fee for premium processing of employment-based immigrant petitions.

(b) APPEALS.—Pursuant to such section 286(u), the Secretary of Homeland Security shall establish and collect a fee for premium processing of an administrative appeal of any decision on a permanent employment-based immigrant petition.

SEC. 1633. ELIMINATING PROCEDURAL DELAYS IN LABOR CERTIFICATION PROCESS.

(a) PREVAILING WAGE RATE.—

(1) REQUIREMENT TO PROVIDE.—The Secretary of Labor shall provide prevailing wage determinations to employers seeking a labor

certification for aliens pursuant to part 656 of title 20, Code of Federal Regulation (or any successor regulation). The Secretary may not delegate this function to any agency of a State.

(2) SCHEDULE FOR DETERMINATION.—Except as provided in paragraph (3), the Secretary of Labor shall provide a response to an employer's request for a prevailing wage determination in no more than 20 calendar days from the date of receipt of such request. If the Secretary fails to reply during such 20-day period, then the wage proposed by the employer shall be the valid prevailing wage rate.

(3) USE OF SURVEYS.—The Secretary of Labor shall accept an alternative wage survey provided by the employer unless the Secretary determines that the wage component of the Occupational Employment Statistics Survey is more accurate for the occupation in the labor market area.

(b) PLACEMENT OF JOB ORDER.—The Secretary of Labor shall maintain a website with links to the official website of each workforce agency of a State, and such official website shall contain instructions on the filing of a job order in order to satisfy the job order requirements of section 656.17(e)(1) of title 20, Code of Federal Regulation (or any successor regulation).

(c) TECHNICAL CORRECTIONS.—The Secretary of Labor shall establish a process by which employers seeking certification under section 212(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(5)), as amended by section 1621(b), may make technical corrections to applications in order to avoid requiring employers to conduct additional recruitment to correct an initial technical error. A technical error shall include any error that would not have a material effect on the validity of the employer's recruitment of able, willing, and qualified United States workers.

(d) ADMINISTRATIVE APPEALS.—Motions to reconsider, and administrative appeals of, a denial of a permanent labor certification application, shall be decided by the Secretary of Labor not later than 60 days after the date of the filing of such motion or such appeal.

(e) APPLICATIONS UNDER PREVIOUS SYSTEM.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Labor shall process and issue decisions on all applications for permanent alien labor certification that were filed prior to March 28, 2005.

(f) EFFECTIVE DATE.—The provisions of this section shall take effect 90 days after the date of enactment of this Act, regardless of whether the Secretary of Labor has amended the regulations at part 656 of title 20, Code of Federal Regulation to implement such changes.

Subtitle D—Miscellaneous

SEC. 1641. COMPLETION OF BACKGROUND AND SECURITY CHECKS.

Section 103 of the Immigration and Nationality Act (8 U.S.C. 1103) is amended by adding at the end the following new subsection:

''(i) REQUIREMENT FOR BACKGROUND CHECKS.—Notwithstanding any other provision of law, until appropriate background and security checks, as determined by the Secretary of Homeland Security, have been completed, and the information provided to and assessed by the official with jurisdiction to grant or issue the benefit or documentation, on an in camera basis as may be necessary with respect to classified, law enforcement, or other information that cannot be disclosed publicly, the Secretary of Homeland Security, the Attorney General, or any court may not—

''(1) grant or order the grant of adjustment of status of an alien to that of an alien lawfully admitted for permanent residence;

''(2) grant or order the grant of any other status, relief, protection from removal, or other benefit under the immigration laws; or

''(3) issue any documentation evidencing or related to such grant by the Secretary, the Attorney General, or any court.

''(j) REQUIREMENT TO RESOLVE FRAUD ALLEGATIONS.—Notwithstanding any other provision of law, until any suspected or alleged fraud relating to the granting of any status (including the granting of adjustment of status), relief, protection from removal, or other benefit under this Act has been investigated and resolved, the Secretary of Homeland Security and the Attorney General may not be required to—

''(1) grant or order the grant of adjustment of status of an alien to that of an alien lawfully admitted for permanent residence;

''(2) grant or order the grant of any other status, relief, protection from removal, or other benefit under the immigration laws; or

''(3) issue any documentation evidencing or related to such grant by the Secretary, the Attorney General, or any court.

''(k) PROHIBITION OF JUDICIAL ENFORCEMENT.—Notwithstanding any other provision of law, no court may require any act described in subsection (i) or (j) to be completed by a certain time or award any relief for the failure to complete such acts.''.

SEC. 1642. VISA REVALIDATION.

(a) IN GENERAL.—Section 222 of the Immigration and Nationality Act (8 U.S.C. 1202) is amended by adding at the end the following:

''(i) VISA REVALIDATION.—The Secretary of State shall permit an alien granted a nonimmigrant visa under subparagraph E, H, I, L, O, or P of section 101(a)(15) to apply for a renewal of such visa within the United States if—

''(1) such visa expired during the 12-month period ending on the date of such application;

''(2) the alien is seeking a nonimmigrant visa under the same subparagraph under which the alien had previously received a visa; and

''(3) the alien has complied with the immigration laws and regulations of the United States.''.

(b) CONFORMING AMENDMENT.—Section 222(h) of such Act is amended, in the matter preceding subparagraph (1), by inserting ''and except as provided under subsection (i),'' after ''Act''.

SEC. 1643. SEVERABILITY.

If any provision of this title, any amendment by this title, or the application of such provision or amendment to any person or circumstance is held to be invalid for any reason, the remainder of this title, the amendments made by this title, and the applications of such to any other person or circumstance shall not be affected by such holding.

PRIVILEGES OF THE FLOOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent that Dr. Melanie Roberts, who is a fellow in my office; Mr. Kevin Eckerle, a fellow in the Commerce Committee; Dr. Steve Leherman, a fellow in Senator PRYOR's office; and Mr. CRAIG Robinson, a fellow in Senator LIEBERMAN's office, all be granted the privilege of the floor during the pendency of S. 761 and any votes that occur on this bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Jack Wells, a fellow on my staff, be granted floor privileges for the duration of the debate on S. 761, the America COMPETES Act.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the nominations placed on the Secretary's desk; that the nominations be confirmed, the motions to reconsider be laid on the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

NOMINATIONS PLACED ON THE SECRETARY'S DESK

PUBLIC HEALTH SERVICE

PN388 PUBLIC HEALTH SERVICE nominations (2) beginning Sunee R. Danielson, and ending Mary E. Evans, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 22, 2007.

PN428 PUBLIC HEALTH SERVICE nominations (281) beginning Arturo H. Castro, and ending David J. Lusche, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 11, 2007.

PN429 PUBLIC HEALTH SERVICE nominations (806) beginning David G. Addiss, and ending Allyson M. Alvarado, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 11, 2007.

PN430 PUBLIC HEALTH SERVICE nominations (337) beginning Daniel S. Miller, and ending Darin S. Wiegers, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 11, 2007.

LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume legislative session.

APPOINTMENTS

THE ACTING PRESIDENT pro tempore. The Chair, on behalf of the President pro tempore, pursuant to Public Law 96–388, as amended by Public Law 97–84 and Public Law 106–292, appoints the following Senators to the United States Holocaust Memorial Council for the 110th Congress: the Senator from Utah (Mr. HATCH) and the Senator from Minnesota (Mr. COLEMAN).

The Chair announces, on behalf of the Republican leader, pursuant to the provisions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105–275, further amended by S. Res. 75 (adopted March 25, 1999), amended by S. Res. 383 (adopted October 27, 2000), and amended by S. Res. 355 (adopted November 13, 2002), and further amended by S. Res. 480 (adopted

November 20, 2004), the appointment of the following Senators to serve as members of the Senate National Security Working Group for the 110th Congress: Senator THAD COCHRAN of Mississippi (Co-Chairman); Senator JON KYL of Arizona (Administrative Co-Chairman); Senator MITCH MCCONNELL of Kentucky (Co-Chairman); and Senator TRENT LOTT of Mississippi (Co-Chairman).

NATIONAL SHAKEN BABY SYNDROME AWARENESS WEEK

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 163, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 163) designating the third week of April 2007 as ''National Shaken Baby Syndrome Awareness Week''.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DODD. Mr. President, along with Senators ALEXANDER, BAYH, BENNETT, BOXER, CANTWELL, CLINTON, COLEMAN, DOMENICI, DURBIN, HATCH, LEVIN, LIEBERMAN, SALAZAR, and SCHUMER, I am in support of our resolution to proclaim the third week of April of 2007 as ''National Shaken Baby Syndrome Awareness Week.'' The Senate has passed similar resolutions each year since 2001, and we strongly support continued awareness of one of the most devastating forms of child abuse in this country, abuse that results in the severe injury, lifelong disability, or death of hundreds of children each year.

In recognition of the need to eliminate child abuse and to raise awareness about the issue, the month of April has again been designated ''National Child Abuse Prevention Month,'' an annual tradition that was initiated in 1979 by former President Jimmy Carter. As we focus on child abuse prevention this month, awareness and prevention of Shaken Baby Syndrome is an important component of these efforts.

I would like to recognize the many groups, including those formed by parents and relatives who have been killed or injured by shaking, who support this effort to increase awareness of one of the most devastating forms of child abuse. These supporters include the American Academy of Pediatrics, the American Association of Neurological Surgeons, the American Psychological Association, The Arc of the United States, the Association of Maternal and Child Health Programs, the Association of University Centers on Disabilities, the Brain Injury Association of America, the Center for Child Protection and Family Support, the Child Welfare League of America, Children's Healthcare is a Legal Duty, the Congress of Neurological Surgeons, the Cynthia Gibbs Foundation, Don't Shake Jake, Easter Seals, Epilepsy Foundation of America, Family Voices, the Hannah Rose Foundation, the Kierra Harrison Foundation, the National Association of Children's Hospitals, the National Association of Child Care Resource & Referral Agencies, the National Center for Learning Disabilities, the National Child Abuse Coalition, the National Crime Prevention Council, the National Exchange Club Foundation, the National Family Partnership, the National Respite Coalition, the National Shaken Baby Coalition, Parents Anonymous, Prevent Child Abuse, the Shaken Baby Alliance, the Shaken Baby Association, Shaken Baby Prevention Inc., Shaken Baby Syndrome Prevention Plus, the SKIPPER Initiative, United Cerebral Palsy, A Voice for Gabbi, and many other groups.

I urge the Senate to adopt this resolution designating the third week of April 2007 as ''National Shaken Baby Syndrome Awareness Week,'' and to take part in the many local and national activities and events recognizing the month of April as National Child Abuse Prevention Month.

Mr. NELSON of Florida. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 163) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 163

Whereas the month of April has been designated ''National Child Abuse Prevention Month'' as an annual tradition that was initiated in 1979 by former President Jimmy Carter;

Whereas the most recent National Child Abuse and Neglect Data System figures reveal that almost 900,000 children were victims of abuse and neglect in the United States in 2005, causing unspeakable pain and suffering to our most vulnerable citizens;

Whereas among the children who are victims of abuse and neglect, more than 4 children die in the United States each day;

Whereas children aged 1 year or younger accounted for approximately 42 percent of all child abuse and neglect fatalities in 2005, and children aged 3 years or younger accounted for approximately 77 percent of all child abuse and neglect fatalities in 2005;

Whereas abusive head trauma, including the trauma known as ''Shaken Baby Syndrome'', is recognized as the leading cause of death of physically abused children;

Whereas Shaken Baby Syndrome can result in loss of vision, brain damage, paralysis, seizures, or death;

Whereas a 2003 report in the Journal of the American Medical Association estimated that, in the United States, an average of 300 children will die each year, and 600 to 1,200 more will be injured, of whom ⅔ will be babies or infants under 1 year in age, as a result of Shaken Baby Syndrome, with many cases resulting in severe and permanent disabilities;

Whereas medical professionals believe that thousands of additional cases of Shaken Baby Syndrome and other forms of abusive head trauma are being misdiagnosed or are not detected;

Whereas Shaken Baby Syndrome often results in permanent, irreparable brain damage or death to an infant and may result in extraordinary costs for the provision of medical care to the infant in just the first few years of life of the infant;

Whereas the most effective solution for ending Shaken Baby Syndrome is to prevent the abuse, and it is clear that the minimal costs of education and prevention programs may prevent enormous medical and disability costs and immeasurable amounts of grief for many families;

Whereas prevention programs have demonstrated that educating new parents about the danger of shaking young children and how they can help protect their child from injury can bring about a significant reduction in the number of cases of Shaken Baby Syndrome;

Whereas education programs have been shown to raise awareness and provide critically important information about Shaken Baby Syndrome to parents, caregivers, daycare workers, child protection employees, law enforcement personnel, health care professionals, and legal representatives;

Whereas ''National Shaken Baby Syndrome Awareness Week'' and efforts to prevent child abuse, including Shaken Baby Syndrome, are supported by groups across the United States, including those formed by parents and relatives of children who have been killed or injured by shaking, whose mission is to educate the general public and professionals about Shaken Baby Syndrome and to increase support for victims and the families of the victims in the health care and criminal justice systems;

Whereas Congress previously designated the third week of April 2001 as ''National Shaken Baby Syndrome Awareness Week 2001''; and

Whereas Congress strongly supports efforts to protect children from abuse and neglect: Now, therefore, be it

Resolved, That the Senate—

(1) designates the third week of April 2007 as ''National Shaken Baby Syndrome Awareness Week'';

(2) commends those hospitals, child care councils, schools, community groups, and other organizations that are—

(A) working to increase awareness of the danger of shaking young children; and

(B) educating parents and caregivers on how they can help protect children from injuries caused by abusive shaking; and

(C) helping families cope effectively with the challenges of child-rearing and other stresses in their lives; and

(3) encourages the citizens of the United States to—

(A) remember the victims of Shaken Baby Syndrome; and

(B) participate in educational programs to help prevent Shaken Baby Syndrome.

WEEK OF THE YOUNG CHILD

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 164, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 164) designating the week beginning April 22, 2007, as ''Week of the Young Child.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD, without intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 164) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 164

Whereas there are 20,000,000 children under the age of 5 in the United States;

Whereas numerous studies, including the Abecedarian Study, the Study of the Chicago Child-Parent Center, and the High/Scope Perry Preschool Study, indicate that low income children who have enrolled in quality, comprehensive early childhood education programs—

(1) improve their cognitive, language, physical, social, and emotional development; and

(2) are less likely to—

(A) be placed in special education;

(B) drop out of school; or

(C) engage in juvenile delinquency;

Whereas the enrollment rates of children under the age of 5 in early childhood education programs have steadily increased since 1965 with—

(1) the creation of the Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.);

(2) the establishment of the Early Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.); and

(3) the enactment of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.);

Whereas many children eligible for, and in need of, quality early childhood education services are not served;

Whereas only about one-half of all preschoolers who are eligible to participate in Head Start programs have the opportunity to do so;

Whereas less than 5 percent of all eligible babies and toddlers in the United States receive the opportunity to participate in Early Head Start;

Whereas only about 1 out of every 7 eligible children receives assistance under section 658C of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858a) to—

(1) enable the parents of the child to continue working; and

(2) provide the child with safe and nurturing early childhood care and education;

Whereas, although State and local governments have responded to the numerous benefits of early childhood education by making significant investments in programs and classrooms, there remains—

(1) a large unmet need for those services; and

(2) a need to improve the quality of those programs;

Whereas, according to numerous studies on the impact of investments in high-quality early childhood education, the programs reduce—

(1) the occurrence of students failing to complete secondary school; and

(2) future costs relating to special education and juvenile crime; and

Whereas economist and Nobel Laureate, James Heckman, and Chairman of the Board of Governors of the Federal Reserve System, Ben S. Bernanke, have stated that investment in childhood education is of critical importance to the future of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning April 22, 2007, as ''Week of the Young Child'';

(2) encourages the citizens of the United States to celebrate—

(A) young children; and

(B) the citizens who provide care and early childhood education to the young children of the United States; and

(3) urges the citizens of the United States to recognize the importance of—

(A) quality, comprehensive early childhood education programs; and

(B) the value of those services for preparing children to—

(i) appreciate future educational experiences; and

(ii) enjoy lifelong success.

ORDERS FOR MONDAY, APRIL 23, 2007

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 2 p.m., Monday, April 23; that on Monday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business until 2:45 p.m., with Senators permitted to speak therein, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the second half controlled by the Republicans; that at 2:45 p.m., the Senate resume consideration of S. 761, the America COMPETES Act.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, APRIL 23, 2007, AT 2 P.M.

Mr. NELSON of Florida. Mr. President, if there is no further business, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 2:45 p.m., adjourned until Monday, April 23, 2007, at 2 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate Friday, April 20, 2007:

PUBLIC HEALTH SERVICE

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH SUNEE R. DANIELSON AND ENDING WITH MARY E. EVANS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 22, 2007.

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH ARTURO H. CASTRO AND ENDING WITH DAVID J. LUSCHE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2007.

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH DAVID G. ADDISS AND ENDING WITH ALLYSON M. ALVARADO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2007.

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH DANIEL S. MILLER AND ENDING WITH DARIN S. WIEGERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2007.

EXTENSIONS OF REMARKS

A TRIBUTE TO LIVIU LIBRESCU

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. LANTOS. Madam Speaker, it is with deep sorrow that I rise today to mourn the passing of Liviu Librescu, a world renowned professor of aeronautical engineering who was tragically gunned down while saving the lives of his students at Virginia Tech this week.

Madam Speaker, I am compelled to honor Mr. Librescu, not because he is a fellow Holocaust survivor and college professor who persevered and overcame so much, but because he was a human being so extraordinary that his life's journey embodies the word hero.

Liviu Librescu was born in 1930 to a Jewish family in Ploiesti, Romania. During World War II, when Romania joined forces with Nazi Germany, he was imprisoned in a forced labor camp. Subsequently he was sent, along with his family and thousands of others, to a ghetto in the city of Focsani about 100 miles from his home. Hundreds of thousands of Jews from across Romania died in the Focsani Ghetto and in Transnistria, a Romanian-run Nazi killing field where Librescu's father, a lawyer, perished.

Liviu survived the horrors of the Focsani Ghetto and the Holocaust and nobly committed his life to academia, studying aerospace engineering at the Polytechnic University of Bucharest, where he received both his undergraduate degree in 1952 and his Masters in 1953. In 1969 he received his Ph.D. in fluid Mechanics from Academia de Stiinte din Romania.

Madam Speaker, Liviu Librescu was a brilliant mind and quickly established himself as a top researcher at the Bucharest Institute of Applied Mechanics and the Academy of Science of Romania. But his refusal to swear allegiance to the destructive Communist regime in Romania ultimately left him jobless. Without means to support his wife, Marlene, and two sons, Joe and Arie, Librescu tried to leave Romania for Israel. But under the Romanian communist regime Jews were not allowed to emigrate. In 1978 the Romanian government finally permitted Liviu to leave, but only after a direct request was made by the Prime Minister of Israel—Menachem Begin—to Romanian President Nicolae Ceausescu.

From 1979 to 1986 Librescu was a Professor of Aeronautical and Mechanical Engineering at Tel-Aviv University and Haifa's Technion. In 1985 he took sabbatical from Tel Aviv University to research and teach at Virginia Polytechnic Institute and State University in Blacksburg, Virginia. He quickly became a vital part of the School of Engineering Science and Mechanics, and in 1986 decided to make Blacksburg and Virginia Tech his full-time home.

Professor Librescu had a distinguished career as one of Virginia Tech's premier lecturers; he published hundreds of prestigious papers, received numerous awards and honorary degrees and did extensive research for NASA.

Madam Speaker, these extraordinary accomplishments in the face of such tribulations made Livui Librescu a hero to those who knew him. But his actions on the morning of April 16, 2007 shine through as beacon of everything that embodies his heroic spirit. On that frightful morning when a deranged gunman chose Librescu's classroom as a target for his heinous, senseless murdering spree, Liviu Librescu barricaded himself against the classroom door in an attempt to lock the gunman out. He told his students to flee while he threw his body against the door. Librescu was fatally shot, but the gunman never managed to gain access and no student in the classroom was harmed.

Madam Speaker, I do not think the English language has words worthy enough to describe the selfless courage and boundless humanity of Livui Librescu. The world has suffered a tragic loss with the end of this one life. I ask my collogues to join me in honoring the legacy of Liviu Librescu, which lives on in the people that he saved and in the hearts he inspired worldwide.

IN RECOGNITION OF EARTH DAY 2007

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. EMANUEL. Madam Speaker, I rise today to commemorate Earth Day, which we will celebrate April 22, 2007. On the very first Earth Day in 1970, 20 million Americans stood together for the environment. They filled our country's streets, parks, and auditoriums to announce their dedication to protecting the earth, and they asked their government to stand with them.

What began 37 years ago as a grassroots movement in the United States has now spread to 175 countries, and is observed each year by 500 million people worldwide. The importance of Earth Day is underscored by the threat of global climate change. As the Intergovernmental Panel on Climate Change concluded with near certainty this February, people are a large part of the problem, but we are also capable of coming up with solutions.

I am proud that the new House Select Committee on Energy Independence and Global Warming met this week for the first time. I commend the Speaker for making this issue a priority, and I commend the new panel's members for their efforts in moving us towards solutions to the problem of global climate change.

The City of Chicago is leading the way in transitioning to a "green-friendly" world and is now a model for other cities across the country. Chicago is among the largest users of green energy in the country, and the city has set a goal of using renewable energy for roughly a quarter of city operations.

As part of the process, Chicago has attracted two solar panel manufacturers to the city. Additionally, Chicago has planted or negotiated the construction of over 2 million square feet of rooftop gardens, more than all other U.S. cities combined.

Madam Speaker, I recognize that as a member of Congress and a father, we have a duty to preserve our Nation's environmental treasures for generations to come. This Earth Day, I hope that we can build on the momentum of my hometown and work together to improve the outlook for our planet and make this a better place for our children. I ask my colleagues to join me in celebrating this Earth Day, and many more to come.

HONORING MARINE CORPS FIRST LIEUTENANT SHAUN BLUE

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. VISCLOSKY. Madam Speaker, it is with great respect and deep sadness that I wish to commend United States Marine Corps 1LT Shaun Blue for his bravery in the field of battle and his willingness to fight for his country. First Lieutenant Blue was killed in action during combat operations near Iraq's Anbar province on April 16, 2007. His sacrifice will be remembered by a community that has been struck hard by the devastating loss of one of its own.

A lifelong resident of Munster, Indiana, Shaun is remembered by his community as an intelligent, determined, and trustworthy leader. As a young boy, Shaun was active in the Boy Scouts, and it was at this time that his commitment and leadership abilities began to emerge. At Munster High School, Shaun was an accomplished student, graduating in the top 10 in his class and named a National Merit Scholar. As an athlete, Shaun participated on the cross-country and track and field teams, where his drive and dedication served as an example to his teammates and a source of pride for his school.

Following his graduation from Munster High School in 2000, Shaun went on to attend the University of Southern California, where he majored in philosophy. Shaun completed the ROTC program at USC with the intention of going on to serve as a leader for yet another group of his peers as an officer in the United States Marine Corps.

Having been on his second tour in Iraq, Shaun was fully committed to serving his country, and those with whom he served had the utmost respect and unwavering faith in his abilities. This respect was also shared by his superiors, as is evidenced by the numerous medals he was awarded, including the National Defense Service Medal, the Global War on Terrorism Service Medal, the Combat Action Ribbon, and the Sea Service Deployment Ribbon.

Shaun is remembered by friends as being a calm, thoughtful person, who was always willing to help others. An avid fisherman and hunter, Shaun was the type that loved to go camping, and he enjoyed all the wonders nature had to offer. Shaun's qualities demonstrated throughout his youth made him an ideal member of the United States Marine Corps. Shaun was a leader who consistently exemplified strength, not only physically, but mentally and morally as well, and he will continue to serve as an inspiration and example to those who knew him.

First Lieutenant Blue leaves behind a loving family. Shaun leaves to cherish his memory his adoring parents, Jim and Debbie Blue, and countless other friends and family members who will never forget the impact he had on their lives. Shaun will be greatly missed by a saddened but proud community and a grateful nation.

Madam Speaker, at this time, I ask that you and my other distinguished colleagues join me in honoring a fallen hero, United States Marine Corps 1LT Shaun Blue. First Lieutenant Blue is an inspiration to us all for his patriotism and willingness to fight for his country. He paid the ultimate sacrifice for the betterment of his country and the world, and his passing comes as a setback to the northwest Indiana community, which has already been shaken by the realities of war. First Lieutenant Blue will forever remain a hero in the eyes of his family, his community, and his country. Thus, let us never forget the sacrifice he made to preserve the ideals of freedom and democracy.

TRIBUTE TO THE CASSADAGA VALLEY GIRLS AND BOYS BASKETBALL TEAMS

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. HIGGINS. Madam Speaker, I rise today to honor the accomplishments of the Cassadaga Valley girls and boys basketball teams. Both teams played with distinction this season, meeting various challenges and contributing with their talents both as a team and individually.

I would like to acknowledge girl's team players Casey Mathers, most improved player; Kari Barmore, co-most valuable player and rebounding award and scholar-athlete award winner; Jenna Beichner, co-most valuable player; and Jennifer Zanghi, receiving the defensive award.

I must also acknowledge boy's team players Kevin Watson, earning the distinction of most valuable player and Bob Zanghi earning the most improved player and scholar-athlete awards.

Madam Speaker, I ask you to join me in congratulating the great successes of both of these teams, both acknowledged by the NYSPHSAA as deserving of the Scholar-Athlete Team Award. It is a pleasure to honor this fine young athletes here today.

INTRODUCTION OF BRISTOL BAY PROTECTION ACT

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. INSLEE. Madam Speaker, I rise today to urge the Natural Resources Committee to take action on the bipartisan Bristol Bay Protection Act, which I introduced today with my colleagues, Congressman WAYNE GILCHREST and Congressman MAURICE HINCHEY.

The Bristol Bay Protection Act will renew long-standing, bipartisan protection for this economically, culturally, and ecologically important marine ecosystem through a Congressional prohibition on oil and gas development in the waters of Alaska's North Aleutian Basin.

When Congress returns from the district work period we plan to introduce the Bristol Bay Protection Act. The Exxon Valdez oil tanker spill, which fouled more than 1,200 miles of pristine Alaskan shoreline and caused billions of dollars in economic damage, moved the Congress and President George H. Bush to place the North Aleutian Basin Planning Area (which includes Bristol Bay) under moratoria from oil and gas development in 1990. In 1998, President Clinton later followed up with an extension of this moratorium on pre-leasing and leasing activities in the same waters until 2012.

This past January, President Bush removed the long-standing executive ban on offshore drilling in Bristol Bay, opening the way for leases the Federal Minerals Management Service (MMS) has proposed in 2010 and 2012.

Alaska's Bristol Bay and the southeastern Bering Sea encompass one of the most productive marine ecosystems in the world. These sub-arctic waters support important commercial fisheries, representing more than 40 percent of the Nation's annual seafood catch. The area targeted for oil and gas leasing overlaps with important habitat and fishing grounds for pollock, cod, red king crab, halibut and salmon—fisheries which generate more than $2 billion dollars annually. These fisheries support fishermen and fishing families throughout Alaska and the Pacific northwest.

Bristol Bay sockeye salmon runs, the largest on earth, are the lifeblood of many remote, Native villages in southwestern Alaska. Subsistence and commercial harvest of salmon resources are the economic mainstay of these culturally-unique communities.

The region's coastal wetlands, lagoons and sheltered bays serve as migratory hubs, staging areas and wintering grounds for millions of waterfowl and shorebirds. The southeastern Bering Sea is also home to a number of marine mammal species—many of which are threatened or endangered—including sea otters, Steller sea lions, fur seals, humpback whales and the North Pacific right whale. As a testament to the region's ecological importance, five National Wildlife Refuges and eight Alaska state protected areas have been established here.

The U.S. cannot drill our way to energy security. The risks posed by offshore oil and gas development to the renewable resources of Bristol Bay and the thousands of people in Alaska and along the west coast whose livelihoods depend upon their continued health are simply too great.

The bipartisan Bristol Bay Protection Act restores protections to the people, wildlife and habitats in the North Aleutian Basin Planning Area. It is my hope that the Committee acts swiftly to protect this pristine area.

PAYING TRIBUTE TO GEORGE FILIOS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. PORTER. Madam Speaker, I rise today to honor my good friend George Filios for his personal and professional successes, he is truly the embodiment of the American Dream.

George came to the United States from Greece in December 1955 and began working in the textile mills in Lowell, Massachusetts. In 1957, he began work in the construction industry as a painter and carpenter and attended school in the evening to learn English and the Principles of Construction. In 1958 George, in partnership with George Papageorge, founded G & G Construction Company. George took the Oath of Citizenship in May, 1961 and subsequently moved to California. George returned to his native Greece in 1966 where he met his lovely wife, Nitsa Statara.

George established the Filios Construction Company in 1967, specializing in the construction of apartment complexes and subsequently teamed up with Alex Spanos. Following the birth of his first child, Spiridon Filios in 1968, George was offered a management position within A.G. Spanos Companies, thus began a fruitful relationship spanning over thirty years. Soon thereafter, in 1970, George's daughter, Vayia Filios was born. The Filios family relocated to Southern Nevada in 1975 recognizing the booming economy of the region and opportunities it presented to the buildings and construction trades.

In addition to his professional success, George has also contributed greatly to his community. Following the family's move to southern Nevada, George became very much involved with the St. John the Baptist Greek Orthodox Church. He was intimately involved in long range planning of building Church facilities and in 1978, during his Presidency of the Parish Council, they acquired the land necessary to construct a new Church and community center. George was also very involved with the University of Nevada Las Vegas, where he served as the Administrator of the A.G. Spanos Companies Faculty Award. Furthermore, George has served on the State Contractors Board, from 1981–1984, and as a member of the Clark County Commission Multifamily Council.

Madam Speaker, I am proud to honor my good friend George Filios. His success in business and philanthropic pursuits is truly commendable and his dedication to the community should serve as an example to us all. Through hard work and determination he has succeeded, thereby truly personifying the American Dream. I thank him for his service to the community and wish him the best in his future endeavors.

HONORING FORMER MINNESOTA GOVERNOR HAROLD E. STASSEN

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. RAMSTAD. Madam Speaker, April 13, 2007, marked the 100th anniversary of the birth of former Minnesota Governor Harold E. Stassen.

I rise to pay tribute to the life of this remarkable Minnesotan and true patriot, who dedicated his life to serving our country.

Born on a farm in West St. Paul, Minnesota, Harold Stassen graduated from law school and earned the rank of Lieutenant Colonel in the ROTC by the age of 21. At just 22, he was elected Dakota County attorney, a position he held for 9 years.

In 1938, Harold Stassen was elected Governor of Minnesota, taking office at the age of 31. He was the youngest person ever elected governor of any state, a distinction that lasts to this day. During his tenure, Harold Stassen was a visionary and creative leader.

In his 1942 campaign for reelection, Governor Stassen said that if he was reelected, he would resign after the legislative session to join the U.S. Navy, saying, ''Our boys are fighting for the right of freedom, and I want to be with them.''

As promised, following the 1943 legislative session he resigned as governor and joined the U.S. Navy on the Battleship USS *Missouri* in the Third Pacific Fleet. He was awarded three battle stars, led the Navy's POW evacuation program in Japan and was on duty on the main deck of the *Missouri* when the message came that the Japanese had surrendered. In fact, he entered the receipt of that historic message in the USS *Missouri*'s log book.

In February of 1945, President Roosevelt named Harold Stassen as one of eight members of the American delegation to the Founding Conference of the United Nations in San Francisco, where he was later named one of the two most influential people in drafting the United Nations Charter.

Stassen later played a key role in convincing Dwight D. Eisenhower to run for the Republican nomination for President. Upon his election, Eisenhower appointed Stassen Director of Mutual Security, which carried a Cabinet rank and included all foreign operations, foreign aid, relief, military and assistance programs, distribution of arms and technical and educational assistance.

As a member of President Eisenhower's Cabinet, Stassen was also active in implementing the 1955 Geneva Summit, for which he drafted the Arms Limitation and ''Open Skies'' proposals initiated by GEN James Doolittle and presented by President Eisenhower at the summit. Having experienced first-hand the horror of war, Stassen spent the remainder of his political and public life working for world peace.

Harold E. Stassen dedicated his life to serving our country, both in the armed forces and as a public servant and elected official. The country is grateful for his meritorious contribution to the security and national interests of the United States and his long legacy of public service. He died 40 days short of turning 95, on March 4, 2002.

DOROTHY IRENE HEIGHT, CHAIR AND PRESIDENT EMERITA, NATIONAL COUNCIL OF NEGRO WOMEN

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise to pay tribute to a national treasure and American icon on the occasion of her 95th birthday. I am speaking, of course, of the incomparable, irrepressible, and legendary Dorothy Irene Height. For more than half a century, Dorothy Irene Height has played a leading role in the never ending struggle for equality and human rights here at home and around the world. Her life exemplifies her passionate commitment for a just society and her vision of a better world.

Dorothy Height was born in Richmond, VA, on March 24, 1912, and educated in the public schools of Rankin, PA, a borough of Pittsburgh, where her family moved when she was four. She established herself early as a dedicated student with exceptional oratorical skills. After winning a $1,000 scholarship in a national oratorical contest on the United States Constitution, sponsored by the Fraternal Order of the Elks, and compiling a distinguished academic record, she enrolled in New York University where she earned both her bachelor and master's degrees in just 4 years. She continued her postgraduate studies at Columbia University and the New York School of Social Work.

In 1933, Dorothy Height joined the United Christian Youth Movement of North America where her leadership qualities earned her the trust and confidence of her peers. It was during this period that she began to emerge as an effective civil rights advocate as she worked to prevent lynching, desegregate the armed forces, reform the criminal justice system, and provide free access to public accommodations. In 1935, Dorothy Height was appointed by New York government officials to deal with the aftermath of the Harlem riot of 1935.

As Vice President of the United Christian Youth Movement of North America, Dorothy Height was one of only ten American youth delegates to the 1937 World Conference on Life and Work of the Churches held in Oxford, England. Two years later she was selected to represent the YWCA at the World Conference of Christian Youth in Amsterdam, Holland.

It was in 1937, while serving as Assistant Executive Director of the Harlem YWCA, that Dorothy Height met Mary McLeod Bethune, founder and president of the National Council of Negro Women (NCNW). Mrs. Bethune was immediately impressed with young Dorothy Height's poise and intelligence and invited her to join the NCNW and assist in the quest for women's rights to full and equal employment, pay and education.

In 1938, Dorothy Height was one of ten young Americans invited by Eleanor Roosevelt to Hyde Park, NY, to help plan and prepare for the World Youth Conference to be held at Vassar College.

For the next several years, Dorothy Height served in a dual role: as a YWCA staff member and NCNW volunteer, integrating her training as a social worker and her commitment to rise above the limitations of race and sex. She rose quickly through the ranks of the YWCA, from working at the Emma Ransom House in Harlem to the Executive Directorship of the Phyllis Wheatley YWCA in Washington, DC, to the YWCA National Headquarters office.

For 33 years, from 1944 through 1977, Dorothy Height served on the staff of the National Board of the YWCA and held several leadership positions in public affairs and leadership training and as Director of the National YWCA School for Professional Workers. In 1965, she was named Director of the Center for Racial Justice, a position she held until her retirement.

In 1952, Dorothy Height lived in India, where she worked as a visiting professor in the Delhi School of Social Work at the University of Delhi, which was founded by the YWCAs of India, Burma and Ceylon. She would become renowned for her internationalism and humanitarianism. She traveled around the world expanding the work of the YWCA. She conducted a well-received study of the training of women's organizations in five African countries: Liberia, Ghana, Guinea, Sierra Leone, and Nigeria under the Committee of Correspondence.

Dorothy Height loved and led her sorority, Delta Sigma Theta. She was elected National President of the sorority in 1947 and served in that capacity until 1956. She led the sorority to a new level of organizational development, initiation eligibility, and social action throughout her term. Her leadership training skills, social work background and knowledge of volunteerism benefited the sorority as it moved into a new era of activism on the national and international scene.

In 1957, Dorothy Height was elected the fourth National President of NCNW and served in that position for 40 years, when she became Chair of the Board and President Emerita.

In 1960, Dorothy Height was the woman team member leader in the United Civil Rights Leadership along with Martin Luther King, Jr., Whitney H. Young, A. Philip Randolph, James Farmer, Roy Wilkins and John Lewis. In 1961, while Dorothy Height was participating in major Civil Rights leadership, she led NCNW to deal with unmet needs among women and their families to combat hunger, develop cooperative pig banks, and provided families with community freezers and showers.

In 1964, after the passage of the Civil Rights Act, Dorothy Height with Polly Cowan, an NCNW Board Member, organized teams of women of different races and faiths as ''Wednesdays in Mississippi'' to assist in the freedom schools and open communication between women of different races. The workshops which followed stressed the need for decent housing which became the basis for NCNW in partnership with the Department of Housing and Urban Development to develop Turnkey III Home Ownership for low-income families in Gulfport, MS.

In 1970, Dorothy Height directed the series of activities culminating in the YWCA Convention adopting as its ''One Imperative'' to the elimination of racism. That same year she also established the Women's Center for Education and Career Advancement in New York City to prepare women for entry-level jobs. This experience led her in 1975 to collaborate with Pace College to establish a course of study leading to the Associate Degree for Professional Studies (AAPS).

In 1975, Dorothy Height participated in the Tribunal at the International Women's Year Conference of the United Nations in Mexico City. As a result of this experience, NCNW was awarded a grant from the United States Agency for International Development (USAID) to hold a conference within the conference for women from the United States, African countries, South America, Mexico and the Caribbean. This was followed with a site visit with 50 of the women to visit with rural women in Mississippi. Under the auspices of the USAID, Dorothy Height lectured in South Africa after addressing the National Convention of the Black Women's Federation of South Africa near Johannesburg (1977). Since 1986, she has worked tirelessly to strengthen the Black family.

Madam Speaker, under the leadership of Dorothy Height: NCNW achieved tax-exempt status in 1966; NCNW dedicated the statue of Mary McLeod Bethune in Lincoln Park, Washington DC in 1974—the first woman to be so honored on public land in the Nation's Capital; developed model national and community-based programs ranging from teenage parenting to pig ''banks''—which addressed hunger in rural areas; established the Bethune Museum and Archives for Black Women, the first institution devoted to black women's history; established the Bethune Council House as a national historic site; transformed NCNW into an issue-oriented political organization, sponsoring ''Wednesdays in Mississippi'' when interracial groups of women would help out at Freedom Schools organizing voter registration drives in the South and fostering communications between black and white women; and established the Black Family Reunion Celebration in 1986 to reinforce the historic strengths and traditional values of the black family.

Among the major awards bestowed upon Dorothy Irene Height in gratitude and appreciation for her service to our Nation and the world are the following: Presidential Medal of Freedom presented by President Bill Clinton; Congressional Gold Medal presented by President George W. Bush; John F. Kennedy Memorial Award; NAACP—Spingarn Medal; Hadassah Myrtle Wreath of Achievement; Ministerial Interfaith Association Award; Ladies Home Journal—Woman of the Year; Congressional Black Caucus—Decades of Service; President Ronald Reagan—Citizens Medal; Franklin Roosevelt—Freedom Medal; Essence Award; and the Camille Cosby World of Children Award.

Dorothy Height was also elected to the National Women's Hall of Fame and is the recipient of 36 honorary degrees from colleges and universities as diverse as: Tuskegee University, Harvard University, Spelman College, Princeton University, Bennett College, Pace University, Lincoln University, Columbia University, Howard University, New York University, Morehouse College, and Meharry Medical College.

Madam Speaker, Dorothy Height has witnessed or participated in virtually every major movement for social and political change in the last century. For nearly 75 years, Dorothy Height has fought for the equality and human rights of all people. She was the only female member of the ''Big 6'' civil rights leaders (Whitney Young, Jr., A. Philip Randolph, Martin Luther King, Jr., James Farmer, and Roy Wilkins). Her vision and dedication made NCNW the premier organization in advocating for the health, education and economic empowerment for all women of African descent around the world.

Thank you, Dorothy Height, for your service to our Nation. You have made America a better place for all persons of all races, religions, and backgrounds. You have mentored hundreds, been a role model to thousands, and a hero to millions. You are an American original. I am glad to count you as a friend.

HONORING FRANK KRUESI

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. EMANUEL. Madam Speaker, I rise today to recognize the long and distinguished career of my friend, Frank Kruesi. After 9 years of dedicated service, Kruesi is retiring as President of the Chicago Transit Authority (CTA).

Prior to his service at the CTA, Mr. Kruesi served as Chief Policy Officer for the City of Chicago for Mayor Richard M. Daley. He also served as the Executive Officer of the Cook County State's Attorney's Office and was the legislative assistant to then-Senator Richard M. Daley in the Illinois General Assembly, where he focused on mental disabilities, human services, and juvenile justice legislative initiatives.

Mr. Kruesi's more than 30 years of public service have included service at every level of government including serving as Assistant Secretary for Transportation Policy in the United States Department of Transportation under President Clinton. In that post, he advised two Secretaries of Transportation and developed policy initiatives in all forms of transportation.

Throughout his career, Frank Krusei has overseen numerous achievements met by the CTA. Under Mr. Kruesi's leadership, CTA has made service improvements on two-thirds of its bus routes and on all, its rail routes. A total of 281 bus of service improvements have been implemented which include 25 new bus routes, expanded hours of service, added trips to reduce wait time, and route changes to improve access and connectivity.

Innovative programs such as U–Pass, a program of discounted passes for college students, have also been implemented during Mr. Kruesi's tenure. The program is the largest of its kind in the Nation, with 76,000 students at 33 area colleges participating.

Madam Speaker, on behalf of the Fifth Congressional District of Illinois, I congratulate Frank Kruesi on his long career and thank him for his service to the City of Chicago. I wish him the best of luck in all his future endeavors.

IN RECOGNITION OF OUR NATION'S NURSES

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. LAMBORN. Madam Speaker, I rise today to pay tribute to America's nurses during National Nurse Recognition Week. From Florence Nightingale, to Clara Barton, to the unsung heroes of today, the nurses of this country have provided invaluable service in times of peace and of war. Providing comfort to the elderly, the sick, and the dying is a, noble yet all too often thankless task. It is for this reason that we take this week in May to honor the extraordinary contributions of nurses to society.

On March 30, 1981 President Ronald Reagan was shot in the chest outside the Hilton Hotel in Washington, D.C. He was then rushed to the George Washington University Hospital. When recounting his experience, President Reagan often spoke of a nurse who held his hand as he was taken into surgery. This simple act by an unknown woman comforted the President during his time of pain and fear. Almost a year later, President Reagan proclaimed that National Recognition Day for Nurses would be observed on May 6. Since then, the recognition has been expanded to a weeklong celebration.

With over 2.7 million registered nurses in this country, nursing is the largest health care profession. These men and women administer care, with profound compassion, in homes, hospitals, and schools across the nation. The theme of this year's National Nurses Week is, fittingly, ''Nursing . . . profession and a passion.'' When Americans fall ill, it is the nurse who tends to their daily needs and provides comfort in times of uncertainty and pain. I want to take this opportunity to thank our nation's nurses for their commitment to the service of others.

HONORING THE MEMORY OF JOSEPH KEANE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. HIGGINS. Madam Speaker, I rise today to honor the memory of a dear friend Joseph ''Joey'' Keane, a man who inspired countless people in my hometown of South Buffalo through his example, strength of character, and spirit.

Joey Keanes life was filled with many blessings. He was blessed with an extraordinary family; his parents Richard and Catherine Keane embraced him with love and care as they did all of their children, his 15 siblings, 7 sisters and 8 brothers, enriched his life with love, laughter, and respect, and the Seneca Street neighborhood that was his home and the place where he was beloved by neighbors, family friends, and business owners alike.

The Keanes are a politically prominent family in Buffalo, NY. Joey's brothers Dick & Jim were elected to public office, his brother Neil served as Fire Commissioner but many would argue that Joey was the best politician of them all.

His brother Jim explained Joey and the impact he has had on others best when he said, ''Joey's taught us a lot of lessons, and he's taught us the lighter side of life. I think Joey has made it easier for all of us to laugh at ourselves. That's part of the Joey Keane mystique. You learn humility and how to laugh at yourself from the Joey Keanes of the world.''

Madam Speaker, I would like to offer my deepest condolences to the entire Keane

Family for the loss of their dear brother and with the House's consent, I would like to end my remarks with a recent article that was printed in The Buffalo News which commemorates the life of Joey Keane.

MAYOR OF SENECA STREET DIES AT 60—JOEY KEANE WAS 'TRUE POLITICIAN' OF THE CLAN

(By Gene Warner)

Six years ago, Sen. Hillary Rodham Clinton and Bishop Henry J. Mansell attended a Labor Day Mass in South Buffalo, where Clinton seemed to be grabbing the most attention.

Joey Keane—of the prominent South Buffalo Keane clan—spotted Mansell, who was standing alone, drinking a cup of coffee and perhaps feeling a little ignored by the Clinton spotlight.

''Hello, Bishop, I'm Joey Keane,'' he said. ''If you put that cup of coffee down, I'll take my picture with you.''

That was Joey Keane, one of the best known of the famous Keanes, a man intimidated by no one, a South Buffalo man who always had a hug or a quip for everyone—whether it was the governor, the bishop or just a man or woman on the street.

Dubbed the ''mayor of Seneca Street,'' Keane died Friday in the Mercy Hospital Skilled Nursing Facility, following an almost two-year battle with Alzheimer's and its complications. He was 60.

When he was born, in February 1947, family members were told that infants with Down syndrome had a life expectancy of about 21 years. Usually, they were taken to an institution for the rest of their lives.

His mother, Catherine, would hear none of that. So he spent the first 30 years of his life with his parents, Richard and Catherine, the next 30 rotating among about a dozen siblings and nieces, each for about 3 months at a time.

Among his 14 surviving siblings are a former Buffalo fire commissioner, a former assemblyman and a former deputy county executive. But everyone acknowledged who the true politician was in the family: Joseph Jeremiah Keane.

''He worked a crowd better than any of his politician brothers,'' said niece Kate Carr, one of 183 nieces, nephews and their children who called him ''Uncle Joey.''

''His whole life, he was a cause célèbre along Seneca Street,'' said brother James P. Keane, the former Common Council member and deputy county executive. ''People just took to him.''

Here's a testament to his popularity in South Buffalo. Ten years ago, following a newspaper story about his gala 50th birthday party, a childhood friend living in Australia sent him a letter addressed to ''Joseph Keane, Somewhere in South Buffalo, Buffalo, N.Y.'' The letter reached him.

Within his family, Joey Keane was the peacemaker of the 16 siblings. When they fought as kids, there was Joey in the middle of things, settling everybody down and leaving the participants to walk away with hugs and handshakes.

''He was kind of the glue that kept us together,'' said brother Cornelius J. ''Neil'' Keane, the former fire commissioner.

Since his death, South Buffalo has been filled with dozens of Joey Keane stories. Here are a few of them:

Years ago, Joey Keane had just moved from the roomy Orchard Park home of a niece, Pat Allman, to the more modest South Buffalo home of his sister Maureen Sullivan.

''Cup of coffee, Joe?'' his sister asked him the first morning.

''What, no cappuccino?'' Joey replied.

''You're back in South Buffalo, buddy,'' his sister answered.

Following The Buffalo News story 10 years ago, then-Mayor Anthony M. Masiello bought Joey Keane a cappuccino maker for his 50th birthday.

Sometime after his father's death, one sibling kidded that their mother could marry widowed Gov. Hugh L. Carey, who had 14 children. Together, they'd have more than two dozen.

Joey Keane apparently remembered that comment when he saw Carey at some South Buffalo function.

''Stay away from my mother,'' he told Carey, according to another brother, former Assemblyman Richard J. Keane.

Among other things, Joey Keane loved watching soap operas; impersonating everyone from John Wayne to Tom Jones; dressing up in Sabres, Bills or Bisons garb, while watching or listening to their games; dancing at weddings, often trying to snag the first dance with the new bride; needling his ''big shot'' brothers; watching the old Lawrence Welk TV show; and catching the garter belt at any wedding.

Surviving are seven sisters, Nancy Lafferty, Mary Alice O'Neil, Sally Trevean, Catherine Keane, Connie Smith, Margaret Ray and Maureen Sullivan; seven brothers, Richard J., Thomas J., Michael A., Cornelius J., Daniel J., James P. and Peter C. Another brother, Firefighter William T. Keane, was killed in 1978 while responding to a false alarm.

A Mass of Christian Burial will be offered at 9:30 a.m. Wednesday in St. Teresa Catholic Church, 1974 Seneca St., after prayers at 9 in Thomas H. McCarthy Funeral Home, 1975 Seneca St.

IN HONOR OF EARTH DAY

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. INSLEE. Madam Speaker, today, in honor of Earth Day, I introduced a resolution that would support the only nationally-recognized day dedicated to recycling.

Every November since 1997, millions of Americans have become better informed about recycling and buying recycled products as a result of events held in honor of America Recycles Day. Last year, events were held in communities in every state. In my home state of Washington, 12 communities are planning events to commemorate this important day in 2007 in cooperation with counties, elementary schools, businesses and local troops.

Recycling creates 1.1 million U.S. jobs, $236 billion in gross annual sales and $37 billion in annual payrolls. Recycling also saves energy, prevents air and water pollution, reduces the need for new landfills and combustors, reduces our dependence on foreign oil, reduces the need for extraction of certain natural resources, and can stimulate the development of greener technologies.

Over the past 10 years, many new markets for recycled products have been created. For example, plastic containers can be remanufactured into other plastic containers, fleece, carpet, car parts, strapping, stuffing, bottles, pipe, lawn and garden products, injection molded products, and plastic lumber. Yet, as markets for recycled products have increased, recycling rates for certain recyclable household products, like plastic and aluminum containers, has decreased or stayed the same, and curbsid pickup programs have decreased in communities.

There remains a significant opportunity to increase recycling in the United States and I believe that the activities of America Recycles Day provide one way to achieve this end. It is time for Congress to support this important day and effort. I urge my colleagues to take up this important resolution and pass this bill before America Recycles Day on November 15th.

RECOGNIZING WORLD WAR II VETERAN ROBERT WALTER DINGMAN

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. WOLF. Madam Speaker, I rise today to bring the attention of the House to Robert Walter Dingman, a decorated veteran of World War II who was wounded in combat 62 years ago today, on April 20, 1945. Private Dingman was seriously wounded as he crossed an open field and laid paralyzed until a heroic medic rescued him under enemy fire.

Bob Dingman had just turned 18 when he was drafted into the Army in 1944. After basic training at Camp Blanding, Florida, he was soon aboard a troop ship to Liverpool, England and then on to LeHarve, France, in early 1945. The French rail road took him and his fellow soldiers to Verviers, Belgium, where he was issued an M–1 rifle. He was soon taken across the Rhine River where he was assigned to Comp B of the 83rd Armored Reconnaissance Battalion of the 3rd Armored Division.

As a young soldier with a strong faith in God, Private Dingman was determined he would not hate his enemy and had occasions to show kindness toward captives, while carrying out his duties. Since those dark days 62 years ago, Bob Dingman has led a successful, active, inspiring and selfless life. After graduating from Houghton College in New York state, he began his career here in Washington as an employee of the U.S. Navy. He later went into the executive recruiting business and formed his own executive recruiting firm in California in 1978. He rose professionally and is recognized as one of the nation's top executive recruiters.

During his recruiting career, he repeatedly went out of his way to assist faith-based organizations in their searches for competent leadership, in addition to his broad array of commercial clients. Over the years he led the search projects for leaders of such organizations as World Vision International, Mission Aviation Fellowship, Young Life, numerous Christian Colleges, and many other church-related organizations. He also gave generously of his time and abilities by serving on the national boards of such organizations as the Salvation Army and Mission Aviation Fellowship and the local boards of Hospice and Whitworth College.

As a disabled veteran of World War II, he was awarded a 50 percent disability in 1951. As one who has experienced the physical and emotional pain of rehabilitation, Mr. Dingman is currently turning his attention to finding ways to help newly disabled veterans from the wars in Iraq and Afghanistan.

I ask that the House join me today in recognizing Bob Dingman for a lifetime of service to his country and others, and for his example of determination, hard work and commitment to his faith.

IN HONOR OF JOHN DALLAGER

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. LAMBORN. Madam Speaker, I rise today in recognition of John "J.D." Dallager's appointment as President and CEO of the Pike's Peak United Way.

After serving his country for 34 years in the United States Air Force, Mr. Dallager went on to serve the Colorado Springs as the Chairman of the Board of the Colorado Springs Chamber of Commerce. Mr. Dallager's admirable sense of duty and clear commitment to the service of others enable me to say with confidence that he will be an excellent addition to the Pike's Peak United Way.

For over 80 years, the Pike's Peak United Way has sought to improve the lives of Coloradans living in El Paso and Teller Counties through numerous family support, emergency food and shelter, and charity grant programs. A strong leader, Mr. Dallager will provide direction to this valuable organization, allowing it to further serve the needs of my constituents. I am profoundly thankful for all that Mr. Dallager has done for Colorado's Fifth Congressional District and our Nation.

COMMENDING EXCEPTIONAL NORTHWEST INDIANA TEACHERS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. VISCLOSKY. Madam Speaker, it is my distinct honor to commend seven exceptional teachers from Northwest Indiana who have been recognized as outstanding educators by their peers for the 2006–2007 school year. These individuals are: Margaret Hurt, Susan Kucharski, John Nawrocki, Faylene Altomere, Eileen Meier, Amanda Johnsen, and Michelle Strong. These honorees will be presented with the Crystal Bell Award at a reception sponsored by the Indiana State Teachers Association. This prestigious event will take place at the Andorra Restaurant and Banquets in Schererville, Indiana on May 8, 2007.

Margaret Hurt, from the Tri-Creek School Corporation, has been a superior role model to her students at Lowell High School for 26 years, where she has served as Social Studies Chair for 20 years. Margaret also serves as co-coach for the Lowell Spell Bowl team. She is always willing to give her time to prepare students for the future, mentor new teachers, and promote new projects that will improve her school.

Susan Kucharski has 29 years of experience as a teacher and is this year's recipient from the Lake Central School Corporation. Susan is currently a fourth grade teacher at Protsman Elementary School. She is known for her giving nature and always going the extra mile. She serves on the PL 221 School Improvement Team and Safety Committee and also plays the piano for annual musicals.

This year's recipient of the Crystal Bell Award from the School Town of Highland is Amanda Johnsen. Amanda is a fourth grade teacher at Warren Elementary School, where she has taught for 9 years. She has given extended time in the K-Kids Program, a partnership with the Kiwanis Club to develop student leadership and community involvement. Amanda serves as the school's Parent Teacher Organization liaison and led the girls' baseball team to a tournament championship.

John Nawrocki, a math teacher at Taft Middle School for 32 years, has been a great asset to the Crown Point Community School Corporation. He has served as Math Chairperson and moderator of the Math Bowl, and he has also served on the NCA/School Improvement Committee and ISTEP Cut Off Committee for the State of Indiana. John always goes to great lengths to make himself available to his students and faculty.

Eileen Meier, this year's recipient from the School Town of Munster, has been teaching for the past 24 years. Her expertise lies with foreign language, having taught German at Munster High School for the past 8 years. Eileen challenges her students to broaden their horizons and go the distance in reaching their goals.

Faylene Altomere is known for her dedication and consistency as a great educator. Faylene, a 43-year veteran of the teaching profession, is this year's recipient from the Hanover School Corporation. Faylene is currently a teacher at Jane Ball Elementary School and has played an active role in the lives of students from three generations of some families.

Michelle Strong is this year's Crystal Bell recipient from the North Newton School Corporation. Michelle is a beloved military veteran and art teacher at Lincoln Elementary School. She has shared her strength, positive nature, and love of art throughout her community and her school.

Madam Speaker, I ask you and my distinguished colleagues to join me in commending these outstanding educators on being recipients of the 2006–2007 Crystal Bell Award. Their years of hard work have helped to shape the minds and futures of Northwest Indiana's young people, and each of these outstanding educators is truly an inspiration to us all.

CONGRATULATING THE VILLAGE OF SOUTH CHICAGO HEIGHTS, ILLINOIS

HON. JESSE L. JACKSON, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. JACKSON of Illinois. Madam Speaker, I rise today to congratulate the Village of South Chicago Heights, Illinois on their Centennial Celebration. On its founding day, March 7, 1907, 150 citizens of Hannah and Keeney Subdivision voted to incorporate as the Village of South Chicago Heights.

The first permanent settlers in the area, Adam and Phoebe Brown of Ohio, built a home and opened a general store some 74 years earlier at the intersection of Sauk Trail and the old Hubbard Trail. "Brown's Corner" became a busy crossroads, first allegedly for the Underground Railroad, then later for wagons, stagecoaches, railroads, and automobiles.

One year after incorporating, the residents worked together to build the village's first school, the U.S. Grant School. As the village grew so did the budget and city services. The first year's budget was $3,800, which was met by property taxes and three saloon licenses at $500 each.

In its early days the village steadily grew as immigrants of Italian, Polish, German and other ancestries moved here to work in nearby factories, railroads, and local businesses. South Chicago Heights is still home to many of these families and businesses.

The village has had only 12 mayors in 100 years, including the Honorable David Owen, who has served as mayor since 1989. Mayor Owen has officially declared South Chicago Heights as a good place to live, to work, and to raise a family; and the Centennial gives all 4,000 citizens a special opportunity to take pride in our history and to celebrate our heritage. On May 7, 2007, during the Founders Day program, the Village will dedicate a new Village Clock to start the next 100 years.

I am proud to represent the Village of South Chicago Heights and I congratulate them on 100 years of service and I look forward to future celebrations.

HONORING GEORGE TORNEY, EXECUTIVE DIRECTOR, PYRAMID ALTERNATIVES

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. LANTOS. Madam Speaker, I rise today to honor George Torney, who became the Executive Director of Pyramid Alternatives in the City of Pacifica on August 6, 1976, and has served San Mateo County for 31 years. Under his leadership and guidance, Pyramid expanded its horizons beyond alcohol to recognize addictive personalities as they relate to all substance abuse. Pyramid now frequently collaborates with the San Mateo County Health Department to address links between substance abuse and mental illness.

Although George Torney's work with Pyramid began in Pacifica, the organization itself has since branched out into nine school districts and serves the entire San Mateo County community through seven offices, offering services in five languages. Pyramid has offered a wide range of counseling and education in the fields of: substance abuse, domestic violence, anger, management, first and multiple drinking driver programs, parenting Issues and senior adult Services.

Madam Speaker, Pyramid has become an essential partner in the Bridges Program, an intensive alcohol and drug day treatment program for men and women operated by San Mateo County Adult Probation, Superior Court and the County Sheriff. This exceptional program helps non-violent offenders transition back into their families and the community.

Madam Speaker, after three decades of dedicated service, George Torney is retiring and Janeen Smith is assuming the Executive

Director role of Pyramid Alternatives. It is with great respect and deepest appreciation that I ask my colleagues to join me in recognizing George Torney and Pyramid Alternatives.

IN HONOR OF BUDDY LAROSA AS HE RECEIVES THE TREE OF LIFE AWARD

HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mrs. SCHMIDT. Madam Speaker, I rise today to recognize Buddy LaRosa as he receives the Tree of Life humanitarian award on April 30, 2007 from the Jewish National Fund.

The Jewish National Fund has bestowed its highest honor, the Tree of Life award, annually since 1981. Recipients of this prestigious honor are chosen on the basis of outstanding community involvement, professional leadership and humanitarian service. Previous national recipients have included Hank Aaron, Archbishop Joseph Bernardin and Donald Trump.

The Tree of Life award was named to symbolize the Jewish National Fund's efforts to reclaim and develop the land of Israel from barren and uninhabitable land into a land of lush green forests and fields, productive farmlands and varied tourism and recreation facilities.

The Jewish National Fund is honoring Mr. LaRosa because of his outstanding community service, active civic involvement and ongoing dedication to helping those less fortunate.

This talented and generous man is the name behind one of Cincinnati's most recognized and beloved eateries, LaRosa's Restaurant. A lifelong native of Western Hills, Buddy opened his first pizzeria there in 1954 with a couple of partners, limited funds, and his Aunt Dena's recipe. Today, Buddy is known as the ''Pizza King'' and LaRosa's, with its 15 company-owned restaurants, 45 franchise locations across the region, and more than 1,500 employees, is a household name synonymous with great pizza.

Buddy's commitment to the youth in the Cincinnati area is legendary. Buddy has often said, ''To live a full life, be a credit to my family and community, and touch young people so that one day they too may experience the joys I have had.'' This philosophy, combined with a strong work ethic, is no doubt the recipe to Buddy's success.

Buddy was inspired to give back to the youth of our community after a fire devastated his Western Hills restaurant in 1973. Hundreds of area high school students, through their sports coaches, helped to rebuild his restaurant in a record 40 days. As a way to fulfill his personal goal of giving back to students in the community, Buddy founded the Buddy LaRosa High School Sports Hall of Fame in 1975. The Hall of Fame has seven new inductees each year and honors 12 local high school students for their academic and athletic achievements. Today, this outstanding program is a cornerstone of our community and has touched the lives of countless young people.

Over the years, Buddy has generously given back through his involvement with the Cincinnati Golden Gloves for Youth Program and the Greater Cincinnati Police Athletic League. Some of his other beneficiaries include various schools and charitable organizations such as Children's Hospital Medical Center, WCET–TV, and the Free Store Foodbank, Inc.

Buddy is a graduate of Roger Bacon High School and earned an associate degree in business technology. He also served his country in the United States Navy from 1948–1952. Buddy has been married to his wife, JoAnn Augustine, for 55 years and they have 4 children and 13 grandchildren.

All of us in the Cincinnati area congratulate Buddy LaRosa on receiving the Tree of Life humanitarian award.

INTRODUCTION OF THE FORT STANTON-SNOWY RIVER CAVE NATIONAL CONSERVATION AREA ACT

HON. STEVAN PEARCE

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. PEARCE. Madam Speaker, I rise today to introduce the Fort Stanton-Snowy River Cave National Conservation Area Act. This bill is a companion to legislation introduced by my state's Senior Senator, Mr. DOMENICI. Last year, the Senate passed this legislation but the House was unable to act on it before we recessed. It is my hope by introducing the bill today we can push the process along and get this legislation done this year.

The Fort Stanton Cave is a tremendous national resource, which includes a cave that has calcite flowing all along the cave formations. This truly rare resource deserves our protection. As the Representative of Carlsbad Caverns National Park, I am aware of how amazing cave formations can be and how valuable they are to educate and inspire our children.

This legislation does the following: (1) creates a Fort Stanton-Snowy River Cave Conservation Area to protect, secure and conserve the natural and unique features of the Snowy River Cave; (2) instructs the BLM to prepare a map and legal description of the Snowy River Cave, and to develop a comprehensive, long-term management plan for the cave area; (3) authorizes the conservation of the unique features and environs in the cave for scientific, educational and other public uses deemed safe and appropriate under the management plan; (4) authorizes the BLM to work with State and other institutions and to cooperate with Lincoln County to address the historical involvement of the local community; (5) protects the caves from mineral and mining leasing operations.

This cave is a valuable resource that in time will share with us its many wonders, but to do that we must preserve this resource for the future. I hope that my colleagues will join me in supporting these important protections.

IN RECOGNITION OF HONOR FLIGHT MICHIGAN

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. KNOLLENBERG. Madam Speaker, I rise today to recognize the tremendous generosity of Honor Flight Michigan, Inc. This organization's work to honor our veterans should be commended.

Honor Flight Michigan was founded in Royal Oak, Michigan by David Cameron and his wife Carole. After watching a report about a man in North Carolina who took World War II veterans to see their monument in Washington, DC, the couple was inspired to do the same. Realizing that many veterans lacked the funds or the ability to travel alone, Mr. Cameron made it his goal to take as many World War II veterans as he could to our nation's capital. Working closely with the Royal Oak American Legion Post 253, Honor Flight Michigan has begun its statewide effort to reach that goal.

This week, Honor Flight Michigan will be making its inaugural flight to Washington bringing 60 veterans to see the memorial they have waited 60 years to see. Mr. and Mrs. Cameron plan to take these trips monthly to ensure every veteran living today can see the memorial we have constructed to honor their bravery and sacrifice.

Out of the sixteen million who served in World War II, sadly only three million are alive today. In addition, we are losing them at a rate of twelve hundred a day. It is important that we let those veterans know the appreciation we have for them. Honor Flight Michigan does that, by treating these veterans as the heroes they are.

Today I salute Honor Flight Michigan for their tireless efforts on behalf of one of our nation's greatest assets, our veterans. When I look around this chamber and see the essence of our democracy I can't help but think of those who fought to ensure our freedom, our strength, and our democracy.

IN RECOGNITION OF EUGENE BĄK

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. KUCINICH. Madam Speaker, I rise today to honor Eugene Bąk for his outstanding efforts and devoted work to Polonia and America, and his tremendous amount of civic work for the benefit of the Polish American Cultural Center.

Gene and his family immigrated to the United States in 1952, after spending a total of seven years in deportation in Siberia as well as Polish refugee camps. He obtained a Master's Degree in Business Administration from Seton Hall University and attended business programs at the University of Michigan, Harvard University and Syracuse University. Gene has spent his entire career in the chemical industry and retired as Board Director of OM Group (OMC) in 1999.

In 1982, Gene's affection for his beloved homeland led him to help the Americares Foundation raise funds to ship medicine and medical supplies to the people of Poland. He has since been a vital asset to efforts to expanding Polish culture in the Cleveland area, and as cofounder and Executive Director of the Polish American Cultural Center he has refurbished facilities to house distinguished Polish speakers, artists, shows and displays. Under his leadership, the Polish Heritage Museum opened as part of the Cultural Center to celebrate Polish history, as well as the history of Polish Americans.

Gene serves on a number of boards, such as the Advisory Board of Marymount Medical Center. Moreover his concern for people, both here and abroad, is impressive and admirable. As part of his titanic work he is helping the people in Poland to raise funds for the Laski Institute for the Blind as well as the Polish Children's Heartline Foundation, and he has significantly contributed to the cooperation between Poland and the United States.

Madam Speaker and colleagues, please join me in honoring Eugene Bąk for using his unique skills and numerous talents in service to the people of Polonia and Northeast Ohio. May his tireless dedication and his achievements continue to inspire us all.

RECOGNIZING MARK EVERSON

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. EMANUEL. Madam Speaker, I rise today to thank Mark Everson for his dedication to public service and to congratulate him on his new position as President and Chief Executive Officer of the American Red Cross. Everson's commitment to this country as the Internal Revenue Service Commissioner is an example for everyone in public service.

Mark Everson has served as Commissioner of the Internal Revenue Service (IRS) since 2003, and we will certainly miss him when he officially leaves to lead the American Red Cross on May 29th. His dedication to making sure that taxpayers' needs were heard, and his commitment to expanding access to and knowledge of the Earned Income Tax Credit deserve our congratulations.

Prior to his confirmation as IRS Commissioner, Everson has worked in several other high-profile positions in the public and private sectors. During the Reagan Administration, he worked tirelessly in various positions at the U.S. information agency and the Department of Justice, and he also served at the Office of Management and Budget for the current Administration.

Madam Speaker, I am proud to call Mark Everson a friend, and I thank him for his fine work at the IRS over the last four years. It has been an honor to work with him throughout the years. He is a true public servant who is committed to the highest level of integrity, and the American Red Cross will be well served by his dedication and leadership.

RECOGNIZING FRAN AMIR

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. HOLT. Madam Speaker, I rise today to recognize Fran Amir, a constituent from Plainsboro, to honor her on the occasion of her tenth anniversary as Principal of the Religious School at The Jewish Center of Princeton.

Ms. Amir grew up in New York City and has been in the field of education and youth programming most of her life. A graduate of Brooklyn College, Ms. Amir taught social studies in the New York school system for many years. Ms. Amir did graduate work at Wayne State Univrsity in Jewish Studies, and has taught in Hebrew Schools in New York, West Bloomfield, Michigan, Toronto, and The Jewish Center of Princeton. She has directed teen programs both in summer camps and during the school year, and has served as the Youth and Family Programs Co-chair at the Jewish Center for five years.

Ms. Amir's students receive far more than just the basics of Bar Mitzvah and Bat Mitzvah preparation in her religious school curriculum. When becoming Bar Mitzvah or Bat Mitzvah, a young person is expected to assume the moral and ethical responsibilities of an adult, in particular, service to the community, or "mitzvot." Ms. Amir provides the best possible role model of one who performs mitzvot. Along with her service to the local Jewish community, for example, she traveled with a group of her tenth graders to Biloxi to help with clean-up of the local synagogue, Beth Israel, after Hurricane Katrina. The students carefully removed and wrapped memorial plaques from the wall, ensuring their safe storage until a new temple could be built. Not only did the students help in a practical way, but also helped maintain the Jewish tradition of reverence for the synagogue and its trappings.

The highest responsibility in the Jewish faith is to learn and teach the Torah. Through religious classes, youth programs, and by example, Ms. Amir exemplifies someone who celebrates her faith and tradition through her daily life. She shares her passion with her family and friends, and touches the lives of countless students, their families, and the congregation.

I am proud to recognize Fran Amir for all that she has given to the community on the occasion of her tenth anniversary as Principal of the Religious School of The Jewish Center of Princeton.

COMMENDING THE ACHIEVEMENTS OF THE RUTGERS UNIVERSITY WOMEN'S BASKETBALL TEAM

SPEECH OF

HON. MIKE FERGUSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 2007

Mr. FERGUSON. Mr. Speaker, it gives me great pleasure to rise today in strong support of House Resolution 300, which commends the significant achievements of the Rutgers University Women's Basketball team.

I wholeheartedly join the citizens of our Nation, the people of New Jersey and my colleagues here in the U.S. House of Representatives in congratulating the team for a job well done.

I was not able to formally vote for this important measure that I proudly cosponsored yesterday, because I was in Bound Brook, New Jersey working with local, State and federal officials mapping out a plan to respond to the significant destruction many 7th Congressional District Communities sustained as a result of the massive Nor-easter weekend storm. Had I been present, I would have wholeheartedly voted Yes.

By advancing to the Final Four of the women's National Collegiate Athletic Association championship—the Rutgers University Scarlet Knight basketball team achieved a tremendous success. Each and every member of the team should be proud of their excellent season and their significant accomplishment. The team's 27–9 season record is testament to their hard work and dedication.

I am honored and proud to join our Nation and the citizens of New Jersey in commending the team and their coach C. Vivian Stringer for this accomplishment. Each and every member of the team are true heroes and provide a real inspiration to young people across the Nation.

APPOINTMENT OF CONFEREES ON H.R. 1591, U.S. TROOP READINESS, VETERANS' HEALTH AND IRAQ ACCOUNTABILITY ACT, 2007

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2007

Mr. UDALL of Colorado. Mr. Speaker, I could not support this motion to instruct House conferees on the Defense Supplemental appropriations bill, for two reasons: First, I do not support the idea of rigidly insisting on the parts of the House-passed bill that the motion says the conferees should not change. Second, I believe the funding of our troops and the future of our involvement in Iraq are too important and too serious to be used for cheap partisan tricks.

My vote was based on my appraisal of the merits of the motion, without regard to how others may have decided to vote. In other words, unlike the gentleman from California who offered it, I took the motion seriously—and, like its author, I opposed it.

Earlier, when the House considered the Defense Supplemental bill itself, I voted for the bill to ensure that America's soldiers get the equipment and resources they need and the top-quality health care they may require when they come home.

My vote for the bill was not a vote to support the Bush Administration's policy in Iraq. We are 4 years into a war the Bush Administration assured us would be short and decisive. The Administration's misjudgments, lack of planning and poor leadership have made a bad situation worse—and the tactic of increasing troops for a temporary "surge" is no substitute for what is needed, namely, a strategy for containing civil war and a wider regional war.

While I am convinced that it was a strategic mistake to go to war in Iraq in the way that the Bush Administration did, we are still deeply engaged there—and while our troops are in the field, we must provide them what they need. Beyond supplying our soldiers, however, we must extricate them from what objective defense experts have characterized as an emerging civil war.

Disengaging from that civil war is the purpose of the provisions in the House-passed bill designed to hold the president accountable to the benchmarks set by his own administration and the Iraqi government—including enactment of a hydro-carbon law; conducting of provincial and local elections; reform of current laws governing the de-Baathification process; amendment of the Constitution of Iraq; and allocation of Iraqi revenues for reconstruction projects.

I strongly support that approach because I am convinced that holding the president and the Iraqi government accountable for achieving these benchmarks will provide us with the leverage necessary to pressure the Iraqi government to forge the political solution we all know is required. In fact, Defense Secretary Gates has acknowledged that the House-passed a bill has been helpful in this approach by showing the Iraqis that American patience is limited.

As I said when the House debated the bill, however, I do not believe it was a good idea to include a date certain for withdrawing U.S. combat troops from Iraq. As I said then, I do not consider this provision to be wise and if it had been up to me, it would not have been included in the bill. I remain convinced that we should steer clear of arbitrary public deadlines for military actions and focus instead on realistic diplomatic and political goals. Our military needs flexibility to be able to link movements of U.S. troops to the realities of the situation on the ground, and successful diplomacy requires such flexibility as well.

I voted for the bill despite my reservations about the withdrawal language because the deadline—August of 2008—is far enough away that it can be revisited, and while I did not like its inclusion, I do not believe in letting the perfect be the enemy of the good.

But since it would have been better if it had not been included in the first place, I could not vote to instruct the conferees to insist on including it in the conference report.

FEDERAL CONTRACTOR ACCOUNTABILITY ACT OF 2007

HON. BRAD ELLSWORTH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. ELLSWORTH. Madam Speaker, each year, we lose billions of dollars in tax revenue because of fraud and payment delays.

I was particularly angered when I read a March 2006 report issued by the Government Accountability Office (GAO) that found tax debts totaling $1.4 billion were owed to the federal government by over 3,800 GSA contractors. Shockingly, these GSA contractors represented approximately 10 percent of all GSA contractors during Fiscal Year 2004 and the first 9 months of Fiscal Year 2005.

This is simply unacceptable. It is my aim to increase the scrutiny on government contractors who owe millions in unpaid taxes even as they pad their bottom lines with taxpayer dollars.

Today, I am introducing a bill that will up the ante on bad actors who cheat our government of tax revenue and, in the process, gain an unfair advantage over businesses that play by the rules.

This legislation, the Federal Contractor Accountability Act of 2007, will require prospective contractors to certify that they are not delinquent in their federal tax payments. No prospective contractor will be awarded a contract with a federal agency unless the prospective contractor certifies in writing to the agency making the award or extension, or issuing the order, that the contractor owes no Federal tax debt.

To certify, the prospective contractor must acknowledge that within a 3-year period, they have not been convicted or had a civil judgment rendered against them for violating any tax laws, failing to pay any tax, or has been notified of any delinquent taxes for which the liability remains unsatisfied.

Additionally, to certify, the prospective contractor must acknowledge that they have not received a notice of a tax lien filed against them for which the liability remains unsatisfied or the lien has not been released.

It is that simple. It is not too much to ask that a private entity that wishes to do business with the federal government certify that they pay their taxes in good faith.

Madam Speaker, the Federal Contractor Accountability Act of 2007 is a practical and efficient way to ensure that we close the ever-widening tax gap. This legislation protects good faith contractors who are playing by the rules. These contractors should not have to unfairly compete against tax cheats for federal contracts.

SOUTHERN ARIZONA BORDER SECURITY IS UNACCEPTABLE

HON. GABRIELLE GIFFORDS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Ms. GIFFORDS. Madam Speaker, the insufficient border security in my district in southern Arizona is unacceptable. Our inspection infrastructure is deficient, and this is the critical reason why the Tucson Sector has more drugs seized and illegal immigrants apprehended than any other sector bordering Mexico.

The U.S. Border Patrol agents in southern Arizona seize an average of 2,670 pounds of drugs and apprehend 2,000 illegal immigrants every day. We must end this crisis and secure the border now.

Currently, we have no idea how much contraband or how many people are actually coming across. However, what we do know is that Tucson has become the largest land corridor in the country for marijuana and the most heavily used route in the Nation for illegal immigrants.

While all of Arizona requires additional border security measures, some communities are affected more than others. The current makeshift checkpoint on I–19 just north of Tubac creates an intolerable situation for nearby residents. Human and drug smugglers can easily circumvent or penetrate it, and there has been a recent increase in violence and crime. Residents, tourists and business people have also been inconvenienced by the checkpoint in Tubac because it has led to a massive increase in traffic.

A Federal law that prohibited Arizona's development of a permanent checkpoint in southern Arizona was rejected by the House of Representatives last year. However, at my request U.S. Border Patrol Chief David Aguilar agreed that no permanent checkpoint will be planned for the Tucson sector without significant and direct community involvement. Southern Arizonans must work with our law enforcement agencies to create a plan for securing our borders and reducing the violence against citizens and immigrants.

Chief Aguilar, Tucson Sector Chief Patrol Agent Robert Gilbert, and I have agreed to form a working group of residents along the I–19 Corridor to collaboratively decide what future security measures need to look like.

A permanent checkpoint on I–19 can only be successful in reducing the total number of drugs and undocumented individuals if several additional measures are taken. These measures include active community involvement in the planning for the checkpoint and an overall network of border security technology that includes surveillance cameras, an array of sensors and vehicle x-ray technology similar to what exists at our ports of entry.

I believe strongly that decisions are best made at the local level. The recent change in Federal law provides citizens and law enforcement officials an opportunity to work collaboratively to secure our border, protect our communities, and foster a secure and vibrant economy.

PROVIDING FOR CONSIDERATION OF H.R. 1495, WATER RESOURCES DEVELOPMENT ACT OF 2007

SPEECH OF

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 19, 2007

Mr. WELLER of Illinois, Mr. Chairman, I rise today in strong support of H.R. 1495, the Water Resources Development Act of 2007. For the 11th Congressional District that I represent as well as for all of Illinois, passage of this legislation is of utmost importance. WRDA contains instructions for the Army Corps of Engineers to carry out studies and projects within my district at LaSalle and at Ballard's Island in the Illinois River.

The City of LaSalle, IL, has taken an aggressive approach to promoting itself as a historical tourism destination as a way to compensate for the loss of manufacturing. The highpoint of this project is the Port of LaSalle and the Illinois & Michigan Canal. The Illinois & Michigan Canal was integral to the success of Chicago as a transportation hub back in the 19th century as it connected Chicago to the Illinois River. While it fell into disuse and disrepair, the Canal Corridor Association and the City of LaSalle have remade a stretch at the Lock 14 site in LaSalle. A replica canal boat is planned to be constructed and act as a tourist attraction and also a unique venue that can be rented for private functions to bring further revenue to the community.

However, further contaminate testing for cadmuim and zinc needs to be completed so that dredging may take place in order to create a long and deep channel for the canal boat to be successfully operated. In passing this bill today, we will be giving the Army Corps of Engineers the authority to carry out the additional testing and the possible dredging that may be needed so that this project can come to fruition and this national treasure can be restored to its original glory.

Another project that is contained in H.R. 1495 is the further opening of the Ballard's Island Channel. The Army Corps completed its last dredging and stone removal at the Ballard's Island site in October 2003 with the intent to study the effects and ramifications. A significant time having passed, it may be time for the Corps to continue with opening up this channel which the Corps closed almost 60 years ago. Cutting through the very large riparian bar which has built up over 60 years and which now blocks the original channel may be a means to this goal. Doing so will divert water flowing into the channel as the result of the Corps reopening.

Both the Illinois & Michigan Canal and the Ballad's Island Channel projects aid the surrounding communities both in environmental restoration and economic revitalization. I look forward to the successful completion of these projects and the important economic benefits these communities will see as a result.

The WRDA legislation not only includes provisions that will assist specific communities in my district but also contains a mandate to update the lock and dam system on the Upper Mississippi arid Illinois Rivers. This project will replace seven key 600-foot navigation locks with seven new 1,200-foot locks. Improvements to the inland water transportation system are long past due. Many structures were built over 60 years ago, when barge tows were less than 600 feet long. Today's barge tows are nearly 1,200 feet long, creating vast backlogs at many locks, and slowing the speed with which Illinois products can be shipped abroad. According to the Army Corps of Engineers, construction of the 7 locks will provide at least 3,000–6,000 jobs per year for the construction period, an estimated 12–20 years.

Farmers in Illinois and my district are dependent on the riverways to ship their products to international markets. Passage of H.R. 1495 will mean shorter shipping times, resulting in decreased costs and increased profit. I am pleased that we are finally joining in a bipartisan manner to assist American farmers in competing on the global level.

Mr. Chairman, H.R. 1495, the Water Resources Development Act of 2007, provides a building block for many communities not only in my district but in every state and region in our country.

In closing, I want to commend Chairman OBERSTAR and Ranking Member MICA for producing a good bipartisan bill again and I am hopeful that this year we can finally get this bill to the President for his signature.

RECOGNIZING AND CELEBRATING THE 175TH ANNIVERSARY OF THE VILLAGE OF GENESEO

HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. REYNOLDS. Madam Speaker, it is with great pride and delight that I rise today to recognize and celebrate the Village of Geneseo on its 175th Anniversary.

From its lush and beautiful landscape to its historical and picturesque architecture, from its tradition of excellent education and thriving agriculture to its wonderful and generous people, the Village of Geneseo has much to celebrate on its 175th anniversary.

Located in the pleasant Genesee Valley in Livingston County, Geneseo has from the very beginning charmed onlookers and visitors with its natural beauty and landscapes. Centuries ago, Seneca Indians discovered a peaceful, rolling valley near a river that was bordered between the Finger Lakes to the east and waterfalls, which would become Letchworth State Park, to the west. They named the land jo-nis-hi-yuh, meaning beautiful valley, which would come to be spelled Geneseo. Thus Geneseo's very name captures its beautiful landscape of hills, grand oak trees, waterways and green fields that continue to captivate.

In 1790, two brothers, James and William Wadsworth purchased the ''beautiful valley'' from the Senecas, and Geneseo was founded. They built homes on both ends of Main Street, many of which still stand today. It was the beginning of what today is one of the most scenic and quaint Main Streets in America. Only one of 24 communities in the country to have its historic district recognized as having national significance, Geneseo's Main Street Historic District reflects the beauty of the area's landscape with unique and delightful architecture nestled in a picturesque, small-town community.

In 1832, the settlement was chartered and would from then on known as the ''Village of Geneseo.'' This important moment marked the official formation of local government and village boundaries, which now mark their 175th year. Later, another important charter would be enacted when in 1897 the New York State Legislature chartered the Wadsworth Normal School at Geneseo, a school that would become SUNY Geneseo. Today, with a reputation as one of the nation's best public liberal arts schools, SUNY Geneseo is an integral part of the community, educating and preparing thousands of young people through its tremendous programs and resources.

Beyond its landscape, history, architecture, and educational tradition, possibly nothing is as inseparable from Geneseo as farming and agriculture. More than just a vital industry that helps feed our nation, farming in Geneseo is a way of life that has shaped the region and sustained its economy. Combined with Geneseo's academic, architectural and natural jewels, this tradition of farms and fields create a dynamic mix that makes the village truly unique.

Finally, Geneseo's most tremendous resource and vital characteristic is its wonderful people. In Geneseo, you find generous, down-to-earth, friendly people who are willing to lend a hand and always wish you well. More than anything to celebrate on this 175th anniversary is the good-hearted and gracious people of Geneseo.

Thus, Madam Speaker, in recognition of its history, its natural beauty, its charming architecture, its educational excellence, its agricultural tradition and its wonderful residents, I ask that this honorable body join me in celebrating the 175th Anniversary of the Village of Geneseo.

REMEMBERING CAITLIN HAMMAREN

HON. JOHN J. HALL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. HALL of New York. Madam Speaker, on Monday, April 16, 2007, the Virginia Polytechnic Institute was struck by one of the most heinous acts of violence our Nation has ever witnessed. This sense of loss has resonated throughout our country and around the world. It has affected the entire Virginia Tech community and led to an outpouring of sympathy and support from all Americans. It has touched families across the Nation, especially those in my home district in the Hudson Valley, where we lost an outstanding young woman, Caitlin Hammaren.

Caitlin was a young person from Westtown, New York, who graduated from Minisink Valley High School in 2005. She was the section leader in the high school chorus, loved to ride horses, and was kind and generous to all who knew her. As a Resident Assistant in her dormitory at Virginia Tech, she looked over and protected her fellow students and guided them through their daily experiences as young people just learning how to become independent adults. Caitlin will be deeply missed by her family, friends, and the campus community that she was such an important and cherished part of. I know all of my colleagues join me on this day of mourning in sending our thoughts and prayers to Caitlin's family and friends.

IN CELEBRATION OF HARRY DAVIDIAN'S 80TH BIRTHDAY

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. COSTA. Madam Speaker, I join my colleague Mr. DEVIN NUNES, and rise today to celebrate the 80th birthday of Mr. Harry Davidian, a wonderful husband, father, and community member.

Harry has an interesting life story. He was born on April 23, 1927 to Agavnie and Giragos Davidian. As the son of immigrants of Armenia, Harry looked out for his siblings, John and Hozanna. All three children attended Dinuba High School in Dinuba, CA. After high school, Harry served in the United States Army as a medic for 2 years and in 1948 received an honorable discharge.

In 1948, Harry met and married Laura Balakian. Throughout the years Laura has remained by Harry's side as his soul mate, confidant, and life partner. Together they had three beautiful daughters: Janice, Phyllis, and Rebecca.

As a life long entrepreneur, Harry furthered his interest in farming and created a partnership with George Zarounian, which became known as Zee & Dee. They became the largest shippers of Vine Ripe Tomatoes in the Nation. After much success they joined the Foursome Development Company in Monterey, with partners Ted Balestreri and Bert Cutino. The ultimate American dream was realized when they developed the Historic Cannery Row.

Family, friends, and travel are the great joys of Harry's life. He has been a philanthropist for various organization and communities, such as St. Mary Annenian Church in Yettem. Harry takes pride in being a strong community leader and godfather to Sharon, Karon, Aron, Michael, Debra, and Kevin. Throughout the many roads he has traveled here and abroad we thank him for the many lives he has touched along the way. It is for these reasons that we join Harry Davidian's family and friends in wishing him a blessed 80th birthday and continued health and happiness in the years to come.

SUPPORTING THE GOALS AND IDEALS HIGHLIGHTED THROUGH NATIONAL VOLUNTEER WEEK

SPEECH OF

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. EMANUEL. Madam Speaker, I rise today in strong support of H. Res. 293, a resolution supporting the goals and ideals of National Volunteer Week. This bill recognizes the beneficial effects of volunteerism in our Nation, and thanks the millions of individuals who have generously donated their time for charitable efforts.

Volunteerism is a hallmark of a civil and compassionate society, and since 1974, National Volunteer Week has consistently encouraged and supported the charitable and selfless contributions of America's volunteers. From the men and women feeding the hungry at the Chicago Food Depository to the volunteers that master information about Chicago's museums and cultural institutions, these individuals deserve our thanks for all of their hard work.

Last year alone, over 61 million Americans offered their time and effort to volunteer in a myriad of ways. These individuals recognized the vital importance of lending a helping hand to beneficent causes and donated their time and efforts in order to make a difference in their communities.

The striking importance of volunteerism was highlighted in the recovery efforts following Hurricanes Katrina and Rita in the Gulf Coast. The communal effort extended after these disasters exemplified the American spirit of fellowship and altruism, and provided the crucial support necessary to begin rebuilding homes and business in this battered region.

National Volunteer Week promote's these selfless acts and raises awareness of the need for personal involvement within America's communities. For this reason I celebrate and support this institution.

Madam Speaker, as we observe National Volunteer Week, I wish to express my gratitude and appreciation for all of the efforts of our Nation's volunteers. Their work reflects the gracious and humanitarian character of the American Nation, and provides countless hours of service to valuable community organizations. I ask my colleagues to join me in voting in favor of H. Res. 293, in order to recognize the volunteers of America and National Volunteer Week.

HONORING SHULAMIT HOFFMANN

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

Mr. LANTOS. Madam Speaker, I rise today to honor Shulamit Hoffman, a remarkable woman who has enriched my district as the founder and artistic director of Viva la Musica!, a 70-voice community choir. Since its inception in December 2001, this Bay Area based choir has performed a major work from the choral-orchestral repertoire each season, as well as traditional and multi-cultural choral selections. The choir has performed throughout the country and undertook its first European tour in December 2006 in illustrious venues in Vienna and Salzburg.

Ms. Hoffmann has held a litany of prestigious posts, most recently she was appointed as the conductor of Los Altos United Methodist Chancel Choir in 2002. In addition to singing regularly for Sunday services, LAUMC Choir has performed several major works in concert and has undertaken two tours to the 2004 Kathaumixw in Canada, the 2005 Vermont International Choral Festival and, in 2006, an Alaskan singing cruise with Sir David Willcocks and Duaine Wolf.

As a music educator, Ms. Hoffmann has served as an adjunct faculty member of the College of San Mateo since 2002. She has been a member of the music faculties of the University of Notre Dame de Namur University in California, Idaho State University, Brigham Young University Extension in Idaho and University of Cape Town and University of the Witwatersrand in South Africa. Several of her students are pursuing careers in music. Ms. Hoffmann holds a Master of Arts in Conducting and a Master of Music in Piano Performance. She has earned Licentiate Diplomas in Music from the University of South Africa and from the Royal Schools of Music in London.

She has served as president of branches of the Music Teachers' Association of California and of the National Federation of Music Clubs and she is a frequently invited competition judge and guest clinician.

Madam Speaker, the concerts Shulamit Hoffmann presents are generally sold out and appreciative audience members are enthralled with the musical quality of Viva la Musica! President and Mrs. John Oblak, of Notre Dame de Namur University, praised the excellence of the concerts when they were quoted as saying, ''Viva performances exceed all expectations of choral music—they are creative, professional, stimulating and magical—and an absolute treat. We enjoy them personally and we are very proud to introduce friends of the University to this outstanding group.''

Ms. Hoffmann's performances—as pianist and conductor—span a broad repertoire from Mozart to multi-cultural music, from the Renaissance to Prepared Piano. A particular interest of Ms. Hoffmann's is multi-media presentations of art, music and poetry. She is known for the skill, authority, imagination, daring, dazzle, and that dash of irresistible playfulness she brings to her musical endeavors. In her hands the conductor's baton becomes a magic wand, coaxing, coaching, and demanding the best of singers and orchestra alike.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4789–S4821

Measures Introduced: Six bills and three resolutions were introduced, as follows: S. 1176–1181, and S. Res. 162–164. **Page S4809**

Measures Passed:

National Shaken Baby Syndrome Awareness Week: Senate agreed to S. Res. 163, designating the third week of April 2007 as ''National Shaken Baby Syndrome Awareness Week''. **Page S4820**

Week of the Young Child: Senate agreed to S. Res. 164, designating the week beginning April 22, 2007, as ''Week of the Young Child''. **Pages S4820–21**

America Competes Act: Senate began consideration of S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy. **Pages S4790–4803**

A unanimous-consent agreement was reached providing that Senate resume consideration of the bill at 2:45 p.m., on Monday, April 23, 2007. **Page S4821**

Appointments:

United States Holocaust Memorial Council for the 110th Congress: The Chair, on behalf of the President pro tempore, pursuant to Public Law 96–388, as amended by Public Law 97–84 and Public Law 106–292, appointed the following Senators to the United States Holocaust Memorial Council for the 110th Congress: Senators Hatch and Coleman. **Page S4819**

Senate National Security Working Group for the 110th Congress: The Chair announced, on behalf of the Republican Leader, pursuant to the provisions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105–275, further amended by S. Res. 75 (adopted March 25, 1999), amended by S. Res. 383 (adopted October 27, 2000), and amended by S. Res. 355 (adopted November 13, 2002), and further amended by S. Res. 480 (adopted November 20, 2004), the appointment of the following Senators to serve as members of the Senate National Security Working Group for the 110th Congress: Senators Cochran (Co-Chairman), Kyl (Administrative Co-Chairman), McConnell (Co-Chairman), and Lott (Co-Chairman). **Pages S4819–20**

Nominations Confirmed: Senate confirmed the following nominations:

Routine lists in the Public Health Service. **Pages S4819, S4821**

Messages from the House: **Page S4809**

Measures Referred: **Page S4809**

Additional Cosponsors: **Page S4809**

Statements on Introduced Bills/Resolutions: **Pages S4811–17**

Additional Statements: **Pages S4809–11**

Amendments Submitted: **Pages S4817–19**

Privileges of the Floor: **Page S4819**

Adjournment: Senate convened at 10 a.m., and adjourned at 2:45 p.m., until 2 p.m. on Monday, April 23, 2007. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4821.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: NATIONAL INSTITUTES OF HEALTH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Committee concluded a hearing to examine proposed budget estimates for fiscal year 2008 for the National Institutes of Health, focusing on the burden of chronic diseases, after receiving testimony from Richard J. Hodes, Director, National Institute on Aging, Stephen I. Katz, Director, National Institute of Arthritis and Musculoskeletal and Skin Diseases, Elizabeth G. Nabel, Director, National Heart, Lung, and Blood Institute, and Griffin P. Rodgers, Director, National Institute of Diabetes and Digestive and Kidney Diseases, all of the National Institutes of Health, Department of Health and Human Services.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 17 public bills, H.R. 1975–1991; and 4 resolutions, H. Con. Res. 122–124; and H. Res. 326 were introduced. **Pages H3723–24**

Additional Cosponsors: **Pages H3724–25**

Reports Filed: Reports were filed today as follows:

H.R. 1676, to reauthorize the program of the Secretary of Housing and Urban Development for loan guarantees for Indian housing (H. Rept. 110–102);

H.R. 1678, to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, (H. Rept. 110–103, Pt. 1); and

H.R. 1332, to improve the access to capital programs of the Small Business Administration, with an amendment (H. Rept. 110–104). **Page H3723**

Speaker: Read a letter from the Speaker wherein she appointed Representative Pomeroy to act as Speaker Pro Tempore for today. **Page H3697**

Shareholder Vote on Executive Compensation Act: The House passed H.R. 1257, to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation, by a recorded vote of 269 ayes to 134 noes, Roll No. 244. Consideration of the bill began on Wednesday, April 18th. **Pages H3699–H3714**

Rejected the Feeney motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 184 yeas to 222 nays, Roll No. 243. **Pages H3712–13**

Rejected:

Sessions amendment (No. 13 printed in the Congressional Record of April 17, 2007) that sought to add a paragraph relating to disclosure of activities to influence votes (by a recorded vote of 177 ayes to 222 noes, Roll No. 236); **Pages H3706–07**

Garrett amendment (No. 5 printed in the Congressional Record of April 17, 2007) that sought to insert a new paragraph outlining conditions triggering a vote (by a recorded vote of 155 ayes to 244 noes, Roll No. 237); **Pages H3707–08**

Campbell (CA) amendment (No. 2 printed in the Congressional Record of April 17, 2007) that sought to add a new paragraph relating to a majority-elected board exemption (by a recorded vote of 161 ayes to 241 noes, Roll No. 238); **Pages H3708–09**

McHenry amendment (No. 7 printed in the Congressional Record of April 17, 2007) that sought to insert a new paragraph providing that a shareholder who is casting a permitted vote shall be required to disclose to beneficiaries whether such vote was cast to approve or disapprove compensation (by a recorded vote of 164 ayes to 236 noes, Roll No. 239); **Page H3709**

Price (GA) amendment (No. 9 printed in the Congressional Record of April 17, 2007) that sought to strike all after the enacting clause and insert a new section relating to disclosure of executive compensation (by a recorded vote of 148 ayes to 257 noes, Roll No. 240); **Pages H3699–H3701, H3709–10**

Putnam amendment (No. 11 printed in the Congressional Record of April 17, 2007) that sought to insert a new paragraph relating to deferred compensation exemption (by a recorded vote of 160 ayes to 240 noes, Roll No. 241); and **Pages H3701–03, H3710–11**

Price amendment (No. 8 printed in the Congressional Record of April 17, 2007) that sought to add a new paragraph relating to conditional implementation (by a recorded vote of 162 ayes to 242 noes, Roll No. 242). **Pages H3703–06, H3711–12**

H. Res. 301, the rule providing for consideration of the bill, was agreed to on Wednesday, April 18th. **Page H3699**

Moment of Silence: The House observed a moment of silence with respect to events of earlier this week on the campus of Virginia Tech in Blacksburg, Virginia. **Page H3713**

U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007—Change in Conferees: The House agreed to remove Representative Price (NC) as a conferee on H.R. 1591, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and appoint Representative Kilpatrick to fill the vacancy. **Page H3714**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, April 23rd for Morning Hour debate. **Page H3718**

Calendar Wednesday: Agreed by unanimous consent to dispense with the Calendar Wednesday business of Wednesday, April 25th. **Page H3718**

Canada–United States Interparliamentary Group—Appointment: The Chair announced the Speaker's appointment of the following Members of the House of Representatives to the Canada–United States Interparliamentary Group: Representatives

Manzullo, McCotter, Stearns, English, and Brown (SC). **Page H3718**

Mexico–United States Interparliamentary Group—Appointment: The Chair announced the Speaker's appointment of the following Members of the House of Representatives to the Mexico–United States Interparliamentary Group: McCaul (TX), Weller (IL), Dreier, Mack, and Fortuño. **Page H3718**

Committee Resignation: Read a letter from Representative Doolittle wherein he temporarily resigned from the Committee on Appropriations, effective immediately. **Page H3721**

Senate Message: Message received from the Senate today appears on page H3697.

Quorum Calls—Votes: One yea-and-nay vote and eight recorded votes developed during the proceedings of today and appear on pages H3706–07, H3707–08, H3708, H3709, H3709–10, H3710–11, H3711, H3713, H3713–14. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 1:10 p.m.

Committee Meetings

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Guard and Reserve—Oversight. Testimony was heard from LTG H. Steven Blum, USA, Chief of the National Guard Bureau; LTG Jack C. Stultz, USAR, Chief of Army Reserve; VADM John G, Cotton, USN, Chief of Naval Reserve; LTG John A. Bradley, USAF, Chief, Air Force Reserve; and LTG John W. Bergman, USMC, Commander, Marine Forces Reserve.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Financial Services and General Government held a hearing on the District of Columbia. Testimony was heard from the following officials of the District of Columbia: Adrian M. Fenty, Mayor; Vincent C. Gray, Chairman, City Council; and Natwar M. Gandhi, Chief Financial Officer.

READING FIRST PROGRAM INVESTIGATION

Committee on Education and Labor: Held a hearing on Mismanagement and Conflicts of Interest in the Reading First Program. Testimony was heard from the following officials of the Department of Education: John P. Higgins, Jr., Inspector General; and Edward Kame'enui, Commissioner, National Center for Special Education Research; Starr Lewis, Associate Commissioner, Office of Teaching and Learning, Department of Education, State of Kentucky; Christopher Doherty, former Program Director, Reading First, Department of Education; and public witnesses.

LOS ALAMOS NATIONAL LAB MISMANAGEMENT

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Department of Energy's Response to Ongoing Mismanagement at the Los Alamos National Labs." Testimony was heard from the following officials of the Department of Energy: Samuel W. Bodman, Secretary; and Gregory H. Friedman, Inspector General; and Michael R, Anastasio, Director, Los Alamos National Laboratory.

FEDERAL HOMELAND SECURITY CONTRACTING

Committee on Homeland Security: Held a hearing entitled "Responsibility in Federal Homeland Security Contracting." Testimony was heard from Elaine Duke, Chief Procurement Officer, Department of Homeland Security; and public witnesses.

IMMIGRATION REFORM

Committee on the Judiciary: Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law continued hearings on Shortfalls of 1986 Immigration Reform Legislation. Testimony was heard from public witnesses.

AVIATION CONSUMER ISSUES

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on Aviation Consumer Issues. Testimony was heard from Representatives Meeks of New York; Thompson of California and Schmidt; the following officials of the Department of Transportation: Calvin L. Scovel, III, Inspector General; and Andrew B. Steinberg, Assistant Secretary, Aviation and International Affairs; and public witnesses.

FEMA'S EMERGENCY SUPPLY SYSTEM

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing on FEMA's Emergency Food Supply System. Testimony was heard from Harvey Johnson, Deputy Administrator, FEMA, Department of Homeland Security; and Larry Glasco, Deputy Director, Logistics Operations and Readiness, Defense Logistics Agency, Department of Defense.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D 477)*

H.R. 1132, to amend the Public Health Service Act to provide waivers relating to grants for preventive health measures with respect to breast and cervical cancers. Signed on April 20, 2007 (Public Law 110–18)

CONGRESSIONAL PROGRAM AHEAD

Week of April 23 through April 28, 2007

Senate Chamber

On Monday, at 2:45 p.m., Senate will resume consideration of S. 761, America Competes Act.

On Tuesday, Senate will continue consideration of S. 761, America Competes Act and Senator Coburn will be recognized to speak for one hour.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: April 24, to hold hearings to examine challenges and opportunities facing American agricultural producers, focusing on specialty crops, dairy, sugar, organic production and marketing, and honey, 9 a.m., SD–106.

April 25, Full Committee, to hold hearings to examine challenges and opportunities facing American agricultural producers, focusing on farm programs and the commodity title of the farm bill, 9:30 a.m., SD–106.

Committee on Appropriations: April 25, Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2008 for the Missile Defense Agency, 10:30 a.m., SD–192.

April 26, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2008 for the Department of Housing and Urban Development, 10 a.m., SD–124.

April 26, Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2008 for the Federal Bureau of Investigation, 10 a.m., SD–192.

Committee on Armed Services: April 24, to hold hearings to receive testimony on United States Pacific Command, United States Forces Korea, and United States Special Operations Command in review of the Defense Authorization Request for fiscal year 2008 and the Futures Years Defense Program, 9:30 a.m., SH–216.

April 24, Subcommittee on Readiness and Management Support, to hold hearings to examine the readiness of United States ground forces in review of the Defense Authorization Request for fiscal Year 2008 and the Future Years Defense Program, 3 p.m., SR–232A.

April 25, Subcommittee on Airland, to hold hearings to examine whether the Army is properly sized, organized, and equipped to respond to the most likely missions over the next two decades while retaining adequate capability to respond to all contingencies along the spectrum of combat in review of the Defense Authorization Request for fiscal year 2008 and the Future Years Defense Program, 10 a.m., SR–222.

April 25, Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine language and cultural awareness capabilities for the Department of Defense, 2 p.m., SR–325.

April 25, Subcommittee on Strategic Forces, to hold hearings to examine Department of Energy atomic energy defense programs in review of the Defense Authoriztaion Request for fiscal year 2008, 3:30 p.m., SR–232A.

April 26, Full Committee, to hold hearings to receive testimony on legal issues regarding individuals detained by the Department of Defense as unlawful enemy combatants, 9:30 a.m., SH–216.

April 26, Subcommittee on Airland, to hold hearings to examine Air Force and aviation programs in review of the Defense Authorization Request for Fiscal Year 2008 and the Future Years Defense Program, 3 p.m., SR–232A.

Committee on Commerce, Science, and Transportation: April 24, to hold hearings to examine communications, broadband and competitiveness relating to how the United States measures up, 10 a.m., SR–253.

April 25, Full Committee, business meeting to consider pending calendar business, 2:30 p.m., SR–253.

April 26, Subcommittee on Science, Technology, and Innovation, to hold hearings to examine clean coal technology, 10 a.m., SR–253.

Committee on Energy and Natural Resources: April 23, to hold hearings to examine S. 1115, to promote the efficient use of oil, natural gas, and electricity, reduce oil consumption, and heighten energy efficiency standards for consumer products and industrial equipment, 3 p.m., SD–366.

April 25, Subcommittee on Water and Power, to hold hearings to examine S. 324, to direct the Secretary of the Interior to conduct a study of water resources in the State of New Mexico, S. 542, to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in the State of Idaho, S. 752, to authorize the Secretary of the Interior to participate in the implementation of the Platte River Recovery Implementation Program for Endangered Species in the Central and Lower Platte River Basin and to modify the Pathfinder Dam and Reservoir, S. 1037, to authorize the Secretary of the Interior to assist in the planning, design, and construction of the Tumalo Irrigation District Water Conservation Project in Deschutes County, Oregon, S. 1116 and H.R. 902, bills to facilitate the use for irrigation and other purposes of water produced in connection with development of energy resources, S. 175, to provide for a feasibility study of alternatives to augment the water supplies of the Central Oklahoma Master Conservancy District and cities served by the District, S. 1112 and H.R. 235, bills to allow for the renegotiation of the payment schedule of contracts between the Secretary of the Interior and the

Redwood Valley County Water District, 2:30 p.m., SD–366.

April 26, Subcommittee on National Parks, to hold hearings to examine S. 312 and H.R. 497, bills to authorize the Marion Park Project and Committee of the Palmetto Conservation Foundation to establish a commemorative work on Federal land in the District of Columbia and its environs to honor Brigadier General Francis Marion, S. 169, to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, S. 580, to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, S. 686, to amend the National Trails System Act to designate the Washington-Rochambeau Revolutionary Route National Historical Trail, S. 722, to direct the Secretary of the Interior and the Secretary of Agriculture to jointly conduct a study of certain land adjacent to the Walnut Canyon National Monument in the State of Arizona, S. 783, to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana, S. 890, to provide for certain administrative and support services for the Dwight D. Eisenhower Memorial Commission, and H.R. 1047, to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System, 2:30 p.m., SD–336.

Committee on Environment and Public Works: April 24, to hold hearings to examine the implications of the Supreme Court's decision regarding the Environment Protection Agency authorities with respect to greenhouse cases under the Clean Air Act, 9:45 a.m., SD–406.

April 25, Subcommittee on Clean Air and Nuclear Safety, to hold an oversight hearing to examine the Nuclear Regulatory Commission, 10 a.m., SD–406.

Committee on Health, Education, Labor, and Pensions: April 24, to hold hearings to examine No Child Left Behind Reauthorization, focusing on modernizing middle and high schools for the twenty-first century, 10 a.m., SD–628.

April 26, Subcommittee on Employment and Workplace Safety, to hold hearings to examine the effectiveness of the Occupational Safety & Health Administration (OSHA), 10 a.m., SD–628.

Committee on Homeland Security and Governmental Affairs: April 23, to hold hearings to examine security on America's college campuses, 2:30 p.m., SD–342.

April 24, Ad Hoc Subcommittee on Disaster Recovery, to hold hearings to examine trailers, focusing on creating more flexible, efficient, and cost-effective Federal Disaster Housing Program, 9:30 a.m., SD–342.

April 24, Permanent Subcommittee on Investigations, to hold hearings to examine the Federal Transit Benefit Program, focusing on whether benefits are being misused, program rules are being violated, and agency oversight requires strengthening, 2:30 p.m., SD–342.

Committee on Indian Affairs: April 26, to hold hearings to examine S.462, to approve the settlement of the water rights claims of the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation in Nevada, to require the Secretary of the Interior to carry out the settlement, 10 a.m., SR–485.

Committee on the Judiciary: April 24, Subcommittee on Human Rights and the Law, to hold hearings to examine the casualties of war focusing on child soldiers and the law, 10 a.m., SD–226.

April 24, Full Committee, to hold hearings to examine the Insurrection Act rider and the state control of the National Guard, 2:30 p.m., SD–226.

April 25, Full Committee, business meeting to consider S. 1079, to establish the Star-Spangled Banner and War of 1812 Bicentennial Commission, S. 221, to amend title 9, United States Code, to provide for greater fairness in the arbitration process relating to livestock and poultry contracts, S. 495, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, 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. 119, to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts, S. 735, to amend title 18, United States Code, to improve the terrorist hoax statute, H.R. 740, to amend title 18, United States Code, to prevent caller ID spoofing, S. Res. 112, designating April 6, 2007, as ''National Missing Persons Day'', and the nominations of Robert Gideon Howard, Jr., of Arkansas, to be United States Marshal for the Eastern District of Arkansas, Frederick J. Kapala, of Illinois, to be United States District Judge for the Northern District of Illinois, and Benjamin Hale Settle, of Washington, to be United States District Judge for the Western District of Washington; and the possibility of the issuance of certain subpoenas in connection with the investigation into the replacement of United States Attorneys, 10 a.m., SD–226.

April 25, Full Committee, to hold hearings to examine rising crime in the United States, focusing on the Federal role in helping communities prevent and respond to violent crime, 2 p.m., SD–226.

Committee on Veterans' Affairs: April 25, to hold an oversight hearing to examine the Department of Veterans Affairs, focusing on mental health issues, 2 p.m., SR–418.

Select Committee on Intelligence: April 24, to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–219.

April 26, Full Committee, closed business meeting to consider pending intelligence matters, 2:30 p.m., SH–219.

House Committees

Committee on Agriculture, April 24, Subcommittee on Livestock, Dairy, and Poultry, hearing to review the Federal Milk Marketing Order rulemaking procedures, 10 a.m., 1300 Longworth.

April 26, Subcommittee on General Farm Commodities and Risk Management, hearing to review proposals

to amend the program crop provisions of the Farm Security and Rural Investment Act of 2002, 10 a.m., 1300 Longworth.

Committee on Appropriations, April 24, Subcommittee on Commerce, Justice, Science, and Related Agencies, on public witnesses, 10 a.m., and 2 p.m., H–309 Capitol.

April 24, Subcommittee on Defense, on Navy and Marine Corps Force Posture and Acquisition Overview, 1:30 p.m., H–140 Capitol.

April 24, Subcommittee on Interior, Environment and Related Agencies, on Woodrow Wilson Center/Kennedy Center, 9:30 a.m., B–308 Rayburn.

April 24, Subcommittee on Legislative Branch, on Capitol Visitor center, 1:30 p.m., 2359 Rayburn.

April 25, Subcommittee on Commerce, Justice, Science, and Related Agencies, on Members of Congress, 9 a.m., H–309 Capitol.

April 25, Subcommittee on Defense, on Shipbuilding (Industry Officials), 10 a.m., and on Shipbuilding (Navy Officials) 1:30 p.m., 2359 Rayburn.

April 26, Subcommittee on Interior, Environment, and Related Agencies, on Climate Change, 9:30 a.m., B–308 Rayburn.

April 26, Subcommittee on Labor, Health and Human Services, Education. and Related Agencies, on Secretary of Labor, 10 a.m., 2359 Rayburn.

April 26, Subcommittee on Legislative Branch, on Office of Compliance/Congressional Budget Office, 10 a.m., H–144 Capitol.

April 27, Subcommittee on Defense, on Air Force Posture and Acquisition Overview, 10 a.m., H–140 Capitol.

Committee on Armed Services, April 25, Subcommittee on Oversight and Investigations, hearing on Contracting for the Iraqi Security Forces, 9 a.m., 2212 Rayburn.

Committee on Education and Labor, April 23, hearing on NCLB: Preventing Dropouts and Enhancing School Safety, 3 p.m., 2175 Rayburn.

April 24, hearing on Strengthening the Middle Class: Ensuring Equal Pay for Women, 9:30 a.m., 2175 Rayburn.

April 24, Subcommittee on Workforce Protections, hearing on Have OSHA Standards Kept up With Workplace Hazards? 1:30 p.m., 2175 Rayburn.

April 25, full Committee, hearing on Examining Unethical Practices in the Student Loan Industry, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, April 24, Subcommittee on Energy and Air Quality, hearing entitled ''Implementation of EPACT 2005 Loan Guarantee Programs by the Department of Energy'', 2 p.m., 2322 Rayburn.

April 24, Subcommittee on Oversight and Investigations, hearing entitled ''Diminished Capacity: Can the FDA Assure the Safety and Security of the Nation's Food Supply?'' 9:30 a.m., 2123 Rayburn.

April 24, Subcommittee on Telecommunication and the Internet, to continue hearings entitled ''Digital Future of the United States: Part IV: Broadband Lessons from Abroad,'' 10 a.m., 2322 Rayburn.

April 25, Subcommittee on Environment and Hazardous Materials, hearing entitled ''Perchlorate'': Health and Environment Impacts of Unregulated Exposure, 10 a.m., 2322 Rayburn.

April 25, Subcommittee on Health, hearing entitled ''Living without Health Insurance: Why Every American Needs Coverage,'' 10 am., 2123 Rayburn.

April 26, Subcommittee on Energy and Air Quality, hearing entitled ''Alternate Fuels: Current Status, Proposals for New Standards, and Related Infrastructure Issues,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, April 24, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled ''Policy Options for Extending the Terrorism Risk Insurance Act,'' 1:30 p.m., 2128 Rayburn.

April 25, full Committee, hearing on H.R. 698, Industrial Bank Holding Company Act of 2007, 10 a.m., 2128 Rayburn.

April 26, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled ''Credit Card Practices: Current Consumer and Regulatory Issues,'' 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, April 24, hearing on PEPFAR: An Assessment of Progress and Challenges, 11 a.m., 2172 Rayburn.

April 24, Subcommittee on Western Hemisphere, hearing on U.S.-Columbia Relations, 2 p.m., 2172 Rayburn.

April 25, Subcommittee on Africa and Global Health, hearing on Malaria Awareness Day: Leveraging Progress for Future Advances, 2:30 p.m., 2172 Rayburn.

April 26, Subcommittee on International Organizations, Human rights, and Oversight, hearing on Efforts to Deal with America's Image Abroad: Are They Working? 2 p.m., 2172 Rayburn.

Committee on Homeland Security, April 25, Subcommittee on Emergency Communications, Preparedness and Response, hearing entitled ''Examining the Military's Support of Civil Authorities During Disasters,''10 a.m., 1539 Longworth.

April 25, Subcommittee on Management, Investigations, and Oversight, hearing entitled ''Strong Oversight at the Department of Homeland Security: A Predicate to Good Government, 10 a.m., 311 Cannon.

April 26, Subcommittee on Border, Maritime and Global Counterterrorism, hearing entitled ''The SAFE Port Act: A Six Month Review,'' 2 p.m., 1539 Longworth.

April 26, Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment, hearing entitled ''The Over-Classification and Pseudo-Classification of Government Information: The Response of the Program Manager of the Information Sharing Environment,'' 10 a.m., 1539 Longworth.

Committee on the Judiciary, April 24, Subcommittee on Constitution, Civil Rights and Civil Liberties, hearing on the Tulsa Greenwood Riot Accountability Act of 2007, 10 a.m., 2141 Rayburn.

April 24, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on the following bills: H.R. 1700, COPS Improvement Act of 2007; H.R. 916, John R. Justice Prosecutors and Defenders Incentive Act of

2007; and H.R. 933, Witness Security and Protection Act of 2007, 2 p.m., 2141 Rayburn.

April 24, Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, hearing on Problems in the Current Employment Verification and Worksite Enforcement System, 11 a.m., 2226 Rayburn.

April 25, full Committee, to consider the following: a resolution directing the House General Counsel to apply to a United States district court for an order immunizing from use in prosecutions the testimony of, and related information provided by, Monica Goodling under compulsion at proceedings before or ancillary to the Committee regarding the circumstances surrounding recent terminations of U.S. Attorneys, representations to Congress regarding those circumstances, and related matters; a resolution authorizing the Chairman to issue a subpoena to Monica Goodling for testimony and related documents at a hearing before the Committee regarding the circumstances surrounding recent terminations of U.S. Attorneys, representations to Congress regarding those circumstances, and related matters; and to mark up the following bills: H.R. 1592, Local Law Enforcement Hate Crimes Prevention Act of 2007; and H. R. 692, Army Specialist Joseph P. Micks Federal Flag Code Amendment Act of 2007, 10:15 a.m., 2141 Rayburn.

April 26, Subcommittee on Courts, The Internet, and Intellectual Property, hearing on H.R. 1908, Patent Reform Act of 2007, 2 p.m., 2141 Rayburn.

April 26, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Employer Access to Criminal Background Checks: The Need for Efficiency and Accuracy, 10 a.m., 2237 Rayburn.

April 26, Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law, hearing on Proposals for Improving the Electronic Employment Verification and Worksite Enforcement System, 9:30 a.m., 2141 Rayburn.

Committee on Natural Resources, April 24, Subcommittee on Fisheries, Wildlife and Oceans and the Subcommittee on Energy and Mineral Resources, joint hearing on Renewable Energy Opportunities and Issues on the Outer Continental Shelf, 2 p.m., 1324 Longworth.

April 25, full Committee, to mark up the following bills: H.R. 65, Lumbee Recognition Act; H.R. 487, Cheyenne River Sioux Tribe Equitable Compensation Amendments Act of 2007; H.R. 1080, Grand Teton National Park Extension Act of 2007; H.R. 1114, Alaska Water Resources Act of 2007; H.R. 1294, Thomasina E. Jordon Indian Tribes of Virginia Federal Recognition Act of 2006; and H.R. 1328, Indian Health Care Improvement Act Amendments of 2007, 11 a.m., 1324 Longworth.

April 25, Subcommittee on Insular Affairs, to continue hearings on the following bills: H.R. 900, Puerto Rico Democracy Act of 2007; and H.R. 1230, Puerto Rico Self Determination Act of 2007, 3 p.m., 1324 Longworth.

April 26, Subcommittee on Fisheries, Wildlife and Oceans, hearing on H.R. 21, Oceans Conservation, Education, and National Strategy for the 21st Century Act, 10 a.m., 1324 Longworth.

April 26, Subcommittee on National Parks, Forests and Public Lands and the Subcommittee on Energy and Mineral Resources, joint oversight hearing on Land-use Issues Associated with Onshore Oil and Gas Leasing Development, 10 a.m., 1334 Longworth.

April 26, Subcommittee on Water and Power, hearing on H.R. 1462, Platte River Recovery Implementation Program and Pathfinder Modification Authorization Act, 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, April 24, hearing on Misleading Information From the Battlefield, 10 a.m., 2154 Rayburn.

April 24, Subcommittee on Information Policy, Census and National Archives, hearing on Preparations for the 2010 Census, 2 p.m., 2154 Rayburn.

April 25, Subcommittee on Domestic Policy, hearing on the examination of Section 1221 on the Energy Policy Act of 2005 by the Department of Energy, 2 p.m., 2154 Rayburn.

Committee on Rules, April 23, to consider H.R. 362, 10,000 Teachers, 10 Million Minds Science and Math Scholarship Act, 5 p.m., H–313 Capitol.

April 24, to consider the following: H.R. 1332, Small Business Lending Improvements Act of 2007; and H.R. 249, To restore the prohibition on the commercial sale and slaughter of wild free-roaming horses and burros, 6 p.m., H–313 Capitol.

Committee on Science and Technology, April 25, to mark up the following measures: H.R. 1867, National Science Foundation Authorization Act of 2007; H R. 1868, Technology Innovation and Manufacturing Stimulation Act of 2007; H. Con. Res. 95, Honoring the career and research accomplishments of Frances E. Allen, the 2006 recipient of the A. M. Turing Award; H. Res. 316, Recognizing the accomplishments of Roger D. Kornberg, Andrew Fire, Craig Mello, John C. Mather, and George F. Smott for being awarded Novel Prizes in the fields of chemistry, physiology or medicine, and physics, 10 a.m., 2318 Rayburn.

April 26, Subcommittee on Energy and Environment, hearing on Establishing the Advanced Research Projects Agency-Energy—H.R. 364, To provide for the establishment of the Advanced Research Projects Agency-Energy, 2 p.m., 2318 Rayburn.

April 26, Subcommittee on Investigations and Oversight, hearing on Amending Executive Order 12866: Good Governance or Regulatory Usurption? Part II, 10 a.m., 2318 Rayburn.

April 26, Subcommittee on Technology and Innovation, hearing on Small Business Innovation Reauthorization on the 25th Program Anniversary, 1 p.m., 2325 Rayburn.

Committee on Small Business, April 26, hearing entitled "Closing the Tax Gap Without Creating Burdens for Small Businesses," 11 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, April 24, Subcommittee on Highways and Transit, hearing on Buy America, 2 p.m., 2167 Rayburn.

April 25, Subcommittee on Aviation, hearing on Essential Air Services Program/Small Community Air Service Development Program, 2 p.m., 2167 Rayburn.

April 25, Subcommittee on Coast Guard and Maritime Transportation, hearing on Commercial Fishing Vessel Safety, 10 a.m., 2167 Rayburn.

April 26, Subcommittee on Aviation, hearing on the Future of Air Traffic Control Modernization, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, April 24, Subcommittee on Disability Assistance and Memorial Affairs, to mark up H.R. 1660, to direct the Secretary of Veterans Affairs to establish a national Cemetery for Veterans in the southern Colorado region, and a hearing on Helping Those Left Behind: Are We Doing Enough for the Parents, Spouses and Children of Veterans, 10 a.m., 334 Cannon.

April 26, Subcommittee on Health, hearing on the following bills: H.R. 92, Veterans' Timely Access Health Care Act; H.R. 315, Help Establish Access to Local Timely Healthcare For Your Veterans (Healthy Vets) Act of 2007; H.R. 339, Veterans Outpatient Care Access Act of 2007; H.R. 463, Honor Our Commitment to Veterans Act; H.R. 538, South Texas Veterans Access to Care Act of 2007; H.R. 542, To require the Department of Veterans Affairs to provide mental health services in languages other than English, as needed, for veterans' with limited English proficiency; H.R. 1426, Richard Helm Veterans' Access to Local Health Care Options and Resources; H.R. 1470, Chiropractic Care Available to All Veterans Act; H.R. 1471, Better Access to Chiropractors to Keep Our Veterans' Health Act (BACK Veterans' Health Act); H.R. 1527, Rural Veterans' Access to Care Act; and a draft discussion on Rural Health Care Bill and a proposed TBI bill, 10 a.m., 334 Cannon.

Committee on Ways and Means, April 24, Subcommittee on Select Revenue Measures, hearing on Member proposals on Energy and Tax Policy, 2 p.m., 1100 Longworth.

April 25, Subcommittee on Health, hearing on 2007 Medicare Trustees Report, 2 p.m., 1100 Longworth.

April 26, Subcommittee on Income Security and Family Support, hearing on Poverty Reduction, 1 p.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, April 24, executive, on Intelligence Matters, 2 p.m., H–405 Capitol.

April 25, executive, briefing on Hot-Spots, 8:45 a.m., H–405 Capitol.

April 26, executive, hearing on R&D and Systems Acquisition, 11:30 a.m., H–405 Capitol.

Next Meeting of the SENATE

2 p.m., Monday, April 23

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 2:45 p.m.), Senate will resume consideration of S. 761, America Competes Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, April 23

House Chamber

Program for Monday: To be announced.

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