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House of Representatives

The House met at 10 a.m.

The Reverend Dr. Mark E. Harris, First Baptist Church, Charlotte, North Carolina, offered the following prayer:

Heavenly Father, we enter Your presence today on behalf of our Nation, our leaders and ourselves. We come, not by our own worthiness, but by Your glorious invitation to ''come unto Me all who are weary, and I will give you rest.''

Please grant us wisdom today, for we need divine wisdom to fulfill the purposes You have for us. We need Your guidance to be able to heal the brokenhearted. We need Your strength to proclaim liberty to the captives and recovery of sight to the blind. We need Your power to free the oppressed.

So, I ask, Lord, that You would speak to the Nation, and that, indeed, we would all have ears to hear, eyes to see, hearts and minds ready to receive Your word.

God bless this House of Representatives, and may their minds be of Your mind. I ask this prayer in Jesus' name.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Tennessee (Mr. COHEN) come forward and lead the House in the Pledge of Allegiance.

Mr. COHEN led the Pledge of Allegiance as follows:

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

WELCOMING THE REVEREND DR. MARK E. HARRIS

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

Mrs. MYRICK. Madam Speaker, it's truly my honor to welcome Dr. Mark Harris of Charlotte, North Carolina, to the House of Representatives. He is a dynamic and a true leader in our city, and a graduate of Appalachian State University and Southeastern Baptist Theological Seminary. He is currently the senior pastor at First Baptist Church in Charlotte.

He is joined in his ministry by his wife, Beth, and their children, Laura, John and Matthew. Under his leadership, the church has become one of the fastest growing Baptist churches in our area.

He is very straightforward and powerful in his preaching, and he is always challenging his parishioners to rediscover the joy of a personal relationship with Jesus Christ. I thank him for being here today.

IRAQ TIMETABLE AND FUNDING, CONGRESS NEEDS TO PASS CONFERENCE REPORT

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, nine more soldiers are dead, and our soldiers can claim victory in Iraq. Madam Speaker, even after losing thousands of American lives and spending billions of taxpayer dollars, the Bush administration continues to demand an open-ended commitment of American troops in Iraq with no exit plan and no strategy.

But this Democratic Congress, the leadership of Speaker PELOSI, understands the responsibility of war. We understand the commitment to the American people, and, yes, we understand the needs of national security. Retired military officers support our plan and the new direction for Iraq to begin to redeploy our troops to begin to bring them home.

Secretary Gates has gone to Iraq trying to stop the bleeding, but he believes that congressional debate is helpful, and he has said that the clock is ticking. Can the Bush administration understand that? The Pentagon has confirmed, through a Congressional Research Service report, that the President's comments about us stopping funding, the Congress stopping funding, is absolutely wrong.

We need to save lives. We need to restore the confidence and the leadership in Iraq, but we need to claim victory for our soldiers. They have done their job. It's time to bring them home now.

RESIGNATION AS MEMBER OF COMMITTEE ON NATURAL RESOURCES AND AS MEMBER OF COMMITTEE ON FINANCIAL SERVICES

The SPEAKER pro tempore (Mrs. TAUSCHER) laid before the House the following resignation as a member of the Committee on Natural Resources and as a member of the Committee on Financial Services:

HOUSE OF REPRESENTATIVES,
April 24, 2007.
Hon. NANCY PELOSI,
Speaker of the House, Office of the Speaker, U.S. Capitol, Washington, DC.

DEAR MADAME SPEAKER: It is my desire to resign from the House Committee on Natural Resources immediately. I look forward to returning to the committee soon.

Thank you.
Sincerely,

RICK RENZI,
U.S. Congressman,
First District of Arizona.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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HOUSE OF REPRESENTATIVES,
April 24, 2007.
Hon. NANCY PELOSI,
Speaker of the House, Office of the Speaker, U.S. Capitol, Washington, DC.

DEAR MADAME, SPEAKER: It is my desire to resign from the House Committee on Financial Services immediately. I look forward to returning to the committee soon.

Thank you.

Sincerely,

RICK RENZI,
U.S. Congressman,
First District of Arizona.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

LET THE SURGE WORK AND NOT SIGNAL DEFEAT

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

Mr. STEARNS. Madam Speaker, many in Congress and around this country insist that the President take the advice of The Iraq Study Group. Well, the President is doing just that. The report states, ''We could, however, support a short-term redeployment or surge of American combat forces to stabilize Baghdad, or to speed up the training and equipping missions needed.''

Well, my colleagues, that is what the President is trying to do. The cochair of the study group, James Baker, had this to say: ''Setting a deadline for withdrawal regardless of conditions in Iraq makes even less sense today because there is evidence that the temporary surge is reducing the level of violence in Baghdad.''

Rather than support a bill that leaves our troops in harm's way for a cause Democrats believe cannot be won, Democratic leaders should be willing to vote to allow time to let the surge work and not signal defeat.

SOWING THE SEEDS THROUGH SCIENCE AND ENGINEERING RESEARCH ACT

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

Ms. SCHWARTZ. Madam Speaker, I rise today in support of the Sowing the Seeds through Science and Engineering Research Act. By cultivating the Nation's next generation of skilled scientists and researchers who are in the early stages of their careers, the House-passed plan will better ensure that our Nation educates the best and the brightest young people to be scientists and engineers.

I firmly believe that leadership and innovation is absolutely necessary for the United States to maintain its competitive advantage in the increasingly global marketplace. My own home district in southeastern Pennsylvania is a leader in the field of biotechnology. I have seen the economic and social benefits of innovation and technology in science and engineering.

Science, research and biotechnology industries attract highly skilled workers and offer them good wages and benefits. These innovators and the businesses they are creating in my home district make us competitive in this global marketplace. Most importantly, they are developing new treatments, medicines, vaccines, that are improving the quality of life for people around the world. As the sister of a dedicated scientist and the mother of a young medical researcher, I recognize the need to support the work of highly skilled scientists whose work is on the cutting edge of research and development.

Madam Speaker, the "Sowing the Seeds Through Science and Engineering Research Act" will help ensure that we encourage and train highly skilled scientists in Pennsylvania and across the Nation. I am proud to have supported its passage.

SUPPORT AND FUND THE TROOPS

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

Mr. DAVIS of Kentucky. Madam Speaker, some of the Democratic leadership have declared it the job of Congress to micromanage the war in Iraq. Yet we learn today that the Speaker of the House has refused to be seen face-to-face with the very military commanders whose hands will be tied by the Democrat war funding bill.

This latest insult to our troops should come as no surprise as others in the Democratic leadership have declared the war lost despite our military commanders' statements to the contrary, and before General Petraeus has gotten the reinforcements he has requested. His reinforcement hasn't even been fully implemented before Congressional leaders have called it a failure.

I urge my colleagues to insist on a funding bill that does not give our enemies a date for our surrender. I believe our soldiers when they say the war is not lost, and we must give our military the resources it needs to win. Language of surrender is inappropriate with troops in the field and reinforces the perceptions of our enemies.

SUPPORT OUR TROOPS AND BRING THEM HOME

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

Mr. COHEN. Madam Speaker, there will be a conference committee report by the Senate and the House on the Iraq supplement, and the Iraq supplement will have a requested date, suggested date for our withdrawal.

It's not saying we have been defeated. We have won the war. America has won the war. Saddam Hussein's government was toppled and Saddam Hussein is history. We are now in an occupation, and you cannot win an occupation.

You cannot defeat beliefs with bullets. What we have in Iraq and in the Middle East are beliefs that are different from ours, and they can only be won by understanding and through changes, which God would put in people's hearts, and not through bullets. We need a bill to support our troops, and our bill will support our troops with more money than the administration gave it.

I ask the President to support the troops with the bill that the Congress will give him and support our troops and bring them home.

THE IRAQ SUPPLEMENTAL

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Madam Speaker, 79 days and counting since President Bush committed his request for critical funding needed for our troops fighting on the front lines.

The Democratic leadership should bring the emergency supplemental to the floor without a timetable of defeat. It's not a decision of this House to arbitrarily pick a date this war should end. It's our job to ensure our military personnel have the resources they need to win and come home in victory. I wonder what men and women risking their lives every day for our safety, our security, our freedom, think about the Members of Congress sitting in their comfortable offices, playing politics with their money.

I came to the House floor this morning to speak to them and let them know there are Members of Congress who believe our military can succeed, and we are doing everything within our power to ensure victory. As long as I am United States Congressman, I will never turn my back on you. I will not stand in Washington, D.C., and tell your generals how to fight this war, and will never put politics above your safety or that of our Nation.

□ 1015

GUARANTEE ACCESS TO AFFORDABLE HEALTH CARE FOR ALL CITIZENS

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

Mr. KAGEN. Madam Speaker, I rise this morning on behalf of 47 million Americans who go to sleep every night knowing that tomorrow they may go broke solely because they cannot afford health insurance.

People without coverage often delay treatments they desperately require, and we are all paying the price, for early treatment saves lives and saves money. We saw that in Blacksburg, Virginia, and we see it every day in emergency rooms and in amputations due to diabetes.

There is a better way of doing things, a way to guarantee access to affordable care for all citizens. Let's build the largest insurance risk pool possible, 300 million strong. If you are a citizen, you are in.

Let's openly disclose prices so we know the price of a pill before we swallow it. And let's be kind to those who are in need.

I urge the President to extend the lifesaving SeniorCare drug program in Wisconsin, and please, please, please, do not veto the children's SCHIP health care program.

There is a better way of doing things. Let's find it together, with no patient left behind.

DEMOCRATS' DEFEATIST SUPPLEMENTAL BILL

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

Mr. WILSON of South Carolina. Madam Speaker, while our troops are on the battlefield continuing to go without critical funding needed to fulfill their missions, Democrat leaders still refuse to put forward a clean supplemental bill.

Last week, Senate Democrat Leader HARRY REID declared the Iraq war ''lost.'' Just yesterday, a Democrat Congressman said it is the job of Congress to micromanage the war. Our military leaders should manage the war, not politicians in Washington.

Despite reports of progress by our military leaders, Democrats continue to advocate withdrawal and defeat. This puts American families at risk at home. Early withdrawal will escalate, not end, the global war on terrorism.

Our troops deserve more from the men and women elected to provide for their well-being. Members of both parties should support our troops and pass a clean supplemental bill.

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

DEMOCRATS EXPAND HEALTH CARE COVERAGE

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

Mr. ALTMIRE. Madam Speaker, this is Covering the Uninsured Week, so I wanted to take this opportunity to remind my colleagues about the 9 million children in America that live without health insurance. I also wanted to take the opportunity to remind the American people that just last month, the Democratic Congress passed a 2008 budget that includes a $50 billion increase in funding for the State Children's Health Insurance Program, and we did it without raising a penny of taxes. By contrast, the President submitted a budget that, according to the nonpartisan Congressional Budget Office, would cut 1 million additional children out of the Children's Health Insurance Program.

Thankfully for the American people, Madam Speaker, Democrats rejected the President's budget in favor of one that expands health care for children.

TIME TO PASS A CLEAN TROOP FUNDING BILL

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

Mr. CARTER. Madam Speaker, the Democratic leaders have ignored the President's promise to veto legislation which loads our soldiers down with their pork-barrel spending and sets arbitrary deadlines for pulling out of Iraq. They know it is going to be vetoed, but they continue to make our troops wait.

The Commander in Chief, by their provision, would have to wait 15 days to deploy troops in certain circumstances, preventing us from having reinforcements for our soldiers in harm's way. They want to tie the hands of our generals by setting a surrender date. The first surrender date, they said, is July 1 of this year.

We don't need 535 generals in Washington commanding our troops. We need the professionals.

It is past time for the Democrats to do the right thing and pass a bill which funds our troops in harm's way. Their final drop-dead date deadline that they have set is very interesting, April 1, 2008. April Fool's day. Who are they trying to fool?

CONGRESS NEEDS TO PASS SUPPLEMENTAL CONFERENCE REPORT

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

Mr. WALZ of Minnesota. Madam Speaker, the conference agreement reached between the House and the Senate on the Iraq accountability bill provides more funding than the President has asked for our troops, more for our veterans, while forging a new direction in Iraq. This bill will hold the President accountable for meeting his own military readiness standards. The Iraqi Government will also be held accountable for the first time for meeting political, economic, and security benchmarks that the administration itself has set.

This Congress must pass this legislation, because our troops have performed magnificently. The administration has failed. They have failed to hold the Iraqis accountable.

President Bush criticizes our time lines, while both Secretary Gates and General Petraeus admit there is no military solution, and Secretary Gates even called the time lines in the bill ''constructive'' and ''helpful'' in pushing the Iraqis to a solution.

Madam Speaker, this Congress has a constitutional responsibility to be accountable for war to the American public. The President will have the opportunity to sign this bill on the fourth-year anniversary of his declaration of ''mission accomplished.'' I and the vast majority of the American people urge him to do so.

TROOPS NEED RESOURCES TO WIN THE WAR IMMEDIATELY

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

Ms. FALLIN. Madam Speaker, Congress must immediately send our troops the resources that they need to win this war, without strings and without delay. But instead, the Democrat leadership is proposing to tie the hands of our troops and hamstring our generals with a misguided plan to micromanage the war effort. This is just unacceptable.

The Los Angeles Times has said, ''It's absurd to try and micromanage this conflict and the evolution of Iraqi society with arbitrary time lines and benchmarks.'' And I agree.

It is absurd to assume that this war can be planned by 535 Members of Congress instead of our generals and our Commander in Chief. War by committee is not an option. I encourage the Democrat leadership of Congress to bring forth immediately a clean bill that provides the necessary funds for our troops and leaves tactical decisions in the hands of our generals and those who are experts.

WORKERS MEMORIAL DAY

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

Mr. HARE. Madam Speaker, this Saturday is Workers Memorial Day, when we mourn the loss of workers who have been killed on the job or from work-related diseases. Additionally, this year marks the 37th anniversary of the enactment of the Occupational Safety and Health Act. Although there has been progress, thanks to the tireless advocacy of organized labor, many workers are still at risk. Last year, in Illinois alone, 194 occupational fatalities were recorded. Unfortunately, OSHA, under the Bush administration, has issued only one major standard in its 6-year tenure, and has either withdrawn or delayed dozens of worker protection measures.

Congress must ensure the first step of workplace safety by requiring that OSHA issue timely standards and ensure the enforcement of those standards in all areas of the workforce.

I urge my colleagues to join me in this fight, and I encourage all Members of Congress to honor our Nation's workers this Saturday.

SUPPORT OUR TROOPS WITH A CLEAN SUPPLEMENTAL SPENDING BILL

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

Mrs. BLACKBURN. Madam Speaker, the liberal leadership of this Congress has put themselves and the lives of our military members, our soldiers in the field, in a very difficult position. When they passed the supplemental spending bill earlier this month for the global war on terror, they only did it by loading it up with pork. It sounds like a grocery list. They have got money for spinach, for beef, for fish and for peanuts. Billions of dollars of pork. They made their Members an offer that they couldn't refuse.

They claim to support our military, but in this bill they tie the hands of that same military by instituting a timetable for withdrawal and taking the power for running the war away from the commanders in the field. The majority leader, HARRY REID, didn't help when he said he thinks the war is lost.

American citizens need to ask themselves the question: What would happen, what would happen, if we were to walk away? It is the same question our Speaker, who obviously isn't going to meet with our commanding general, also needs to ask.

Let's respect the soldiers in the field by doing our job and passing a clean budget.

GETTING ADVICE OF REAL PROFESSIONALS ON IRAQ

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

Mr. DEFAZIO. Madam Speaker, Bush, CHENEY and their Republican apologists here in Congress say ''hands off their war. Leave it to the professionals.''

Well, if they followed their own advice, we wouldn't be at war in Iraq. Remember CHENEY and Scooter Libby, who is on his way to prison, phonying up intelligence, overruling the intelligence and military professionals, saying there was a threat, that there were weapons of mass destruction? They didn't exist.

Then they fired General Shinseki because he had the temerity to suggest if we didn't put in 400,000 troops, there would be a massive insurgency and a civil war. They fired him. If they had not fired General Shinseki, if they followed his professional advice, our troops wouldn't be mired in the middle of a civil war; and Paul Bremer disbanding the Iraq Army, de-Baathification, against all professional military and intelligence advice.

Now the Republican lapdogs have the temerity to say ''hands off Bush's war. Let the professionals run it.'' Well, it is time for some adults to step in here and really take advice from the professionals and get our troops out of the middle of this civil war.

COMMENDING ACTIONS BY INDIANA AUTHORITIES TO QUELL THE DISTURBANCE AT NEW CASTLE CORRECTIONAL FACILITY

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

Mr. PENCE. Madam Speaker, yesterday, as the Nation looked on, once again Indiana law enforcement, State, county and city personnel, showed their professionalism and courage.

I rise today to commend the swift response by Indiana State and local authorities to quell the disturbance that began at 2:01 p.m. at New Castle Correctional Facility, at the very heart of my congressional district.

During a routine transfer from a dining hall to their cellblocks, a group of inmates removed their shirts, an officer was knocked to the ground, and the situation quickly spiraled out of control involving nearly one-third of the prison's population.

Guards quickly isolated the areas of disturbance. As the Nation looked on over the cable airwaves, backup officers arrived just 15 minutes later. The Indiana Department of Correction activated its Special Emergency Response Team and involved the State police. All offenders and the facility were secured by 4:45.

Investigations will go forward and questions will be answered, but, Madam Speaker, on behalf of the citizens of eastern Indiana, I rise to express my pride and gratitude to the law enforcement community involved, the State, the local, the city and the county, all those who ensured that this disturbance was contained, tragedy was averted, and the people of my congressional district were protected.

DEMOCRATS REFUSE TO IGNORE THE NEEDS OF THE UNINSURED AND LOOK TO EXPAND SCHIP FOR CHILDREN

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

Mr. SIRES. Madam Speaker, this week is Cover the Uninsured Week. This year's focus centers on expanding health care coverage for America's children.

For 6 years, President Bush and the Republican Congress ignored our Nation's health care crisis. As a result, the number of uninsured increased by 7 million, to 47 million Americans; 9 million of them are children.

Studies show us that a child's health can be greatly improved if they have health care coverage. Children with access to health care are better prepared to learn in school and are better prepared to succeed in life.

The new Democratic Congress refuses to ignore America's uninsured, and that is why we passed a budget last month that provides a significant increase in funding of the SCHIP program. The $50 billion increase in funding over the next 5 years would allow us to provide health care to millions of children who are currently uninsured.

THE MEDICARE HEARING ENHANCEMENT AND AUDITORY REHABILITATION ACT

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

Mr. BILIRAKIS. Madam Speaker, I rise today to encourage my colleagues to cosponsor H.R. 1912, the Medicare Hearing Enhancement and Auditory Rehabilitation, HEAR, Act.

H.R. 1912 will provide for Medicare coverage of hearing aids and auditory rehabilitation services. Medicare is currently specifically prohibited from paying for hearing aids. The HEAR Act repeals this prohibition and directs the Secretary of Health and Human Services to determine the most appropriate manner for Medicare to provide this benefit.

Hearing problems can make it difficult to understand and follow a doctor's advice, respond to warnings and hear doorbells and alarms. Hearing problems can also make it hard to enjoy talking with friends and family. All of this can be frustrating, embarrassing and even dangerous. It makes good sense to help these people better afford devices, treatments and other services that will improve their quality of life and increase their safety.

I urge my colleagues to cosponsor H.R. 1912.

CHANGING DIRECTION TO PROTECT OUR NATIONAL SECURITY

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

Ms. CASTOR. Madam Speaker, today the House will vote on and hopefully pass the emergency supplemental bill. To the individuals who disagree with this new direction and our demand for accountability, I ask, how much longer will you continue to sanction the undermining of our national security under the Bush-Cheney policy? As a member of the Armed Services Committee, I ask this because this bill states that ''no units may be deployed to Iraq unless they are fully mission capable.''

What are you saying if you vote against this measure? In the Armed Services Committee, the Army Chief of Staff testified that the Bush-Cheney strategy is outstripping the means to execute it. Our ground forces in the U.S. are short of training, personnel and equipment. This is very serious, and I ask how anyone can vote against this bill and sanction the unwise Bush-Cheney course.

The risk to our Nation is serious and deepening. We must change direction, make more strategic decisions and bring our diplomatic, economic and moral forces to bear to protect our national security.

□ 1030

A SHAMEFUL STRATEGY

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

Mr. PRICE of Georgia. Madam Speaker, the Iraq supplemental bill being brought to the floor today is a bad idea wrapped in the wrong intentions. This is a time when Congress ought to be working together to provide our troops with the tools and the resources necessary to do their job.

Instead, the Democrat leadership is committed to a strategy that spells nothing but failure in Iraq. They are telling the commanders in the field that 535 politicians know better how to do their job. It is irresponsible for Members of Congress to play Commander in Chief. There is too much at stake in Iraq for political grandstanding.

This bill sends the wrong message to our soldiers, our allies and our enemies. It tells our troops that we have got no faith in them. It tells our allies that we lack the resolve of our stated commitment, and it tells our enemies all they have to do is wait.

This is shameful partisan politics that puts our troops at greater risk. It is wrong, and the American people are watching.

DEMOCRATS WILL NOT LET THIS WAR GO ON INDEFINITELY

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

Mr. JOHNSON of Georgia. Madam Speaker, the emergency supplemental conference report that will come before this House today does three crucial things. One, it supports our military men and women; two, it sets benchmarks for the Iraqis to meet; and, three, it makes clear that the war will not continue indefinitely.

Unfortunately, after 4 years, thousands of lives lost, and billions of dollars spent, the President continues to demand an open-ended commitment to our American troops being deployed on the streets of Iraq. President Bush says he will veto the emergency supplemental, ignoring the views of this Congress, the American people, former military generals and the nonpartisan Iraq Study Group.

While he delays signing this bill, the President continues to claim that the resources for American troops will begin to run out later this month. However, the fact is that the Congressional Research Service confirms resources will be available well into the summer.

The New York Times notes this week that the real obstacle to getting the money promptly to the troops would be the veto of the President.

The President should support this important legislation which sends a message that this war is not going on indefinitely.

ILLEGAL IMMIGRATION

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

Mr. BAKER. Madam Speaker, in 1986 the United States Congress passed an Immigration Reform Act. As a result, 2.7 million illegal immigrants were given amnesty. That translated immediately into 2.7 million reasons why anyone who wishes to come here should come here illegally.

Last week, in the storm-ravaged Katrina area, 88 illegal immigrants were arrested, 13 of whom had criminal felony convictions.

This is no longer just a minor problem. It is a taxpayer tragedy. Limited taxpayer resources are being stretched to meet the repair and rebuilding needs of the Katrina/Rita areas. To have those resources dissipated for those who ignore our law and come here illegally is not only a disservice to the American taxpayer, but to all the immigrants who play by the rules, who abide by American law and come here through the normal immigration process. It is time for this to come to an end. It is no longer an inconvenience. It is a tragedy.

HONORING ARKANSAS TEACHER OF THE YEAR AND NATIONAL TEACHER OF THE YEAR FINALIST, JUSTIN MINKEL

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

Mr. BOOZMAN. Madam Speaker, I rise today to express my heartfelt congratulations and pride in a young man who makes a difference daily in the lives of Arkansas' children, Justin Minkel.

Justin is a second grade teacher at Harvey Jones Elementary School in Springdale, Arkansas. His school is 85 percent minority, 93 percent on free or reduced lunch. Seventeen of his 25 students were below grade level in reading. By the end of the year though, 14 of them had reached or surpassed expectation.

I am proud that Justin decided to return to his home district and teach, and do the hard work which truly leaves no child behind. I congratulate him on being named the Arkansas Teacher of the Year of 2007, and a National Teacher of the Year finalist.

Again, we appreciate the hard work of Justin Minkel and all that he represents in the teaching profession.

FUNDING FOR OUR TROOPS

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

Mrs. BACHMANN. Madam Speaker, my message this morning is very simple, and it is this. Our troops in combat deserve to be sent the resources and the reinforcements that they deserve to succeed in their mission in Iraq without strings and without delay.

Putting in place a time line that allows for no flexibility and that culminates with a date certain for withdrawal just simply micromanages our commanders in the field and, unfortunately, will undermine the effort of our troops on the ground.

Today, General Petraeus has offered to meet with Members of Congress concerning the war effort, and I look forward to meeting with the general. I hope that our colleagues on the other side of the aisle will be there as well.

Can we remember that this war is truly about defeating terrorists, and that it is our effort to come together now, as Americans, to fight for freedom that will ultimately lead to our peace.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 65

Ms. HERSETH SANDLIN. Madam Speaker, I seek unanimous consent to remove my name from cosponsorship of H.R. 65.

The SPEAKER pro tempore (Mrs. TAUSCHER). Is there objection to the request of the gentlewoman from South Dakota?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

CALLING ON THE LEAGUE OF ARAB STATES TO ACKNOWLEDGE THE GENOCIDE IN DARFUR

Mr. ACKERMAN. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 7) calling on the League of Arab States to acknowledge the genocide in the Darfur region of Sudan and to step up their efforts to stop the genocide in Darfur, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 7

Whereas in July 2004, the House of Representatives and the Senate declared that the atrocities in the Darfur region of Sudan constitute genocide, and the Bush administration reached the same conclusion in September 2004, when then Secretary of State Colin Powell stated that ''the evidence leads us to the conclusion that genocide has occurred and may still be occurring in Darfur'';

Whereas estimates indicate that 400,000 people may have been killed by the Government of Sudan and its Janjaweed allies since the crisis began in 2003, more than 2,000,000

people have been displaced from their homes, and more than 250,000 people from Darfur remain in refugee camps in Chad;

Whereas the former United Nations Under-Secretary-General for Humanitarian Affairs, Jan Egeland, in late August 2006 stated that ''[i]nsecurity is at its highest level since 2004, access at its lowest levels since that date, and we may well be on the brink of a return to all-out war'';

Whereas despite the signing of the Darfur Peace Agreement in May 2006, violence against civilians, peacekeepers, and humanitarian workers continues unabated, including the killing of an estimated 12 humanitarian workers and 16 African Union Mission in Sudan peacekeepers;

Whereas in August 2006, the Government of Sudan began to deploy thousands of government troops for a major offensive in Darfur, once again threatening a major humanitarian catastrophe and risking the safety and security of millions of civilians;

Whereas, according to the Government of Sudan's plan, in a document submitted to the United Nations Secretary-General, Kofi Annan, the Government of Sudan planned to deploy approximately 26,500 additional troops and 7,050 additional police to Darfur;

Whereas the objectives of this deployment were ''to deal with the threats posed by the activities of groups that have rejected the Darfur Peace Agreement and to gain control over the security situation and achieve stability in Darfur'';

Whereas on August 31, 2006, the United Nations Security Council passed Resolution 1706, expanding the mandate of the United Nations Mission in Sudan (UNMIS) for the additional deployment of 17,300 peacekeeping troops and 3,300 civilian police personnel as well as 16 formed police units to Darfur;

Whereas implementation of the Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudan People's Liberation Movement (SPLM) is slow, raising serious concern about the commitment of the Government of Sudan to fulfill its responsibilities;

Whereas President Omar Hassan El-Bashir of Sudan rejected the deployment of a United Nations peacekeeping force to Darfur, even as First Vice President Salva Kiir publicly stated his support for the deployment of a United Nations peacekeeping mission to Darfur;

Whereas in March 2006, at the Khartoum summit, Arab leaders worked against a plan to transform the African Union Mission in Sudan (AMIS) into a United Nations protection force with a mandate to protect civilians;

Whereas on August 20, 2006, in Cairo, Egypt, the League of Arab States met and backed Sudan's refusal of a United Nations peacekeeping force in the war-wracked Darfur region;

Whereas in September 2006, a resolution passed by the League of Arab States Council of Foreign Ministers called for the United Nations Security Council to give the Sudanese Government more time to implement its ''plan to improve conditions and preserve security'' in Darfur;

Whereas on November 30, 2006, the Peace and Security Council of the African Union approved a decision to extend the mandate of AMIS in Darfur through July 2007;

Whereas, although the United Nations was authorized and prepared to send peacekeeping forces to Darfur under United Nations Security Council Resolution 1706 (2006), the League of Arab States worked to obstruct the deployment of such forces or had sought to reduce their mandate;

Whereas the November 30, 2006, Abuja Communique of the Peace and Security Council of the African Union endorsed the deployment of a hybrid United Nations-African Union peacekeeping force and stated the following:

(1) The Special Representative shall be jointly appointed by the Chairperson of the Commission of the African Union and the Secretary-General of the United Nations, after appropriate consultations as per the practice.

(2) The Force Commander, who should be an African, shall be appointed by the Chairperson of the Commission in consultation with the Secretary-General of the United Nations.

(3) The Mission shall benefit from United Nations backstopping and command and control structures and systems.

(4) The size of the force shall be determined by the African Union and the United Nations, taking into account all relevant factors and the situation on the ground, as well as the requirements for it to effectively discharge its mandate.

Whereas in March 2007, ongoing negotiations between the United Nations Secretary-General, Ban Ki-moon, and President Omar Hassan El-Bashir of Sudan took place under the auspices of the League of Arab States Summit in Riyadh, Saudi Arabia, and with the encouragement of Saudi Arabia, Egypt and the Secretary General of the League of Arab States;

Whereas on April 16, 2007, Sudanese Foreign Minister Lam Akol announced that Sudan fully accepts a ''heavy support'' package from the United Nations, including significant additional logistical and military support, which represents the second phase of a three-step plan to create a hybrid United Nations-African Union peacekeeping force of approximately 17,000 troops and 3,000 police; and

Whereas the support of the League of Arab States and each Member State individually will be critical to end the genocide in Darfur: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) strongly urges the League of Arab States and each Member State individually to declare the systematic torture, rape, and displacement of Darfurians a genocide;

(2) strongly urges the League of Arab States and each Member State individually to agree and pass a resolution at their next meeting to support and accept a robust hybrid United Nations-African Union peacekeeping force, as agreed to by all parties to the Abuja Communique on November 30, 2006, to enforce the ceasefire, protect civilians, and ensure access to humanitarian assistance in Darfur; and

(3) strongly urges the League of Arab States to continue to work with the United Nations, the African Union and the United States Presidential Special Envoy for Sudan, Andrew Natsios, to bring about real and lasting peace and stability in Darfur, the refugee camps, and along the Chadian border.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ACKERMAN) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ACKERMAN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. ACKERMAN. Madam Speaker, I rise in strong support of this resolution, and yield myself as much time as I may consume.

Madam Speaker, let me first thank the sponsor of this resolution, our friend and colleague from the Bay Area, BARBARA LEE, for introducing this important measure. Let me also acknowledge the leadership on the Darfur issue of our distinguished majority leader, our friend and colleague, STENY HOYER, who recently returned from a very important and timely mission to the region.

Madam Speaker, we are still haunted by the echoes of the Holocaust, which Congress commemorated last week in the Capitol rotunda. The message from that horrific time is fresh in our minds as we consider another terrible genocide, the slaughter in the Darfur region of the Sudan.

Despite that profound message, the international community has allowed as many as 450,000 people to be killed, by some estimates, in Darfur. The Sudanese Government has been allowed to perpetuate a shocking campaign of terror for too long. And complacent governments around the world have stood on the side lines for too long.

So today, the question faces us, will we again fail to heed the message of the Holocaust? Will we allow Khartoum to keep terrorizing the impoverished and desperate minority there into extinction?

Slight signs of progress have emerged over the past few weeks, even if it has come too late for the dead. The Sudanese Government agreed to let a 3,000 person strong United Nations peacekeeping force to enter the country and join the African Union troops already there. This is meant to be a stepping stone to a larger and more robust force.

But the Sudanese Government made the decision under pressure and only after months of excruciating backtracking and delay. But the Sudanese Government has resisted the U.N.'s efforts to send 20,000 peacekeepers to Darfur. The U.N. has deemed this larger force necessary to protect civilians and to enforce a peace.

I have no doubt that Khartoum will continue to play games until they once again feel the pain of international pressure. As we speak, the government there is deliberately intimidating aid workers in Darfur. Let me be clear: The difference between a small, targeted force and a very substantial deployment is no mere sticking point. It is absolutely essential.

It is essential to stopping the Arab militias from continuing to carry out the government's dirty deeds. It is essential to clearing the path for crucial food and water and health supplies to reach the refugee camps. And it is essential because injustice is only really addressed when it is obliterated, not when it is slowed to a painful trickle of

displacement, harassment and disrupted lives. We must have that bigger U.N. force in the Sudan.

Now, finally, the international community has spoken with one voice. But more pressure needs to be applied. They cannot be allowed to slide backward this time.

The resolution before the House today urges those who may have the most influence, the Arab League and its member states, to take dramatic steps to help bring peace to Darfur.

The resolution urges the Arab states to declare the systematic torture, rape and displacement of Darfurians a genocide, and to support and accept U.N. peacekeepers. It also urges the Arab League to work with the United Nations, the African Union and the United States Presidential Special Envoy for the Sudan, Andrew Natsios, to bring about peace and stability to Darfur, the refugee camps, and along the Chadian border.

I believe it is the solemn duty of all who have said ''never again'' to speak out about genocide, especially this brutal one in Darfur. More importantly, I believe it is our duty in this Congress to do something about it without any delay.

I ask all of our colleagues to vote for this important and timely resolution.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in very strong support of H. Con. Res. 7, and congratulate Congresswoman JACKSON-LEE for authoring this important measure. It sends a very clear and nonambiguous message to the Arab League to recognize the killing fields of Darfur as ''genocide'' and to support the deployment of the hybrid U.N. peacekeeping force pursuant to U.N. Resolution 1706.

It is timely that we consider this resolution today as leaders and activists around the world unite to raise awareness and urge action to stop the genocide during this week's Global Days for Darfur.

Madam Speaker, no other people on Earth have suffered more than the people of Sudan. Tragically, they have been victimized by not one, but two genocides. In the south, over the course of 2 decades, some 2 million people were murdered by the Khartoum regime, and only a robust peacemaking effort, backed by the military efforts on the ground by Dr. Garang, resulted in a comprehensive peace agreement that was very ably brokered by Senator Danforth as the Special Envoy appointed by President Bush. Indeed, President Bush, I think, made the crucial difference in bringing peace to southern Sudan.

But just as that peace was breaking out, in February of 2003, hostilities began in Darfur, and now we have, regrettably, another genocide, in excess of 400,000 people dead and 2 million people displaced.

Several months ago, Madam Speaker, I traveled to Darfur and met some of the heroic survivors of genocide at two camps, at Mukjar and at Kalma camp. When our old Soviet era helicopter landed at the remote Mukjar camp, thousands of women and children danced, clapped and sang beautiful traditional African songs. The people of Darfur, as we all know, have a remarkable generosity and spirit. And it was awe inspiring and heart breaking at the same time.

□ 1045

At first glance most of the people had a superficial glow of physical wellness, thanks in large part to the brave NGOs bearing food, clothing, shelter, and medicine. However, even those necessities are now at risk due to the insecurity in Darfur caused by a lack of protection of humanitarian aid workers.

As the H. Con. Res. 7 points out, Khartoum is now targeting relief agencies and NGOs, and at least 12 humanitarian workers have been killed in Darfur.

It profoundly troubles me, and troubled me especially on the trip, to look at the appalling fear and trepidation. It is ever-present. Trauma, posttraumatic stress disorder is everywhere. I spoke with many women who told me personal stories of rape, senseless beatings and massacres by the Janjaweed and the Sudanese militias. Among the refugees and IDPs, emotional woundedness and brokenness is everywhere. Like you and me, Madam Speaker, all that the wonderful people of Darfur really want is to love God and their families and their friends and to earn a living and to live in peace, and yet they have had atrocities imposed upon them that no human should have to bear.

On that same trip, Madam Speaker, I also had a lengthy meeting with President Bashir at his presidential suite in Khartoum. All Bashir wanted to talk about was ending United States trade sanctions, not the horrific loss of life in Darfur. For me the exchange was eerily reminiscent of a conversation I had had in Serbia with the late Slobodan Milosevic after he invaded Croatia, then Bosnia, and unleashed the Balkan genocide. He too, like Bashir, was unmoved by the plight of suffering people.

On October 5 of 2006, I wrote a letter, cosigned by 175 Members of Congress, to the Secretary General of The League of Arab States, asking him to use his authority to employ all diplomatic means available to encourage Bashir to halt Sudan's military offensive in North Darfur, to withdraw Sudanese troops from the area, and to reverse the Arab League's opposition to the U.N. deployment of peacekeepers. I believe, and this resolution makes absolutely clear, that the UN-AU hybrid force is today the best option to enforce a cease-fire, protect civilians, ensure access to humanitarian assistance, and begin the path to reconstruction and reconciliation in Darfur. We pointed out in the October letter that the collective voice of the Arab League could clearly help save thousands of lives and bring peace and security to Darfur. Right now they are part of the problem. It is time the Arab League became part of the solution.

Finally, this legislation strongly urges the League of Arab States to declare that the systematic torture, rape, and displacement of Darfurians is a genocide, and strongly urges the Arab League to agree and pass a resolution to accept and support the U.N. peacekeepers, again, as the best option to enforce that cease-fire and to give the people of Darfur what they so desperately need: peace and reconciliation.

Madam Speaker, I reserve the balance of my time.

Mr. ACKERMAN. Madam Speaker, I yield 8½ minutes to the gentlewoman from California (BARBARA LEE), member of the Committee on Appropriations and the main sponsor of this resolution now before us.

Ms. LEE. Madam Speaker, let me thank the gentleman for yielding and for his leadership on so many issues relating to human rights and genocide and our foreign policy.

I also want to thank Chairman LANTOS. I want to thank Speaker PELOSI. I want to thank our majority leader, Mr. HOYER, and I want to thank Congressman DON PAYNE, who for so long was the lone voice in the wilderness speaking out against the horrific genocide that is taking place in Darfur. Also I want to thank Congressman SMITH and all of our Republican colleagues, Congresswoman ROS-LEHTINEN; our staff, Joan Condon, Pearl Alice Marsh, Christos Tsentos, all of you who have not only worked so diligently with your expertise and your clarity but also because you all are committed to the work that we are doing to try to end this genocide.

Let me thank our cosponsors of this resolution. We have over 115 cosponsors, bipartisan cosponsors.

This is a very important moment for this House of Representatives and for the world. Thirteen years ago the world did stand by as nearly 1 million people were slaughtered in the genocide of Rwanda. The best our country could do then, the best we could do, was apologize, and that was after the fact. Many of us swore that another Rwanda would never happen again, would never take place on our watch. But, today, Madam Speaker, it is happening again.

Nearly 3 years ago, on July 22, 2004, Congress formally declared that genocide was taking place in Darfur. Estimates indicate that nearly 450,000 people now, 450,000 people, have been killed and 2.5 million innocent civilians have been displaced to this date. That is mind-boggling.

I witnessed this ongoing tragedy in January of 2005, when I first visited the refugee camps in Chad and in Darfur, led by another leader against this

genocide, Congressman ED ROYCE; also with two great humanitarian leaders, Don Cheadle, Academy Award nominee for ''Hotel Rwanda''; and Paul Rusesabagina, who also is a hero who was in Rwanda and led many people out of that tragedy.

In February 2006, once again under the leadership of our great Speaker, Speaker NANCY PELOSI, I visited the refugee camps with a bipartisan delegation in Darfur. And just 2 weeks ago, we returned from Darfur again. This was my third visit, again a bipartisan congressional delegation under the leadership of our leader, our majority leader, Congressman STENY HOYER.

I say this to say that I have seen this now three times, this tragedy, and it is quickly, quickly, continuing to deteriorate very rapidly. More and more people are dying. Regardless of what you hear, we know that more and more people are dying. We heard now that 1,500 to 2,000 a week are dying, and even humanitarian aid workers are at risk. Cars are being hijacked. The day before our delegation arrived, five African Union soldiers from Senegal were killed. They were killed. And the general, the head of the African Union, he begged us to send more peacekeepers. He begged us to send more logistical support and to help with what they need so that they can provide the civilian protection against this slaughter. Unfortunately, for many Darfurians, the situation is still very, very grim.

As part of our visit this time, we also went to Egypt and met with President Mubarak. He indicated that Egypt had deployed 900 troops to help implement the comprehensive peace agreement in southern Sudan. Additionally, Egypt had sent about 150 military observers and police to Darfur and was supporting a field hospital that was serving 200,000 people. These efforts are extremely, extremely important. But we urged him to do more and to use his influence with the Sudanese Government to help stop the atrocities.

News reports last week indicate that Egypt, Saudi Arabia, and the League of Arab States and the United Nations were all instrumental in pressuring President Bashir of the Sudan to accept the second phase of the three-part agreement to implement an African Union-United Nations hybrid peacekeeping force. If true, this agreement to deploy the so-called ''heavy support package'' would provide for an additional 3,000 peacekeepers, helicopters, and significant logistical and military support for the hybrid force. But as the African Union told us, they need at least 22,000-plus troops.

So whether or not we see this 3,000 force come into Darfur remains to be seen. Past experience has taught us that we can never take President Bashir at his word. News reports the very next day detailed a United Nations investigation that caught Khartoum disguising military supply planes in United Nations colors in order to supply weapons to their janjaweed allies.

The international community and our friends in the League of Arab States cannot allow this sort of double-dealing to take place. We have all got to keep the pressure on Khartoum, and that is why we have got to pass this bipartisan resolution today.

The thrust of this resolution is very simple. It calls on the League of Arab States and each member state to be our partners for peace by stepping up their efforts to end the genocide in Darfur. For too long the world has been silent in this struggle. I remember in my trips to Algeria, meeting with the President of Algeria, and a previous visit to Egypt several years ago that the government officials were very reluctant to call the ongoing atrocities in Darfur genocide, and some even denied that genocide was taking place. But we know that it is.

Even just last week, Egypt expressed its opposition to further United Nations sanctions against Sudan, urging that we give President Bashir more time. More time for what? To allow more innocent people to get killed?

While it appears today that in some cases those outlooks are changing of some of the Arab states, there is still much more that they can do and that we can do. We must demand that President Bashir follow through on the full deployment of the AU-UN hybrid force; and we must urge all parties, the rebels and the government, to end the violence and come to the table to negotiate a political solution. But we cannot and we should not hold a cease-fire declaration hostage to a peace agreement or vice versa. We cannot wait for a peace agreement to stop the slaughter. We must do both at the same time. And we must insist that Darfurians return to their homes, figure out a way so they can get home quickly to their villages and reclaim their lives.

Our own efforts to stop this genocide must intensify also. We must pursue divestment to remove all United States funding from any business that is supporting the Sudanese Government and the ongoing genocide. And we have got to explore further sanctions and legislation that I know my colleague Congressman DON PAYNE is working on.

Lastly, we must engage with the Chinese to leverage their influence on the Sudanese Government and help put a stop to this violence. As the principal buyer of oil from the Sudan, the Chinese have the ability to exert political and financial pressure on President Bashir. We need their help to end the genocide.

I salute the faith community and our young people around the country who are organizing and speaking out and working day and night to end this genocide. This week they are conducting a series of ''Darfur Days'' as they continue to say ''not on our watch.'' We hope that our friends in the Arab world join these young people in saying not on their watch, never will this happen again.

I just want to mention that our beloved colleague Congresswoman Juanita Millender-McDonald, who passed away this weekend, worked tirelessly to end this genocide in Darfur. So I am asking for a strong bipartisan vote on this resolution in her honor. And for the young people, the men and the women whom we have seen and whose lives we know have been destroyed, and for those who have died, let us say to the entire world and let us ask our partners for peace in the Arab world to end this genocide now.

□ 1100

Mr. SMITH of New Jersey. Madam Speaker, I yield 4 minutes to the distinguished gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Madam Speaker, I rise today in strong support of this legislation.

Earlier this month, I had the invaluable opportunity to travel to the war torn country of Sudan as part of a bipartisan congressional delegation led by our distinguished majority leader, Mr. HOYER. We journeyed to the besieged African nation to meet with the government and humanitarian leaders to discuss issues related to the ongoing atrocities in Darfur. What I saw was horrendous, and I am pleased that we have once again joined together here in this Congress to call for an end to this genocide.

The ongoing crisis in Darfur and western Sudan has led to a major humanitarian disaster. At the core of the current conflict is a struggle for control of political power and resources, with an estimated 1.9 million people displaced, and more than 213,000 people forced into neighboring Chad. Observers estimate that up to 450,000 people have been killed over the course of this violence.

It is deplorable that any government would use the systematic dislocation of its own people and the disease and starvation that inevitably follow as a weapon, not to mention the outright violence that the Government of Sudan has helped foster in Darfur. The situation there is clearly one of the worst humanitarian crises in recent times. As a Nation dedicated to freedom and the rights of the individual, we have a responsibility to speak out when those rights are violated, whether at home or abroad. This House has already taken action condemning the situation in Sudan, but still more must be done to end this humanitarian crisis. That is why I am joining with my colleagues in supporting this resolution.

The resolution calls on the League of Arab States, Sudan's neighbors, to acknowledge the genocide in Darfur and step up their efforts to end this genocide. This crisis has cast an international spotlight on Darfur and the region, and we must urge the Arab League to step up their efforts and join with the world in ending genocide.

While I have never seen anything like what I saw in Darfur, the situation is not completely hopeless. The humanitarian assistance the United States is

providing is helping millions of people in desperate circumstances, but we must continue using international sanctions to force access for additional peacekeeping and humanitarian missions in order to stabilize this volatile place and prevent further genocide.

Madam Speaker, while I was in Darfur, we had the opportunity to visit the Alsalom Internally Displaced Persons Camp, where some 47,000 people live in the most humble of conditions, some in huts made of twigs barely the size of a pup tent, with perhaps a piece of cloth or plastic to provide some additional protection. This is one of a hundred such camps spread across Darfur containing nearly 2 million people.

While there, we had the opportunity to meet some very wonderful and very desperate people. We had the opportunity to look into the eyes of children, children who have the same hopes and expectations that all young children have, and yet, as I stood there, I realized how uncertain their future was.

As long as that condition exists, the United States must continue to be the leader in shining a spotlight on what is going on in Sudan and working together to bring an end to this atrocity, and to bring hope, real hope, to those children.

Mr. ACKERMAN. Madam Speaker, I yield 3 minutes to the gentleman from New Jersey, Congressman BILL PASCRELL, a member of the Committee on Ways and Means.

Mr. PASCRELL. Madam Speaker, I rise to speak on an issue on which our Nation is united and the House is united, an issue upon which people from different political parties, people from all races and religious faiths agree upon, and that is the issue of Darfur. It should be a lesson for the rest of the day, what Ms. LEE and what Mr. SMITH are doing here.

So I stand today as a proud cosponsor of this legislation, the Darfur Partners for Peace for 2007. And I wish to thank both Congresswoman LEE and Congressman SMITH, and all the rest who had anything to do with this, my good friend, Congressman PAYNE, your personal experiences are heart wrenching, and America is listening.

America and much of the world stands united on the fact that more needs to be done to end the ongoing genocide in Darfur and finally address the dire humanitarian situation in the region. I have never seen an issue affect young Americans more than this issue on Darfur. We need to tap that. They are engaged.

A few nations, including China, have stood in the way of applying real pressure to the Sudanese Government to allow a real U.N. peacekeeping force so that the people of Darfur can finally have a sense of security, like every human being desires.

Among those who arguably have not done enough to end this horrendous genocide are the nations of the Arab League. I ask the Arab League to hear our voices, not only in Darfur, but also in the northern part of the continent, also in the Middle East. They must come forward and have the courage and the guts to speak up and do something.

The bill before us today would call upon that league to recognize the conflict in Darfur as genocide, the past resolution supporting and accepting a robust hybrid United Nations-African Union peacekeeping force, and to work with all the parties involved in the region.

There can be no excuse for inaction. By most estimates, over 400,000 people in Darfur have died, and an astounding 2.5 million people have been made into refugees, creating a humanitarian crisis of shocking proportions.

Terror comes in many forms, none of which are convenient. Many worry that the relative inaction of the Arab League to this crisis is subject to fuel the following falsehoods:

The fact is that this conflict is not about Muslims versus non-Muslims because the people of Darfur are predominantly Muslim. This conflict is not about Arabs versus non-Arabs because the Arabs of Darfur have stood against the Sudanese Government's war.

Quite simply, this conflict is about the Sudanese Government's attempt to subjugate and brutalize the innocent people of Darfur. President Bashir is not in denial. He is allowing the genocide.

Mr. SMITH of New Jersey. Madam Speaker, I yield such time as he may consume to the distinguished gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. I appreciate the gentleman from New Jersey yielding time. He has been a leader on this and other issues for so long, and I am honored to be here with him here today.

Madam Speaker, often on this floor, way too often from my perspective, we see a divisive, partisan discussion and debate. But, Madam Speaker, today we speak about an issue in which there is no partisanship and there is no political divide, and that, Madam Speaker, is what is transpiring and has transpired over the last several years in Darfur.

We know that there have been 2 million citizens of Sudan who no longer live in their homes or villages. We know that there has been 450,000 people killed in Sudan. It is something that demands our attention. It is something that we as Congress, we as a country, we as a world, must come together to bring the death and destruction, the inhumanity and the hunger and violence to an end.

Madam Speaker, I had the opportunity several weeks ago to join the honorable majority leader (Mr. HOYER), the distinguished majority leader of this House, along with the ranking Republican of the House Foreign Affairs Committee, ILEANA ROS-LEHTINEN, to visit Darfur. And there, of course, we had the opportunity to visit with government officials, as we in Congress often do. But we also had the opportunity to see for ourselves the conditions that human beings are living in today. And while I hope our meetings with government officials were useful, I know the view I saw, the scenes that were brought to my attention, the people of Darfur I met transcend any meeting I could have had with a government official to discuss what is going on. But it was an opportunity for me to see my life change as a human being, and to see that we all have a cause to see that life prevails and justice endures.

Upon my return, Madam Speaker, last Tuesday I took the opportunity to visit the Holocaust Museum. That week was the Week of Remembrance of the Holocaust. And while there, I saw the quote from Isaiah, Isaiah 43:10, ''You are my witness.'' Madam Speaker, that speaks to me and should speak to all of us. We are the witnesses of a holocaust today.

Many Members of Congress, much more so than me and for much longer periods of time, have paid attention to this issue and have been trying to rise to the occasion and bring awareness to the world, and I commend those colleagues who have been outspoken on this issue for a long, long time, and today I join them.

Recently, I returned back to the Holocaust Museum where President Bush spoke. He spoke certainly about the remembrance of the death and destruction of the Jewish community, the people of Jewish faith who have suffered, but he also brought home the importance of addressing genocide and death today.

I commend the President for his demands that the Sudanese Government allow the African Union and the United Nations peacekeeping force, that they be allowed to reach out and be increased in their force, that they reach out to rebel leaders, that the Sudanese Government end its support for violent janjaweed militia and they permit humanitarian aid workers to do their work. President Bush outlined some steps that we as a country are willing to take and requests that we will make to the United Nations.

Congress designated last week as The Days of Remembrance in order to commemorate the victims of the Holocaust. While at the Holocaust Museum, I learned much about the reach of the Holocaust and saw the images of death and dehumanization.

As I reflected upon the Jews' past and considered the future of African tribes in Darfur, I have a question to ask: Are we going to wait until the proportions of death are similar to the Holocaust before we take action?

The part of the exhibit that moved me the most, Madam Speaker, was the list of 10,000 individuals who took action during the Holocaust. They have been identified by the Israelis as ''the Righteous Among the Nations,'' those who risked their lives to save innocent Jews during Nazi rule.

When the conflict in Darfur has ended, everyone will feel sorrow for the unnecessary loss of life. But will our Nation be among those, will we, as individuals, be among those who feel shame for inaction, or will we have the opportunity to have pride for standing up for justice in Darfur?

Mr. ACKERMAN. Madam Speaker, I yield 2 minutes to the gentleman from Illinois, the Honorable BOBBY RUSH, chairman of the Energy and Commerce Subcommittee on Commerce Trade and Consumer Protection.

Mr. RUSH. I want to thank the gentleman for yielding, and I want to commend you and all the others, my colleague from California, my other colleagues and friends who have worked so tirelessly on this particular issue, and on other issues.

Congresswoman LEE, you are an inspiration to all of us because of the stance that you take on these and other humanitarian issues.

Madam Speaker, I rise today to show my strongest support for the Darfur Partners for Peace Act. We must continue to put pressure on the international community to intervene on behalf of the hundreds of thousands of men, women and children who are being brutally slaughtered even as we speak in the killing fields called Darfur. With over 2 million people displaced, and more than 400,000 people murdered, we cannot allow the world to become numb to the tragedy that is taking place in the Sudan.

Madam Speaker, after Rwanda we said ''Never again. Never again. Never again.'' Well, Madam Speaker, never is now. This is a genocide, and now is the time to act. Now is the time to speak out, and now is the time to stand up against this viciousness and cruelty.

Madam Speaker, we can do no less than to use all of the resources, every resource at our command, every fiber in our body, every moral indignation that we can find in our humanity. We can do no less than to stand up now and to speak out against the killing of women, men and children in Darfur. Our future as a nation will be predicated on the issues and on how we react and stop this genocide.

Madam Speaker, a year from now, 2 years from now, 10 years from now, 20 years from now an apology should not be necessary and an apology should not be appropriate for this kind of tragedy. Never is now. Speak out now.

□ 1115

Mr. SMITH of New Jersey. Madam Speaker, I reserve the balance of my time.

Mr. ACKERMAN. Madam Speaker, to the Tenth District of Ohio, the Honorable DENNIS J. KUCINICH, chairman of the Oversight and Government Reform Subcommittee on Domestic Policy, I yield 1 minute.

Mr. KUCINICH. I thank the gentleman.

Madam Speaker, it has been long recognized that the Government of Sudan has tremendous responsibility to protect human rights and to maintain law and order. However, I would submit that the policies of the United States, since the Government of Sudan has said to be cooperating in the dubious war on terrorism, the Government of the United States has not been aggressive enough in causing Sudan to assert its responsibility for matters affecting Darfur in the first place.

Furthermore, there has to be a commitment obtained by that government to, first of all, investigate any of the war crimes and to see them taken to the ICC.

I think that it is imperative that this Congress not just pass this resolution but makes this the beginning of an ongoing effort to address the issues in Darfur.

Mr. SMITH of New Jersey. Madam Speaker, I reserve the balance of my time.

Mr. ACKERMAN. Madam Speaker, it is now my distinct honor to yield to the gentleman from Maryland, the distinguished majority leader of the House of Representatives, recently returned from leading the delegation in this House personally to see the suffering going on, Mr. STENY HOYER.

Mr. HOYER. I thank my friend Mr. ACKERMAN for yielding, and I thank him for his leadership and commitment for decades to issues of human rights, humanitarian concerns, and peace.

I thank my friend BARBARA LEE who has been such an extraordinary leader. She worked for a gentleman that is a great hero of mine, Ron Dellums, who, when he was on this floor raised his voice for peace, raised his voice on behalf of the dispossessed, raised his voice on behalf of those who were under attack. BARBARA LEE has continued that very strong voice in representing that district. She is one of the experts in this House on issues relating to Africa, issues relating to AIDS, and on efforts to attain peace and securing this world for the citizens of this world.

I am also, Madam Speaker, very pleased to join my friend CHRIS SMITH. I had the privilege of cochairing the Helsinki Commission with Mr. SMITH for a number of years and serving with him for 15 years on the Helsinki Commission before I became the minority whip and took leave from the commission. I want to thank him. Not only in a collegial sense does he participate in these matters, but probably as much as any Member in this House of the 435 and the literally, probably, 2,000 that he and I have served with over the years has personally, individually, gone to some of the most troubled spots in the world. No publicity, no large delegation, no Air Force plane; I am going to speak briefly about the fact that we were able, but on his own.

He and FRANK WOLF, two of our Members who have gone to people in trouble and at risk and taken their hand and heard their story and brought it back and exposed it to the light of day. I thank Mr. SMITH for his leadership over the more than two decades, almost a quarter of a century that he and I have served together in this House.

This is a serious issue.

I want to congratulate JERRY MORAN. JERRY MORAN had not been on many codels or traveled. BARBARA LEE came over to me as he was speaking and said he got the message.

That is why we travel. Sometimes the public thinks that traveling is just a junket. Going to Darfur is no junket. Living in Darfur is much worse.

When I determined that I was going to take a delegation overseas as my first trip as majority leader of this House, I thought that I wanted to go to someplace where it was important that we tell the world that we thought they ought to be paying attention to. The world has been paying attention to it, so many people have gone to Darfur. But we went to Darfur, 11 of us went to Darfur, myself, BARBARA LEE from California, JERRY MORAN from Kansas, ILEANA ROS-LEHTINEN as the ranking Republican on the Foreign Affairs Committee, GREG MEEKS from New York, BRAD MILLER from North Carolina, G.K. BUTTERFIELD from North Carolina, BOB GOODLATTE from Virginia, RAY LAHOOD from Illinois, JOHN BARROW from Georgia, and JIM COSTA from California. A delegation of Democrats and Republicans who, when the plane took off from Andrews Air Force Base, flew not as Republicans or Democrats, but flew as Americans, flew as Americans who were concerned about humanitarian distress.

Madam Speaker, I want to thank the gentlewoman from California, Congresswoman LEE, for her hard work in bringing this important bipartisan resolution to the floor this morning and for her dedicated leadership in focusing attention on the continuing genocide in the Darfur region of Sudan.

JERRY MORAN is correct; all of us know that we talk about never forgetting, but never forgetting is not enough. Remembering is the first step, but acting is the absolutely essential step.

Since 2003, more than 400,000 people have been killed in Darfur, and an estimated 2½ million people have been displaced, mothers, sisters, brothers, old and feebled, sick.

Our delegation, as I know you have, Mr. SMITH, Mr. ACKERMAN, I know you as well, have had the opportunity to visit in the camps, in the medical facilities, talked to the mothers, talked to the children. I talked to a grandmother who had been forced away from her home by somebody. Was it the government? Was it a rebel group? Was it simply a band of thieves and criminals? Whatever it was, she was homeless. Her family was dispossessed, and she had nowhere to go except a displaced person's camp. That calls out to us to us in this House, it calls out to everybody in this globe to respond in a positive way to relieve that suffering.

The United Nations has identified the situation in Darfur as the worst current humanitarian and human rights crisis in the world. The United States calls it genocide.

Simply stated, the international community must not turn a blind eye to the suffering of innocents as has happened far too often throughout human history.

The international community's plaintive cry ''never again'' requires real collective action in Darfur now. There are people acting now, but they do not have enough help. This time we must prove that we mean it: Not now, never again.

House Concurrent Resolution 7 has 115 cosponsors on both sides of the aisle, and it is my hope that it will get 433, we have two Members who are no longer with us, 433 votes. This is an important step in this cause.

Congresswoman LEE's resolution calls on the League of Arab States to acknowledge the genocide in Darfur, to support and accept the United Nations peacekeepers as the best option to enforce a cease-fire, protect civilians, and ensure access for humanitarian workers, to work with the international community to bring about a lasting peace in Darfur.

In fact, Madam Speaker, during the recent bipartisan congressional delegation that I have spoken of to Sudan, a codel which included, as I said, Congresswoman LEE and the others, we also went to Egypt. Egypt is one, of course, of the most important members of the arab League, the largest Arab state, an important member in the league. I have been told that President Mubarak, at our request when we met with him, followed up on his pledge to our delegation to reach out to Sudanese President Bashir who has, unfortunately and tragically, been part of the problem, not part of the solution, deemed by the international community as someone who has facilitated and, yes, even participated in the humanitarian crisis that exists. We urged his government and President Mubarak says that he has urged Bashir to accept and facilitate humanitarian workers' work, to make their visas acceptable, make their travel around the country easier. I also understand that Foreign Minister Gheit, with whom we met, is currently in Sudan, and it is my hope that he is delivering the same message that we spoke of.

Now is not the time to offer a full report of our codel; however, I do want to briefly highlight the five specific steps that I believe must be taken in Darfur without delay.

First, it is imperative that we continue to ensure humanitarian access in Darfur.

Second, the international community must insist that the Bashir government accept more peacekeeping troops.

Third, we must initiate a process by which a political solution between the warring factions can be reached.

Fourth, we must make a stronger effort to engage Sudan's neighbors in the peace process, which was what this resolution is designed to do.

And, fifth, we must work with the Sudanese Government to help forge a comprehensive plan for stability and reconstruction across the whole of the country. North Sudan was mentioned by my friend BILL PASCRELL, as well as South Sudan which we visited.

Madam Speaker, I again want to thank Congresswoman LEE, Congressman ACKERMAN, Congressman SMITH, and all of our colleagues for this effort today. They continue to focus on Darfur. I urge all of my colleagues to unanimously support this very important resolution, a call to action, a call to humanitarian relief.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself 2 minutes.

First, let me say to the distinguished majority leader, I want to thank him for his leadership on a broad range of human rights issues. And I think it speaks volumes that the first trip as majority leader that you put together was to Darfur to try to promote peace and reconciliation. So I very much want to commend you for that.

I also thank you for your compliments to FRANK WOLF and I; but I would add to that, when you talk about going to remote places, that also applies to you. I think Members should know that there were a number of trips that we undertook during the dark days of the Soviet Union when human rights were being crushed daily. I will never forget a trip we took to Lithuania, led by then Chairman HOYER when Lansbergis, the President, was under siege, was literally surrounded by Soviet Black Berets. And we went there, to be a presence, to be a deterrent. Just prior to our arrival, more than a dozen people were murdered at TV tower, the gentleman will recall, but he nevertheless led our delegation to Vilnius and I do believe it had an impact in trying to mitigate further bloodshed. That's just one example. So I want to commend the distinguished majority leader for his leadership on Darfur.

Madam Speaker, I yield 2 minutes to Ms. SHEILA JACKSON-LEE.

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. I can rise enthusiastically to thank both Mr. ACKERMAN for managing this bill and his leadership and certainly sensitivity to these issues. I thank my good friend and colleague, Ranking Member SMITH, who has much roadway in front of him and behind him on these issues dealing with human rights. I am very proud to be a strong member of the Human Rights Caucus that has worked consistently on addressing these issues. And, I thank my friend and colleague, Congresswoman BARBARA LEE. We have worked on many, many issues together.

I am reminded of our first Presidential congressional trip to Africa, three women who went to address then, some almost 10 years ago, the devastation of HIV/AIDS, and we have pursued these issues of empowerment.

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There is no doubt, there is no quarreling with the fact that 450,000 have died. The janjaweed is alive and well. It is important that Members of Congress have been to the Darfur region and the south.

I am reminded of the time that I sat on the ground in Chad with refugees fleeing from the Sudan, and looked in the faces of women who had been brutalized and raped only because they left their village to get firewood to survive. That is what is going on today in 2007.

I also remember the time I can say on the floor of the House that I was banished, and not as some Members have been over the years, given visas to enter into Darfur and had to be utilizing extraordinary means. This is inhuman. This is not civil. This is not a nation that is part of the world family.

This resolution is very straightforward: Get your friends to talk to you about ensuring the United Nations can do its work. I ask that this resolution be supported so the raped women can have relief and response.

Madam Speaker, the current crisis in the Darfur region of Sudan is of paramount importance. Although Americans may differ greatly on many issues, there is a widespread and broad-based consensus among Democrats and Republicans alike that the ongoing genocide in Darfur is intolerable and must be ended. Today we are presented with a great opportunity to work in a bipartisan fashion to achieve a humanitarian result in responding to the overwhelming suffering in Darfur.

Not since the Rwandan genocide of 1994 has the world seen such a systematic campaign of displacement, starvation, rape, mass murder, and terror as we are witnessing in Darfur for the last three years. At least 400,000 people have been killed; more than 2 million innocent civilians have been forced to flee their homes and now live in displaced-persons camps in Sudan or in refugee camps in neighboring Chad; and more than 3.5 million men, women, and children are completely reliant on international aid for survival.

Unless the world stirs from its slumber and takes concerted and decisive action to relieve this suffering, the ongoing genocide in Darfur will stand as one of the blackest marks on humankind for centuries to come. The people of Darfur cannot wait. The time has come for decisive leadership from the United States.

It has been more than 2 years since my colleagues and I in the Congressional Black Caucus Darfur Task Force met with Secretary Colin Powell. We pressed successfully for the Administration to declare that the campaign of ethnic cleansing and atrocities against civilians in Sudan is genocide. The atrocities are committed primarily by the government of Sudan and its allied Janjaweed militias.

It has been more than a year since I flew to Chad, walked across the border to Sudan, and met with African Union troops who pleaded for more peacekeeping authority and the resources to protect the refugees from violence, rather than merely monitor it. After returning

from that Congressional delegation, I worked with other Members of Congress to secure increased funding to aid the thousands of Sudanese displaced to refugee camps in Chad and to provide additional funding to assist Chad in responding to the humanitarian crisis.

It has been almost two years since the UN Security Council adopted Resolution 1556 demanding that the government of Sudan disarm the Janjaweed. This demand was later followed by Resolution 1706, which authorizes a 20,000 strong U.N. peacekeeping force.

It has been 9 months since the Darfur Peace Agreement was brokered in May 2006 between the government of Sudan and one faction of Darfur rebels.

However, signs of progress have recently emerged, even if it has come too late for the dead. The Sudanese government agreed to let a 3,500-person-strong United Nations peacekeeping force enter the country and join the African Union troops already there. It made the decision under pressure and only after months of unwarranted backtracking and delay.

But the Sudanese government has resisted the U.N.'s efforts to send 20,000 peacekeepers to Darfur. Let me be clear: the difference between a small, targeted force and a substantial deployment is no mere sticking point. It is absolutely essential.

It is essential to stopping the Arab militias from continuing to perpetuate a genocide. It is essential to clearing the path for crucial food and water and health supplies to reach refugee camps. And it is essential because injustice is only really addressed when it is obliterated, not when it is slowed to an excruciating trickle of displacement, harassment, and disrupted lives. We must have that larger U.N. force in Sudan. The international community has spoken with one voice but more pressure needs to be applied on Khartoum.

This resolution urges those who may have the most influence, the Arab League and its member states, to declare the systematic torture, rape, and displacement of Darfurians a genocide; to support and accept U.N. peacekeepers to enforce the ceasefire, protect civilians, and ensure access to humanitarian assistance in Darfur; and to work with the United Nations, the African Union and the United States Presidential Special Envoy for Sudan, Andrew Natsios, to bring about peace and stability to Darfur, the refugee camps, and along the Chadian border.

H. Con. Res. 7 urges the League of Arab States to: (1) declare the systematic torture, rape, and displacement of Darfurians a genocide; (2) pass a resolution to support and accept U.N. peacekeepers to enforce the ceasefire, protect civilians, and ensure access to humanitarian assistance in Darfur; and (3) work with the United Nations, the African Union and the United States Presidential Special Envoy for Sudan, Andrew Natsios, to bring about peace and stability to Darfur, the refugee camps, and along the Chadian border.

Nevertheless the violence continues; indeed, the violence is escalating. This violence is making it even more dangerous, if not impossible, for most of the millions of displaced persons to return to their homes and for humanitarian relief agencies to bring food and medical aid. According to Jan Egeland, the U.N.'s top humanitarian official, the situation in Darfur is "going from real bad to catastrophic."

We have come full circle. Violence is increasing, peace treaties and resolutions are not being implemented, and action must be taken.

We must increase pressure on Sudan President Omar Hassan al-Bashir of Sudan to allow in U.N. peacekeepers, or alternatively, a peacekeeping force of similar size comprised of Arab and Muslim troops under the auspices of the Arab League. As with any government, dialogue is the best way to attempt a solution to the issue at hand. However, previous engagements have too often yielded poor results—the government of Sudan has been all too willing to cooperate on the surface level by signing agreements and the like and all too willing to fail to implement them.

In 1997, the Clinton Administration imposed trade and economic sanctions on Sudan, an approach which I feel is likely to yield the best results. However, sanctions imposed by a limited number of countries do not pressure the government of Sudan adequately enough. It must be noted that no just and lasting peace in Sudan can be achieved without the responsible intervention of China.

For too long, China, which is Sudan's biggest oil consumer, has also served as Khartoum's enabler and protector by preventing the U.N. Security Council from imposing more serious sanctions on Sudan in response to the genocide and crimes against humanity committed in Darfur. As former Deputy Secretary of State Robert Zoellick stated in a major policy speech on China a year ago: "China should take more than oil from Sudan—it should take some responsibility for resolving Sudan's human crisis." It is my hope that China may be persuaded to provide the type of constructive leadership in Sudan befitting a great power.

These are the kind of constructive efforts that I feel will best represent the interests of the people of Darfur to bring an end to this horrible crisis. I am in favor of deploying U.N. peacekeeping troops to the region, and the U.N. needs to move swiftly. In addition, any options regarding United States military intervention should be carefully considered and not ruled out.

As we consider these options, Madam Speaker, I would like to remind you that it is not too early to begin the planning efforts needed to transform the Darfur region from a killing field to an economically, politically, and socially viable community. This work will, of course, require the active and purposeful engagement of the United States and other key stakeholders, such as China, and the Arab League.

Finally, we must be bold and imaginative in fashioning a solution commensurate with the scale of the problem. The way to do that is to develop a Marshall Plan for the Sudan. But the United Nations, and the international community, must draw a line in the sand and act to stop the genocide in Darfur. The words of President Lincoln speak to us from the ages:

> [W]e cannot escape history. We, of this Congress and this administration, will be remembered in spite of ourselves. No personal significance, or insignificance, can spare one or another of us. The fiery trial through which we pass, will light us down, in honor or dishonor, to the latest generation.

It speaks volumes that H. Con. Res. 7 has 111 co-sponsors, and I urge all of my colleagues to support this resolution.

Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent to yield 2 minutes to the gentleman from New York (Mr. ACKERMAN), and that he may control that time.

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

There was no objection.

Mr. ACKERMAN. I thank the gentleman for accommodating our Members on the majority side.

Madam Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. CLARKE), the newest member of our delegation.

Ms. CLARKE. Madam Speaker, I rise today in support of H. Con. Res. 7, a resolution offered by the gentlelady from California calling on the League of Arab States to recognize the genocide that is currently taking place in Darfur, Sudan. The facts regarding the situation on the ground are indisputable. The Government of Sudan, through its proxy militia, the janjaweed, have been launching a scorched earth campaign in Darfur. More than 400,000 people have been murdered, and more than 2 million have been forcefully displaced.

This resolution calls upon the League of Arab States to acknowledge the genocide in Darfur and to pressure the Sudanese Government to take steps to bring the killings to an end.

The purpose of the League of Arab States is to coordinate the cultural and securities policies of its member states, of which Sudan is a member. If genocide or any atrocity is taking place in one member state, the other member states have a duty to recognize and act to end it.

Sudan has not moved to end the slaughter of its innocent civilians in Darfur. The international community, in particular the League of Arab States, must be united in its call for Sudan to end the genocide, stop the pillaging, stop the rape of women and girls, disarm the janjaweed and prosecute those responsible.

Mr. SHAYS. Madam Speaker, I strongly support this resolution calling on the Arab League to acknowledge the genocide in the Darfur region of Sudan and to step up their efforts to end it. The world collectively agreed to "never again" allow genocide after the 1994 mass murders in Rwanda. Tragically, genocide is again taking place.

The security, human rights and humanitarian situation in Darfur has continued to deteriorate since the Darfur Peace Agreement was signed in May 2006. Until a more effective U.N. peacekeeping force can be deployed to Sudan, we must continue to expand our support for the existing African Union forces on the ground in Darfur.

It is also critical the international community begin implementing and expanding the reach of some of the measures that have already been agreed in the Security Council including targeted sanctions, asset freezes and travel bans for Sudanese government leaders.

Unfortunately the concerns of the United States and many of our allies have fallen on deaf ears within the Sudanese government. It is especially difficult to convince a regime as callous and apathetic as Sudan of our determination to see the genocide end when other

nations are not supporting our efforts. I am very concerned China, Russia and Arab League states have thwarted attempts to enact stronger sanctions and more quickly deploy international peacekeepers. There is a genocide occurring in Sudan, and all Nations are duty-bound to end it.

In August of last year the Arab League supported Sudan's refusal of a U.N. peacekeeping force in Darfur, and then passed a resolution calling for more time for the Sudanese government to improve conditions there. Madam Speaker, how much time should we give them? How many lives will be lost in the meantime?

Stronger action to end the genocide must be swift and resolving this crisis must be one of our world's highest priorities. Having the assistance, or at least ending the willful neglect of the genocide by Sudan's Arab League neighbors, would be extremely helpful.

I thank Congresswoman BARBARA LEE, as well as other members who have championed this issue, including FRANK WOLF and TOM LANTOS, for bringing this important resolution to the floor, and urge its passage.

Ms. WATERS. Madam Speaker, I rise to support H. Con Res. 7, which strongly urges the League of Arab States to step up their diplomatic efforts to stop the genocide in Darfur. This resolution urges the League of Arab States and each individual Member State to:

(1) Declare the systematic torture, rape, and displacement of the people of Darfur a genocide;

(2) Pass a resolution at their next meeting to support and accept a United Nations-African Union peacekeeping force to enforce the ceasefire, protect civilians, and ensure access to humanitarian assistance in Darfur; and

(3) Work with the United Nations, the African Union and the United States Presidential Special Envoy for Sudan, Andrew Natsios, to bring about real and lasting peace and stability in Darfur, the refugee camps, and along the Chadian border.

On August 20 of last year, the League of Arab States met in Egypt and supported Sudan's refusal to allow a United Nations peacekeeping force in Darfur. The following month, the League of Arab States called for the United Nations Security Council to give the government of Sudan more time to improve security conditions in Darfur. By that time, it had already been estimated that over 450,000 people had died as a result of genocide in Darfur. Since then the death toll has continued to mount.

Last year, I visited the Darfur region with my good friend, Speaker NANCY PELOSI, and I was deeply disturbed by what I saw. As far as the eyes could see, there were crowds of displaced people who had been driven from their homes, living literally on the ground with little tarps just covering them. It is unconscionable that this has been allowed to continue for yet another year.

There can be no doubt that what is taking place in Darfur is genocide, and the government of Sudan is responsible. The League of Arab States should tell the government of Sudan that their time is up. I urge my colleagues to vote in favor of this resolution, and I urge the League of Arab States to take a firm stand against the crime of genocide in Darfur.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ACKERMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 7, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

TORTURE VICTIMS RELIEF REAUTHORIZATION ACT OF 2007

Mr. ACKERMAN. Madam Speaker, I move to suspend the rules and pass the bill (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, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1678

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 ''Torture Victims Relief Reauthorization Act of 2007''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS FOR DOMESTIC TREATMENT CENTERS FOR VICTIMS OF TORTURE.

Section 5(b)(1) of the Torture Victims Relief Act of 1998 (22 U.S.C. 2152 note) is amended to read as follows:

''(1) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for the Department of Health and Human Services for fiscal years 2008 and 2009, there are authorized to be appropriated to carry out subsection (a) $25,000,000 for each of the fiscal years 2008 and 2009.''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR FOREIGN TREATMENT CENTERS FOR VICTIMS OF TORTURE.

Section 4(b)(1) of the Torture Victims Relief Act of 1998 (22 U.S.C. 2152 note) is amended to read as follows:

''(1) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for fiscal years 2008 and 2009 pursuant to chapter 1 of part I of the Foreign Assistance Act of 1961, there are authorized to be appropriated to the President to carry out section 130 of such Act $12,000,000 for each of the fiscal years 2008 and 2009.''.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR THE UNITED STATES CONTRIBUTION TO THE UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.

Of the amounts authorized to be appropriated for fiscal years 2008 and 2009 pursuant to chapter 3 of part I of the Foreign Assistance Act of 1961, there are authorized to be appropriated to the President for a voluntary contribution to the United Nations Voluntary Fund for Victims of Torture $12,000,000 for each of the fiscal years 2008 and 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ACKERMAN) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ACKERMAN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. ACKERMAN. Madam Speaker, I rise in strong support of this legislation, and yield myself such time as I may consume.

Let me first thank the distinguished ranking member of the Africa and Global Health Subcommittee, my very good friend, CHRIS SMITH, for his longstanding leadership in the fight against torture. I am very proud to be a cosponsor of this very important piece of legislation before us today.

The Torture Victims Relief Act of 1998 is a landmark piece of legislation that enshrines the fundamental commitment of this Nation to assist all survivors of torture, wherever and whoever they might be.

The programs supported by the TVRA combat the effects of the most despicable of all human rights violations: The increasing use of torture around the world.

Although exact figures are difficult to ascertain, according to Amnesty International, a well-respected defender of human rights, more than 150 countries worldwide still engage in torture.

An estimated 400,000 to 500,000 foreign torture victims reside in the United States, and over 100 million may exist worldwide. More than 250 treatment centers operate internationally with the sole purpose of providing medical, psychological and social services to torture survivors. These crucial facilities provide a distinctive type of treatment to those victims.

In the U.S., the Center for Victims of Torture, located in Minnesota, was the first of its kind in the United States and the third torture victims treatment center in the world.

The personal ramifications of torture are beyond the comprehension of those who have not gone through it. Torture leaves no victim unscarred. It shapes the remainder of their lives. While physical wounds may ultimately heal, torture survivors need ongoing psychological services and therapy to cope with post-traumatic stress that afflicts them daily. Recovering from torture is a long-term process. It can take years before torture survivors can once again feel emotionally stable and comfortable in society.

The bill before the House today funds our very important fight against torture, both nationally and internationally. For international programs, this legislation authorizes $12 million per

year for centers and programs administered through USAID's Victims of Torture Fund. It also authorizes an additional $12 million a year for centers and programs administered through the U.N. Voluntary Fund for the Victims of Torture.

Domestically, our legislation authorizes $25 million annually for the Department of Health and Human Services so that HHS can assist domestic treatment centers fully and sufficiently.

The sad truth is that torture is not waning; if anything, it is on the rise. As a moral force and a Nation that exhibits empathy to those in most need, it is our firm responsibility to help the victims of torture with these comprehensive programs. The funds authorized are urgently needed to achieve this goal. I strongly support this legislation, and encourage every Member of the House to do so as well.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to thank Chairman LANTOS for his very strong support for the Torture Victims Relief Reauthorization Act of 2007. His longstanding concern about torture victims is legendary, and I want to thank him for that. And I want to thank Mr. ACKERMAN for his leadership as well, and for presenting the bill before the House today.

Madam Speaker, an estimated 400,000 foreign torture survivors reside in the United States today. Worldwide it is virtually impossible to count the numbers, although we know it is very high. As witnesses have repeatedly testified before Congress, the paralyzing scars from the physical and psychological wounds of torture can and do remain for years. Torture impacts not only on individual victims, especially as it relates to post-traumatic stress disorder, but their families and society as well.

I would note parenthetically, Madam Speaker, that we don't have to look very far to know there are torture victims in our own Congress. SAM JOHNSON, a very brave and dedicated soldier of the Vietnam war, suffered terrible hardship and torture when he was incarcerated in Hanoi. Because of his faith and courage, SAM overcame unspeakable torture and abuse and is today an inspiration to us all. The same goes for Senator JOHN MCCAIN, who also suffered horrible torture, survived and overcame. But they are really the exception. They are not the norm. So many people who do suffer never recover—unless they get significant help. They suffer irreparable psychological damage and live a life of real misery, pain and flashback, unless they get help.

My own involvement in torture victims relief began in 1981 when I read a book titled ''Tortured for Christ,'' written by Pastor Richard Wurmbrand in Nicolae Ceausescu's Romania. That book detailed despicable tortures that were routinely imposed upon Pastor Wurmbrand and other religious prisoners in Romania by the securatate. Pastor Wurmbrand appealed to all to help the persecuted.

I also read Solzhenitsyn's book, ''The Gulag Archipelago,'' and another book called ''Against All Hope'' by Armando Valladares in which he chronicled what Castro does routinely to people in his gulags—it is sickening and pathetic.

I would encourage Members and the listening public to pick up one of those books or others like them and read what really happens in dictatorships—and Castro's abuses continue to this day—where torture is used as a weapon against dissidents. Sadly, torture is used with impunity in China and North Korea.

Armando Valladares tells us in his book in one particular chapter how the political prisoners were marched into a huge vat of human excrement, and submerged. Many of the men got permanent disabilities and infection from it. The beatings were unceasing.

Torture is horrible. It is degrading and inhumane. It also constitutes grave violations of U.N. treaties and U.S. law and must be stopped wherever it rears its ugly head.

In the 1990s, FRANK WOLF and I visited the infamous Perm Camp 35 in the Ural Mountains—1,000 miles outside of Moscow—the place where Natan Sharansky spent years of his life, and met with many torture victims while they were still incarcerated and saw the mix of anger and hopelessness in their eyes and in their faces.

In 1998, Madam Speaker, Congress took a historic step towards repairing the broken lives of torture victims with the passage of the Torture Victims Relief Act of 1998. I sponsored that legislation and three reauthorizations that followed. As important as these congressional measures have been, there continues to be an enormous unmet need for us to try to reach out and robustly address, and that is what this legislation at least attempts to do. I strongly urge my colleagues to support this. This helps us to help those who have been hurt.

The domestic provision of H.R. 1678 is designed to ensure that particular attention is given to torture victims in regions with significant immigrant and refugee populations. The measure authorizes $25 million for fiscal years 2008 and 2009 to the Department of Health and Human Services to assist domestic treatment centers. This maintains the current $25 million authorization level for those centers.

Currently, 20 torture treatment centers in 15 States are assisted by the Department of Health and Human Services Office of Refugee Resettlement. These programs include treatment for the physical and psychological effects of torture as well as social and legal services for torture victims. In addition to direct assistance, many of these centers also provide training in the specialized treatment of torture victims to mainstream providers in the health care, education and social service fields.

H.R. 1678 also authorizes $12 million for both fiscal year 2008 and 2009 for foreign treatment centers and programs administered by the USAID Victims of Torture Fund. In fiscal year 2006, the Victims of Torture Fund supported treatment programs in 28 countries throughout the regions of Latin America and the Caribbean, Africa, Asia and the Near East and Europe and Eurasia.

Treatment centers often provide services beyond rehab, to include forensic documentation, written and verbal testimony to courts and legislatures, and advocacy for the rights of brutalized religious, ethnic and minority groups. This is the expertise Congress sought to foster when we first adopted the TVRA back in 1998.

Lastly, the measure increases current authorization levels of $7 million for fiscal year 2007 to the U.N. Voluntary Fund for the Victims of Torture to $12 million for both 2008 and 2009. Through this U.N. mechanism, the voluntary fund supports 175 projects in 64 countries in 2006, including within the United States. The type of humanitarian assistance provided by organizations which receive those grants from the fund consists mainly of psychological, medical, social, legal and economic assistance.

Madam Speaker, this is a bipartisan bill, and I urge its passage.

Madam Speaker, I reserve the balance of my time.

Mr. ACKERMAN. Madam Speaker, to the gentlewoman from the 18th District of Texas, the chairwoman of the Homeland Security Subcommittee on Transportation Security and Infrastructure Protection, and also a member of the Foreign Affairs Committee, SHEILA JACKSON-LEE, I yield 3 minutes.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

□ 1145

Ms. JACKSON-LEE of Texas. Madam Speaker, we almost wish we did not have to come to the floor of the House to address this question of ongoing torture in 2007. Again, I offer my appreciation for this work, your leadership and leadership of this committee, and to Mr. SMITH who has articulated his ongoing struggle with a crisis that will break your heart.

Even today we know that torture goes on in 150 nations around the world. We know that some 4- to 500,000 torture victims have found their way to the United States. Many of us have heard of the lost boys, some of us know the story of Sierra Leone and mutilation that occurred in Rwanda, children who were child soldiers who were victimized. But do we understand the ongoing psychological, traumatic experiences that requires necessary psychological services and therapy to cope with posttraumatic stress?

Now with the Iraq War and Afghan War, we hear of prisoners of war and the unending suggestions of torture that have occurred, and so we know that even in our own House we must respond to the crisis.

I rise to support this legislation, H.R. 1678, because its journey is not yet finished. Let me applaud the author of this legislation, as I am a cosponsor, that authorizes $12 million per year for centers and programs administered through USAID's victims of torture fund, an additional $12 million per year for centers and programs administered by the U.N. voluntary fund for victims of torture, and $25 million for the Department of Health and Human Services.

Let me also salute the Darfur Coalition for Peace. I believe these resources can be utilized for the Darfurian women who have reportedly and repeatedly been raped, a very, very difficult and brutal form of torture. These women have not only been raped, but they have been mutilated. They have been carved and scarred. They have bled, and they have a mass of psychological devastation.

The Darfur Peace Coalition will be attempting to place tents on the soil in Darfur, the only kind of structure that can then have counselors who will help these torture victims, these victims of rape.

This legislation can certainly be a partner in finding and weeding out torture where it is, but more importantly, in dealing with the torture victims who may have some small chance of regaining their lives again.

I rise to support this legislation in sadness, because its work is yet not done, and every day we know that there may be a victim of torture. I am proud of this Congress in moving forward on this legislation, and I ask for its passage.

Mr. SMITH of New Jersey. Madam Speaker, due to an event at the White House on malaria, I ask unanimous consent to yield the remainder of our time to the gentleman from Arkansas (Mr. BOOZMAN) and that he be able to control the balance of our time.

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

There was no objection.

Mr. BOOZMAN. Madam Speaker, we do not have any more speakers. Can I ask the gentleman if he has any more?

Mr. ACKERMAN. I thank the gentleman. I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY), the chairwoman of the Education and Labor Subcommittee on Workforce Protections and a member of the Foreign Affairs Committee.

Ms. WOOLSEY. Madam Speaker, I would like to thank Congressman SMITH for his work to bring this reauthorization and this important issue to the House floor, and I want to thank the chairman of the committee, Chairman LANTOS, for moving the bill so quickly, and our wonderful chairman of the subcommittee for running the floor today in such a good manner.

The United States has long been a haven for those who have been persecuted and those who have been victimized. One of our national symbols, actually the Statue of Liberty, opens her arms to welcome the most needy.

This bill reaffirms our commitment, the United States commitment, to victims of torture. It will provide for essential services for these victims such as treatment of the physical and psychological effects of torture. It will provide for social and legal services. It will provide for research and training of health care providers to deal with the trauma of these victims.

Madam Speaker, in a world that sometimes seems to be overrun with violence, a world that sees so much brutality, this bill actually provides hope for a group of people, those who have so little and need so much.

I thank the authors of this bill for bringing it forward, and I certainly hope that every single Member of this body will vote in favor of it.

Mrs. DAVIS of California. I want to express my strong support for the Torture Victims Relief Reauthorization Act, H.R. 1678. This important legislation funds treatment centers for torture survivors who now live in the U.S.

With help, torture survivors can recover from their trauma, rebuild successful lives, and be contributing members of our society. When these new Americans rebuild their lives, we all have much to gain.

I also want to take this opportunity to recognize the efforts of Survivors of Torture, International (SURVIVORS) in my district of San Diego, California. SURVIVORS is an independent, nonprofit organization dedicated to caring for survivors of politically-motivated torture and their families living in San Diego County.

Approximately 11,000 torture survivors are living in San Diego County today. These survivors are from countries where the systematic use of torture is documented, including nations in Africa, Southeast Asia, the Middle East, and Latin America.

Since its founding in 1997, SURVIVORS has helped more than 650 torture survivors from more than 50 countries to recover from their trauma through a holistic program including medical, dental, psychiatric, psychological, legal and social services. There is also a need to continue to make services even more comprehensive.

SURVIVORS empowers torture survivors to reclaim the strength and vitality that were stolen from them by brutal dictators and governments. The specialized care SURVIVORS provides these vulnerable individuals helps them to become self-sufficient, healthy members of their own families and of our community. SURVIVORS currently serves more than 300 survivors of torture and their families living in San Diego County.

SURVIVORS works with refugees, asylees, asylum seekers, and immigrants who are survivors of torture. By working with this large population in San Diego County, SURVIVORS is strengthening the Nation: many of its clients move to other communities in the United States after receiving the care and services necessary to successfully build a new life here. As SURVIVORS continues to work in the community, it receives an increasing number of referrals and requests for services each year.

The professional backgrounds of SURVIVORS' clients include: business, religious, government, and farm leaders; university students and educators; journalists; physicians and nurses. The significant majority of SURVIVORS clients suffer from post-traumatic stress disorder, major depressive disorder, or both. These are normal yet disabling reactions for ordinary people who have endured the extreme trauma of torture.

Madam Speaker, the TVRRA also authorizes a contribution to the United Nations Voluntary Fund for Victims of Torture (UNVFVT). Funding from the U.N. helps many centers feel more secure in the dangerous work of aiding those that a regime has identified as its enemies. The UNVFVT supports nearly 200 treatment programs all over the world, including nearly all U.S. centers.

H.R. 1678 is a vital piece of legislation which funds essential services for survivors of torture throughout the 53rd District of California and San Diego County, and enhances the standing and reputation by exporting America's values in the form of support for foreign treatment centers. I strongly urge my colleagues to join me in supporting this bill that is so important to so many.

Mr. CAPUANO. Madam Speaker, I rise in support of H.R. 1678, Torture Victims Relief Reauthorization Act of 2007, which was passed under suspension of the rules today. I rise also to pay tribute to those who provide these tragically essential services.

I am privileged to represent the Boston Center for Refugee Health and Human Rights. The BCRHHR, based at Boston Medical Center, cares for survivors of torture, slavery, oppression, and war. Its dedicated physicians, therapists, and social workers provide individual counseling and group support, as well as legal, social, and vocational services to individuals and families who, in many cases, have nowhere else to turn. Patients have suffered terrible injuries, both physical and psychic, and most are grieving the loss of close friends and relatives. Above all, the Center recognizes the essential connection between health and human rights. Its clinical work succeeds, I believe, because it helps people regain their sense of dignity and worth as human beings.

Doctors work closely with pro bono lawyers to support political asylum applications and to reunite families of refugees and asylum seekers. Shame and anxiety may keep torture survivors from seeking asylum because, in order to gain asylum, applicants must recount their sufferings in a judicial setting. Thus, in order to secure their patients' freedom to remain in the United States, doctors must help them as they relive their traumas. They give them courage to persevere and they sustain the hope that, once asylum is granted, surviving spouses and children can enter the United States.

One wishes our world did not need services for survivors of torture, but we do need them. We are privileged, as Members of Congress, for this opportunity to recognize and support this work.

Mr. BOOZMAN. Madam Speaker, I continue to reserve my time.

Mr. ACKERMAN. If the gentleman will yield back the balance of his time, we are prepared to do so as well.

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

Mr. ACKERMAN. I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ACKERMAN) that the House suspend the rules and pass the bill, H.R. 1678.

The question was taken.

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

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

The yeas and nays were ordered.

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

EXPRESSING DEEP CONCERN OVER THE USE OF CIVILIANS AS HUMAN SHIELDS

Mr. ACKERMAN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 125) expressing deep concern over the use of civilians as ''human shields'' in violation of international humanitarian law and the law of war during armed conflict, including Hezbollah's tactic of embedding its forces among civilians to use them as human shields during the summer of 2006 conflict between Hezbollah and the State of Israel, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 125

Whereas the term ''human shields'' refers to the use of civilians, prisoners of war, or other noncombatants whose mere presence is designed to protect combatants and objects from attack;

Whereas the use of human shields violates international humanitarian law (also referred to as the Law of War or Law of Armed Conflict);

Whereas throughout the summer of 2006 conflict with the State of Israel, Hezbollah forces utilized human shields to protect themselves from counterattacks by Israeli forces;

Whereas the majority of civilian casualties of that conflict might have been avoided and civilian lives saved had Hezbollah not employed this tactic;

Whereas the news media made constant mention of civilian casualties but rarely pointed to the culpability, under international law, of Hezbollah for their endangerment of such civilians;

Whereas United States and international leaders attempted to call the use of human shields to the world's attention;

Whereas on August 11, 2006, Secretary of State Condoleezza Rice stated, ''Hezbollah and its sponsors have brought devastation upon the people of Lebanon, dragging them into a war that they did not choose, and exploiting them as human shields . . .'';

Whereas on August 14, 2006, President George W. Bush stated, ''Hezbollah terrorists targeted Israeli civilians with daily rocket attacks. Hezbollah terrorists used Lebanese civilians as human shields, sacrificing the innocent in an effort to protect themselves from Israeli response . . .'';

Whereas Jan Egeland, United Nations Undersecretary-General for Humanitarian Affairs and Emergency Relief Coordinator, accused Hezbollah of ''cowardly blending . . . among women and children'';

Whereas for states parties to Additional Protocol I, such as Lebanon, Article 50(1) to the Geneva Convention defines civilian as, ''[a]ny person who does not belong to one of the categories of persons referred to in Article 4(A)(1), (2), (3), and (6) of the Third Convention and in Article 43 of this Protocol. In the case of doubt whether a person is a civilian, that person shall be considered a civilian.'';

Whereas for states parties to Additional Protocol I, such as Lebanon, Article 51(7) to the Geneva Convention states, ''[T]he presence or movement of the civilian population or individual civilians shall not be used to render certain points or areas immune from military operations, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations. The Parties to the conflict shall not direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations.''; and

Whereas Convention IV, Article 28, Relative to the Protection of Civilian Persons in Time of War of the Geneva Convention states, ''The presence of a protected person may not be used to render certain points or areas immune from military operations.'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) strongly condemns the use of innocent civilians as human shields, including Hezbollah's use of this brutal and illegal tactic during the summer of 2006 conflict with Israel;

(2) calls on responsible nations to condemn the use of civilians as human shields as a violation of international humanitarian law; and

(3) calls on responsible nations and experts in the area of international humanitarian law to focus particular attention on the use of human shields in violation of international humanitarian law and make further recommendations on the prevention of such violation in the future.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ACKERMAN) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ACKERMAN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the resolution under consideration.

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

There was no objection.

Mr. ACKERMAN. Madam Speaker, I rise in strong support of this resolution and yield myself such time as I might consume.

Last year, we witnessed a tragic conflict in Lebanon, instigated by Hezbollah's unprovoked cross-border raid into Israel. This Hezbollah action resulted in the killing of eight brave Israeli soldiers and the kidnapping of two others, Ehud Goldwasser and Eldad Regev.

The suffering of the Lebanese people was immense as thousands fled their homes in the subsequent fighting. Many homes were damaged or destroyed, and lives were lost.

The key reason that civilian areas were destroyed was the cynical strategy of Hezbollah guerrillas to stage their attacks from the middle of towns and residential areas.

The use of civilians as human shields is reprehensible and is in direct violation of all the laws of warfare. Indeed, the Rome Statute of the International Criminal Court provides that such conduct is a serious violation of the laws of war and should be prosecuted.

This resolution properly condemns the use of human shields and, in particular, the conduct of Hezbollah in this bloody conflict. Let us make no mistake. The loss of civilian life in Lebanon was due solely to Hezbollah's cruel and uncivilized use of civilian areas as military bases. Meanwhile, Hezbollah used rocket fire to murder Israeli civilians indiscriminately and to destroy Israeli civilian areas that were of no military value whatsoever.

This resolution calls on all responsible nations to condemn such heinous acts and to work to eliminate them. No nation that calls itself a member of the international community can engage in such barbaric practices. In conflicts all over the globe, human shields have been used for various purposes. None of them are acceptable.

Let us urge the President and our friends and allies to join us and do their utmost to stop the use of human shields once and for all.

Madam Speaker, I urge all of our colleagues to support the resolution.

Madam Speaker, I reserve the balance of my time.

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

During last summer's war between Israel and Lebanon, which was initiated by Hezbollah jihadist militants breaching Israel's border and killing and kidnapping Israeli soldiers, Hezbollah extremists used Lebanese civilians as human shields to protect themselves from counterattacks by Israeli forces.

Hezbollah jihadists embedded their forces among innocent civilians in violation of international law.

According to Secretary of State Condoleezza Rice, ''Hezbollah and its sponsors have brought devastation upon the people of Lebanon, dragging them into a war that they did not choose, and exploiting them as human shields.''

To express deep concern over the use of civilians by Hezbollah and to condemn these actions, my distinguished colleagues, Congressman RON KLEIN and Congresswoman ILEANA ROS-LEHTINEN, introduced this bill.

Among other things in the bill, it strongly condemns the use of innocent civilians as human shields, including Hezbollah's use of this savage and illegal tactic during last summer's war between Israel and Lebanon; calls on the international community to recognize and condemn these violations of international law; and calls on responsible nations and experts in the area of international humanitarian law to pay special attention on the use of human shields in violation of international humanitarian law and make further recommendations on the prevention of such violation in the future.

I urge my colleagues to support this very important legislation.

Madam Speaker, I reserve the balance of my time.

Mr. ACKERMAN. Madam Speaker, I yield 5 minutes to the distinguished gentleman from Ohio (Mr. KUCINICH), the chairman of the Oversight and Government Reform Subcommittee on Domestic Policy.

Mr. KUCINICH. Madam Speaker, I want to thank my good friend Mr. ACKERMAN for the opportunity to address the Congress on this issue.

As some of my colleagues are aware, on July 19, 2006, I introduced legislation to this Congress calling on the President to appeal to all sides in the crisis in the Middle East for an immediate cessation of violence and to commit the United States diplomats to multiparty negotiations with no preconditions. This resolution specifically related to the events that brought violence to Lebanon and to Israel as well.

I want to say from the start that I took that position because I believe that Israel has a right to survive and Israel is entitled to its security and so, too, the people of Lebanon have a right to survive and were entitled to their security.

I think that it is regrettable that our government did not become immediately involved in diplomatic relations so that we could have been able to forestall the disaster that was visited upon south Lebanon where tens of thousands of structures were leveled.

I am not speaking about this theoretically, Madam Speaker, because my wife and I went to south Lebanon and surveyed the damage, and it was utter destruction.

I would refer my colleagues to Amnesty International's report regarding the destruction in south Lebanon.

I also would like to put into the RECORD a copy of H. Con. Res. 450 which called on the President to appeal to all sides in the crisis.

H. CON. RES. 450

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) calls upon the President to—

(A) appeal to all sides in the current crisis in the Middle East for an immediate cessation of violence;

(B) commit United States diplomats to multi-party negotiations with no preconditions; and

(C) send a high–level diplomatic mission to the region to facilitate such multi-party negotiations;

(2) urges such multi-party negotiations to begin as soon as possible, including delegations from the governments of Israel, the Palestinian Authority, Lebanon, Iran, Syria, Jordan, and Egypt; and

(3) supports an international peacekeeping mission to southern Lebanon to prevent cross-border skirmishes during such multi-party negotiations.

[From the New York Times, Jan. 28, 2007]

ISRAEL MAY HAVE VIOLATED ARMS PACT, U.S. SAYS

(By David S. Cloud and Greg Myre)

WASHINGTON, Jan. 27.—The Bush administration will inform Congress on Monday that Israel may have violated agreements with the United States when it fired American-supplied cluster munitions into southern Lebanon during its fight with Hezbollah last summer, the State Department said Saturday.

The finding, though preliminary, has prompted a contentious debate within the administration over whether the United States should penalize Israel for its use of cluster munitions against towns and villages where Hezbollah had placed its rocket launchers.

Cluster munitions are anti-personnel weapons that scatter tiny but deadly bomblets over a wide area. The grenadelike munitions, tens of thousands of which have been found in southern Lebanon, have caused 30 deaths and 180 injuries among civilians since the end of the war, according to the United Nations Mine Action Service.

Midlevel officials at the Pentagon and the State Department have argued that Israel violated American prohibitions on using cluster munitions against populated areas, according to officials who described the deliberations. But other officials in both departments contend that Israel's use of the weapons was for self-defense and aimed at stopping the Hezbollah attacks that claimed the lives of about 40 Israeli soldiers and civilians and at worst was only a technical violation.

Any sanctions against Israel would be an extraordinary move by the Bush administration, a strong backer of Israel, and several officials said they expected little further action, if any, on the matter.

But sanctions against Israel for misusing the weapons would not be unprecedented. The Reagan administration imposed a six-year ban on cluster-weapon sales to Israel in 1982, after a Congressional investigation found that Israel had used the weapons in civilian areas during its 1982 invasion of Lebanon. One option under discussion is to bar additional sales of cluster munitions for some period, an official said.

The State Department is required to notify Congress even of preliminary findings of possible violations of the Arms Export Control Act, the statute governing arms sales. It began an investigation in August.

Sean McCormack, the State Department spokesman, said that the notification to Congress would occur Monday but that a final determination about whether Israel violated the agreements on use of cluster bombs was still being debated.

''It is important to remember the kind of war Hezbollah waged,'' he said. ''They used innocent civilians as a way to shield their fighters.''

Even if Israel is found to be in violation, the statute gives President Bush discretion about whether to impose sanctions, unless Congress decides to take legislative action. Israel makes its own cluster munitions, so a cutoff of American supplies would have mainly symbolic significance.

Israel gave the State Department a dozen-page report late last year in which it acknowledged firing thousands of American cluster munitions into southern Lebanon but denied violating agreements that prohibit their use in civilian areas, the officials said. The cluster munitions included artillery shells, rockets and bombs dropped from aircraft, many of which had been sold to Israel years ago, one official said.

Before firing at rocket sites in towns and villages, the Israeli report said, the Israeli military dropped leaflets warning civilians of the attacks. The report, which has not previously been disclosed, also noted that many of the villages were deserted because civilians had fled the fighting, the officials said.

David Siegel, a spokesman for the Israeli Embassy in Washington, said Israel ''provided a detailed response to the administration's request for information'' on its use of cluster munitions ''to halt Hezbollah's unprovoked rockets attacks against our civilian populations centers.''

He added, ''Israel suffered heavy casualties in these attacks and acted as any government would in exercise of its right to self-defense.''

John Hillen, who was assistant secretary of state in charge of the bureau until he resigned this month, told Bloomberg News in December that Israel had provided ''great cooperation'' in the investigation. ''From their perspective, use of the munitions was clearly done within the agreements,'' he said.

Another administration official said the investigation had caused ''head-butting'' involving the Bureau of Political-Military Affairs and the Bureau of Near Eastern Affairs at the State Department, as well as Pentagon arms sales officials. Some officials ''are trying to find a way to not have to call this a substantial violation,'' the official said.

In particular, the State Department has asked Israel for additional information on reports that commanders and troops violated orders that restricted how cluster bombs could be used, an official said. In November, Lt. Gen. Dan Halutz, the chief of staff of the Israeli military until his resignation on Jan. 17, ordered an investigation into whether restrictions on use of the weapons were ignored by some units.

That investigation is still under way, and military officials have refused to divulge any details in public.

Israel's Channel 2 television reported in December that the military's judge advocate general was gathering evidence for possible criminal charges against military officers who might have ordered cluster bombs fired into populated areas.

Israel has told the State Department that it originally tried targeted strikes against Hezbollah rocket sites, but those proved ineffective.

Heavy use of cluster bombs was tried instead, to kill or maim Hezbollah fighters manning the launchers. Israeli commanders employed cluster weapons because they suspected that they would flee after firing their rockets. Even those attacks failed to stop the rockets barrages.

The agreements that govern Israel's use of American cluster munitions go back to the 1970s. But the details, which have been revised several times, are classified.

However, officials said that the agreements specified that cluster weapons could not be used in populated areas, in part because of the risk to civilians after a conflict is over if the bomblets fail to self-destruct, as they are designed to do.

The agreements said the munitions be used only against organized armies and clearly defined military targets under conditions similar to the Arab-Israeli wars of 1967 and 1973, when Israel arguably faced threats to its survival, officials said.

Since the end oflast summer's war, de-mining team have located 800 cluster-bomb strike areas, and they destroyed 95,000 bomblets, said Christopher Clark, program manager for the United Nations Mine Action Service in Lebanon. ''We found them pretty much everywhere—in villages, at road junctions, in olive groves and on banana plantations,'' Mr. Clark said.

The casualty rate has come down sharply, he said. Right after the war, there were more than 40 casualties a week; now it is about 3 or 4 a week.

Donatella Rovera, a researcher with Amnesty International in London, said older American cluster weapons used by Israel during the war did not reliably self-destruct, compared with Israel's own cluster munitions, which are newer and are said to have a much lower dud rate.

''We've asked them to release detailed maps on where the cluster bombs were used,'' Ms. Rovera said of the Israeli military. ''That is the one thing that could help speed up the cleanup process.''

[From Human Rights Watch]

ISRAELI CLUSTER MUNITIONS HIT CIVILIANS IN LEBANON: ISRAEL MUST NOT USE INDISCRIMINATE WEAPONS

BEIRUT, July 24, 2006.—Israel has used artillery-fired cluster munitions in populated areas of Lebanon, Human Rights Watch said today. Researchers on the ground in Lebanon confirmed that a cluster munitions attack on the village of Blida on July 19 killed one and wounded at least 12 civilians, including seven children. Human Rights Watch researchers also photographed cluster munitions in the arsenal of Israeli artillery teams on the Israel-Lebanon border.

''Cluster munitions are unacceptably inaccurate and unreliable weapons when used around civilians,'' said Kenneth Roth, executive director of Human Rights Watch. ''They should never be used in populated areas.''

According to eyewitnesses and survivors of the attack interviewed by Human Rights Watch, Israel fired several artillery-fired cluster munitions at Blida around 3 p.m. on July 19. The witnesses described how the artillery shells dropped hundreds of cluster submunitions on the village. They clearly described the submunitions as smaller projectiles that emerged from their larger shells.

The cluster attack killed 60-year-old Maryam Ibrahim inside her home. At least two submunitions from the attack entered the basement that the Ali family was using as a shelter, wounding 12 persons, including seven children. Ahmed Ali, a 45-year-old taxi driver and head of the family, lost both legs from injuries caused by the cluster munitions. Five of his children were wounded: Mira, 16; Fatima, 12; 'Ali, 10; Aya, 3; and 'Ola, 1. His wife Akram Ibrahim, 35, and his mother-in-law 'Ola Musa, 80, were also wounded. Four relatives, all German-Lebanese dual nationals sheltering with the family, were wounded as well: Mohammed Ibrahim, 45; his wife Fatima, 40; and their children 'Ali, 16, and Rula, 13.

Human Rights Watch researchers photographed artillery-delivered cluster munitions among the arsenal of Israel Defense Forces (IDF) artillery teams stationed on the Israeli-Lebanese border during a research visit on July 23. The photographs show M483A1 Dual Purpose Improved Conventional Munitions, which are U.S.-produced and -supplied, artillery-delivered cluster munitions. The photographs contain the distinctive marks of such cluster munitions, including a diamond-shaped stamp, and a shape that is longer than ordinary artillery, according to a retired IDF commander who asked not to be identified.

The M483A1 artillery shells deliver 88 cluster submunitions per shell, and have an unacceptably high failure rate (dud rate) of 14 percent, leaving behind a serious unexploded ordnance problem that will further endanger civilians. The commander said that the IOF's operations manual warns soldiers that the use of such cluster munitions creates dangerous minefields due to the high dud rate.

Lebanese security forces, who to date have not engaged in the fighting between Israel and Hezbollah, also accused Israel of using cluster munitions in its attacks on Blida and other Lebanese border villages. These sources also indicated they have evidence that Israel used cluster munitions earlier this year during fighting with Hezbollah around the contested Shebaa Farms area. Human Rights Watch is continuing to investigate these additional allegations.

Human Rights Watch believes that the use of cluster munitions in populated areas may violate the prohibition on indiscriminate attacks contained in international humanitarian law. The wide dispersal pattern of their submunitions makes it very difficult to avoid civilian casualties if civilians are in the area. Moreover, because of their high failure rate, cluster munitions leave large numbers of hazardous, explosive duds that injure and kill civilians even after the attack is over. Human Rights Watch believes that cluster munitions should never be used, even away from civilians, unless their dud rate is less than 1 percent.

Human Rights Watch conducted detailed analyses of the U.S. military's use of cluster bombs in the 1999 Yugoslavia war, the 2001–2002 Afghanistan war, and the 2003 Iraq war. Human Rights Watch research established that the use of cluster munitions in populated areas in Iraq caused more civilian casualties than any other factor in the U.S.-led coalition's conduct of major military operations in March and April 2003, killing and wounding more than 1,000 Iraqi civilians. Roughly a quarter of the 500 civilian deaths caused by NATO bombing in the 1999 Yugoslavia war were also due to cluster munitions.

''Our research in Iraq and Kosovo shows that cluster munitions cannot be used in populated areas without huge loss of civilian life,'' Roth said. ''Israel must stop using cluster bombs in Lebanon at once.''

Human Rights Watch called upon the Israel Defense Forces to immediately cease the use of indiscriminate weapons like cluster munitions in Lebanon.

BACKGROUND

Israel used cluster munitions in Lebanon in 1978 and in the 1980s. At that time, the United States placed restrictions on their use and then a moratorium on the transfer of cluster munitions to Israel out of concern for civilian casualties. Those weapons used more than two decades ago continue to affect Lebanon.

Israel has in its arsenal cluster munitions delivered by aircraft, artillery and rockets. Israel is a major producer and exporter of cluster munitions, primarily artillery projectiles and rockets containing M85 DPICM (Dual Purpose Improved Conventional Munition) submunitions. Israeli Military Industries, an Israeli government-owned weapons manufacturer, has reportedly produced more than 60 million M85 DPICM submunitions. Israel also produces at least six different types of air-dropped cluster bombs, and has imported from the United States M26 rockets for its Multiple Launch Rocket Systems.

There is growing international momentum to stop the use of cluster munitions. Belgium became the first country to ban cluster munitions in February 2006, and Norway announced a moratorium on the weapon in June 2006. Cluster munitions are increasingly the focus of discussion at the meetings of the Convention on Conventional Weapons, with ever more states calling for a new international instrument dealing with cluster munitions.

[From the New York Times, Aug. 25, 2006]

INQUIRY OPENED INTO ISRAELI USE OF U.S. BOMBS

(By David S. Cloud)

WASHINGTON, Aug. 24.—The State Department is investigating whether Israel's use of American-made cluster bombs in southern Lebanon violated secret agreements with the United States that restrict when it can employ such weapons, two officials said.

The investigation by the department's Office of Defense Trade Controls began this week, after reports that three types of American cluster munitions, anti-personnel weapons that spray bomblets over a wide area, have been found in many areas of southern Lebanon and were responsible for civilian casualties.

Gonzalo Gallegos, a State Department spokesman, said, ''We have heard the allegations that these munitions were used, and we are seeking more information.'' He declined to comment further.

Several current and former officials said that they doubted the investigation would lead to sanctions against Israel but that the decision to proceed with it might be intended to help the Bush administration ease criticism from Arab governments and commentators over its support of Israel's military operations. The investigation has not been publicly announced; the State Department confirmed it in response to questions.

In addition to investigating use of the weapons in southern Lebanon, the State Department has held up a shipment of M–26 artillery rockets, a cluster weapon, that Israel sought during the conflict, the officials said.

The inquiry is likely to focus on whether Israel properly informed the United States about its use of the weapons and whether targets were strictly military. So far, the State Department is relying on reports from United Nations personnel and nongovernmental organizations in southern Lebanon, the officials said.

David Siegel, a spokesman for the Israeli Embassy, said, ''We have not been informed about any such inquiry, and when we are we would be happy to respond.''

Officials were granted anonymity to discuss the investigation because it involves sensitive diplomatic issues and agreements that have been kept secret for years.

The agreements that govern Israel's use of American cluster munitions go back to the 1970's, when the first sales of the weapons occurred, but the details of them have never been publicly confirmed. The first one was signed in 1976 and later reaffirmed in 1978 after an Israeli incursion into Lebanon. News accounts over the years have said that they require that the munitions be used only against organized Arab armies and clearly defined military targets under conditions similar to the Arab-Israeli wars of 1967 and 1973.

A Congressional investigation after Israel's 1982 invasion of Lebanon found that Israel had used the weapons against civilian areas in violation of the agreements. In response, the Reagan administration imposed a six-year ban on further sales of cluster weapons to Israel.

Israeli officials acknowledged soon after their offensive began last month that they were using cluster munitions against rocket sites and other military targets. While Hezbollah positions were frequently hidden in civilian areas, Israeli officials said their,

intention was to use cluster bombs in open terrain.

Bush administration officials warned Israel to avoid civilian casualties, but they have lodged no public protests against its use of cluster weapons. American officials say it has not been not clear whether the weapons, which are also employed by the United States military, were being used against civilian areas and had been supplied by the United States. Israel also makes its own types of cluster weapons.

But a report released Wednesday by the United Nations Mine Action Coordination Center, which has personnel in Lebanon searching for unexploded ordnance, said it had found unexploded bomblets, including hundreds of American types, in 249 locations south of the Litani River.

The report said American munitions found included 559 M–42's, an anti-personnel bomblet used in 105-millimeter artillery shells; 663 M–77's, a submunition found in M–26 rockets; and 5 BLU–63's, a bomblet found in the CBU–26 cluster bomb. Also found were 608 M–85's, an Israeli-made submunition.

The unexploded submunitions being found in Lebanon are probably only a fraction of the total number dropped. Cluster munitions can contain dozens or even hundreds of submunitions designed to explode as they scatter around a wide area. They are very effective against rocket-launcher units or ground troops.

The Lebanese government has reported that the conflict killed 1,183 people and wounded 4,054, most of them civilians. The United Nations reported this week that the number of civilian casualties in Lebanon from cluster munitions, land mines and unexploded bombs stood at 30 injured and eight killed.

Dozen of Israelis were killed and hundreds wounded in attacks by Hezbollah rockets, some of which were loaded with ball bearings to maximize their lethality.

Officials say it is unlikely that Israel will be found to have violated a separate agreement, the Arms Export Control Act, which requires foreign governments that receive American weapons to use them for legitimate self-defense. Proving that Israel's campaign against Hezbollah did not constitute self-defense would be difficult, especially in view of President Bush's publicly announced support for Israel's action after Hezbollah fighters attacked across the border, the officials said.

Even if Israel is found to have violated the classified agreement covering cluster bombs, it is not clear what actions the United States might take.

In 1982, delivery of cluster-bomb shells to Israel was suspended a month after Israel invaded Lebanon after the Reagan administration determined that Israel ''may'' have used them against civilian areas.

But the decision to impose what amounted to a indefinite moratorium was made under pressure from Congress, which conducted a long investigation of the issue. Israel and the United States reaffirmed restrictions on the use of cluster munitions in 1988, and the Reagan administration lifted the moratorium.

I also want to ask for this moment when we are talking about the use of human shields to remember that certainly the people of Israel suffered, and my wife and I visited Israel and we talked to government officials who were concerned about the threat to Israel's security that was presented by Hezbollah.

□ 1200

But I also have to say that the use of cluster munitions and the use of bombs against the people of Lebanon needs to be recognized at this point. I could stand here, certainly, objecting, and I do, to Hezbollah's conduct, because we know what they did in creating conditions to use people in populated areas was wrong.

But I also think that it's important to call to the attention of this Congress the suffering of the people in Lebanon, because what happened was that bombs were dropped and perhaps over 1,000 people were killed. That needs to be discussed. We also need to recognize that the people of Lebanon have a love for America despite our Government's actions in standing back.

Let me share with you a story out of Qana that my wife and I visited. We went there late at night, and there was destruction everywhere. We were led to a graveyard where people had their families buried as a result of a U.S. attack. Then we were led to the site of where a bomb fragment or a bomb burst through an apartment building, and it killed dozens of people. It was thought that bomb was paid for by U.S. tax dollars.

The people who gathered around late at night from the village, knowing there was an American Congressman there, spoke out and said, you know, we love America. We don't like what your leaders do, but we love America. We do not wish anyone ill in America, and we want peace. We don't want Israel to be destroyed. This was made very clear. These were people who from the depths of their humanity were crying out for recognition about their suffering.

Madam Speaker, this is a fragment of the bomb which burst through an apartment building and killed dozens of women and children. I wanted to just show Congress this, because what we are talking about, using people as human shields, it's important also for the Israeli Government to take responsibilities for their actions as well. I say this as someone who speaks in defense of Israel and the defense of Israel's right to survive.

If we are going to ever have peace in the region, there has to be a mutual recognition of everyone's right to survive, and opportunity for all people to be able to bring their grievances forward and have them resolved.

I appreciate my friend's opportunity to present this.

Mr. BOOZMAN. Madam Speaker, I yield 5 minutes to the gentleman from California (Mr. ISSA).

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

Mr. ISSA. Madam Speaker, I rise today in support of H. Res. 125 and join with my colleagues in denouncing Hezbollah for employing the use and the tactic of placing weapons, defensive and offensive, in the midst of communities in which innocent civilians live.

I also associate myself with the previous speaker, though, in saying that we have to go beyond a narrow issue of a single enemy in the Middle East. The use of human shields in the Middle East is unfortunately widespread, not just by the cancer that grows, that is known as Hezbollah in Lebanon, but also throughout the region.

On this point, I would like to give credit where credit is due. These pictures were taken, this one was taken in 2004, where a 13-year-old Palestinian boy named Mohammed Badwan was tied to the hood of an Israeli police jeep in the West Bank. A group of Palestinian youths had been reportedly throwing rocks at Israeli police, so the boy was taken and tied to the jeep so that they would stop throwing their rocks.

On October 6, and I want to give credit where credit is due, because this has not been unanswered, on October 6, 2005, the Israel High Court of Justice, the equivalent of our Supreme Court, ruled that it was illegal for Israeli forces to use Palestinian civilians during military operations. This ruling effectively ended the officially sanctioned tactic known as neighborhood procedure, whereby Israeli soldiers would forcibly use Palestinian civilians for tasks, including entering buildings to check to see if they were booby-trapped, removing building occupants, and moving suspicious objects from roads used by the army.

One of the victims of this neighborhood procedure was a 19-year-old Palestinian student who in 2002 was killed in the West Bank after troops took the young man out of his house and forced him to knock on the door of a neighboring building, where a senior Hamas fugitive was hiding. Gunfire erupted, and the student was killed.

In addition to the Israeli Supreme Court, human rights group have also been recognized for their work, and I commend them. B'Tselem, Rabbis for Human Rights, and Adalah have worked extensively on these cases and brought them to the court. To the credit of the Israeli people and their court system, they have denounced it, and they have sought to stop it.

The Israeli Army itself, most recently, acted swiftly to suspend a commander caught on videotape using two Palestinian youths as human shields earlier this month. In the video that has been seen around the world and covered by the Associated Press, a peace activist is heard shouting to the Israeli soldiers who have positioned two youths standing in front of their vehicle, ''You can't use them as human shields. It's against the law.''

The Israeli soldier responds, ''We are not using them as a human shield.''

''They are standing in front of your jeep. How is that not a human shield? You are using them to protect you from stones,'' the activist retorts.

''We asked them to speak to their friends and ask them to stop throwing stones at us,'' the soldier says.

Shortly after this videotape was posted, the Israeli military announced

the mission commander had been relieved of operational duty following this incident, in which IDF soldiers had apparently used these civilians, and the Israeli Government acted quickly.

I applaud their swift response and their efforts to make this use of human shields, once and for all, stop. This morning I circulated a Dear Colleague via e-mail with links to these videos and news stories.

I encourage my colleagues to take a look at these articles and efforts under way to stop the use of human shields. I have also issued statements that are on my Web site at www.issa.house.gov under the heading of ''Banning the use of Human Shields.''

Madam Speaker, I believe there are two sides to this. There is a difference. One side is continuing to be a cancer on the people of Lebanon. One side is continuing to use human shields with very little to stop them. The other side is taking those measures.

I came here today to commend the Israeli Government for taking those measures, to ask them to continue to use the strongest methods possible to make sure that is eliminated from one side of the equation. I will support this resolution denouncing the other side of the equation that continues to use human shields.

Mr. ACKERMAN. Mr. Speaker, I yield myself such time as I might consume.

To my good friend from California, as well as my good friend from Ohio, I would address the following observations and concerns. First, I would like to thank each of them for their support for this resolution condemning Hezbollah for their actions.

But I would like to note for the record that there is a tremendous difference between a perpetrator and a victim. A perpetrator is the one who initiates the act. The victim is the one who is victimized by the act. Very often, in an act of violence, murder, mayhem, the victim fights back. The victim has every single right in the world, legally and morally, to defend itself against violence. Some might argue sometimes that in defense of oneself, the victim goes too far. The woman being raped tries to scratch out the eyes of the rapist. Who is to blame her?

I thank my two friends for also pointing out that there is a difference in systems, that there is a difference in moral values between that which the Hezbollah does and the response of the Israelis. I appreciated the fact that the gentleman from Ohio brought in part of a weapon of destruction that was used in self-defense, but I am also happy that we did not bring in gory pictures of Israeli children and women on their way to school or working on farms or in their villages, who every day are subject to attacks and missiles fired by Hezbollah as they go about their daily, innocent lives.

I thank the gentleman from California for calling to the House's attention in so eloquent a way of what is rarely government and governance and society and what Israel is all about, who points out graphically and with the evidence he brought before us the fact that it was an Israeli human rights defender who called out to the Israeli soldiers whose conduct he properly called into question, that they have no right to do that and that there are laws against it.

Where were the Lebanese people calling out to the Hezbollah who invaded their homes and their neighborhoods and took over and used them, sometimes willingly, sometimes not, as human shields, and said to them, we forbid you to do this, it's against our human rights, and it's against our laws? Not once.

I thank the gentleman from California for pointing out the Israeli system of justice, which stands basically equal to ours. We, too, in the pursuit of terrorists and evildoers, as the President would call them, sometimes unfortunately commit acts in that pursuit and in defense of ourselves against the terrorists, where civilians are hurt and civilians do die. But that is not our purpose. When the Hezbollah does that, that is their intention for the civilians to die.

I thank the gentleman from California for pointing out that this went through the Israeli justice system because it is contrary to the laws of the democracy of the democratic State of Israel. It went to the Supreme Court of Israel, and that court found, in full view, because Israeli television shows showed their soldiers doing something wrong, and they were charged, and the court found them guilty, and the court banned it.

People were held responsible in a responsible society. That did not happen with the Hezbollah. That did not happen in Lebanon. It happened in Israel where people paid the price, where the military officers who were in charge of the operation were found guilty.

That is the difference between a democratic, humane society, where there are innocent victims of self-defense, who unfortunately, as individuals within the military, sometimes get carried away. That happens in every army in the history of the world. But holding people responsible for those individual actions is a sign of a true democracy.

That did not happen with the Hezbollah. That did not happen with Lebanon. That is the difference between democratic, humane societies and terrorist organizations.

□ 1215

I thank our two colleagues for bringing this to the attention of the House so that we might highlight the differences between two societies, Hezbollah, governed by terror, whose only purpose is to wreak havoc upon civilian populations, and a democracy like Israel, who responds to terrorism and sometimes have unfortunate incidents for which they hold individuals responsible and who pay the price.

Mr. BOOZMAN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Speaker, I rise in support of House Resolution 125, championed by Ranking Member ILEANA ROS-LEHTINEN, Dr. BOOZMAN and Mr. ACKERMAN, which opposes using civilians as human shields.

As a member of the Armed Services Committee, as a 31-year veteran of the Army Reserves and National Guard, and as the father of four sons in the U.S. military, I know firsthand that using human shields violates international law.

Just last year, American and international leaders condemned the use of human shields. The Lebanese have been particularly victims of human shields in the past year. On August 11, 2006, Secretary of State Condoleezza Rice stated, ''Hezbollah and its sponsors have brought devastation upon the people of Lebanon, dragging them into a war that they did not choose and exploiting them as human shields.''

On August 14, President George W. Bush stated, ''Hezbollah terrorists targeted Israeli civilians with daily rocket attacks. Hezbollah terrorists used Lebanese civilians as human shields, sacrificing the innocent in an effort to protect themselves from Israeli response.''

Also, as to Israel, we should note that the Israeli Supreme Court has ruled a ban to the use of human shields. Additionally, Israel has a strict policy against the use of civilians as human shields, and in dealing with the isolated incidents where the policy is violated, takes measure to punish those responsible and prevent these acts from occurring in the future.

It is clear, as eloquently reviewed by Mr. ACKERMAN, that no one should seek to apply a moral equivalency between isolated incidents formally opposed by Israel's democratically elected government and the actions of Hezbollah, whose policies and tactics show disregard for human life and advocate intentionally using the tactic of embedding its forces among civilians to use them as human shields, abusing the people of Lebanon.

I urge my colleagues to support House Resolution 125, condemning the use of human shields.

Mr. BOOZMAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman, and I commend my colleagues for bringing this important legislation to the floor.

It was obvious, I think, to all people watching the news coverage during the recent Hezbollah-Israel war that it was standard operating procedure for Hezbollah to place its soldiers that were firing rockets into Israel, in housing projects, in housing areas where there were civilians, and the only way

that Israel could respond to that rocket fire involved risking the lives of the women and children who lived in those areas. It was disgraceful and it was a violation of international law. And to me it is absolutely ridiculous that Hezbollah would find some photo of a bunch of Palestinian youths leaning on a tank and try to make an argument in front of the world stage that that is the moral equivalent of what they were doing. There is absolutely no comparison.

Mr. Speaker, I just wanted to commend my colleague from New York and people on both sides of the aisle for bringing forward this important piece of legislation.

Mr. HOYER. Mr. Speaker, last summer, Hezbollah militants kidnapped two Israeli soldiers and instigated an armed conflict in which they indiscriminately fired thousands of rockets and mortar shells into Israel with the hope of inflicting as many civilian casualties as possible.

And what was most disturbing about Hezbollah's actions was not that they targeted innocent men, women, and children with their attacks—the world has come to expect such cowardly tactics from terrorist organizations that are dedicated to inflicting anguish and destruction.

Rather, it was the fact that Hezbollah embedded their equipment and bases of operations amid the Lebanese civilian population—effectively using them as "human shields" to protect them from retaliation.

This brutal exploitation of a civilian population—and others like it that take place all too often in areas controlled by Hezbollah and Hamas—stands in direct violation of international humanitarian law and laws of war during armed conflict.

Today, I am proud to join with my fellow Members of Congress in condemning the use of human shields in armed conflict—and I stand with all of the people of the world who understand that the role of a soldier is to protect civilians, not exploit them for security or political gain.

Mr. GARRETT of New Jersey. Mr. Speaker, today I rise in support of the resolution condemning Hezbollah's frequent use of civilians to protect their military forces and cache of weapons. All too often we hear claims that Hezbollah and the Israeli Defense Forces are moral equivalents. But when we look at the facts, we see that Hezbollah constantly demonstrates that it is a force that does not operate under the international treaties that attempt to govern warfare.

Hezbollah has set up shop in southern Lebanon and, while they attempt to participate in the legal process of that nation, they are not under the control of any government. They use the funds of Iran and Syria to act as their proxies in the fight against Israel. There is little dispute that they store much of their military equipment below civilian houses and during the most recent conflict their military leadership holed up in bunkers filled with non-combatants.

Hezbollah fights their wars in the international press as much as they fight them in the battlefield. Sadly, civilian deaths are seen as a victory since they can use the cry of war atrocities to keep the Israelis from engaging their forces.

On the other side we see Israeli forces who clearly identify their military personnel by uniform and delineate their military installations from civilian. Yet, Hezbollah still chooses to indiscriminately shoot their rockets into principally civilian areas.

Hezbollah operates far outside the bounds of international law, something we must not forget as we seek to control them through international bodies such as the United Nations. With no regard for the lives of their own nationals, can we expect them to hold up their end of Security Council resolutions? We must stand with the legitimate government of Israel, a shining light of democracy and freedom besieged by those with no respect for law or life.

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

Mr. ACKERMAN. Mr. Speaker, I have no further speakers on our side, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MCNULTY). The question is on the motion offered by the gentleman from New York (Mr. ACKERMAN) that the House suspend the rules and agree to the resolution, H. Res. 125, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The title of the resolution was amended so as to read: ''Resolution expressing deep concern over the use of civilians as 'human shields' in violation of international humanitarian law, including Hezbollah's tactic of embedding its forces among civilians to use them as human shields during the summer of 2006 conflict between Hezbollah and the State of Israel.''.

A motion to reconsider was laid on the table.

URGING ALL MEMBER COUNTRIES OF THE INTERNATIONAL COMMISSION OF THE INTERNATIONAL TRACING SERVICE TO EXPEDITE RATIFICATION PROCESS

Mr. ACKERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 240) urging all member countries of the International Commission of the International Tracing Service (ITS) who have yet to ratify the May 2006 Amendments to the 1955 Bonn Accords Treaty, to expedite the ratification process to allow for open access to the Holocaust archives located at Bad Arolsen, Germany.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 240

Whereas the International Tracing Service (ITS) archives located in Bad Arolsen, Germany, which are administered by the International Committee of the Red Cross, contain an estimated 50,000,000 records on the fates of some 17,500,000 individual victims of Nazi war crimes;

Whereas the ITS archives at Bad Arolsen remain the largest closed Holocaust-era archives in the world; while access to individual records can be requested by Holocaust survivors and their descendants, many who have requested information in the past have reported facing significant delays and even unresponsiveness; furthermore, the records remain inaccessible to researchers and research institutions;

Whereas the 1955 Bonn Accords, the treaty governing the administration of the ITS, established an International Commission of 11 member countries (Belgium, France, Germany, Greece, Israel, Italy, Luxembourg, the Netherlands, Poland, the United Kingdom, and the United States) charged with overseeing the administration of the ITS Holocaust archives;

Whereas following years of delay, in May 2006 in Luxembourg, the International Commission of the ITS agreed upon amendments to the Bonn Accords which would allow researchers to use the archives and would allow each Commission member country to receive digitized copies of archive materials and make the records available to researchers under the respective national laws relating to archives and privacy;

Whereas the May 2006 Amendments to the Bonn Accords require each of the 11 members of the International Commission to ratify the amendments before open access to the Holocaust archives is permitted;

Whereas although the final signature was affixed to the amendments in October 2006, only 4 out of the 11 Commission member countries (the United States, Israel, Poland, and the Netherlands) have ratified the amendments to date;

Whereas the United States Holocaust Memorial Museum has for years been working tirelessly to provide public access to the materials in the Bad Arolsen archives;

Whereas on March 8, 2007, representatives from the 11 member countries of the International Commission of the ITS met in the Netherlands and reviewed the current ratification status of each country and the ratification process in its entirety;

Whereas it is a moral and humanitarian imperative to permit public access to the millions of Holocaust records housed at Bad Arolsen;

Whereas it is essential that Holocaust researchers obtain access now, while survivors are living, so that the researchers can benefit in their scholarly work from the insights of eyewitnesses;

Whereas in the Holocaust's aftermath, there have been far too many instances of survivors and heirs of Holocaust victims being refused their moral and legal right to information—for restitution purposes, slave labor compensation, and personal closure;

Whereas opening the historic records is a vital contribution to the world's collective memory and understanding of the Holocaust and efforts to ensure that the anti-Semitism that made such horrors possible is never again permitted to take hold;

Whereas anti-Semitism has seen a resurgence in recent years; as recently as December 2006, the President of Iran, Mahmoud Ahmadinejad, held the second Holocaust denial conference in Tehran in one year; and

Whereas in light of this conference, President Ahmadinejad's anti-Semitic rhetoric, and a resurgence of anti-Semitism in part of the world, the opening of the archives at Bad Arolsen could not be more urgent: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends in the strongest terms all countries that have to date ratified the amendments to the Bonn Accords to allow for open access to the Holocaust archives of the International Tracing Service (ITS) located at Bad Arolsen, Germany;

(2) commends those countries that have committed to expedite the process of releasing the archives and expects those countries to abide by their commitments;

(3) strongly urges all countries that have to yet to ratify the amendments to abide by their treaty obligations made in May 2006 and to expedite the ratification of these amendments;

(4) strongly urges all Commission members to consider the short time left to Holocaust survivors and unanimously consent to open the ITS archives should all countries not ratify the amendments by May 2007;

(5) expresses the hope that bureaucratic and diplomatic processes will not further delay this process; and

(6) refuses to forget the murder of 6,000,000 Jews and more than 5,000,000 other victims during the Holocaust by Nazi perpetrators and their collaborators.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ACKERMAN) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. ACKERMAN. Mr. Speaker, I rise in strong support of this resolution, and yield myself such time as I may consume.

Mr. Speaker, it is a distinct honor to introduce H. Res. 240, a resolution urging the immediate ratification of the amendments to the 1955 Bonn Accords. This treaty would open the immense records of the Holocaust to Nazi war crime victims in Bad Arolsen, Germany. I would like to thank my good friend from Florida, Representative ALCEE HASTINGS, who introduced this important resolution of which I am a proud cosponsor.

Mr. Speaker, the horror of Nazi crimes perpetrated on Jews and others across Europe were accompanied by meticulous recordkeeping that was maintained by the Third Reich throughout the reign of its terrible regime. These accounts include listings of victims, medical records, transport notes and other details that often provide the only history of millions of innocent people who perished at the hands of the Nazis.

An abandoned S.S. barracks at Bad Arolsen became the repository for many of these records, where they remained under the control the Allied Forces, and then under a consortium of 11 nations since the end of World War II, some 62 years ago.

Throughout those years, these records have been closed to the public. Most survivors' requests have been met with reluctance or disappointing bureaucratic neglect, resulting in some 500,000 legitimate requests for information that were outstanding by the year 2000, some of them made by people who are no longer with us today.

Bad Arolsen contains the records of 17.5 million individuals, and I have been told by experts at the Holocaust Museum here in Washington that almost every person to have known to have been a part of that terrible time can be found in those records, victims including Anne Frank, marks of saviors such as Oskar Schindler's famous list, and my octogenarian friend and constituent, Jacob Rosenthal of Long Island, and probably information on my own family members.

Mr. Speaker, there is a picture that hangs in my den. It used to hang in my mother's house. The color of the picture is completely in sepia, as was traditional for the time in which it was taken in Poland. It is a picture of the wedding party of my grandfather and grandmother, the grandmother whom I am named after and never met. It is a very old picture. The corners are turned down. It is starting to fade.

In front of the entire wedding party sits a whole group of young children sitting on the ground. My mother would point to this picture and point to the little children and say, ''This is my Uncle Chaim, and this one is my Aunt Rachel.'' I would ask, ''Mom, they are only children. How can they be your aunt and your uncle?'' And her response was, ''They will always be children.''

My mother never knew what happened to them. She would have liked to have known. Maybe those records will tell us what happened to them.

For survivors of the Holocaust, such as our good friend and colleague and chairman of the Foreign Affairs Committee, TOM LANTOS, time for answers, for truth, for recognition that our loved ones existed and mattered is running out. We need these archives opened now, not next year, not a decade from now when fewer survivors will be here to find peace and possibly a strong degree of closure in the material in these archives. And perhaps opening these archives of over 17 million people will in part answer those evil people like the President of Iran, Mr. Ahmadinejad, who claims that the Holocaust never existed.

Our good friend from Kansas spoke on another bill and he cited scripture from Isaiah saying ''you be my witness.'' The Nazis were their own witnesses and documented in tremendous detail the lives of all of these people, as well as their deaths.

The 1955 Bonn Accords Treaty governs these records. The 11 countries that signed that treaty agreed in 1998 to open these records to the public, but it did not happen. Last year, these nations agreed to ensure not only the opening of the records, but also the sharing of digitized copies and access for researchers.

Diplomatically, substantial progress has been made in recent years in achieving international agreement. Four countries have ratified the 2006 amendments: the United States, Israel, Poland and the Netherlands. With this resolution, Congress urgently encourages the remaining seven countries to ratify the amendments by May of 2007. Next month is the deadline, and we insist we make the digital archives records available as soon as they are ready this summer.

Mr. Speaker, I strongly support this resolution, and urge all of our colleagues to do the same.

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

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

Mr. Speaker, today I rise in support of H. Res. 240 dealing with the Holocaust archives. I would like to thank my colleague, Congressman HASTINGS of Florida, for introducing this bill which urges member countries of the International Commission of the International Tracing Service to ratify, if they haven't yet done so already, the May 2006 amendments to the 1955 Bonn Accords Treaty to expedite the ratification process to allow for open access to the Holocaust archives located at Bad Arolsen, Germany.

The Holocaust stands as one of history's darkest moments. It is critical that we understand and educate future generations about what happened under the Nazi oppression and ensure that these atrocities are never repeated.

The ITS archives at Bad Arolsen are the largest closed Holocaust-era archives in the world, containing millions of records about the fate of over 17 million victims of Nazi Germany. Allowing open access to these records will provide researchers and scholars with materials necessary to enhance the public knowledge about the Holocaust as well as provide Holocaust survivors and their families with the information about their loved ones and help bring them closure.

Furthermore, creating open access to these documents will provide the information necessary to address issues of Holocaust compensation. In particular, many insurance companies have refused to honor Holocaust-era insurance policies brought about by Holocaust victims and survivors prior to and during World War II. These insurance companies have for over 60 years now refused to provide compensation under the insurance policies to Holocaust survivors or families of the Holocaust victims, arguing that Holocaust survivors and their families don't have the documentation, such as death certificates and insurance records. The concentration camps in which many of the Holocaust victims perished didn't issue death certificates and all assets and documents were confiscated from the Jews during that time by the Nazis. Many of these documents now remain closed in archives like Bad Arolsen.

□ 1230

Unfortunately, today, we cannot bring back those who have perished in

the Holocaust at the hands of Nazi Germany, nor can we erase the pain and suffering from the memories of those who survived these atrocities.

However, what we can do, and what H. Res. 240 aims to accomplish, is to make sure that the Holocaust-era archives are opened in an effort to bring long awaited justice and closure to Holocaust survivors and their families, as well as help ensure, through education, that atrocities committed during the Holocaust are never repeated.

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

Mr. ACKERMAN. Mr. Speaker, to the gentleman from Florida, chairman of the Rules Subcommittee on Legislative and Budget Process, the initiator, sponsor, motivator of this legislation to whom we owe a debt of gratitude, Representative ALCEE HASTINGS, I yield 5½ minutes.

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Speaker, I thank my very good friend and an original cosponsor of this resolution, Representative GARY ACKERMAN, for the time.

Let me first say how grateful I am for the bipartisan cooperation and support of many House leaders to ensure that this important legislation was promptly brought to the House floor.

In particular, I thank the Chair of the House Foreign Affairs Committee, Representative TOM LANTOS, a true champion of this issue, and so many others in the international forum. I also thank the ranking member of the committee, and my fellow Floridian, ILEANA ROS-LEHTINEN. Both of them were critical in moving this bill forward.

I am also deeply appreciative of the tireless commitment to justice and fairness of the chairman of the Europe Subcommittee, my colleague and very good friend from Florida, Representative ROBERT WEXLER. Representative WEXLER not only held a critical hearing on this matter in his subcommittee, but also shepherded the resolution through the full committee.

And of course, I applaud the Republican cosponsor of this bill, my friend, Representative MARK KIRK, for his commitment to this issue. Both of these individuals have been instrumental in bringing this issue to the forefront of the United States Congress.

And, Mr. Speaker, very occasionally we don't mention our young staff people, but Eve Lieberman, in my office, had an awful lot to do with the work on this measure.

Mr. Speaker, appallingly, 62 years after the concentration camps of Europe were liberated, Holocaust survivors, their families and researchers still lack immediate, unfettered access to the Holocaust archives located in Bad Arolsen.

This important legislation follows upon previous efforts I made, with Representatives WEXLER and KIRK, to open the archives. Earlier this year, I led bipartisan congressional letters to several European countries urging them to swiftly ratify the agreement to open the archives.

I was also privileged to testify at a hearing on this issue, along with Holocaust Museum experts, the State Department and Holocaust survivors. Since that hearing took place last month, and the letters were penned, I am pleased to report to my colleagues that the United Kingdom and Germany have ratified the treaty.

Indeed, our efforts are paying off. Nevertheless, much more needs to be done.

In our world, filled with anti-Semitism, hate, racial bigotry, xenophobia and religious intolerance, it is imperative to expose the horrors of the Holocaust to all humanity.

When the leader of Iran hosts numerous Holocaust denial conferences, and others in the world attempt to legitimize it, it could not be more important to open these Holocaust archives.

The majority of the member countries of the International Tracing Service have been derelict in their obligations under the amendments to the Bonn Accords which they signed last May. These amendments require full and open access to the archives. Shamefully, it remains unclear when these countries will fulfill their obligations.

If European countries are actually committed to closing this dark chapter in world history and combating modern day anti-Semitism, then they must ratify these amendments immediately.

With every day the archives remain closed, Holocaust survivors who have suffered some of the most unimaginable and tragic horrors and terrors are being forced to suffer even more. It is unconscionable that these individuals are now the ones burdened the most by unwarranted bureaucratic delays.

In passing this legislation, Mr. Speaker, the House is proving its commitment to this issue, and that it is watching the remaining European nations to ensure their expeditious ratification. The short time left for the remaining Holocaust survivors does not afford us time to deprive them of this critical information any longer.

Next month I will attend an anti-Semitism conference in Romania. It will be my great hope that by that time the other countries have ratified this matter.

I thank my friend from New York, Representative ACKERMAN, for the time.

Mr. BOOZMAN. Mr. Speaker, I yield to the gentleman from Illinois, Congressman KIRK, as much time as he desires.

Mr. KIRK. Mr. Speaker, I thank the gentleman from Florida, and it has been a great partnership.

I rise in support of H. Res. 240, calling on the European nations to grant open access to the Holocaust archives in Bad Arolsen, Germany.

To date, the United States and Israel, Poland, the Netherlands, Great Britain, even Germany, ratified the amendments to the Bonn Accords, amendments which would finally give survivors real-time digital access to millions of Nazi records, and provide researchers access to all of the archives.

But for some reason, France and Italy, Greece, Belgium and Luxembourg are dragging their feet. One year after agreeing to these amendments, these five European nations remain silent on ratification. Mr. Speaker, silence on this issue is unacceptable and reprehensible.

We stand at a crossroads of history, at a time when Iran, a member of the United Nations, sponsors official conferences to deny the Holocaust, we need to act here. At a time when the President of Iran calls for the murder of another 6 million Jews, we need to act on this issue. At a time of resurgence of anti-Semitism and Holocaust denial throughout Europe and the Middle East, this is the time to act.

Sixty years ago the United States Army, when we liberated the camps, we made a solemn promise of ''never again.'' And today, as President Ahmadinejad says he wants to, quote, wipe Israel off the map, we must say clearly to Europe, open these archives now to show the world that we stand behind this pledge.

I want to thank my longtime friend, the gentleman from Florida (Mr. HASTINGS), for giving me the privilege of working with him on this issue. I also want to thank Chairman LANTOS and Ranking Member ILEANA ROS-LEHTINEN and the gentleman from Florida (Mr. WEXLER) for their work.

I also want to thank Richard Goldberg, of my staff, and Eve Lieberman from Chairman HASTINGS' staff and Kay King from Chairman LANTOS' staff for this, as well as action by outside experts, Paul Shapiro at the U.S. Holocaust Museum, Rick Hirshaut at the Illinois Holocaust Museum, Rabbi Alan Cooper at the Simon Wiesenthal Center, Lonnie Nasatir at the Anti-Defamation League, and Jay Tcath of the Chicago Jewish Federation, who have all come together on an overwhelmingly bipartisan issue to send a clear message, open the archives. Make sure the message goes forth that the Holocaust deniers and especially the Iranian Government are wrong. We need to open the record, set it straight and make sure that the record is clear, especially to the survivors that are still among us.

Mr. BOOZMAN. Mr. Speaker, we don't have any other speakers. I also, though, would like to thank the staffs of the Foreign Affairs Committee for their hard work, not only on this bill, but the other bills that have been presented today.

I yield back the balance of our time.

Mr. GARRETT of New Jersey. Mr. Speaker, I rise in support of H. Res. 240, the resolution

calling on our colleagues in other nations to ratify the agreement opening the Bad Arolsen archives. I was proud to cosponsor this resolution but I am saddened that it is necessary to remind some of our closest allies what is at stake here.

The Bad Arolsen archives represent over 17 million people records related to the Holocaust and post-World War II displacement. Survivors of this tumultuous time want nothing more than to find evidence of what happened to their loved ones. We are all too aware that members of this generation are dying each day and that time is of the essence.

While survivors are able to make a request for records, the current system is both backlogged and poorly managed. Over 500,000 requests are unfulfilled and there are demonstrated cases where survivors have been incorrectly advised that there are no records concerning them.

Today, we call on the legislatures of the United Kingdom, Luxembourg, Germany, Belgium, Italy, Greece, and France to live up to their promises to swiftly approve the changes necessary to open the archive. How many more survivors need to pass away before the bureaucratic red tape is cleared away?

Now is the time to provide answers that survivors have been seeking for over 60 years. Now is the time to provide some measure of comfort to those who were terrorized by the systematic violence of the Nazis and the chaos of the war to end their reign.

Ms. SCHAKOWSKY. Mr. Speaker, I rise in strong support of H. Res. 240 which would help open access to the Holocaust archives located at Bad Arolsen, Germany.

Sixty-two years after the end of the Second World War, the Holocaust archives located in Bad Arolsen remain the largest closed World War Two-era archives in the world. While access to individual records may be requested by Holocaust survivors and their families, many who have requested information in the past reported facing significant delays. These millions of extensive records continue to remain inaccessible to researches.

In order to allow for open access to the archives, each of the 11 members of the International Commission of the International Tracing Services must ratify the May 2006 amendments to the Bonn Accords. Deplorably, the majority of the member countries of the International Commission have yet to ratify these amendments. To date, the amendments have only been publicly ratified by 4 out of the 11 Commission member countries. That is why it is important that we are passing H. Res. 240 today.

The 110th Congress has recently recognized Holocaust Remembrance Day, and I am pleased that we are continuing our efforts to "never forget". My district, the 9th Congressional District of Illinois, is home to the largest concentration of survivors in the State of Illinois and perhaps in the country, and the opening of the Bad Arolsen Archive holds deep meaning for those individuals and the entire community. Perhaps the records located there will help these families fill in the blanks in their lives that were shattered by Nazi Germany.

I am proud to be a cosponsor of H. Res. 240, and I urge all of my colleagues to lend it their support.

Mr. ACKERMAN. We thank everybody for everything as well, including the Speaker. I have no further speakers. I yield back the balance of our time.

The SPEAKER pro tempore. All time has now expired. The question is on the motion offered by the gentleman from New York (Mr. ACKERMAN) that the House suspend the rules and agree to the resolution, H. Res. 240.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING THE LIFE AND ACCOMPLISHMENTS OF GIAN CARLO MENOTTI

Ms. CLARKE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 68), honoring the life and accomplishments of Gian Carlo Menotti and recognizing the success of the Spoleto Festival USA in Charleston, South Carolina, which he founded.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 68

Whereas Gian Carlo Menotti was born on July 7, 1911, in Cadegliano-Viconago, Italy;

Whereas Mr. Menotti began writing songs at age 7, and at age 11 wrote both the libretto and music for his first opera, The Death of Pierrot;

Whereas Mr. Menotti began his formal musical training in 1923 at Milan's Verdi Conservatory;

Whereas after the death of his father, Mr. Menotti and his mother emigrated to the United States, and he enrolled at Philadelphia's Curtis Institute of Music;

Whereas Mr. Menotti's first full-length opera, The Consul, premiered in 1950, and it won both the Pulitzer Prize for Music and, in 1954, the New York Drama Circle Critics' Award for Musical Play of the Year;

Whereas in 1951, Mr. Menotti wrote his beloved Christmas opera, Amahl and the Night Visitors, for the Hallmark Hall of Fame;

Whereas Amahl and the Night Visitors was the first opera ever written for television in the United States and was first aired on Christmas Eve in 1951;

Whereas Amahl and the Night Visitors was such a success that it became an annual Christmas tradition and remains Mr. Menotti's most popular work to this day;

Whereas in 1955, Mr. Menotti won a second Pulitzer Prize for his opera, The Saint of Bleecker Street;

Whereas in 1958, Mr. Menotti founded the Festival dei Due Mondi (Festival of the Two Worlds) in Spoleto, Italy, as a forum for young American artists in Europe;

Whereas when the organizers of the Festival of Two Worlds decided to plan a companion festival in the United States, they searched for a city that would offer the charm of Spoleto, Italy;

Whereas Mr. Menotti and the Spoleto USA organizers decided that Charleston, South Carolina, was the perfect counterpart to Spoleto, Italy, because Charleston is small enough to be dominated by nonstop arts events during the 17-day festival, but also large and sophisticated enough to provide a knowledgeable audience and appropriate theaters;

Whereas the Spoleto USA organizers also observed that Charleston has an extensive history of involvement with the arts, from housing the Nation's first theater and ballet companies to housing the Nation's oldest musical organization;

Whereas Mr. Menotti founded the Spoleto Festival USA in 1977, and the festival quickly became a haven for a large group of artists, both traditional and experimental, who were attracted to the mix of dance, theater, opera, music, and visual arts;

Whereas the Spoleto Festival USA has maintained traditions of the Festival of Two Worlds, such as a dedication to young artists, an enthusiasm for providing unusual performance opportunities to recognized masters in their fields, and a commitment to all forms of the performing arts, including classical ballet, modern and post-modern dance, opera, chamber, symphonic, and choral music, jazz, theater, and visual arts;

Whereas the Spoleto Festival USA currently claims an audience of between 70,000 and 80,000 attendees each year; and

Whereas Gian Carlo Menotti died on February 1, 2007, in a hospital in Monte Carlo: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress honors the life and accomplishments of Gian Carlo Menotti and recognizes the success of the Spoleto Festival USA in Charleston, South Carolina, which he founded.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. CLARKE) and the gentleman from South Carolina (Mr. WILSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. CLARKE. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to H. Con. Res. 68 into the RECORD.

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

There was no objection.

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

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

Mr. Speaker, H. Con. Res. 68 honors the life and accomplishments of Gian Carlo Menotti, and recognizes the success of the Spoleto Festival USA in Charleston, South Carolina, which he founded.

I would like to thank Representative BROWN from South Carolina for bringing this important resolution to the floor.

Gian Carlo Menotti was born July 7, 1911, at Cadegliano-Viconago, Italy. At the age of 7, under the guidance of his mother, he began to compose songs, and 4 years later he wrote the words and music of his first opera, ''The Death of Pierrot.''

Following the death of his father, his mother took him to the United States, where he was enrolled at Philadelphia's Curtis Institute of Music. There he completed his musical studies.

His first mature work, the one-act opera buffa, ''Amelia Goes to the Ball,'' was premiered in 1937, a success that

led to a commission from the National Broadcasting Company to write an opera especially for radio, ''The Old Maid and the Thief,'' the first such commission ever given.

''The Consul,'' Menotti's first full-length work, won the Pulitzer Prize and the New York Drama Critics Circle Award as the best musical play of the year in 1954.

In 1984, Menotti was awarded the Kennedy Center Honor of Lifetime Achievement in the Arts. He was chosen 1991 Musician of the Year by Musical America, inaugurating worldwide tributes to the composer in honor of his 80th birthday.

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

Mr. WILSON of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Concurrent Resolution 68. This resolution honors the life and accomplishments of Gian Carlo Menotti, and recognizes the success of the Spoleto Festival USA, which he founded in my birthplace of Charleston, South Carolina.

Born in Italy, near Lake Magiore and the Swiss border, Mr. Menotti began writing songs at the age of 7. By 11 he wrote both the story line and music for his first opera, ''The Death of Pierrot,'' and shortly thereafter began his formal musical training at Milan's Verdi Conservatory.

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After the death of his father, Menotti and his mother immigrated to the United States, where he enrolled at Philadelphia's Curtis Institute of Music.

In 1951 Mr. Menotti wrote his beloved Christmas opera, ''Amahl and the Night Visitors,'' for the Hallmark Hall of Fame. ''Amahl and the Night Visitors'' was the first opera ever written for television in the United States and was first aired on Christmas Eve in 1951. ''Amahl and the Night Visitors'' was such a success that it became an annual Christmas tradition and remains Mr. Menotti's most famous popular work to this day.

In 1958 he founded the Festival of Two Worlds in Spoleto, Italy. This festival was intended to bring opera to a popular audience and helped launch the careers of such artists as singer Shirley Verrett and choreographers Paul Taylor and Twyla Tharp.

In 1977 he founded its companion festival, Spoleto Festival USA, in Charleston, South Carolina. Spoleto Festival USA is an annual 17-day festival of the arts which produces opera, and it presents dance, theater, classical music, and jazz. The festival is held in late May and early June.

Charleston was chosen as the location for the festival due to its wealth of theaters and other performance spaces. Each year the festival hosts over 100 performances by international artists in a variety of disciplines. Since its inception it has presented 100 international premieres and 93 American premieres, notably ''Creve Coeur'' by Tennessee Williams and ''The American Clock'' by Arthur Miller. World-renowned artists who performed at Spoleto Festival USA early in their careers include Renee Fleming, Emanuel Ax, Joshua Bell, Joanna Simon, and Yo-Yo Ma. The festival claims an audience annually of between 70,000 to 80,000 persons each year.

In 1984 Menotti was awarded the Kennedy Center Honor for Achievement in the Arts, and in 1991 he was chosen Musical America's ''Musician of the Year.'' In addition to composing operas to his own texts, on his own chosen subject matter, Menotti directed most productions of his work.

Gian Carlo Menotti died on February 1, 2007, at the age of 95 in a hospital in Monte Carlo, Monaco, where he had a home.

I want to thank my colleagues, led by Congressman HENRY BROWN and my fellow members of the South Carolina delegation, for honoring the life of this great Italian American artist as well as his lasting legacy, the Spoleto Festival USA.

I ask my colleagues to support this resolution.

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

Ms. CLARKE. Mr. Speaker, I am pleased to yield 4½ minutes to the gentleman from New Jersey, BILL PASCRELL, Jr., member of the Ways and Means Committee.

Mr. PASCRELL. Mr. Speaker, I want to thank the gentlewoman for yielding.

I rise today in strong support of House Concurrent Resolution 68, a resolution honoring the life and accomplishments of Gian Carlo Menotti, who passed away earlier this year at the age of 95.

As cochair of the congressional Italian American delegation, I am especially proud to be here today to honor Gian Carlo Menotti. This award-winning composer and champion of artists was one of the most significant composers to emerge after World War II.

A native of Italy, he was the sixth of ten children. He began writing songs when he was 7 years of age. If you can flash back to when we were 7 years of age, I know that maybe the Speaker was writing songs, but I wasn't. He wrote both the libretto and music for his first opera, ''The Death of Pierrot.'' He was an immigrant. So we are not only talking about his life, we are talking about all of those immigrants who came here with nothing and made something that everybody was affected by in his life.

He came to this country in 1928. And his first full-length opera was ''The Consul,'' which premiered in 1950. He won the Pulitzer Prize for Music and in 1954 the New York Drama Circle Critics' Award for Musical Play of the Year. The piece was translated into 12 languages and performed in no fewer than 20 countries.

In 1951 he wrote the Christmas opera ''Amahl and the Night Visitors,'' the first opera ever written for television in the United States. It first aired on Christmas Eve in 1951, and it remains the most popular work to this day.

In 1958 he founded the Festival dei Due Mondi, which is the Festival of the Two Worlds, in Spoleto, Italy, as a forum for young American artists who were in Europe. This was a place for them to go to really bevel their skills so that they can communicate to the rest of the world the beauty of music.

When the organizers of the Festival of Two Worlds searched for a city, they went to Charleston, a great city which Congressman WILSON spoke of, and I think that is where he was born. So they gave us not only Congressman WILSON, but they also gave us great music. It is a beautiful city, and they saw what was in Spoleto, Italy, and they tried to replicate that.

Mr. Menotti founded the Spoleto Festival USA in Charleston in 1977, and it has since maintained the tradition, and you heard the speaker previously speak about how many people go to that festival.

I am proud to lend my voice today to the chorus of those in support of this resolution.

True, Mr. Speaker, there was no TV series or reality TV reflecting the genius of this man. Thank God. His music spoke for itself and sounded for itself. And when we talk about television and what goes on the tube and what passes for reality and the series that we see and are exposed to that are supposed to reflect to us the ethnicity of certain groups, it is shameful that we do not give presence to this beautiful immigrant who gave his life, as the individual we honored last year, who painted the inside of this Capitol and wound up with nothing in his pocket at the end of it. These are the people that made America. Not the people that get whacked on series. And thank God it is going to be over pretty soon.

So we celebrate the accomplishments of Gian Carlo Menotti not just for Italians, not just for Italian Americans, but for all of us. We are all immigrants. We are all immigrants. And so we say that word respectfully as we move towards the discussion and the debate about what our immigration policy will be later on in this year. And hopefully we will come to salient solutions which reflect the best of our immigrant population, every group, regardless of which continent you came here from.

So thank you, Madam Congresswoman, and thank you, Mr. WILSON from South Carolina.

Mr. WILSON of South Carolina. Mr. Speaker, I appreciate the information enthusiastically provided by Mr. PASCRELL, who is certainly one of the finest Members we have here, and I appreciate our long association.

Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. BROWN).

Mr. BROWN of South Carolina. Mr. Speaker, I thank my good friend Joe Wilson for yielding me this time and for those great remarks of Mr. PASCRELL.

Mr. Speaker, I rise today to speak on H. Con. Resolution 68, which is a resolution honoring the life of Gian Carlo Menotti, who was the founder of the Spoleto Festival USA that happens every year in Charleston, South Carolina.

Mr. Speaker, on February 1, 2007, Gian Carlo Menotti passed away. He was a Pulitzer Prize-winning composer and champion of the arts in the United States and in Italy.

In 1958 he founded the Festival of Two Worlds in Spoleto, Italy, as a forum for young artists in Europe. In 1977 he decided to plan a companion American festival, and they searched for an American city that would offer the charm of Spoleto, Italy.

Mr. Menotti and the Spoleto Festival organizers decided that Charleston, South Carolina, was the perfect counterpart to Spoleto, Italy. Charleston is small enough to be dominated by nonstop arts events during the 17-day festival but also large and sophisticated enough to provide a knowledgeable audience and appropriate theaters.

Organizers also observed that Charleston, South Carolina, has an extensive history of involvement with the arts from housing America's first theater and ballet companies to housing the oldest musical organization in the country.

The Spoleto Festival quickly became a haven for a large group of artists, both traditional and experimental, who found the mix of dance, theater, opera, music, and the visual arts.

The Spoleto Festival USA has maintained traditions of the Festival of Two Worlds, such as a dedication to young artists and an enthusiasm for providing unusual performance opportunities to recognized masters in their fields and a commitment to all forums of the performing arts, including classical ballet, modern and post-modern dance, opera, chamber, symphonic, and choral music, jazz, theater, and visual arts.

Spoleto Festival USA currently claims an audience of over 75,000 attendees each year, and the festival continues its dedication to providing performance opportunities to young artists from across the United States and Italy.

Mr. Speaker, H. Con. Res. 68 has been endorsed by the National Italian American Foundation and is cosponsored by the entire South Carolina delegation, including my friend and colleague who also represents part of Charleston, South Carolina, the majority whip, Jim Clyburn.

I urge all of my colleagues to support H. Con. Res. 68 in honor of the father of Spoleto Festival USA, Gian Carlo Menotti.

Mr. WILSON of South Carolina. Mr. Speaker, I do want to conclude with thanking Mr. BROWN for his leadership in bringing this to the attention of our country.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. CLARKE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 68.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF THE HOUSE THAT SCHOOLS SHOULD CELEBRATE NATIONAL GARDEN MONTH THROUGH A CURRICULUM THAT INCLUDES OUTDOOR LEARNING

Ms. CLARKE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 292) expressing the sense of the House of Representatives that schools should celebrate National Garden Month through a curriculum that includes outdoor learning.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 292

Whereas individuals in the United States desire a healthy environment for the future;

Whereas teaching children to appreciate, respect, and protect the environment will have long-term benefits because children are the next generation of environmental stewards;

Whereas greater exposure to nature through outdoor learning and play is recognized as essential to the physical, emotional, and mental development and health of children;

Whereas gardening exposes children to the outdoors while increasing their knowledge of plant cultivation and soil ecosystems;

Whereas research has shown that gardening positively impacts not only environmental attitudes, but also nutritional attitudes, interpersonal skills, and self-esteem; and

Whereas the National Gardening Association recognizes April as National Garden Month: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that schools throughout the United States should celebrate National Garden Month through a curriculum that includes outdoor learning through gardening.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. CLARKE) and the gentleman from South Carolina (Mr. WILSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

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GENERAL LEAVE

Ms. CLARKE. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to H. Res. 292 into the RECORD.

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

There was no objection.

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

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

H. Res. 292 expresses the sense of the House of Representatives that schools should celebrate National Garden Month through a curriculum that includes outdoor learning.

I would like to thank my colleague, the gentlewoman from Ohio, Representative PRYCE, for bringing this resolution to the floor.

Mr. Speaker, the importance of getting children outside and involving them with the environment is critical to the survival of our planet, and this bill takes the first step in that direction. National Garden Month will introduce children, particularly children from the city, such as Brooklyn, where I represent, who would not be exposed to the outdoors an opportunity to involve themselves in gardening and the outdoors.

This resolution is a small step in helping to further our survival. I urge my colleagues to support the environment by supporting this bill.

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

Mr. WILSON of South Carolina. Mr. Speaker, I yield as much time as she may consume to the gentlelady from Ohio (Ms. PRYCE).

Ms. PRYCE of Ohio. I thank the gentleman, my friend Mr. WILSON, for yielding me this time.

Mr. Speaker, I rise today in support of H. Res. 292, legislation I introduced to encourage schools to celebrate National Garden Month by including outdoor learning in their curriculum.

Mr. Speaker, I want to make special thanks to my friend, the gentlewoman from New York (Mrs. MCCARTHY) for cosponsoring this bill and helping me get it to the floor.

Mr. Speaker, the National Garden Association has designated April as National Gardening Month, during which people across the Nation take out time from their busy schedules to plant seeds and bulbs and trees to beautify their lawns and gardens and, ultimately, the communities in which they live. However, this annual ritual does more than just enrich the aesthetics of people's yards. Research has shown that gardening positively impacts environmental attitudes, interpersonal skills, self-esteem and even nutritional attitudes. That is why it is important that we expose our children, especially school-age children, to the benefits of nature and gardening through outdoor learning.

April is a fitting month for consideration of this measure as we celebrate both Earth Day, and in many States, Arbor Day. With conservation and environmental stewardship in the air, we should seize this opportunity to encourage children all across America to

step away from their televisions and turn off their X-Boxes, get outside, get some fresh air, and become the young scientists in the living laboratory that is all around us.

More so than any one generation before it, children today are instilled with the values of environmentalism and conservation. H. Res. 292 builds upon and nurtures this value system and serves as a win-win for all.

With the long-term health of our environment becoming an increasingly hot topic, it is imperative that we teach our children to appreciate, respect and protect our environment. While doing so, it improves and beautifies the planet around us. It also is essential to the physical, emotional and mental development of our children. The practice of gardening has proven to improve landscapes and environmental health, nutrition and personal health and family and community bonds. This bill will introduce more children than ever to gardening and horticulture.

For a more beautiful America, and for healthier and happier children, I urge my colleagues to support this resolution.

Ms. CLARKE. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from New York (Mrs. MCCARTHY), Chair of the Subcommittee of Healthy Families and Communities of the Education and Labor Committee.

Mrs. MCCARTHY of New York. Thank you for yielding.

I want to thank my good colleague, DEBORAH PRYCE, for working on this bill and introducing the bill. I want to certainly thank my colleague on the Education Committee, Representative CLARKE from New York, also, for managing the bill.

Mr. Speaker, I rise in support of H.Resolution 292. It is important for our schoolchildren to learn outside the classroom.

I am personally a gardener, and I hope that someday I'm actually going to become a master gardener. I also know that bringing my grandchildren into the garden and showing them, number one, how to grow things, and also the whole life of bugs, I know a lot of people might get a little squeamish about that, but to learn the science and to watch a praying mantis and to watch how they live and how the birds and the gardens work together, it is teaching our young children the wonders of the world. It also gets them interested in science. This world is a very complex place.

It is also extremely good for your mental health. I know that certainly with this job here, and all the years that I worked as a nurse, the first thing I went to was my garden when I got home. Just to put your hands in the soil, it gives you an immediate release of the tension that you might feel. So it is an activity that we are seeing more and more young people getting involved in.

I am happy to say that many of my schools on Long Island have gardens going around the school, number one, to beautify it, but also to teach the children how important gardening is. And growing vegetables. We find that children that grow their own vegetables actually enjoy eating vegetables a little bit more.

I certainly want my colleagues to vote for this. It is a good bill, and it is a good awareness for our young people.

Mr. WILSON of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Res. 292, expressing the sense of the House of Representatives that schools should celebrate National Garden Month through a curriculum that includes outdoor learning through gardening.

I appreciate the leadership of its lead sponsor, Congresswoman DEBORAH PRYCE of Ohio.

Around the Nation, more and more schools and youth groups are becoming savvy to the ecological and educational benefits of building gardens. It gives students another reason to get outdoors and use their knowledge and academic skills to solve a real world problem.

Gardening offers active and engaging connections to academics from science and math to nutrition and literacy. Educators will tell you students retain information better when they design experiments, use more than one style of learning, and share their newfound knowledge with others.

Additionally, gardening benefits children's health and well-being, as well as their attitudes toward the environment. Indeed, gardening benefits the whole child. It captivates children's interests, teaches them nurturing skills, and gives them a sense of pride in their accomplishments. It introduces them to healthful foods and provides a way to improve and give back to the community.

I grew up with an appreciation of gardening in that my mother, Wray G. Wilson, was the garden editor of the Charleston News and Courier, where she encouraged the establishment of a municipal parks department for America's most historic city, with the leadership of Mayor J. Palmer Gailliard, Jr. Additionally, my two youngest sons, Julian and Hunter, have developed an appreciation of gardening, the environment and conservation by attending Camp Wildwood, sponsored by the South Carolina Department of Natural Resources and the Garden Clubs of South Carolina. I am grateful to Brad Taylor and Steve Bates for their enthusiastic coordination of Camp Wildwood.

For these reasons, Mr. Speaker, I am honored to join my friends, Congresswoman PRYCE, Congresswoman CLARKE, Congresswoman MCCARTHY and students across the Nation in celebrating National Gardening Month, and ask my colleagues to support this resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. CLARKE) that the House suspend the rules and agree to the resolution, H. Res. 292.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

CONGRATULATING UNIVERSITY OF TENNESSEE WOMEN'S BASKETBALL TEAM FOR WINNING 2007 NCAA DIVISION I WOMEN'S BASKETBALL CHAMPIONSHIP

Ms. CLARKE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 320) congratulating the University of Tennessee women's basketball team for winning the 2007 NCAA Division I Women's Basketball Championship.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 320

Whereas, on April 3, 2007, before a crowd of over 20,000 fans, the University of Tennessee women's basketball team (the ''Lady Vols'') defeated the Scarlet Knights of Rutgers by a score of 59–46 to win the 2007 National Collegiate Athletic Association (NCAA) Division I Women's Basketball Championship;

Whereas this championship was the first national title for the Lady Vols since their 3-year championship run in 1996–98, and their 7th national title in the last 20 years;

Whereas the Lady Vols were successful due to the leadership of Coach Pat Summitt, the Nation's all-time winningest NCAA basketball coach (men's or women's) with 947 wins over 33 seasons at the University of Tennessee;

Whereas Joan Cronan, the Women's Athletics Director, has shown vision and leadership throughout her 24-year career at the University of Tennessee and created one of the most visible and respected athletic programs in the country;

Whereas the Lady Vols were undefeated in conference games during the 2006–2007 season and compiled an impressive overall record of 34 wins and 3 losses;

Whereas Candace Parker tallied 17 points, 7 rebounds, and 3 assists and was selected the Most Outstanding Player for the 2007 tournament, becoming the 5th Lady Volunteer to be so honored, following in the footsteps of Chamique Holdsclaw (1998, 1997), Michelle Marciniak (1996), Bridgette Gordon (1989), and Tonya Edwards (1987);

Whereas Shannon Bobbitt, who at only 5 feet, 2 inches, is the smallest player ever at the University of Tennessee, scored 3 decisive 3-pointers in the 2nd half, finished the game with 13 points, and was named to the 2007 All-Tournament Team;

Whereas Nicky Anosike had a career high of 16 rebounds and was named to the 2007 All-Tournament team;

Whereas senior Sidney Spencer scored 11 points and Alberta Auguste scored 10 points, with both players achieving a combined 6 for 6 from the free throw line;

Whereas Alexis Hornbuckle played outstanding defense and created energy on the court;

Whereas Dominique Redding and Alex Fuller also contributed to the team's victory;

Whereas the 2006–2007 team has an average GPA above 3.0; and

Whereas Coach Pat Summitt's Lady Vols continue their remarkable graduation rate, with every student athlete who has completed her eligibility at the University of Tennessee either graduating or working toward all of the requirements for graduation: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the University of Tennessee women's basketball team for being champions on and off the court and for their victory in the 2007 NCAA Division I Women's Basketball Championship;

(2) recognizes the significant achievements of the players, coaches, students, alumni, and support staff whose dedication and hard work helped the University of Tennessee Lady Vols win the NCAA championship; and

(3) respectfully requests the Clerk of the House of Representatives to transmit copies of this resolution to the following for appropriate display—

(A) Dr. John D. Petersen, President of the University of Tennessee;

(B) Dr. Loren Crabtree, Chancellor of the University of Tennessee, Knoxville;

(C) Joan Cronan, Women's Athletics Director; and

(D) Pat Summitt, Women's Basketball Head Coach.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. CLARKE) and the gentleman from South Carolina (Mr. WILSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. CLARKE. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to H. Res. 320 into the RECORD.

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

There was no objection.

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

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

H. Res. 320 congratulates the University of Tennessee women's basketball team for winning the 2007 NCAA Division I women's basketball championship.

I would like to thank my colleague, the gentleman from Tennessee, Representative DUNCAN, for bringing this resolution to the floor.

In recognition of the accomplishments of the Tennessee women's basketball team for winning the 2001 NCAA Division I championship, we need only reflect back to the year 1972, when in this body title VIII, also known as the Pepsi Teammate Equal Opportunity and Education Act, was enacted. Title VIII has demonstrated significant impact on high school and collegiate athletics. As a result, women nationwide have had the opportunity to engage in extracurricular activities enriching their collegiate experience. As well, as a result, we are here today to recognize the victory of the Tennessee women's basketball team 2007 NCAA Division I champions.

I urge my colleagues to support this resolution and demonstrate our commitment to girls and women's athletics.

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

Mr. WILSON of South Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. DUNCAN), who has ably developed this resolution.

Mr. DUNCAN. I thank the gentleman from South Carolina for yielding me this time, and I thank the gentlelady from New York for her support for this resolution.

Mr. Speaker, I have the privilege and honor of representing Knoxville and the surrounding area, which is the home of the main campus of the University of Tennessee and the home of the great basketball team, the Tennessee Lady Vols.

I have sometimes said, Mr. Speaker, that the colors orange and white are almost as patriot or more patriotic in my district than red, white and blue. And I also have said that oftentimes it appears that the biggest thing in my district is Tennessee football and Tennessee women's basketball, although Tennessee men's basketball is coming back under the leadership of our great new coach, Coach Bruce Pearl. But we are especially proud of our Lady Vols basketball coach, Ms. Pat Head Summitt. Under Coach Summitt, Tennessee women's basketball sometimes frequently had crowds of two and three times the number of fans that the men's basketball team would draw, sometimes drawing crowds as large as 24,000, 25,000 people. Pat Summitt is the NCAA's winningest coach, man or woman, in Division I, and has posted an overall record of 947 wins against only 180 losses, a phenomenal winning percentage of 84 percent.

Her 2007 NCAA title was the seventh in her 33-year career at Tennessee. She also captured NCAA titles or led the Lady Vols to NCAA championship titles in 1987, 1989, 1991, 1996, 1997 and 1998, as well as this year. She trails only UCLA's legendary John Wooden for the most lifetime NCAA titles. Coach Wooden captured 10 during his tenure.

She was named SEC Coach of the Year in 1993, 1995, 1998, 2001, 2003, 2004, and 2007. She was the NCAA women's Coach of the Year an unbelievable number of times, in 1983, 1987, 1989, 1994, 1995, 1998 and 2004.

□ 1315

She was named the Naismith Coach of the Century in the year 2000. I want to congratulate Pat Head Summitt and her assistant head coach Holly Warlick who has been with her through most of those years, and also assistants Nikki Caldwell and Dean Lockwood.

The 2007 Lady Vols compiled a 27–2 regular season record, a 14–0 SEC record, a 34–3 allover record including the SEC and NCAA tournaments.

On April 3, 2007, before a crowd of over 20,000 fans, the Lady Vols beat the Scarlet Knights of Rutgers by a score of 59–46.

Mr. Speaker, all of the players on the Lady Vols have grade point averages over 3.0. Coach Summitt, in her 33 years of coaching, has had an astounding record of a 100 percent graduation rate. And she won't even let her young women take easy courses. It is an amazing record that no other coach in the country can match.

I want to commend Candace Parker, the most outstanding player of the 2007 NCAA tournament, and the starting lineup of Shannon Bobbitt, Nicky Anosike, Sidney Spencer, Alexis Hornbuckle; Sidney Spencer, the only senior on the team; and certainly the key bench players like Dominique Redding, Alberta Auguste, Alex Fuller, and Cait McMahan from my own district in Maryville, Tennessee.

I want to also thank all of the members of the Tennessee delegation for cosponsoring this resolution with me, as well as 22 other bipartisan cosponsors from across this country, from California to West Virginia and South Carolina to Pennsylvania.

I appreciate the nationwide support this resolution has.

Ms. CLARKE. Mr. Speaker, I am pleased to yield as much time as he may consume to the distinguished chairman of the Subcommittee on Health, Education, Labor, and Pensions of the Education and Labor Committee, the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend from New York for yielding to me.

Mr. Speaker, I congratulate the outstanding athletes of the Lady Vols of the University of Tennessee for being outstanding students, outstanding athletes, and great representatives of their university in this country.

I must say, coming from New Jersey, as far as we were concerned, there were two champions playing in this championship game that took place. The Lady Vols won a decisive victory fair and square on the court, although those of us that are fans of Rutgers say we will be back next year to challenge again.

But I was in the chair when the Rutgers resolution passed last week, and I did not want to let this moment pass without adding my voice to acknowledge the championship quality of the young women on both of these teams. In New Jersey, we are particularly proud of the grace and dignity and class shown by the young women of the Rutgers Scarlet Knights basketball team. We think those characteristics are amply shared by the Lady Vols as well, and I just wanted to add my voice

of congratulations as the runner-up to the Lady Vols. But we believe that our young ladies, Mr. Speaker, from Rutgers are champions in every sense of the word.

Mr. WILSON of South Carolina. Mr. Speaker, I yield 3 minutes to the gentlelady from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from South Carolina and my colleague from Tennessee for his work on the resolution, and I thank Mr. ANDREWS for his kind remarks. And, yes, we think the Scarlet Knights as we honored them last week did a wonderful job.

But I will have to tell you, Mr. Speaker, we were so thrilled with our Tennessee Lady Vols, and we did like that score of 59–46. We thought that was very good. We liked the fact that our Lady Vols captured their seventh title in 20 years, and it was the first NCAA championship since they won three straight titles, as my colleague from Knoxville mentioned, there in 1996, 1997, 1998.

He mentioned also their coach, Pat Head Summitt, and mentioned that she is the NCAA's all-time winningest coach, male or female. She is given to leadership and she is given to mentoring and role modeling. That is why she has totaled up 947 victories, and she is still counting because she is still out there.

And we accept that challenge from those at Rutgers. We know they are coming back next year, but so are we, and we know that Coach Summitt is going to be out there. And, again, we expect that they will dominate not only the SEC but the NCAA.

And, as always, the Lady Vols accomplished their goal with the dignity befitting one of college basketball's most celebrated programs. Yet their on-the-court exploits pale in comparison to the fact that the Lady Vols continue to set a standard for Division I college sports in the classroom. Coach Summitt and her staff demand the best, and that attitude is reflected in the championship team's 3.0 grade point average, and the program's remarkable graduate rate that has spurred every student who has completed her eligibility at the university to either graduate or continue working toward requirements for graduation. Basketball excellence deserves our applause, but a commitment to academic excellence and the pursuit of a young student athlete's college degree and their leadership and professional development deserves our celebration.

I do congratulate the Lady Vols, Coach Summitt, and the entire University of Tennessee family for their tremendous achievements.

Ms. CLARKE. Mr. Speaker, I am pleased to yield as much time as he may consume to the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Speaker, I am proud to join my colleagues from Tennessee and across the country who are honoring the Lady Vols for their terrific performance in the recent basketball tournament. We also want to honor, of course, the Scarlet Knights from Rutgers, all the teams that participated in this wonderful tournament and did a wonderful job; but particularly from Tennessee, we want to honor the Lady Vols, and their incredible coach, Pat Head Summitt.

I have the honor of representing part of Cheatham County, and Pat Summitt claims that as her home, and we are very proud that she is from there as the winningest coach in NCAA history.

So everything that should be said I think has been said. I would just like to associate myself with the remarks because Tennesseans and all Americans, I think, are proud of the performance of the Lady Vols.

Mr. WILSON of South Carolina. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. I thank the gentleman for yielding and for this moment for us to come and celebrate the Lady Vols' victory of the national championship.

Mr. Speaker, two of my favorite things in life, as people know who know me, are the game of basketball and the Tennessee Volunteers. In 3 months, I will have a son who is a junior at the University of Tennessee, and a daughter who is a freshman, as my son has been there for 2 years, and Kim and I are about to have both of our children as students at the University of Tennessee, and we very much love the school.

I want to speak a moment about the school, because with the HOPE scholarship and the tremendous influx in new students at the University of Tennessee, standards and scores continue to go up. With each and every freshman class, the University of Tennessee becomes a much better, even better institution of higher learning. The quality is very much on the rise, and we are very proud of our school.

But one of the aspects of the University of Tennessee that is so unique is the quality of student athletes that we see there at the University of Tennessee across the spectrum, and then the quality of the athletics that go with those student athletes, from sports like basketball and football, which are nationally well known, but across the spectrum to baseball and swimming and other athletic endeavors. And we are glad that Bruce Pearl is there now as well, and the men's team is sweet 16 and very, very strong. But we are known for ladies' basketball.

The Lady Vols are the best organization in the country for years and years. I won't go back through all the numbers. But, to me, the student athletes represent the very best of the University of Tennessee. We are very, very proud of them. As a Volunteer dad, I am especially proud and look forward to many successful years in the future and a great future for the University of Tennessee.

And I, too, want to pay tribute to Rutgers, a lot of attention, but incredible young women that I have seen on television articulating who they are and how proud they are of who they are, an outstanding coach. And so today we, frankly, come in joint recognition of two great teams, two great schools with great traditions. And you have got to feel good about the future of our country by looking at the Lady Vols and the Scarlet Knights. So congratulations to all.

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

Mr. WILSON of South Carolina. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. DAVID DAVIS).

Mr. DAVID DAVIS of Tennessee. Mr. Speaker, I rise today to support House Resolution 320, congratulating the University of Tennessee women's basketball team for winning the 2007 NCAA Division I women's basketball championship.

The Lady Vols are an institution statewide with an unmatched record of success. With their 59–46 victory over Rutgers on April 3, the Lady Vols won their unprecedented seventh NCAA national championship.

A quick review of the program's records in the past quarter of a century shows features unmatched in women's basketball history. They have seven national titles, 12 championship game appearances, 17 Final Four appearances, 25 sweet 16 appearances.

Tennessee is the only team that has appeared at all 26 NCAA women's basketball tournaments, and their Hall of Fame coach, Pat Summitt, has been a leader in this program for 33 years. And a record of 947 wins and 180 losses gives her more wins than any coach, men or women, in the history of college basketball. She has been a leader in advancing women's athletics to more of a prominent role, and her winning record is even more impressive when you become aware of the fact that every Lady Vol who has completed her eligibility at Tennessee has received her degree or is in the process of completing her degree.

Her players and staff have always displayed the highest levels of sportsmanship and have been tremendous ambassadors for our university. The national and statewide following enjoyed by the Lady Vols include numerous fans throughout the First Congressional District of Tennessee. Therefore, I am pleased to join my colleagues in supporting this worthy resolution honoring the coaches and players of the Lady Vols.

Mr. WILSON of South Carolina. Mr. Speaker I yield 3 minutes to the gentlelady from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

Mr. Speaker, it is with great pleasure that I rise today to congratulate the Lady Volunteers of the University of Tennessee on their 59–46 victory over

Rutgers University to clinch the 2007 NCAA Division I women's basketball championship. But I am sure you are wondering why a Member from Illinois would rise to discuss a team from Tennessee.

Mr. Speaker, it is to congratulate not only this team but one of its key players, Candace Parker. Candace grew up in the district that I represent, the 13th District of Illinois, and once again she is doing great things. I first got to know Candace when she led the Naperville Central High School Red Hawks to a State basketball title in 2003, a feat that they repeated in 2004.

During her high school years, she was honored with both the Naismith and Gatorade National Players of the Year Awards. Candace followed Marianne Jones and LeBron James as only the third high school athlete in any sport to win the Gatorade National Player of the Year in back-to-back seasons, and is the first girls' basketball player to achieve this distinction.

During her first year at Tennessee, she was forced to take a medical red shirt at Tennessee where she underwent surgery to repair her torn ACL. During her time away from basketball, Candace was continuing to make headlines, but this time in the academic area. She earned a spot on the Lady Volunteers' honor roll, and was named to the Southeastern Conference All-Academic Freshman Team. She returned to the court for the 2005–2006 season without missing a beat. She was the only player on the team to start every game and led the Lady Vols in scoring and rebounds.

While facing Army in the 2006 NCAA tournament, she became the first female to dunk in a tournament game and the first to do it twice in any game.

□ 1330

That season, Candace was named the 2006 SEC Tournament MVP, the 2006 SEC Freshmen of the Year, and the 2006 SEC Rookie of the Year. Adding to her extensive list of awards this season, she was named the 2007 SEC Player of the Year.

But perhaps her greatest achievement came as she and the Lady Volunteers won the 2007 NCAA Division I women's national basketball championship.

Candace Parker is an outstanding athlete and scholar who has done so many impressive things in her short career. Again, I would like to congratulate her and her fellow Lady Volunteers for winning. All of Illinois, and especially the residents of the 13th Congressional District, are proud of Candace and wish her continued success in her endeavors.

I look forward to watching Candace and her teammates defend their title next season, perhaps against a team from Illinois.

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

Mr. WILSON of South Carolina. Mr. Speaker, I yield 1 minute to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Mr. Speaker, I rise today to commend the Lady Vols on winning the 2007 national women's basketball championship.

You are probably wondering why someone from West Virginia is joining in the celebration. That is because Alexis Hornbuckle, a starting guard for the Lady Vols, is a native of West Virginia, and I actually have been privileged throughout the years to watch Alexis play not only with my daughter in AAU, but also since she was an 8-year-old girl she was a phenom on the court and we knew only great things were ahead of her. She is a wonderful student. She played on a four time State championship basketball team in high school. She is from a wonderful West Virginia family, and we join today as West Virginians to say congratulations to UT and congratulations to Alexis.

I would also like to say congratulations to her coach, Pat Summitt. She is a phenomenal coach of young women, and is growing future leaders of America.

Just to show you the quality of Pat Summitt, when she recruited Alexis, when she knew she was going to UT, Pat Summitt came to Alexis' church to meet not only her parents, her friends, but also her church family.

So I say a job well done to the University of Tennessee Lady Vols, and especially to West Virginia's own, Alexis Hornbuckle.

Mr. WILSON of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 320 congratulating the University of Tennessee women's basketball team for winning the 2007 NCAA Division I women's basketball championship.

I am happy to join my good friend and colleague, Representative DUNCAN, in honoring this exceptional team and all of its accomplishments, and wish all involved continued success. I ask my colleagues to support this resolution.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. CLARKE) that the House suspend the rules and agree to the resolution, H. Res. 320.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECOGNIZING BENEFITS AND IMPORTANCE OF SCHOOL-BASED MUSIC EDUCATION

Ms. CLARKE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 121) recognizing the benefits and importance of school-based music education, and for other purposes.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 121

Whereas school music programs enhance intellectual development and enrich the academic environment for students of all ages;

Whereas students who participate in school music programs are less likely to be involved with drugs, gangs, or alcohol and have better attendance in school;

Whereas the skills gained through sequential music instruction, including discipline and the ability to analyze, solve problems, communicate, and work cooperatively, are vital for success in the 21st century workplace;

Whereas the majority of students attending public schools in inner city neighborhoods have virtually no access to music education, which places them at a disadvantage compared to their peers in other communities;

Whereas the arts are a core academic subject, and music is an essential element of the arts; and

Whereas every student in the United States should have an opportunity to reap the benefits of music education: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that music education grounded in rigorous instruction is an important component of a well-rounded academic curriculum and should be available to every student in every school.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. CLARKE) and the gentleman from South Carolina (Mr. WILSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

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

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

Ms. CLARKE. Mr. Speaker, H. Con. Res. 121, recognizing the benefits and importance of school-based music education, and for other purposes, I would like to thank my colleague, the gentleman from Tennessee (Mr. COOPER), for bringing this resolution to the floor.

One of the basic reasons that every child must have an education in music is that music is a part of the fabric of our society. The intrinsic value of music for each individual is widely recognized in the many cultures that make up American life.

Music helps shape individual abilities and character. Success in society is predicated on success in school. Skills learned through the discipline of music transfer to study skills, communication skills, and the cognitive skills useful in every part of the curriculum.

Participation in music brings countless benefits to every individual throughout life. The benefits may be psychological, spiritual or physical. I ask my colleagues to support this resolution and support the next generation of music lovers.

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

Mr. WILSON of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Concurrent Resolution 121, which highlights the benefits and importance of school-based music education. I would like to thank the gentleman from Tennessee (Mr. COOPER) and the gentleman from Nevada (Mr. PORTER) for their leadership on this issue and for introducing this resolution we are considering today.

Research has shown that students' involvement in their school music program is crucial to a complete education. Musical study develops critical thinking and self-discipline skills and improves a child's early cognitive development, basic math and reading abilities, self-esteem, SAT scores, ability to work in teams, spatial reasoning skills, and school attendance.

In an analysis by the U.S. Department of Education, data on more than 25,000 secondary school students, researchers found that students who report consistent high levels of involvement in instrumental music over the middle and high school years showed significantly higher levels of mathematics proficiency by grade 12 regardless of a student's socioeconomic status.

A 1999 report by the Texas Commission on Drug and Alcohol Abuse found that individuals who participated in band or orchestra reported the lowest levels of current and lifelong use of tobacco, alcohol and illicit drugs. So it is not surprising that children involved with music education are more likely to graduate from high school and attend college and are less likely to be involved with gangs and substance abuse.

In fact, many colleges and universities view participation in the arts and music as a valuable experience that broaden students' understanding and appreciation of the world around them.

For these reasons, I support H. Con. Res. 121. The resolution states it is the sense of Congress that music education grounded in rigorous instruction is an important component of a well-rounded academic curriculum, and should be available to every student in every school.

Music education is important to our children. It can broaden and strengthen their education and improve their lives. I join my colleagues in commending music educators and organizations across the country for the key roles they play in helping our students succeed in school and throughout life.

As former President Gerald Ford said, ''Music education opens the doors that help children pass from school into the world around them, a world of work, culture, intellectual activity and human involvement. The future of our Nation depends on providing our children with a complete education that includes music.''

I urge my colleagues to support House Con. Res. 121 and music education in our schools.

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

Ms. CLARKE. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Tennessee (Mr. COOPER), the sponsor of the resolution.

Mr. COOPER. Mr. Speaker, I thank the gentlewoman.

I thank my colleagues for supporting this effort to highlight the importance of music education in our schools.

A lot of folks who have had the privilege of a musical education take it for granted, but 30 million or more of our children across this country every day are being deprived of that chance to not only experience the joy of music but, as my colleagues have mentioned, the increased enhanced learning abilities that music offers, and also the ability of music to deter people from gangs and drugs and other undesirable activities.

Music education is a very important part of our education. For anyone who has seen the movie ''Mr. Holland's Opus'' featuring Richard Dreyfuss, that was a wonderful film demonstration of the importance of music in the lives of that particular high school. But it is true of every high school and every middle school and every elementary school across our country.

Whether it is band or orchestra, or whether it is students on their own learning the guitar or other instruments, it is a wonderful way to not only enjoy life but to enhance your skills.

Mr. Speaker, I represent Nashville, Tennessee, which is Music City U.S.A. We have some of the most talented and creative musicians on the planet, and they happen to choose to live in our wonderful city.

You can't tell it by driving down the streets, but there are some 3,000 private recording studios in the basements and attics of people's homes as they put their music and their thoughts on tape for the pleasure and enjoyment and the education of the world.

Mr. Speaker, I appreciate your help in allowing this measure to be brought to the floor. It has passed the House on two previous Congresses. We are hoping that this time the Senate will also see fit to do the right thing and pass this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. CLARKE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 121.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENETIC INFORMATION NONDISCRIMINATION ACT OF 2007

Mr. GEORGE MILLER of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 493) to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 493

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Genetic Information Nondiscrimination Act of 2007''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.

TITLE I—GENETIC NONDISCRIMINATION IN HEALTH INSURANCE

Sec. 101. Amendments to Employee Retirement Income Security Act of 1974.
Sec. 102. Amendments to the Public Health Service Act.
Sec. 103. Amendments to the Internal Revenue Code of 1986.
Sec. 104. Amendments to title XVIII of the Social Security Act relating to medigap.
Sec. 105. Privacy and confidentiality.
Sec. 106. Assuring coordination.

TITLE II—PROHIBITING EMPLOYMENT DISCRIMINATION ON THE BASIS OF GENETIC INFORMATION

Sec. 201. Definitions.
Sec. 202. Employer practices.
Sec. 203. Employment agency practices.
Sec. 204. Labor organization practices.
Sec. 205. Training programs.
Sec. 206. Confidentiality of genetic information.
Sec. 207. Remedies and enforcement.
Sec. 208. Disparate impact.
Sec. 209. Construction.
Sec. 210. Medical information that is not genetic information.
Sec. 211. Regulations.
Sec. 212. Authorization of appropriations.
Sec. 213. Effective date.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Guarantee agency collection retention.
Sec. 302. Severability.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Deciphering the sequence of the human genome and other advances in genetics open major new opportunities for medical progress. New knowledge about the genetic basis of illness will allow for earlier detection of illnesses, often before symptoms have begun. Genetic testing can allow individuals to take steps to reduce the likelihood that they will contract a particular disorder. New knowledge about genetics may allow for the development of better therapies that are more effective against disease or have fewer side effects than current treatments. These

advances give rise to the potential misuse of genetic information to discriminate in health insurance and employment.

(2) The early science of genetics became the basis of State laws that provided for the sterilization of persons having presumed genetic ''defects'' such as mental retardation, mental disease, epilepsy, blindness, and hearing loss, among other conditions. The first sterilization law was enacted in the State of Indiana in 1907. By 1981, a majority of States adopted sterilization laws to ''correct'' apparent genetic traits or tendencies. Many of these State laws have since been repealed, and many have been modified to include essential constitutional requirements of due process and equal protection. However, the current explosion in the science of genetics, and the history of sterilization laws by the States based on early genetic science, compels Congressional action in this area.

(3) Although genes are facially neutral markers, many genetic conditions and disorders are associated with particular racial and ethnic groups and gender. Because some genetic traits are most prevalent in particular groups, members of a particular group may be stigmatized or discriminated against as a result of that genetic information. This form of discrimination was evident in the 1970s, which saw the advent of programs to screen and identify carriers of sickle cell anemia, a disease which afflicts African-Americans. Once again, State legislatures began to enact discriminatory laws in the area, and in the early 1970s began mandating genetic screening of all African Americans for sickle cell anemia, leading to discrimination and unnecessary fear. To alleviate some of this stigma, Congress in 1972 passed the National Sickle Cell Anemia Control Act, which withholds Federal funding from States unless sickle cell testing is voluntary.

(4) Congress has been informed of examples of genetic discrimination in the workplace. These include the use of pre-employment genetic screening at Lawrence Berkeley Laboratory, which led to a court decision in favor of the employees in that case Norman-Bloodsaw v. Lawrence Berkeley Laboratory (135 F.3d 1260, 1269 (9th Cir. 1998)). Congress clearly has a compelling public interest in relieving the fear of discrimination and in prohibiting its actual practice in employment and health insurance.

(5) Federal law addressing genetic discrimination in health insurance and employment is incomplete in both the scope and depth of its protections. Moreover, while many States have enacted some type of genetic non-discrimination law, these laws vary widely with respect to their approach, application, and level of protection. Congress has collected substantial evidence that the American public and the medical community find the existing patchwork of State and Federal laws to be confusing and inadequate to protect them from discrimination. Therefore Federal legislation establishing a national and uniform basic standard is necessary to fully protect the public from discrimination and allay their concerns about the potential for discrimination, thereby allowing individuals to take advantage of genetic testing, technologies, research, and new therapies.

TITLE I—GENETIC NONDISCRIMINATION IN HEALTH INSURANCE

SEC. 101. AMENDMENTS TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.

(a) NO DISCRIMINATION IN GROUP PREMIUMS BASED ON GENETIC INFORMATION.—Section 702(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1182(b)) is amended—

(1) in paragraph (2)(A), by inserting before the semicolon the following: ''except as provided in paragraph (3)''; and

(2) by adding at the end the following:

''(3) NO GROUP-BASED DISCRIMINATION ON BASIS OF GENETIC INFORMATION.—For purposes of this section, a group health plan, and a health insurance issuer offering group health insurance coverage in connection with a group health plan, may not adjust premium or contribution amounts for the group covered under such plan on the basis of genetic information.''.

(b) LIMITATIONS ON GENETIC TESTING; PROHIBITION ON COLLECTION OF GENETIC INFORMATION; APPLICATION TO ALL PLANS.—Section 702 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1182) is amended by adding at the end the following:

''(c) GENETIC TESTING.—

''(1) LIMITATION ON REQUESTING OR REQUIRING GENETIC TESTING.—A group health plan, and a health insurance issuer offering health insurance coverage in connection with a group health plan, shall not request or require an individual or a family member of such individual to undergo a genetic test.

''(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed to limit the authority of a health care professional who is providing health care services to an individual to request that such individual undergo a genetic test.

''(3) RULE OF CONSTRUCTION REGARDING PAYMENT.—

''(A) IN GENERAL.—Nothing in paragraph (1) shall be construed to preclude a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, from obtaining and using the results of a genetic test in making a determination regarding payment (as such term is defined for the purposes of applying the regulations promulgated by the Secretary of Health and Human Services under part C of title XI of the Social Security Act and section 264 of the Health Insurance Portability and Accountability Act of 1996, as may be revised from time to time) consistent with subsection (a).

''(B) LIMITATION.—For purposes of subparagraph (A), a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, may request only the minimum amount of information necessary to accomplish the intended purpose.

''(4) RESEARCH EXCEPTION.—Notwithstanding paragraph (1), a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, may request, but not require, that a participant or beneficiary undergo a genetic test if each of the following conditions is met:

''(A) The request is made, in writing, pursuant to research that complies with part 46 of title 45, Code of Federal Regulations, or equivalent Federal regulations, and any applicable State or local law or regulations for the protection of human subjects in research.

''(B) The plan or issuer clearly indicates to each participant or beneficiary, or in the case of a minor child, to the legal guardian of such beneficiary, to whom the request is made that—

''(i) compliance with the request is voluntary; and

''(ii) non-compliance will have no effect on enrollment status or premium or contribution amounts.

''(C) No genetic information collected or acquired under this paragraph shall be used for underwriting purposes.

''(D) The plan or issuer notifies the Secretary in writing that the plan or issuer is conducting activities pursuant to the exception provided for under this paragraph, including a description of the activities conducted.

''(E) The plan or issuer complies with such other conditions as the Secretary may by regulation require for activities conducted under this paragraph.

''(d) PROHIBITION ON COLLECTION OF GENETIC INFORMATION.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer offering health insurance coverage in connection with a group health plan, shall not request, require, or purchase genetic information for underwriting purposes (as defined in section 733).

''(2) PROHIBITION ON COLLECTION OF GENETIC INFORMATION PRIOR TO ENROLLMENT.—A group health plan, and a health insurance issuer offering health insurance coverage in connection with a group health plan, shall not request, require, or purchase genetic information with respect to any individual prior to such individual's enrollment under the plan or coverage in connection with such enrollment.

''(3) INCIDENTAL COLLECTION.—If a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, obtains genetic information incidental to the requesting, requiring, or purchasing of other information concerning any individual, such request, requirement, or purchase shall not be considered a violation of paragraph (2) if such request, requirement, or purchase is not in violation of paragraph (1).

''(e) APPLICATION TO ALL PLANS.—The provisions of subsections (a)(1)(F), (b)(3), (c), and (d), and subsection (b)(1) and section 701 with respect to genetic information, shall apply to group health plans and health insurance issuers without regard to section 732(a).''.

(c) APPLICATION TO GENETIC INFORMATION OF A FETUS OR EMBRYO.—Such section is further amended by adding at the end the following:

''(f) GENETIC INFORMATION OF A FETUS OR EMBRYO.—Any reference in this part to genetic information concerning an individual or family member of an individual shall—

''(1) with respect to such an individual or family member of an individual who is a pregnant woman, include genetic information of any fetus carried by such pregnant woman; and

''(2) with respect to an individual or family member utilizing an assisted reproductive technology, include genetic information of any embryo legally held by the individual or family member.''.

(d) DEFINITIONS.—Section 733(d) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191b(d)) is amended by adding at the end the following:

''(5) FAMILY MEMBER.—The term 'family member' means, with respect to an individual—

''(A) a dependent (as such term is used for purposes of section 701(f)(2)) of such individual, and

''(B) any other individual who is a first-degree, second-degree, third-degree, or fourth-degree relative of such individual or of an individual described in subparagraph (A).

''(6) GENETIC INFORMATION.—

''(A) IN GENERAL.—The term 'genetic information' means, with respect to any individual, information about—

''(i) such individual's genetic tests,

''(ii) the genetic tests of family members of such individual, and

''(iii) subject to subparagraph (D), the manifestation of a disease or disorder in family members of such individual.

''(B) INCLUSION OF GENETIC SERVICES.—Such term includes, with respect to any individual, any request for, or receipt of, genetic services (including genetic services received

pursuant to participation in clinical research) by such individual or any family member of such individual.

''(C) EXCLUSIONS.—The term 'genetic information' shall not include information about the sex or age of any individual.

''(D) APPLICATION TO FAMILY MEMBERS COVERED UNDER SAME PLAN.—Information described in clause (iii) of subparagraph (A) shall not be treated as genetic information to the extent that such information is taken into account only with respect to the individual in which such disease or disorder is manifested and not as genetic information with respect to any other individual.

''(7) GENETIC TEST.—

''(A) IN GENERAL.—The term 'genetic test' means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites, that detects genotypes, mutations, or chromosomal changes.

''(B) EXCEPTIONS.—The term 'genetic test' does not mean—

''(i) an analysis of proteins or metabolites that does not detect genotypes, mutations, or chromosomal changes; or

''(ii) an analysis of proteins or metabolites that is directly related to a manifested disease, disorder, or pathological condition that could reasonably be detected by a health care professional with appropriate training and expertise in the field of medicine involved.

''(8) GENETIC SERVICES.—The term 'genetic services' means—

''(A) a genetic test;

''(B) genetic counseling (including obtaining, interpreting, or assessing genetic information); or

''(C) genetic education.

''(9) UNDERWRITING PURPOSES.—The term 'underwriting purposes' means, with respect to any group health plan, or health insurance coverage offered in connection with a group health plan—

''(A) rules for, or determination of, eligibility (including enrollment and continued eligibility) for benefits under the plan or coverage;

''(B) the computation of premium or contribution amounts under the plan or coverage;

''(C) the application of any pre-existing condition exclusion under the plan or coverage; and

''(D) other activities related to the creation, renewal, or replacement of a contract of health insurance or health benefits.''.

(e) ERISA ENFORCEMENT.—Section 502 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132) is amended—

(1) in subsection (a)(6), by striking ''(7), or (8)'' and inserting ''(7), (8), or (9)''; and

(2) in subsection (c), by redesignating paragraph (9) as paragraph (10), and by inserting after paragraph (8) the following new paragraph:

''(9) SECRETARIAL ENFORCEMENT AUTHORITY RELATING TO USE OF GENETIC INFORMATION.—

''(A) GENERAL RULE.—The Secretary may impose a penalty against any plan sponsor of a group health plan, or any health insurance issuer offering health insurance coverage in connection with the plan, for any failure by such sponsor or issuer to meet the requirements of subsection (a)(1)(F), (b)(3), (c), or (d) of section 702 or section 701 or 702(b)(1) with respect to genetic information, in connection with the plan.

''(B) AMOUNT.—

''(i) IN GENERAL.—The amount of the penalty imposed by subparagraph (A) shall be $100 for each day in the noncompliance period with respect to each participant or beneficiary to whom such failure relates.

''(ii) NONCOMPLIANCE PERIOD.—For purposes of this paragraph, the term 'noncompliance period' means, with respect to any failure, the period—

''(I) beginning on the date such failure first occurs; and

''(II) ending on the date the failure is corrected.

''(C) MINIMUM PENALTIES WHERE FAILURE DISCOVERED.—Notwithstanding clauses (i) and (ii) of subparagraph (D):

''(i) IN GENERAL.—In the case of 1 or more failures with respect to a participant or beneficiary—

''(I) which are not corrected before the date on which the plan receives a notice from the Secretary of such violation; and

''(II) which occurred or continued during the period involved;

the amount of penalty imposed by subparagraph (A) by reason of such failures with respect to such participant or beneficiary shall not be less than $2,500.

''(ii) HIGHER MINIMUM PENALTY WHERE VIOLATIONS ARE MORE THAN DE MINIMIS.—To the extent violations for which any person is liable under this paragraph for any year are more than de minimis, clause (i) shall be applied by substituting '$15,000' for '$2,500' with respect to such person.

''(D) LIMITATIONS.—

''(i) PENALTY NOT TO APPLY WHERE FAILURE NOT DISCOVERED EXERCISING REASONABLE DILIGENCE.—No penalty shall be imposed by subparagraph (A) on any failure during any period for which it is established to the satisfaction of the Secretary that the person otherwise liable for such penalty did not know, and exercising reasonable diligence would not have known, that such failure existed.

''(ii) PENALTY NOT TO APPLY TO FAILURES CORRECTED WITHIN CERTAIN PERIODS.—No penalty shall be imposed by subparagraph (A) on any failure if—

''(I) such failure was due to reasonable cause and not to willful neglect; and

''(II) such failure is corrected during the 30-day period beginning on the first date the person otherwise liable for such penalty knew, or exercising reasonable diligence would have known, that such failure existed.

''(iii) OVERALL LIMITATION FOR UNINTENTIONAL FAILURES.—In the case of failures which are due to reasonable cause and not to willful neglect, the penalty imposed by subparagraph (A) for failures shall not exceed the amount equal to the lesser of—

''(I) 10 percent of the aggregate amount paid or incurred by the plan sponsor (or predecessor plan sponsor) during the preceding taxable year for group health plans; or

''(II) $500,000.

''(E) WAIVER BY SECRETARY.—In the case of a failure which is due to reasonable cause and not to willful neglect, the Secretary may waive part or all of the penalty imposed by subparagraph (A) to the extent that the payment of such penalty would be excessive relative to the failure involved.

''(F) DEFINITIONS.—Terms used in this paragraph which are defined in section 733 shall have the meanings provided such terms in such section.''.

(f) REGULATIONS AND EFFECTIVE DATE.—

(1) REGULATIONS.—The Secretary of Labor shall issue final regulations not later than 1 year after the date of enactment of this Act to carry out the amendments made by this section.

(2) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to group health plans for plan years beginning after the date that is 18 months after the date of enactment of this Act.

SEC. 102. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

(a) AMENDMENTS RELATING TO THE GROUP MARKET.—

(1) NO DISCRIMINATION IN GROUP PREMIUMS BASED ON GENETIC INFORMATION.—Section 2702(b) of the Public Health Service Act (42 U.S.C. 300gg-1(b)) is amended—

(A) in paragraph (2)(A), by inserting before the semicolon the following: ''except as provided in paragraph (3)''; and

(B) by adding at the end the following:

''(3) NO GROUP-BASED DISCRIMINATION ON BASIS OF GENETIC INFORMATION.—For purposes of this section, a group health plan, and health insurance issuer offering group health insurance coverage in connection with a group health plan, may not adjust premium or contribution amounts for the group covered under such plan on the basis of genetic information.''.

(2) LIMITATIONS ON GENETIC TESTING; PROHIBITION ON COLLECTION OF GENETIC INFORMATION; APPLICATION TO ALL PLANS.—Section 2702 of the Public Health Service Act (42 U.S.C. 300gg–1) is amended by adding at the end the following:

''(c) GENETIC TESTING.—

''(1) LIMITATION ON REQUESTING OR REQUIRING GENETIC TESTING.—A group health plan, and a health insurance issuer offering health insurance coverage in connection with a group health plan, shall not request or require an individual or a family member of such individual to undergo a genetic test.

''(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed to limit the authority of a health care professional who is providing health care services to an individual to request that such individual undergo a genetic test.

''(3) RULE OF CONSTRUCTION REGARDING PAYMENT.—

''(A) IN GENERAL.—Nothing in paragraph (1) shall be construed to preclude a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, from obtaining and using the results of a genetic test in making a determination regarding payment (as such term is defined for the purposes of applying the regulations promulgated by the Secretary under part C of title XI of the Social Security Act and section 264 of the Health Insurance Portability and Accountability Act of 1996, as may be revised from time to time) consistent with subsection (a).

''(B) LIMITATION.—For purposes of subparagraph (A), a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, may request only the minimum amount of information necessary to accomplish the intended purpose.

''(4) RESEARCH EXCEPTION.—Notwithstanding paragraph (1), a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, may request, but not require, that a participant or beneficiary undergo a genetic test if each of the following conditions is met:

''(A) The request is made pursuant to research that complies with part 46 of title 45, Code of Federal Regulations, or equivalent Federal regulations, and any applicable State or local law or regulations for the protection of human subjects in research.

''(B) The plan or issuer clearly indicates to each participant or beneficiary, or in the case of a minor child, to the legal guardian of such beneficiary, to whom the request is made that—

''(i) compliance with the request is voluntary; and

''(ii) non-compliance will have no effect on enrollment status or premium or contribution amounts.

''(C) No genetic information collected or acquired under this paragraph shall be used for underwriting purposes.

''(D) The plan or issuer notifies the Secretary in writing that the plan or issuer is

conducting activities pursuant to the exception provided for under this paragraph, including a description of the activities conducted.

''(E) The plan or issuer complies with such other conditions as the Secretary may by regulation require for activities conducted under this paragraph.

''(d) PROHIBITION ON COLLECTION OF GENETIC INFORMATION.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer offering health insurance coverage in connection with a group health plan, shall not request, require, or purchase genetic information for underwriting purposes (as defined in section 2791).

''(2) PROHIBITION ON COLLECTION OF GENETIC INFORMATION PRIOR TO ENROLLMENT.—A group health plan, and a health insurance issuer offering health insurance coverage in connection with a group health plan, shall not request, require, or purchase genetic information with respect to any individual prior to such individual's enrollment under the plan or coverage in connection with such enrollment.

''(3) INCIDENTAL COLLECTION.—If a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, obtains genetic information incidental to the requesting, requiring, or purchasing of other information concerning any individual, such request, requirement, or purchase shall not be considered a violation of paragraph (2) if such request, requirement, or purchase is not in violation of paragraph (1).

''(e) APPLICATION TO ALL PLANS.—The provisions of subsections (a)(1)(F), (b)(3), (c) , and (d) and subsection (b)(1) and section 2701 with respect to genetic information, shall apply to group health plans and health insurance issuers without regard to section 2721(a).''.

(3) APPLICATION TO GENETIC INFORMATION OF A FETUS OR EMBRYO.—Such section is further amended by adding at the end the following:

''(f) GENETIC INFORMATION OF A FETUS OR EMBRYO.—Any reference in this part to genetic information concerning an individual or family member of an individual shall—

''(1) with respect to such an individual or family member of an individual who is a pregnant woman, include genetic information of any fetus carried by such pregnant woman; and

''(2) with respect to an individual or family member utilizing an assisted reproductive technology, include genetic information of any embryo legally held by the individual or family member.''.

(4) DEFINITIONS.—Section 2791(d) of the Public Health Service Act (42 U.S.C. 300gg–91(d)) is amended by adding at the end the following:

''(15) FAMILY MEMBER.—The term 'family member' means, with respect to any individual—

''(A) a dependent (as such term is used for purposes of section 2701(f)(2)) of such individual; and

''(B) any other individual who is a first-degree, second-degree, third-degree, or fourth-degree relative of such individual or of an individual described in subparagraph (A).

''(16) GENETIC INFORMATION.—

''(A) IN GENERAL.—The term 'genetic information' means, with respect to any individual, information about—

''(i) such individual's genetic tests,

''(ii) the genetic tests of family members of such individual, and

''(iii) subject to subparagraph (D), the manifestation of a disease or disorder in family members of such individual.

''(B) INCLUSION OF GENETIC SERVICES.—Such term includes, with respect to any individual, any request for, or receipt of, genetic services (including genetic services received pursuant to participation in clinical research) by such individual or any family member of such individual.

''(C) EXCLUSIONS.—The term 'genetic information' shall not include information about the sex or age of any individual.

''(D) APPLICATION TO FAMILY MEMBERS COVERED UNDER SAME PLAN.—Information described in clause (iii) of subparagraph (A) shall not be treated as genetic information to the extent that such information is taken into account only with respect to the individual in which such disease or disorder is manifested and not as genetic information with respect to any other individual.

''(17) GENETIC TEST.—

''(A) IN GENERAL.—The term 'genetic test' means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites, that detects genotypes, mutations, or chromosomal changes.

''(B) EXCEPTIONS.—The term 'genetic test' does not mean—

''(i) an analysis of proteins or metabolites that does not detect genotypes, mutations, or chromosomal changes; or

''(ii) an analysis of proteins or metabolites that is directly related to a manifested disease, disorder, or pathological condition that could reasonably be detected by a health care professional with appropriate training and expertise in the field of medicine involved.

''(18) GENETIC SERVICES.—The term 'genetic services' means—

''(A) a genetic test;

''(B) genetic counseling (including obtaining, interpreting, or assessing genetic information); or

''(C) genetic education.

''(19) UNDERWRITING PURPOSES.—The term 'underwriting purposes' means, with respect to any group health plan, or health insurance coverage offered in connection with a group health plan—

''(A) rules for, or determination of, eligibility (including enrollment and continued eligibility) for benefits under the plan or coverage;

''(B) the computation of premium or contribution amounts under the plan or coverage;

''(C) the application of any pre-existing condition exclusion under the plan or coverage; and

''(D) other activities related to the creation, renewal, or replacement of a contract of health insurance or health benefits.''.

(5) REMEDIES AND ENFORCEMENT.—Section 2722(b) of the Public Health Service Act (42 U.S.C. 300gg–22(b)) is amended by adding at the end the following:

''(3) ENFORCEMENT AUTHORITY RELATING TO GENETIC DISCRIMINATION.—

''(A) GENERAL RULE.—In the cases described in paragraph (1), notwithstanding the provisions of paragraph (2)(C), the succeeding subparagraphs of this paragraph shall apply with respect to an action under this subsection by the Secretary with respect to any failure of a health insurance issuer in connection with a group health plan, to meet the requirements of subsection (a)(1)(F), (b)(3), (c), or (d) of section 2702 or section 2701 or 2702(b)(1) with respect to genetic information in connection with the plan.

''(B) AMOUNT.—

''(i) IN GENERAL.—The amount of the penalty imposed under this paragraph shall be $100 for each day in the noncompliance period with respect to each participant or beneficiary to whom such failure relates.

''(ii) NONCOMPLIANCE PERIOD.—For purposes of this paragraph, the term 'noncompliance period' means, with respect to any failure, the period—

''(I) beginning on the date such failure first occurs; and

''(II) ending on the date the failure is corrected.

''(C) MINIMUM PENALTIES WHERE FAILURE DISCOVERED.—Notwithstanding clauses (i) and (ii) of subparagraph (D):

''(i) IN GENERAL.—In the case of 1 or more failures with respect to an individual—

''(I) which are not corrected before the date on which the plan receives a notice from the Secretary of such violation; and

''(II) which occurred or continued during the period involved;

the amount of penalty imposed by subparagraph (A) by reason of such failures with respect to such individual shall not be less than $2,500.

''(ii) HIGHER MINIMUM PENALTY WHERE VIOLATIONS ARE MORE THAN DE MINIMIS.—To the extent violations for which any person is liable under this paragraph for any year are more than de minimis, clause (i) shall be applied by substituting '$15,000' for '$2,500' with respect to such person.

''(D) LIMITATIONS.—

''(i) PENALTY NOT TO APPLY WHERE FAILURE NOT DISCOVERED EXERCISING REASONABLE DILIGENCE.—No penalty shall be imposed by subparagraph (A) on any failure during any period for which it is established to the satisfaction of the Secretary that the person otherwise liable for such penalty did not know, and exercising reasonable diligence would not have known, that such failure existed.

''(ii) PENALTY NOT TO APPLY TO FAILURES CORRECTED WITHIN CERTAIN PERIODS.—No penalty shall be imposed by subparagraph (A) on any failure if—

''(I) such failure was due to reasonable cause and not to willful neglect; and

''(II) such failure is corrected during the 30-day period beginning on the first date the person otherwise liable for such penalty knew, or exercising reasonable diligence would have known, that such failure existed.

''(iii) OVERALL LIMITATION FOR UNINTENTIONAL FAILURES.—In the case of failures which are due to reasonable cause and not to willful neglect, the penalty imposed by subparagraph (A) for failures shall not exceed the amount equal to the lesser of—

''(I) 10 percent of the aggregate amount paid or incurred by the employer (or predecessor employer) during the preceding taxable year for group health plans; or

''(II) $500,000.

''(E) WAIVER BY SECRETARY.—In the case of a failure which is due to reasonable cause and not to willful neglect, the Secretary may waive part or all of the penalty imposed by subparagraph (A) to the extent that the payment of such penalty would be excessive relative to the failure involved.''.

(b) AMENDMENT RELATING TO THE INDIVIDUAL MARKET.—

(1) IN GENERAL.—The first subpart 3 of part B of title XXVII of the Public Health Service Act (42 U.S.C. 300gg–51 et seq.) (relating to other requirements) is amended—

(A) by redesignating such subpart as subpart 2; and

(B) by adding at the end the following:

"SEC. 2753. PROHIBITION OF HEALTH DISCRIMINATION ON THE BASIS OF GENETIC INFORMATION.

''(a) PROHIBITION ON GENETIC INFORMATION AS A CONDITION OF ELIGIBILITY.—A health insurance issuer offering health insurance coverage in the individual market may not establish rules for the eligibility (including continued eligibility) of any individual to enroll in individual health insurance coverage based on genetic information.

''(b) PROHIBITION ON GENETIC INFORMATION IN SETTING PREMIUM RATES.—A health insurance issuer offering health insurance coverage in the individual market shall not adjust premium or contribution amounts for an individual on the basis of genetic information concerning the individual or a family member of the individual.

''(c) PROHIBITION ON GENETIC INFORMATION AS PREEXISTING CONDITION.—A health insurance issuer offering health insurance coverage in the individual market may not, on the basis of genetic information, impose any preexisting condition exclusion (as defined in section 2701(b)(1)(A)) with respect to such coverage.

''(d) GENETIC TESTING.—

''(1) LIMITATION ON REQUESTING OR REQUIRING GENETIC TESTING.—A health insurance issuer offering health insurance coverage in the individual market shall not request or require an individual or a family member of such individual to undergo a genetic test.

''(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed to limit the authority of a health care professional who is providing health care services to an individual to request that such individual undergo a genetic test.

''(3) RULE OF CONSTRUCTION REGARDING PAYMENT.—

''(A) IN GENERAL.—Nothing in paragraph (1) shall be construed to preclude a health insurance issuer offering health insurance coverage in the individual market from obtaining and using the results of a genetic test in making a determination regarding payment (as such term is defined for the purposes of applying the regulations promulgated by the Secretary under part C of title XI of the Social Security Act and section 264 of the Health Insurance Portability and Accountability Act of 1996, as may be revised from time to time) consistent with subsection (a) and (c).

''(B) LIMITATION.—For purposes of subparagraph (A), a health insurance issuer offering health insurance coverage in the individual market may request only the minimum amount of information necessary to accomplish the intended purpose.

''(4) RESEARCH EXCEPTION.—Notwithstanding paragraph (1), a health insurance issuer offering health insurance coverage in the individual market may request, but not require, that an individual or a family member of such individual undergo a genetic test if each of the following conditions is met:

''(A) The request is made pursuant to research that complies with part 46 of title 45, Code of Federal Regulations, or equivalent Federal regulations, and any applicable State or local law or regulations for the protection of human subjects in research.

''(B) The issuer clearly indicates to each individual, or in the case of a minor child, to the legal guardian of such child, to whom the request is made that—

''(i) compliance with the request is voluntary; and

''(ii) non-compliance will have no effect on enrollment status or premium or contribution amounts.

''(C) No genetic information collected or acquired under this paragraph shall be used for underwriting purposes.

''(D) The issuer notifies the Secretary in writing that the issuer is conducting activities pursuant to the exception provided for under this paragraph, including a description of the activities conducted.

''(E) The issuer complies with such other conditions as the Secretary may by regulation require for activities conducted under this paragraph.

''(e) PROHIBITION ON COLLECTION OF GENETIC INFORMATION.—

''(1) IN GENERAL.—A health insurance issuer offering health insurance coverage in the individual market shall not request, require, or purchase genetic information for underwriting purposes (as defined in section 2791).

''(2) PROHIBITION ON COLLECTION OF GENETIC INFORMATION PRIOR TO ENROLLMENT.—A health insurance issuer offering health insurance coverage in the individual market shall not request, require, or purchase genetic information with respect to any individual prior to such individual's enrollment under the plan in connection with such enrollment.

''(3) INCIDENTAL COLLECTION.—If a health insurance issuer offering health insurance coverage in the individual market obtains genetic information incidental to the requesting, requiring, or purchasing of other information concerning any individual, such request, requirement, or purchase shall not be considered a violation of paragraph (2) if such request, requirement, or purchase is not in violation of paragraph (1).

''(f) GENETIC INFORMATION OF A FETUS OR EMBRYO.—Any reference in this part to genetic information concerning an individual or family member of an individual shall—

''(1) with respect to such an individual or family member of an individual who is a pregnant woman, include genetic information of any fetus carried by such pregnant woman; and

''(2) with respect to an individual or family member utilizing an assisted reproductive technology, include genetic information of any embryo legally held by the individual or family member.''.

(2) REMEDIES AND ENFORCEMENT.—Section 2761(b) of the Public Health Service Act (42 U.S.C. 300gg–61(b)) is amended to read as follows:

''(b) SECRETARIAL ENFORCEMENT AUTHORITY.—The Secretary shall have the same authority in relation to enforcement of the provisions of this part with respect to issuers of health insurance coverage in the individual market in a State as the Secretary has under section 2722(b)(2), and section 2722(b)(3) with respect to violations of genetic nondiscrimination provisions, in relation to the enforcement of the provisions of part A with respect to issuers of health insurance coverage in the small group market in the State.''.

(c) ELIMINATION OF OPTION OF NON-FEDERAL GOVERNMENTAL PLANS TO BE EXCEPTED FROM REQUIREMENTS CONCERNING GENETIC INFORMATION.—Section 2721(b)(2) of the Public Health Service Act (42 U.S.C. 300gg–21(b)(2)) is amended—

(1) in subparagraph (A), by striking ''If the plan sponsor'' and inserting ''Except as provided in subparagraph (D), if the plan sponsor''; and

(2) by adding at the end the following:

''(D) ELECTION NOT APPLICABLE TO REQUIREMENTS CONCERNING GENETIC INFORMATION.—The election described in subparagraph (A) shall not be available with respect to the provisions of subsections (a)(1)(F), (b)(3), (c), and (d) of section 2702 and the provisions of sections 2701 and 2702(b) to the extent that such provisions apply to genetic information.''.

(d) REGULATIONS AND EFFECTIVE DATE.—

(1) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall issue final regulations to carry out the amendments made by this section.

(2) EFFECTIVE DATE.—The amendments made by this section shall apply—

(A) with respect to group health plans, and health insurance coverage offered in connection with group health plans, for plan years beginning after the date that is 18 months after the date of enactment of this Act; and

(B) with respect to health insurance coverage offered, sold, issued, renewed, in effect, or operated in the individual market after the date that is 18 months after the date of enactment of this Act.

SEC. 103. AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986.

(a) NO DISCRIMINATION IN GROUP PREMIUMS BASED ON GENETIC INFORMATION.—Subsection (b) of section 9802 of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(A), by inserting before the semicolon the following: ''except as provided in paragraph (3)''; and

(2) by adding at the end the following:

''(3) NO GROUP-BASED DISCRIMINATION ON BASIS OF GENETIC INFORMATION.—For purposes of this section, a group health plan may not adjust premium or contribution amounts for the group covered under such plan on the basis of genetic information.''.

(b) LIMITATIONS ON GENETIC TESTING; PROHIBITION ON COLLECTION OF GENETIC INFORMATION; APPLICATION TO ALL PLANS.—Section 9802 of such Code is amended by redesignating subsection (c) as subsection (f) and by inserting after subsection (b) the following new subsections:

''(c) GENETIC TESTING.—

''(1) LIMITATION ON REQUESTING OR REQUIRING GENETIC TESTING.—A group health plan may not request or require an individual or a family member of such individual to undergo a genetic test.

''(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed to limit the authority of a health care professional who is providing health care services to an individual to request that such individual undergo a genetic test.

''(3) RULE OF CONSTRUCTION REGARDING PAYMENT.—

''(A) IN GENERAL.—Nothing in paragraph (1) shall be construed to preclude a group health plan from obtaining and using the results of a genetic test in making a determination regarding payment (as such term is defined for the purposes of applying the regulations promulgated by the Secretary of Health and Human Services under part C of title XI of the Social Security Act and section 264 of the Health Insurance Portability and Accountability Act of 1996, as may be revised from time to time) consistent with subsection (a).

''(B) LIMITATION.—For purposes of subparagraph (A), a group health plan may request only the minimum amount of information necessary to accomplish the intended purpose.

''(4) RESEARCH EXCEPTION.—Notwithstanding paragraph (1), a group health plan may request, but not require, that a participant or beneficiary undergo a genetic test if each of the following conditions is met:

''(A) The request is made pursuant to research that complies with part 46 of title 45, Code of Federal Regulations, or equivalent Federal regulations, and any applicable State or local law or regulations for the protection of human subjects in research.

''(B) The plan clearly indicates to each participant or beneficiary, or in the case of a minor child, to the legal guardian of such beneficiary, to whom the request is made that—

''(i) compliance with the request is voluntary; and

''(ii) non-compliance will have no effect on enrollment status or premium or contribution amounts.

''(C) No genetic information collected or acquired under this paragraph shall be used for underwriting purposes.

''(D) The plan notifies the Secretary in writing that the plan is conducting activities pursuant to the exception provided for under

this paragraph, including a description of the activities conducted.

''(E) The plan complies with such other conditions as the Secretary may by regulation require for activities conducted under this paragraph.

''(d) PROHIBITION ON COLLECTION OF GENETIC INFORMATION.—

''(1) IN GENERAL.—A group health plan shall not request, require, or purchase genetic information for underwriting purposes (as defined in section 9832).

''(2) PROHIBITION ON COLLECTION OF GENETIC INFORMATION PRIOR TO ENROLLMENT.—A group health plan shall not request, require, or purchase genetic information with respect to any individual prior to such individual's enrollment under the plan or in connection with such enrollment.

''(3) INCIDENTAL COLLECTION.—If a group health plan obtains genetic information incidental to the requesting, requiring, or purchasing of other information concerning any individual, such request, requirement, or purchase shall not be considered a violation of paragraph (2) if such request, requirement, or purchase is not in violation of paragraph (1).

''(e) APPLICATION TO ALL PLANS.—The provisions of subsections (a)(1)(F), (b)(3), (c), and (d) and subsection (b)(1) and section 9801 with respect to genetic information, shall apply to group health plans without regard to section 9831(a)(2).''.

(c) APPLICATION TO GENETIC INFORMATION OF A FETUS OR EMBRYO.—Such section is further amended by adding at the end the following:

''(f) GENETIC INFORMATION OF A FETUS OR EMBRYO.—Any reference in this chapter to genetic information concerning an individual or family member of an individual shall—

''(1) with respect to such an individual or family member of an individual who is a pregnant woman, include genetic information of any fetus carried by such pregnant woman; and

''(2) with respect to an individual or family member utilizing an assisted reproductive technology, include genetic information of any embryo legally held by the individual or family member.''.

(d) DEFINITIONS.—Subsection (d) of section 9832 of such Code is amended by adding at the end the following:

''(6) FAMILY MEMBER.—The term 'family member' means, with respect to any individual—

''(A) a dependent (as such term is used for purposes of section 9801(f)(2)) of such individual, and

''(B) any other individual who is a first-degree, second-degree, third-degree, or fourth-degree relative of such individual or of an individual described in subparagraph (A).

''(7) GENETIC INFORMATION.—

''(A) IN GENERAL.—The term 'genetic information' means, with respect to any individual, information about—

''(i) such individual's genetic tests,

''(ii) the genetic tests of family members of such individual, and

''(iii) subject to subparagraph (D), the manifestation of a disease or disorder in family members of such individual.

''(B) INCLUSION OF GENETIC SERVICES.—Such term includes, with respect to any individual, any request for, or receipt of, genetic services (including genetic services received pursuant to participation in clinical research) by such individual or any family member of such individual.

''(C) EXCLUSIONS.—The term 'genetic information' shall not include information about the sex or age of any individual.

''(D) APPLICATION TO FAMILY MEMBERS COVERED UNDER SAME PLAN.—Information described in clause (iii) of subparagraph (A) shall not be treated as genetic information to the extent that such information is taken into account only with respect to the individual in which such disease or disorder is manifested and not as genetic information with respect to any other individual.

''(8) GENETIC TEST.—

''(A) IN GENERAL.—The term 'genetic test' means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites, that detects genotypes, mutations, or chromosomal changes.

''(B) EXCEPTIONS.—The term 'genetic test' does not mean—

''(i) an analysis of proteins or metabolites that does not detect genotypes, mutations, or chromosomal changes, or

''(ii) an analysis of proteins or metabolites that is directly related to a manifested disease, disorder, or pathological condition that could reasonably be detected by a health care professional with appropriate training and expertise in the field of medicine involved.

''(9) GENETIC SERVICES.—The term 'genetic services' means—

''(A) a genetic test;

''(B) genetic counseling (including obtaining, interpreting, or assessing genetic information); or

''(C) genetic education.

''(10) UNDERWRITING PURPOSES.—The term 'underwriting purposes' means, with respect to any group health plan ,or health insurance coverage offered in connection with a group health plan—

''(A) rules for, or determination of, eligibility (including enrollment and continued eligibility) for benefits under the plan or coverage;

''(B) the computation of premium or contribution amounts under the plan or coverage;

''(C) the application of any pre-existing condition exclusion under the plan or coverage; and

''(D) other activities related to the creation, renewal, or replacement of a contract of health insurance or health benefits.''.

(e) ENFORCEMENT.—

(1) IN GENERAL.—Subchapter C of chapter 100 of the Internal Revenue Code of 1986 (relating to general provisions) is amended by adding at the end the following new section:

''SEC. 9834. ENFORCEMENT.

''For the imposition of tax on any failure of a group health plan to meet the requirements of this chapter, see section 4980D.''.

(2) CONFORMING AMENDMENT.—The table of sections for subchapter C of chapter 100 of such Code is amended by adding at the end the following new item:

''Sec. 9834. Enforcement.''.

(f) REGULATIONS AND EFFECTIVE DATE.—

(1) REGULATIONS.—The Secretary of the Treasury shall issue final regulations or other guidance not later than 1 year after the date of the enactment of this Act to carry out the amendments made by this section.

(2) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to group health plans for plan years beginning after the date that is 18 months after the date of the enactment of this Act.

SEC. 104. AMENDMENTS TO TITLE XVIII OF THE SOCIAL SECURITY ACT RELATING TO MEDIGAP.

(a) NONDISCRIMINATION.—Section 1882(s)(2) of the Social Security Act (42 U.S.C. 1395ss(s)(2)) is amended by adding at the end the following:

''(E) An issuer of a medicare supplemental policy shall not deny or condition the issuance or effectiveness of the policy (including the imposition of any exclusion of benefits under the policy based on a pre-existing condition) and shall not discriminate in the pricing of the policy (including the adjustment of premium rates) of an individual on the basis of the genetic information with respect to such individual.''.

(b) LIMITATIONS ON GENETIC TESTING AND GENETIC INFORMATION.—

(1) IN GENERAL.—Section 1882 of the Social Security Act (42 U.S.C. 1395ss) is amended by adding at the end the following:

''(x) LIMITATIONS ON GENETIC TESTING AND INFORMATION.—

''(1) GENETIC TESTING.—

''(A) LIMITATION ON REQUESTING OR REQUIRING GENETIC TESTING.—An issuer of a medicare supplemental policy shall not request or require an individual or a family member of such individual to undergo a genetic test.

''(B) RULE OF CONSTRUCTION.—Subparagraph (A) shall not be construed to limit the authority of a health care professional who is providing health care services to an individual to request that such individual undergo a genetic test.

''(C) RULE OF CONSTRUCTION REGARDING PAYMENT.—

''(i) IN GENERAL.—Nothing in subparagraph (A) shall be construed to preclude an issuer of a medicare supplemental policy from obtaining and using the results of a genetic test in making a determination regarding payment (as such term is defined for the purposes of applying the regulations promulgated by the Secretary under part C of title XI and section 264 of the Health Insurance Portability and Accountability Act of 1996, as may be revised from time to time) consistent with subsection (s)(2)(E).

''(ii) LIMITATION.—For purposes of clause (i), an issuer of a medicare supplemental policy may request only the minimum amount of information necessary to accomplish the intended purpose.

''(D) RESEARCH EXCEPTION.—Notwithstanding subparagraph (A), an issuer of a medicare supplemental policy may request, but not require, that an individual or a family member of such individual undergo a genetic test if each of the following conditions is met:

''(i) The request is made pursuant to research that complies with part 46 of title 45, Code of Federal Regulations, or equivalent Federal regulations, and any applicable State or local law or regulations for the protection of human subjects in research.

''(ii) The issuer clearly indicates to each individual, or in the case of a minor child, to the legal guardian of such child, to whom the request is made that—

''(I) compliance with the request is voluntary; and

''(II) non-compliance will have no effect on enrollment status or premium or contribution amounts.

''(iii) No genetic information collected or acquired under this subparagraph shall be used for underwriting, determination of eligibility to enroll or maintain enrollment status, premium rating, or the creation, renewal, or replacement of a plan, contract, or coverage for health insurance or health benefits.

''(iv) The issuer notifies the Secretary in writing that the issuer is conducting activities pursuant to the exception provided for under this subparagraph, including a description of the activities conducted.

''(v) The issuer complies with such other conditions as the Secretary may by regulation require for activities conducted under this subparagraph.

''(2) PROHIBITION ON COLLECTION OF GENETIC INFORMATION.—

''(A) IN GENERAL.—An issuer of a medicare supplemental policy shall not request, require, or purchase genetic information for

underwriting purposes (as defined in paragraph (3)).

''(B) PROHIBITION ON COLLECTION OF GENETIC INFORMATION PRIOR TO ENROLLMENT.—An issuer of a medicare supplemental policy shall not request, require, or purchase genetic information with respect to any individual prior to such individual's enrollment under the policy in connection with such enrollment.

''(C) INCIDENTAL COLLECTION.—If an issuer of a medicare supplemental policy obtains genetic information incidental to the requesting, requiring, or purchasing of other information concerning any individual, such request, requirement, or purchase shall not be considered a violation of subparagraph (B) if such request, requirement, or purchase is not in violation of subparagraph (A).

''(3) DEFINITIONS.—In this subsection:

''(A) FAMILY MEMBER.—The term 'family member' means with respect to an individual, any other individual who is a first-degree, second-degree, third-degree, or fourth-degree relative of such individual.

''(B) GENETIC INFORMATION.—

''(i) IN GENERAL.—The term 'genetic information' means, with respect to any individual, information about—

''(I) such individual's genetic tests,

''(II) the genetic tests of family members of such individual, and

''(III) subject to clause (iv), the manifestation of a disease or disorder in family members of such individual.

''(ii) INCLUSION OF GENETIC SERVICES.—Such term includes, with respect to any individual, any request for, or receipt of, genetic services (including genetic services received pursuant to participation in clinical research) by such individual or any family member of such individual.

''(iii) EXCLUSIONS.—The term 'genetic information' shall not include information about the sex or age of any individual.

''(C) GENETIC TEST.—

''(i) IN GENERAL.—The term 'genetic test' means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites, that detects genotypes, mutations, or chromosomal changes.

''(ii) EXCEPTIONS.—The term 'genetic test' does not mean—

''(I) an analysis of proteins or metabolites that does not detect genotypes, mutations, or chromosomal changes; or

''(II) an analysis of proteins or metabolites that is directly related to a manifested disease, disorder, or pathological condition that could reasonably be detected by a health care professional with appropriate training and expertise in the field of medicine involved.

''(D) GENETIC SERVICES.—The term 'genetic services' means—

''(i) a genetic test;

''(ii) genetic counseling (including obtaining, interpreting, or assessing genetic information); or

''(iii) genetic education.

''(E) UNDERWRITING PURPOSES.—The term 'underwriting purposes' means, with respect to a medicare supplemental policy—

''(i) rules for, or determination of, eligibility (including enrollment and continued eligibility) for benefits under the policy;

''(ii) the computation of premium or contribution amounts under the policy;

''(iii) the application of any pre-existing condition exclusion under the policy; and

''(iv) other activities related to the creation, renewal, or replacement of a contract of health insurance or health benefits.

''(F) ISSUER OF A MEDICARE SUPPLEMENTAL POLICY.—The term 'issuer of a medicare supplemental policy' includes a third-party administrator or other person acting for or on behalf of such issuer.''.

(2) APPLICATION TO GENETIC INFORMATION OF A FETUS OR EMBRYO.—Section 1882(x) of such Act, as added by paragraph (1), is further amended by adding at the end the following:

''(4) GENETIC INFORMATION OF A FETUS OR EMBRYO.—Any reference in this section to genetic information concerning an individual or family member of an individual shall—

''(A) with respect to such an individual or family member of an individual who is a pregnant woman, include genetic information of any fetus carried by such pregnant woman; and

''(B) with respect to an individual or family member utilizing an assisted reproductive technology, include genetic information of any embryo legally held by the individual or family member.''.

(3) CONFORMING AMENDMENT.—Section 1882(o) of the Social Security Act (42 U.S.C. 1395ss(o)) is amended by adding at the end the following:

''(4) The issuer of the medicare supplemental policy complies with subsection (s)(2)(E) and subsection (x).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to an issuer of a medicare supplemental policy for policy years beginning on or after the date that is 18 months after the date of enactment of this Act.

(d) TRANSITION PROVISIONS.—

(1) IN GENERAL.—If the Secretary of Health and Human Services identifies a State as requiring a change to its statutes or regulations to conform its regulatory program to the changes made by this section, the State regulatory program shall not be considered to be out of compliance with the requirements of section 1882 of the Social Security Act due solely to failure to make such change until the date specified in paragraph (4).

(2) NAIC STANDARDS.—If, not later than June 30, 2008, the National Association of Insurance Commissioners (in this subsection referred to as the ''NAIC'') modifies its NAIC Model Regulation relating to section 1882 of the Social Security Act (referred to in such section as the 1991 NAIC Model Regulation, as subsequently modified) to conform to the amendments made by this section, such revised regulation incorporating the modifications shall be considered to be the applicable NAIC model regulation (including the revised NAIC model regulation and the 1991 NAIC Model Regulation) for the purposes of such section.

(3) SECRETARY STANDARDS.—If the NAIC does not make the modifications described in paragraph (2) within the period specified in such paragraph, the Secretary of Health and Human Services shall, not later than October 1, 2008, make the modifications described in such paragraph and such revised regulation incorporating the modifications shall be considered to be the appropriate regulation for the purposes of such section.

(4) DATE SPECIFIED.—

(A) IN GENERAL.—Subject to subparagraph (B), the date specified in this paragraph for a State is the earlier of—

(i) the date the State changes its statutes or regulations to conform its regulatory program to the changes made by this section, or

(ii) October 1, 2008.

(B) ADDITIONAL LEGISLATIVE ACTION REQUIRED.—In the case of a State which the Secretary identifies as—

(i) requiring State legislation (other than legislation appropriating funds) to conform its regulatory program to the changes made in this section, but

(ii) having a legislature which is not scheduled to meet in 2008 in a legislative session in which such legislation may be considered, the date specified in this paragraph is the first day of the first calendar quarter beginning after the close of the first legislative session of the State legislature that begins on or after July 1, 2008. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

SEC. 105. PRIVACY AND CONFIDENTIALITY.

(a) IN GENERAL.—Part C of title XI of the Social Security Act is amended by adding at the end the following new section:

''APPLICATION OF HIPAA REGULATIONS TO GENETIC INFORMATION

''SEC. 1180. (a) IN GENERAL.—The Secretary shall revise the HIPAA privacy regulation (as defined in subsection (b)) so it is consistent with the following:

''(1) Genetic information shall be treated as health information described in section 1171(4)(B).

''(2) The use or disclosure by a covered entity that is a group health plan, health insurance issuer that issues health insurance coverage, or issuer of a medicare supplemental policy of protected health information that is genetic information about an individual for underwriting purposes under the group health plan, health insurance coverage, or medicare supplemental policy shall not be a permitted use or disclosure.

''(b) DEFINITIONS.—For purposes of this section:

''(1) GENETIC INFORMATION; GENETIC TEST; FAMILY MEMBER.—The terms 'genetic information', 'genetic test', and 'family member' have the meanings given such terms in section 2791 of the Public Health Service Act (42 U.S.C. 300gg–91), as amended by the Genetic Information Nondiscrimination Act of 2007.

''(2) GROUP HEALTH PLAN; HEALTH INSURANCE COVERAGE; MEDICARE SUPPLEMENTAL POLICY.—The terms 'group health plan' and 'health insurance coverage' have the meanings given such terms under section 2791 of the Public Health Service Act (42 U.S.C. 300gg–91), and the term 'medicare supplemental policy' has the meaning given such term in section 1882(g).

''(3) HIPAA PRIVACY REGULATION.—The term 'HIPAA privacy regulation' means the regulations promulgated by the Secretary under this part and section 264 of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note).

''(4) UNDERWRITING PURPOSES.—The term 'underwriting purposes' means, with respect to a group health plan, health insurance coverage, or a medicare supplemental policy—

''(A) rules for eligibility (including enrollment and continued eligibility) for, or determination of, benefits under the plan, coverage, or policy;

''(B) the computation of premium or contribution amounts under the plan, coverage, or policy;

''(C) the application of any pre-existing condition exclusion under the plan, coverage, or policy; and

''(D) other activities related to the creation, renewal, or replacement of a contract of health insurance or health benefits.

''(c) PROCEDURE.—The revisions under subsection (a) shall be made by notice in the Federal Register published not later than 60 days after the date of the enactment of this section and shall be effective upon publication, without opportunity for any prior public comment, but may be revised, consistent with this section, after opportunity for public comment.

''(d) ENFORCEMENT.—In addition to any other sanctions or remedies that may be available under law, a covered entity that is a group health plan, health insurance issuer, or issuer of a medicare supplemental policy and that violates the HIPAA privacy regulation (as revised under subsection (a) or otherwise) with respect to the use or disclosure

of genetic information shall be subject to the penalties described in sections 1176 and 1177 in the same manner and to the same extent that such penalties apply to violations of this part.''.

(b) REGULATIONS; EFFECTIVE DATE.—

(1) REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue final regulations to carry out the revision required by section 1180(a) of the Social Security Act, as added by subsection (a). The Secretary has the sole authority to promulgate such regulations, but shall promulgate such regulations in consultation with the Secretaries of Labor and the Treasury.

(2) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 18 months after the date of the enactment of this Act.

SEC. 106. ASSURING COORDINATION.

Except as provided in section 105(b)(1), the Secretary of Health and Human Services, the Secretary of Labor, and the Secretary of the Treasury shall ensure, through the execution of an interagency memorandum of understanding among such Secretaries, that—

(1) regulations, rulings, and interpretations issued by such Secretaries relating to the same matter over which two or more such Secretaries have responsibility under this title (and the amendments made by this title) are administered so as to have the same effect at all times; and

(2) coordination of policies relating to enforcing the same requirements through such Secretaries in order to have a coordinated enforcement strategy that avoids duplication of enforcement efforts and assigns priorities in enforcement.

TITLE II—PROHIBITING EMPLOYMENT DISCRIMINATION ON THE BASIS OF GENETIC INFORMATION

SEC. 201. DEFINITIONS.

In this title:

(1) COMMISSION.—The term ''Commission'' means the Equal Employment Opportunity Commission as created by section 705 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–4).

(2) EMPLOYEE; EMPLOYER; EMPLOYMENT AGENCY; LABOR ORGANIZATION; MEMBER.—

(A) IN GENERAL.—The term ''employee'' means—

(i) an employee (including an applicant), as defined in section 701(f) of the Civil Rights Act of 1964 (42 U.S.C. 2000e(f));

(ii) a State employee (including an applicant) described in section 304(a) of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e–16c(a));

(iii) a covered employee (including an applicant), as defined in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301);

(iv) a covered employee (including an applicant), as defined in section 411(c) of title 3, United States Code; or

(v) an employee or applicant to which section 717(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16(a)) applies.

(B) EMPLOYER.—The term ''employer'' means—

(i) an employer (as defined in section 701(b) of the Civil Rights Act of 1964 (42 U.S.C. 2000e(b)));

(ii) an entity employing a State employee described in section 304(a) of the Government Employee Rights Act of 1991;

(iii) an employing office, as defined in section 101 of the Congressional Accountability Act of 1995;

(iv) an employing office, as defined in section 411(c) of title 3, United States Code; or

(v) an entity to which section 717(a) of the Civil Rights Act of 1964 applies.

(C) EMPLOYMENT AGENCY; LABOR ORGANIZATION.—The terms ''employment agency'' and ''labor organization'' have the meanings given the terms in section 701 of the Civil Rights Act of 1964 (42 U.S.C. 2000e).

(D) MEMBER.—The term ''member'', with respect to a labor organization, includes an applicant for membership in a labor organization.

(3) FAMILY MEMBER.—The term ''family member'' means, with respect to an individual—

(A) a dependent (as such term is used for purposes of section 701(f)(2) of the Employee Retirement Income Security Act of 1974) of such individual, and

(B) any other individual who is a first-degree, second-degree, third-degree, or fourth-degree relative of such individual or of an individual described in subparagraph (A).

(4) GENETIC INFORMATION.—

(A) IN GENERAL.—The term ''genetic information'' means, with respect to any individual, information about—

(i) such individual's genetic tests,

(ii) the genetic tests of family members of such individual, and

(iii) subject to subparagraph (D), the manifestation of a disease or disorder in family members of such individual.

(B) INCLUSION OF GENETIC SERVICES.—Such term includes, with respect to any individual, any request for, or receipt of, genetic services (including genetic services received pursuant to participation in clinical research) by such individual or any family member of such individual.

(C) EXCLUSIONS.—The term ''genetic information'' shall not include information about the sex or age of any individual.

(5) GENETIC MONITORING.—The term ''genetic monitoring'' means the periodic examination of employees to evaluate acquired modifications to their genetic material, such as chromosomal damage or evidence of increased occurrence of mutations, that may have developed in the course of employment due to exposure to toxic substances in the workplace, in order to identify, evaluate, and respond to the effects of or control adverse environmental exposures in the workplace.

(6) GENETIC SERVICES.—The term ''genetic services'' means—

(A) a genetic test;

(B) genetic counseling (including obtaining, interpreting, or assessing genetic information); or

(C) genetic education.

(7) GENETIC TEST.—

(A) IN GENERAL.—The term ''genetic test'' means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites, that detects genotypes, mutations, or chromosomal changes.

(B) EXCEPTIONS.—The term ''genetic test'' does not mean an analysis of proteins or metabolites that does not detect genotypes, mutations, or chromosomal changes.

SEC. 202. EMPLOYER PRACTICES.

(a) DISCRIMINATION BASED ON GENETIC INFORMATION.—It shall be an unlawful employment practice for an employer—

(1) to fail or refuse to hire, or to discharge, any employee, or otherwise to discriminate against any employee with respect to the compensation, terms, conditions, or privileges of employment of the employee, because of genetic information with respect to the employee; or

(2) to limit, segregate, or classify the employees of the employer in any way that would deprive or tend to deprive any employee of employment opportunities or otherwise adversely affect the status of the employee as an employee, because of genetic information with respect to the employee.

(b) ACQUISITION OF GENETIC INFORMATION.—It shall be an unlawful employment practice for an employer to request, require, or purchase genetic information with respect to an employee or a family member of the employee except—

(1) where an employer inadvertently requests or requires family medical history of the employee or family member of the employee;

(2) where—

(A) health or genetic services are offered by the employer, including such services offered as part of a bona fide wellness program;

(B) the employee provides prior, knowing, voluntary, and written authorization;

(C) only the employee (or family member if the family member is receiving genetic services) and the licensed health care professional or board certified genetic counselor involved in providing such services receive individually identifiable information concerning the results of such services; and

(D) any individually identifiable genetic information provided under subparagraph (C) in connection with the services provided under subparagraph (A) is only available for purposes of such services and shall not be disclosed to the employer except in aggregate terms that do not disclose the identity of specific employees;

(3) where an employer requests or requires family medical history from the employee to comply with the certification provisions of section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) or such requirements under State family and medical leave laws;

(4) where an employer purchases documents that are commercially and publicly available (including newspapers, magazines, periodicals, and books, but not including medical databases or court records) that include family medical history;

(5) where the information involved is to be used for genetic monitoring of the biological effects of toxic substances in the workplace, but only if—

(A) the employer provides written notice of the genetic monitoring to the employee;

(B)(i) the employee provides prior, knowing, voluntary, and written authorization; or

(ii) the genetic monitoring is required by Federal or State law;

(C) the employee is informed of individual monitoring results;

(D) the monitoring is in compliance with—

(i) any Federal genetic monitoring regulations, including any such regulations that may be promulgated by the Secretary of Labor pursuant to the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 et seq.), or the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.); or

(ii) State genetic monitoring regulations, in the case of a State that is implementing genetic monitoring regulations under the authority of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.); and

(E) the employer, excluding any licensed health care professional or board certified genetic counselor that is involved in the genetic monitoring program, receives the results of the monitoring only in aggregate terms that do not disclose the identity of specific employees; or

(6) where the employer conducts DNA analysis for law enforcement purposes as a forensic laboratory, includes such analysis in the Combined DNA Index System pursuant to section 210304 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14132), and requests or requires genetic information of such employer's employees, but only to the extent that such genetic information is used for analysis of DNA identification markers for quality control to detect sample contamination.

(c) PRESERVATION OF PROTECTIONS.—In the case of information to which any of paragraphs (1) through (6) of subsection (b) applies, such information may not be used in violation of paragraph (1) or (2) of subsection (a) or treated or disclosed in a manner that violates section 206.

SEC. 203. EMPLOYMENT AGENCY PRACTICES.

(a) DISCRIMINATION BASED ON GENETIC INFORMATION.—It shall be an unlawful employment practice for an employment agency—

(1) to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of genetic information with respect to the individual;

(2) to limit, segregate, or classify individuals or fail or refuse to refer for employment any individual in any way that would deprive or tend to deprive any individual of employment opportunities, or otherwise adversely affect the status of the individual as an employee, because of genetic information with respect to the individual; or

(3) to cause or attempt to cause an employer to discriminate against an individual in violation of this title.

(b) ACQUISITION OF GENETIC INFORMATION.—It shall be an unlawful employment practice for an employment agency to request, require, or purchase genetic information with respect to an individual or a family member of the individual except—

(1) where an employment agency inadvertently requests or requires family medical history of the individual or family member of the individual;

(2) where—

(A) health or genetic services are offered by the employment agency, including such services offered as part of a bona fide wellness program;

(B) the individual provides prior, knowing, voluntary, and written authorization;

(C) only the individual (or family member if the family member is receiving genetic services) and the licensed health care professional or board certified genetic counselor involved in providing such services receive individually identifiable information concerning the results of such services; and

(D) any individually identifiable genetic information provided under subparagraph (C) in connection with the services provided under subparagraph (A) is only available for purposes of such services and shall not be disclosed to the employment agency except in aggregate terms that do not disclose the identity of specific individuals;

(3) where an employment agency requests or requires family medical history from the individual to comply with the certification provisions of section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) or such requirements under State family and medical leave laws;

(4) where an employment agency purchases documents that are commercially and publicly available (including newspapers, magazines, periodicals, and books, but not including medical databases or court records) that include family medical history; or

(5) where the information involved is to be used for genetic monitoring of the biological effects of toxic substances in the workplace, but only if—

(A) the employment agency provides written notice of the genetic monitoring to the individual;

(B)(i) the individual provides prior, knowing, voluntary, and written authorization; or

(ii) the genetic monitoring is required by Federal or State law;

(C) the individual is informed of individual monitoring results;

(D) the monitoring is in compliance with—

(i) any Federal genetic monitoring regulations, including any such regulations that may be promulgated by the Secretary of Labor pursuant to the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 et seq.), or the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.); or

(ii) State genetic monitoring regulations, in the case of a State that is implementing genetic monitoring regulations under the authority of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.); and

(E) the employment agency, excluding any licensed health care professional or board certified genetic counselor that is involved in the genetic monitoring program, receives the results of the monitoring only in aggregate terms that do not disclose the identity of specific individuals.

(c) PRESERVATION OF PROTECTIONS.—In the case of information to which any of paragraphs (1) through (5) of subsection (b) applies, such information may not be used in violation of paragraph (1), (2), or (3) of subsection (a) or treated or disclosed in a manner that violates section 206.

SEC. 204. LABOR ORGANIZATION PRACTICES.

(a) DISCRIMINATION BASED ON GENETIC INFORMATION.—It shall be an unlawful employment practice for a labor organization—

(1) to exclude or to expel from the membership of the organization, or otherwise to discriminate against, any member because of genetic information with respect to the member;

(2) to limit, segregate, or classify the members of the organization, or fail or refuse to refer for employment any member, in any way that would deprive or tend to deprive any member of employment opportunities, or otherwise adversely affect the status of the member as an employee, because of genetic information with respect to the member; or

(3) to cause or attempt to cause an employer to discriminate against a member in violation of this title.

(b) ACQUISITION OF GENETIC INFORMATION.—It shall be an unlawful employment practice for a labor organization to request, require, or purchase genetic information with respect to a member or a family member of the member except—

(1) where a labor organization inadvertently requests or requires family medical history of the member or family member of the member;

(2) where—

(A) health or genetic services are offered by the labor organization, including such services offered as part of a bona fide wellness program;

(B) the member provides prior, knowing, voluntary, and written authorization;

(C) only the member (or family member if the family member is receiving genetic services) and the licensed health care professional or board certified genetic counselor involved in providing such services receive individually identifiable information concerning the results of such services; and

(D) any individually identifiable genetic information provided under subparagraph (C) in connection with the services provided under subparagraph (A) is only available for purposes of such services and shall not be disclosed to the labor organization except in aggregate terms that do not disclose the identity of specific members;

(3) where a labor organization requests or requires family medical history from the members to comply with the certification provisions of section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) or such requirements under State family and medical leave laws;

(4) where a labor organization purchases documents that are commercially and publicly available (including newspapers, magazines, periodicals, and books, but not including medical databases or court records) that include family medical history; or

(5) where the information involved is to be used for genetic monitoring of the biological effects of toxic substances in the workplace, but only if—

(A) the labor organization provides written notice of the genetic monitoring to the member;

(B)(i) the member provides prior, knowing, voluntary, and written authorization; or

(ii) the genetic monitoring is required by Federal or State law;

(C) the member is informed of individual monitoring results;

(D) the monitoring is in compliance with—

(i) any Federal genetic monitoring regulations, including any such regulations that may be promulgated by the Secretary of Labor pursuant to the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 et seq.), or the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.); or

(ii) State genetic monitoring regulations, in the case of a State that is implementing genetic monitoring regulations under the authority of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.); and

(E) the labor organization, excluding any licensed health care professional or board certified genetic counselor that is involved in the genetic monitoring program, receives the results of the monitoring only in aggregate terms that do not disclose the identity of specific members.

(c) PRESERVATION OF PROTECTIONS.—In the case of information to which any of paragraphs (1) through (5) of subsection (b) applies, such information may not be used in violation of paragraph (1), (2), or (3) of subsection (a) or treated or disclosed in a manner that violates section 206.

SEC. 205. TRAINING PROGRAMS.

(a) DISCRIMINATION BASED ON GENETIC INFORMATION.—It shall be an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs—

(1) to discriminate against any individual because of genetic information with respect to the individual in admission to, or employment in, any program established to provide apprenticeship or other training or retraining;

(2) to limit, segregate, or classify the applicants for or participants in such apprenticeship or other training or retraining, or fail or refuse to refer for employment any individual, in any way that would deprive or tend to deprive any individual of employment opportunities, or otherwise adversely affect the status of the individual as an employee, because of genetic information with respect to the individual; or

(3) to cause or attempt to cause an employer to discriminate against an applicant for or a participant in such apprenticeship or other training or retraining in violation of this title.

(b) ACQUISITION OF GENETIC INFORMATION.—It shall be an unlawful employment practice for an employer, labor organization, or joint labor-management committee described in subsection (a) to request, require, or purchase genetic information with respect to an individual or a family member of the individual except—

(1) where the employer, labor organization, or joint labor-management committee inadvertently requests or requires family medical history of the individual or family member of the individual;

(2) where—

(A) health or genetic services are offered by the employer, labor organization, or joint labor-management committee, including such services offered as part of a bona fide wellness program;

(B) the individual provides prior, knowing, voluntary, and written authorization;

(C) only the individual (or family member if the family member is receiving genetic services) and the licensed health care professional or board certified genetic counselor involved in providing such services receive individually identifiable information concerning the results of such services; and

(D) any individually identifiable genetic information provided under subparagraph (C) in connection with the services provided under subparagraph (A) is only available for purposes of such services and shall not be disclosed to the employer, labor organization, or joint labor-management committee except in aggregate terms that do not disclose the identity of specific individuals;

(3) where the employer, labor organization, or joint labor-management committee requests or requires family medical history from the individual to comply with the certification provisions of section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) or such requirements under State family and medical leave laws;

(4) where the employer, labor organization, or joint labor-management committee purchases documents that are commercially and publicly available (including newspapers, magazines, periodicals, and books, but not including medical databases or court records) that include family medical history;

(5) where the information involved is to be used for genetic monitoring of the biological effects of toxic substances in the workplace, but only if—

(A) the employer, labor organization, or joint labor-management committee provides written notice of the genetic monitoring to the individual;

(B)(i) the individual provides prior, knowing, voluntary, and written authorization; or

(ii) the genetic monitoring is required by Federal or State law;

(C) the individual is informed of individual monitoring results;

(D) the monitoring is in compliance with—

(i) any Federal genetic monitoring regulations, including any such regulations that may be promulgated by the Secretary of Labor pursuant to the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 et seq.), or the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.); or

(ii) State genetic monitoring regulations, in the case of a State that is implementing genetic monitoring regulations under the authority of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.); and

(E) the employer, labor organization, or joint labor-management committee, excluding any licensed health care professional or board certified genetic counselor that is involved in the genetic monitoring program, receives the results of the monitoring only in aggregate terms that do not disclose the identity of specific individuals; or

(6) where the employer conducts DNA analysis for law enforcement purposes as a forensic laboratory, includes such analysis in the Combined DNA Index System pursuant to section 210304 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14132), and requests or requires genetic information of such employer's apprentices or trainees, but only to the extent that such genetic information is used for analysis of DNA identification markers for quality control to detect sample contamination.

(c) PRESERVATION OF PROTECTIONS.—In the case of information to which any of paragraphs (1) through (6) of subsection (b) applies, such information may not be used in violation of paragraph (1), (2), or (3) of subsection (a) or treated or disclosed in a manner that violates section 206.

SEC. 206. CONFIDENTIALITY OF GENETIC INFORMATION.

(a) TREATMENT OF INFORMATION AS PART OF CONFIDENTIAL MEDICAL RECORD.—If an employer, employment agency, labor organization, or joint labor-management committee possesses genetic information about an employee or member, such information shall be maintained on separate forms and in separate medical files and be treated as a confidential medical record of the employee or member. An employer, employment agency, labor organization, or joint labor-management committee shall be considered to be in compliance with the maintenance of information requirements of this subsection with respect to genetic information subject to this subsection that is maintained with and treated as a confidential medical record under section 102(d)(3)(B) of the Americans With Disabilities Act (42 U.S.C. 12112(d)(3)(B)).

(b) LIMITATION ON DISCLOSURE.—An employer, employment agency, labor organization, or joint labor-management committee shall not disclose genetic information concerning an employee or member except—

(1) to the employee or member of a labor organization (or family member if the family member is receiving the genetic services) at the written request of the employee or member of such organization;

(2) to an occupational or other health researcher if the research is conducted in compliance with the regulations and protections provided for under part 46 of title 45, Code of Federal Regulations;

(3) in response to an order of a court, except that—

(A) the employer, employment agency, labor organization, or joint labor-management committee may disclose only the genetic information expressly authorized by such order; and

(B) if the court order was secured without the knowledge of the employee or member to whom the information refers, the employer, employment agency, labor organization, or joint labor-management committee shall inform the employee or member of the court order and any genetic information that was disclosed pursuant to such order;

(4) to government officials who are investigating compliance with this title if the information is relevant to the investigation; or

(5) to the extent that such disclosure is made in connection with the employee's compliance with the certification provisions of section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) or such requirements under State family and medical leave laws.

(c) RELATIONSHIP TO HIPAA REGULATIONS.—With respect to the regulations promulgated by the Secretary of Health and Human Services under part C of title XI of the Social Security Act (42 U.S.C. 1320d et seq.) and section 264 of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note), this title does not prohibit a covered entity under such regulations from any use or disclosure of health information that is authorized for the covered entity under such regulations. The previous sentence does not affect the authority of such Secretary to modify such regulations.

SEC. 207. REMEDIES AND ENFORCEMENT.

(a) EMPLOYEES COVERED BY TITLE VII OF THE CIVIL RIGHTS ACT OF 1964.—

(1) IN GENERAL.—The powers, remedies, and procedures provided in sections 705, 706, 707, 709, 710, and 711 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–4 et seq.) to the Commission, the Attorney General, or any person, alleging a violation of title VII of that Act (42 U.S.C. 2000e et seq.) shall be the powers, remedies, and procedures this title provides to the Commission, the Attorney General, or any person, respectively, alleging an unlawful employment practice in violation of this title against an employee described in section 201(2)(A)(i), except as provided in paragraphs (2) and (3).

(2) COSTS AND FEES.—The powers, remedies, and procedures provided in subsections (b) and (c) of section 722 of the Revised Statutes of the United States (42 U.S.C. 1988), shall be powers, remedies, and procedures this title provides to the Commission, the Attorney General, or any person, alleging such a practice.

(3) DAMAGES.—The powers, remedies, and procedures provided in section 1977A of the Revised Statutes of the United States (42 U.S.C. 1981a), including the limitations contained in subsection (b)(3) of such section 1977A, shall be powers, remedies, and procedures this title provides to the Commission, the Attorney General, or any person, alleging such a practice (not an employment practice specifically excluded from coverage under section 1977A(a)(1) of the Revised Statutes of the United States).

(b) EMPLOYEES COVERED BY GOVERNMENT EMPLOYEE RIGHTS ACT OF 1991.—

(1) IN GENERAL.—The powers, remedies, and procedures provided in sections 302 and 304 of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e–16b, 2000e–16c) to the Commission, or any person, alleging a violation of section 302(a)(1) of that Act (42 U.S.C. 2000e–16b(a)(1)) shall be the powers, remedies, and procedures this title provides to the Commission, or any person, respectively, alleging an unlawful employment practice in violation of this title against an employee described in section 201(2)(A)(ii), except as provided in paragraphs (2) and (3).

(2) COSTS AND FEES.—The powers, remedies, and procedures provided in subsections (b) and (c) of section 722 of the Revised Statutes of the United States (42 U.S.C. 1988), shall be powers, remedies, and procedures this title provides to the Commission, or any person, alleging such a practice.

(3) DAMAGES.—The powers, remedies, and procedures provided in section 1977A of the Revised Statutes of the United States (42 U.S.C. 1981a), including the limitations contained in subsection (b)(3) of such section 1977A, shall be powers, remedies, and procedures this title provides to the Commission, or any person, alleging such a practice (not an employment practice specifically excluded from coverage under section 1977A(a)(1) of the Revised Statutes of the United States).

(c) EMPLOYEES COVERED BY CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—

(1) IN GENERAL.—The powers, remedies, and procedures provided in the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) to the Board (as defined in section 101 of that Act (2 U.S.C. 1301)), or any person, alleging a violation of section 201(a)(1) of that Act (42 U.S.C. 1311(a)(1)) shall be the powers, remedies, and procedures this title provides to that Board, or any person, alleging an unlawful employment practice in violation of this title against an employee described in section 201(2)(A)(iii), except as provided in paragraphs (2) and (3).

(2) COSTS AND FEES.—The powers, remedies, and procedures provided in subsections (b) and (c) of section 722 of the Revised Statutes of the United States (42 U.S.C. 1988), shall be powers, remedies, and procedures this title provides to that Board, or any person, alleging such a practice.

(3) DAMAGES.—The powers, remedies, and procedures provided in section 1977A of the Revised Statutes of the United States (42 U.S.C. 1981a), including the limitations contained in subsection (b)(3) of such section 1977A, shall be powers, remedies, and procedures this title provides to that Board, or any person, alleging such a practice (not an employment practice specifically excluded from coverage under section 1977A(a)(1) of the Revised Statutes of the United States).

(4) OTHER APPLICABLE PROVISIONS.—With respect to a claim alleging a practice described in paragraph (1), title III of the Congressional Accountability Act of 1995 (2 U.S.C. 1381 et seq.) shall apply in the same manner as such title applies with respect to a claim alleging a violation of section 201(a)(1) of such Act (2 U.S.C. 1311(a)(1)).

(d) EMPLOYEES COVERED BY CHAPTER 5 OF TITLE 3, UNITED STATES CODE.—

(1) IN GENERAL.—The powers, remedies, and procedures provided in chapter 5 of title 3, United States Code, to the President, the Commission, the Merit Systems Protection Board, or any person, alleging a violation of section 411(a)(1) of that title, shall be the powers, remedies, and procedures this title provides to the President, the Commission, such Board, or any person, respectively, alleging an unlawful employment practice in violation of this title against an employee described in section 201(2)(A)(iv), except as provided in paragraphs (2) and (3).

(2) COSTS AND FEES.—The powers, remedies, and procedures provided in subsections (b) and (c) of section 722 of the Revised Statutes of the United States (42 U.S.C. 1988), shall be powers, remedies, and procedures this title provides to the President, the Commission, such Board, or any person, alleging such a practice.

(3) DAMAGES.—The powers, remedies, and procedures provided in section 1977A of the Revised Statutes of the United States (42 U.S.C. 1981a), including the limitations contained in subsection (b)(3) of such section 1977A, shall be powers, remedies, and procedures this title provides to the President, the Commission, such Board, or any person, alleging such a practice (not an employment practice specifically excluded from coverage under section 1977A(a)(1) of the Revised Statutes of the United States).

(e) EMPLOYEES COVERED BY SECTION 717 OF THE CIVIL RIGHTS ACT OF 1964.—

(1) IN GENERAL.—The powers, remedies, and procedures provided in section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16) to the Commission, the Attorney General, the Librarian of Congress, or any person, alleging a violation of that section shall be the powers, remedies, and procedures this title provides to the Commission, the Attorney General, the Librarian of Congress, or any person, respectively, alleging an unlawful employment practice in violation of this title against an employee or applicant described in section 201(2)(A)(v), except as provided in paragraphs (2) and (3).

(2) COSTS AND FEES.—The powers, remedies, and procedures provided in subsections (b) and (c) of section 722 of the Revised Statutes of the United States (42 U.S.C. 1988), shall be powers, remedies, and procedures this title provides to the Commission, the Attorney General, the Librarian of Congress, or any person, alleging such a practice.

(3) DAMAGES.—The powers, remedies, and procedures provided in section 1977A of the Revised Statutes of the United States (42 U.S.C. 1981a), including the limitations contained in subsection (b)(3) of such section 1977A, shall be powers, remedies, and procedures this title provides to the Commission, the Attorney General, the Librarian of Congress, or any person, alleging such a practice (not an employment practice specifically excluded from coverage under section 1977A(a)(1) of the Revised Statutes of the United States).

(f) DEFINITION.—In this section, the term ''Commission'' means the Equal Employment Opportunity Commission.

SEC. 208. DISPARATE IMPACT.

(a) GENERAL RULE.—Notwithstanding any other provision of this Act, ''disparate impact'', as that term is used in section 703(k) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–2(k)), on the basis of genetic information does not establish a cause of action under this Act.

(b) COMMISSION.—On the date that is 6 years after the date of enactment of this Act, there shall be established a commission, to be known as the Genetic Nondiscrimination Study Commission (referred to in this section as the ''Commission'') to review the developing science of genetics and to make recommendations to Congress regarding whether to provide a disparate impact cause of action under this Act.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be composed of 8 members, of which—

(A) 1 member shall be appointed by the Majority Leader of the Senate;

(B) 1 member shall be appointed by the Minority Leader of the Senate;

(C) 1 member shall be appointed by the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate;

(D) 1 member shall be appointed by the ranking minority member of the Committee on Health, Education, Labor, and Pensions of the Senate;

(E) 1 member shall be appointed by the Speaker of the House of Representatives;

(F) 1 member shall be appointed by the Minority Leader of the House of Representatives;

(G) 1 member shall be appointed by the Chairman of the Committee on Education and Labor of the House of Representatives; and

(H) 1 member shall be appointed by the ranking minority member of the Committee on Education and Labor of the House of Representatives.

(2) COMPENSATION AND EXPENSES.—The members of the Commission shall not receive compensation for the performance of services for the Commission, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(d) ADMINISTRATIVE PROVISIONS.—

(1) LOCATION.—The Commission shall be located in a facility maintained by the Equal Employment Opportunity Commission.

(2) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(3) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this section. Upon request of the Commission, the head of such department or agency shall furnish such information to the Commission.

(4) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out the objectives of this section, except that, to the extent possible, the Commission shall use existing data and research.

(5) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(e) REPORT.—Not later than 1 year after all of the members are appointed to the Commission under subsection (c)(1), the Commission shall submit to Congress a report that summarizes the findings of the Commission and makes such recommendations for legislation as are consistent with this Act.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Equal Employment Opportunity Commission such sums as may be necessary to carry out this section.

SEC. 209. CONSTRUCTION.

(a) IN GENERAL.—Nothing in this title shall be construed to—

(1) limit the rights or protections of an individual under any other Federal or State statute that provides equal or greater protection to an individual than the rights or protections provided for under this title, including the protections of an individual under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) (including coverage afforded to individuals under section 102 of such Act (42 U.S.C. 12112)), or under the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

(2)(A) limit the rights or protections of an individual to bring an action under this title against an employer, employment agency, labor organization, or joint labor-management committee for a violation of this title; or

(B) provide for enforcement of, or penalties for violation of, any requirement or prohibition applicable to any employer, employment agency, labor organization, or joint labor-management committee the enforcement of which, or penalties for which, are provided under the amendments made by title I;

(3) apply to the Armed Forces Repository of Specimen Samples for the Identification of Remains;

(4) limit or expand the protections, rights, or obligations of employees or employers under applicable workers' compensation laws;

(5) limit the authority of a Federal department or agency to conduct or sponsor occupational or other health research that is conducted in compliance with the regulations contained in part 46 of title 45, Code of Federal Regulations (or any corresponding or similar regulation or rule);

(6) limit the statutory or regulatory authority of the Occupational Safety and Health Administration or the Mine Safety and Health Administration to promulgate or enforce workplace safety and health laws and regulations; or

(7) require any specific benefit for an employee or member or a family member of an employee or member under any group health plan or health insurance issuer offering group health insurance coverage in connection with a group health plan.

(b) GENETIC INFORMATION OF A FETUS OR EMBRYO.—Any reference in this title to genetic information concerning an individual or family member of an individual shall—

(1) with respect to such an individual or family member of an individual who is a pregnant woman, include genetic information of any fetus carried by such pregnant woman; and

(2) with respect to an individual or family member utilizing an assisted reproductive technology, include genetic information of any embryo legally held by the individual or family member.

SEC. 210. MEDICAL INFORMATION THAT IS NOT GENETIC INFORMATION.

An employer, employment agency, labor organization, or joint labor-management committee shall not be considered to be in violation of this title based on the use, acquisition, or disclosure of medical information that is not genetic information about a manifested disease, disorder, or pathological condition of an employee or member, including a manifested disease, disorder, or pathological condition that has or may have a genetic basis.

SEC. 211. REGULATIONS.

Not later than 1 year after the date of enactment of this title, the Commission shall issue final regulations to carry out this title.

SEC. 212. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this title (except for section 208).

SEC. 213. EFFECTIVE DATE.

This title takes effect on the date that is 18 months after the date of enactment of this Act.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. GUARANTEE AGENCY COLLECTION RETENTION.

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

''(ii) an amount equal to 23 percent of such payments for use in accordance with section 422B, except that beginning October 1, 2007, and ending September 30, 2008, this subparagraph shall be applied by substituting '22 percent' for '23 percent'.''.

SEC. 302. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of such provisions to any person or circumstance shall not be affected thereby.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. GEORGE MILLER) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. GEORGE MILLER of California. Mr. Speaker, I request 5 legislative days in which Members may insert material relevant to H.R. 493 in the RECORD.

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

There was no objection.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 2 minutes.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I am pleased that the House will take up H.R. 493, the Genetic Information Nondiscrimination Act of 2007.

This legislation is sponsored by two of my distinguished colleagues, Congresswoman LOUISE SLAUGHTER, who has been waiting 10 years to debate this bill on the floor of the House of Representatives, and Congresswoman JUDY BIGGERT, who has been a member of the committee which I chair, the Committee on Education and Labor, and I commend the sponsors for their hard work and for their perseverance.

This bill is long overdue. The Human Genome Project started the revolution in science and medicine nearly 20 years ago by identifying the specific chromosomes within the genes that make up the human body. Once the scientists identified and understood these genetic building blocks, they developed tests that identified genetic markers for diseases that could, but may never, occur.

We understand that this scientific revolution can and will save lives. It can save children from devastating illnesses, and once these tests and treatments become more widely available, they will help us live longer lives with less debilitating diseases.

The key to unlocking this scientific revolution is to assure individuals of genetic privacy and nondiscrimination when they undergo genetic testing and counseling. Many Americans already forgo testing for fear of losing their jobs and their health insurance. In a 2003 National Institutes of Health study, 39 percent of the individuals surveyed cited fear of losing their health insurance as the most distressing issues related to genetic testing.

□ 1345

There is a clear need for us to pass this law to protect genetic information from discriminatory uses. We all suffer if fears of lost jobs or health insurance stifle these scientific advances.

That is why 41 States have passed laws to prohibit discrimination in the individual health insurance market.

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

Mrs. BIGGERT. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. BOUSTANY), a member of the Education and Labor Committee.

Mr. BOUSTANY. Mr. Speaker, I rise in support of this legislation, and while I do not by any means think it is a perfect bill, I do believe it contains a number of important improvements over prior versions of the legislation. More importantly, it marks a commitment by this Congress to ensure that the law of the United States protects American workers and health care consumers from discrimination on the basis of their genetic makeup. Because that goal is so critical, I will vote for this bill today, and I urge my colleagues to do likewise.

I would like to commend my colleagues, and fellow member on the Committee on Education and Labor, Representative JUDY BIGGERT, and Congresswoman LOUISE SLAUGHTER for their tremendous work and years of dedication on this important issue. Both of you have been persistent and effective on so many issues that have come before this committee and this Congress. Both should be commended for adding this important bill to your list of legislative accomplishments.

As was noted during our committee's consideration of this bill, I believe that the title of the legislation before us, the Genetic Information Nondiscrimination Act, embodies a proposition that all members of our committee and, indeed, all Members of this Congress should endorse. Simply put, no employee should face discrimination on the basis of genetic makeup or on any characteristic other than the ability to do the job. Similarly, no employee should risk his or her health insurance status simply because of the possibility that they may someday develop an illness.

This bill was drafted with those fundamental principles in mind, and I believe that through the legislative process we have taken steps toward ensuring that the bill we pass fulfills those principles, while minimizing the potential for unintended consequences.

I would like to point out a number of improvements in the bill that I think merit attention.

I am pleased that the bill before us today embodies the same logic as a past executive order issued by President Clinton to ensure that this legislation would not inadvertently serve as a broad, new Federal mandate requiring all insurance plans and employers to cover all treatments related to genetic-related conditions. That is exactly the type of unintended consequence we were seeking to avoid, and I am pleased that we were able to work this out.

Second, I would like to highlight a provision in the legislation that ensures that employers, who are currently subject to a number of confidentiality and recordkeeping requirements under law, are not burdened by yet another redundant set of paperwork requirements. The bill before us today provides that with respect to genetic information, if an employer maintains employee records and treats them as it does confidential medical records under the Americans with Disabilities Act, it is in compliance with this new genetics law.

Third, I applaud a significant improvement in the bill, and namely, its extension of genetic nondiscrimination protection to all Americans. One of the issues raised during our committee's consideration of the bill was concern that the bill's protections did not adequately extend to cover children in utero or at early stages of development or in connection with in vitro fertilization and other technologies. I am very pleased that the final bill before us addresses these issues to the satisfaction of all Members on both sides of the aisle who have worked in good faith to ensure the broadest protection possible.

The bill contains a number of other improvements over prior versions, representing issues we were able to work through over the past couple of months and which demonstrate how the committee process is truly meant to work. We were presented with well-intentioned legislation, heard meaningful testimony on it and its potential impact on employers and employees

alike, raised and debated legitimate concerns, and worked together to bridge the gap between where we began and where we stand today. I thank the staff on both sides of the aisle for making this a reality.

I would be remiss if I did not point out concerns I have with the bill and express my hope that as the legislative process continues, and if and when the provisions of this bill are administered, we give due weight to these concerns.

I remain concerned that the bill's penalty provisions are overbroad and will potentially subject employers to punitive damages for simple paperwork violations. I am equally concerned that the bill we pass today will not set a single national standard, but still leave employers subject to a patchwork of varying requirements on a State-by-State basis. And finally, I think the bill would be significantly improved if we made clear that employers would not be held liable for the acquisition and use of genetic information where such use was required or justified by business necessity.

As we send this bill to the United States Senate for consideration, I would urge my colleagues in that body to take up and address these issues. Beyond that, as courts and administrative agencies interpret and enforce these laws, I would urge them to heed the intent of Congress; namely, that this bill's most egregious penalties must be reserved for the most egregious violations of the law, and that our intent is not to ensnare employers acting in good faith in a legal web of penalties and damages.

As I noted at the outset of my remarks, our actions today will ensure that the law of the United States protects American workers and health care consumers from discrimination on the basis of their genetic makeup, a goal I think that is shared by every Member of this House. I urge my colleagues to support this legislation.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 5½ minutes to the gentlewoman from New York (Ms. SLAUGHTER), the Chair of the Rules Committee of the House, who has worked on this legislation for a very long time, without whose persistence with this bill we would not be here on the floor.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding, and I thank my partner, Mrs. BIGGERT, also for the hard work she has done. It has taken us collectively 12 years to get to this point, and I want to say at the outset we are not talking about some population of people who might have bad genes. We are talking about us, because every one of us has bad genes, between 30 and 40. So this protection goes not just to some employee somewhere, but all of us and the people we love.

It is with great pride that I rise today. As a matter of fact, I could not stop smiling all day. With the passage of this bill, we are going to stand up for the future health of our citizens and one of medicine's most promising fields, genetic research.

It is almost heartbreaking to me to think that we are 10 years behind in genetic research and the people we could have helped up to now, but it is the culmination of a bipartisan effort to prevent the improper use of genetic information in the workforce and insurance decisions.

It is no longer simply the work of science fiction writers.

There have been many instances of genetic discrimination, from a woman who was fired after a genetic test revealed her risk for lung disorder, to a social worker who, despite outstanding performance reviews, was dismissed because some member of her family had Huntington's disease.

Consider the case of Heidi Williams, an individual diagnosed with alpha-1 antitrypsin deficiency. In 2004, she testified that a large health insurance company had denied coverage for her two children because they were carriers for the disease.

GINA will make these discriminatory practices illegal by prohibiting health insurers from denying coverage or charging higher premiums to a healthy individual because of a genetic predisposition, which means you may never get the disease, might happen.

GINA also bars employers from using genetic information for hiring, firing, job placement or promotion decisions.

In the 12 years since I first introduced this legislation, the need for it has grown rapidly. Scientific research has advanced so quickly that we cannot possibly afford to wait any longer.

It offers immense potential for early treatment and prevention of numerous diseases.

Since the sequencing of the human genome was completed in 2003, researchers have identified genetic markers for a wide variety of health conditions, and new progress is being made every day.

Fifteen percent of all cancers are found to have an inherited susceptibility. Ten percent of adult chronic diseases, heart disease and diabetes, America's top killers, have a genetic component.

Already, over 15,500 recognized genetic disorders affect 13 million Americans, and each and every one of us, as I said before, and it is so important for you to know this, each and every one of us is in that category of carrying between 5 and 50 bad genes, or predicted genes. They may not be so bad.

That is exactly why this bill is so important to all of us, not just those with recognized disorders. There is not a single person on the planet that has perfect genes. Every one of us, and let me make that clear again, are all vulnerable to genetic discrimination.

To give you an idea of the potential that exists from this research, consider that a genetic test can tell a woman with a family history of breast cancer if she has the genetic mutation that can cause it, long before the cancer might develop.

For these exciting scientific advances to continue, for the potential of this technology to be realized, we have to make genetic testing something commonplace rather than something that is feared and kept secret.

But sadly, the threat of genetic discrimination and the fear of being passed over for promotion, forced to pay more for health insurance, or even denied coverage, men and women are much less likely to be tested and to take advantage of that potentially life-saving information.

Most importantly, if individuals do not participate in the clinical trials, we will never be able to reap the great benefits of this genetic technology.

In a 2006 Cogent Research poll, 66 percent of respondents said they were concerned about how their genetic information would be stored and who would have access to it.

I want to thank everybody, first Dr. Collins who sequenced the human genome and testified before Congress at least 12 times, and I cannot imagine anybody would be not be moved by his testimony. He is here with us today.

I want to thank all the committee members, certainly Mrs. BIGGERT who has worked so hard, and her staff; and the three committees who have jurisdiction here who have done so much for us. Mr. MILLER, the first thing I think in January he told me this bill was coming to the floor.

I want to thank Congresswoman ESHOO for her untiring effort to help bring this, and certainly the member of my staff who has worked so hard.

It is a great day. You may not realize it but it also just turns out to be DNA Day. What a wonderful way to celebrate it.

Seventy-two percent agreed that the government should establish laws and regulations to protect the privacy of individuals' genetic information. And 85 percent said that without amending current law, employers would use this information to discriminate.

Before I close, I want to reiterate the broad support that this bill enjoys. We have over 220 Democrat and Republican cosponsors behind this bill.

In past Congresses, the Senate has passed this bill twice with unanimous support. And I would like to thank the President who today issued a statement of administration policy in support of the bill.

I want to take a moment to thank the lead Republican cosponsor of this bill, Congresswoman JUDY BIGGERT for her dedication to this bill, along with Congresswoman ANNA ESHOO for being a strong advocate for this bill over the years.

I also want to thank Dr. Francis Collins for his support. His testimonies over the years should have swayed even the firmest unbelievers that genetics has the potential to change our health care system as we know it.

Lastly, I want to thank the advocates from the health and science community. Over 200 organizations including Hadassah support this bill.

GINA will do more than stamp out a new form of discrimination—it will help our country be a leader in a field of scientific research that

holds as much promise as any other in history.

And it will allow us to realize the tremendous potential of genetic research without jeopardizing one of the most fundamental privacies that can be imagined.

Mr. Speaker, today is a momentous day.

And, I urge all my colleagues to support this bill.

Mrs. BIGGERT. Mr. Speaker, I yield myself 3 minutes.

Obviously I rise in strong support of H.R. 493. I think it has been an honor to work with the gentlewoman from New York (Ms. SLAUGHTER) and, I might add, work we did.

When the Human Genome Project was completed in 2003, the House of Representatives recognized it as ''one of the most significant scientific accomplishments of the past 100 years.''

For the first time, individuals actually could know their genetic risk of developing disorders such as cancer, diabetes, heart disease, Parkinson's, Alzheimer's, and they could take preventative measures to decrease their risks. It spawned a personalized medicine movement, focusing on catching diseases earlier, when they are cheaper and easier to treat or, even better, preventing the onset of the disease in the first place.

But after investing more than $3.7 billion in taxpayer money to achieve this breakthrough, Congress walked away and left the job unfinished.

We left people without any assurance that their genetic information would not be used against them. So, understandably, they avoided this great technology, never realizing the untold health benefits and savings.

This concern even spilled over into NIH, where a fear of genetic discrimination is currently the most commonly cited reason for not participating in research on potentially lifesaving genetic testing for breast cancer and colon cancer. Fully one-third of those eligible to participate declined to do so for this reason, undermining the development of new treatments and cures.

Mr. Speaker, today Congress is here to settle some unfinished business and provide Americans the protections against genetic discrimination in health care insurance and employment that they need to utilize genetic testing without fear.

Besides the more than 200 health advocacy and business organizations that support this bill, recent surveys show 93 percent of Americans believe that employers and insurers should not be able to use genetic information to discriminate.

With numbers like this, it should come as no surprise that this legislation enjoys overwhelmingly bipartisan support. And I want to take a moment to thank my good friend Ms. SLAUGHTER, Mr. WALDEN and Ms. ESHOO. It truly has been a pleasure working with all of them. I would also like to thank Mr. MCKEON, Mr. MILLER and all the other chairmen and ranking full committee and subcommittee members for working together to make this a better bill.

I would be remiss if I did not mention the members of the Coalition for Genetic Fairness, without whom this bill would not be possible.

Finally, I would like to thank Brian Petersen of my staff and Michelle Adams of Ms. SLAUGHTER's staff and all the outstanding staff who worked tirelessly behind the scenes on our behalf and who have put in long hours on this legislation.

Why must we pass this bill today? Because it dramatically reduces health care costs while saving or extending human lives.

□ 1400

Madam Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. DINGELL), the chairman of the Energy and Commerce Committee.

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

Mr. DINGELL. I thank the gentleman for yielding to me. I applaud the work of the three committees that have brought this legislation to us, and the work of my good friend from California (Mr. GEORGE MILLER) as well as that of the distinguished gentleman from New Jersey (Mr. ANDREWS). I want to say a word of praise for our colleagues from Ways and Means led by their distinguished chairman, Mr. RANGEL.

On our committee, a lot of people worked on it very hard: Mr. PALLONE, the chairman of our subcommittee; Ms. ESHOO, who worked very hard on the matter; and our good friend Mr. STUPAK and the distinguished gentlewoman from Colorado, who now occupies the Chair, Ms. DEGETTE, who both did a superb job in negotiating language to avoid the difficult questions associated with birth and issues relating to abortion.

I want to say a word of praise for the distinguished gentlewoman from New York (Ms. SLAUGHTER) who did so much.

Madam Speaker, this is an extraordinary bill. It prevents individuals from employment discrimination. It would make it unlawful for employers, employment agencies, labor organizations or training programs to deny individuals the employment opportunities because of genetic information. It requires genetic information to be treated as a part of the individual's confidential medical record. In addition to that, it protects individuals from insurance discrimination by prohibiting insurers both in the group and individual markets from using genetic information to determine eligibility to establish individual premiums based on genetic information of individuals or their family members.

The bill has been significantly amended since its introduction and has been refined through the work of the three able committees of jurisdiction. The version before us includes key elements that were reported by the Committee on Energy and Commerce, and includes a useful definition change of the word ''family member.'' It is a fine piece of legislation.

I want to pay a tribute to my friend, Mr. BARTON, the ranking member of the committee on Energy and Commerce, for his cooperation on this matter. This is an excellent bill. It should pass, it should become law. My private guess, my dear friends, is that it will exceed, in terms of votes, 350 or 400.

I also want to express my respect and affection for the gentlewoman from California (Mrs. CAPPS), who worked hard on this bill.

Mrs. BIGGERT. Madam Speaker, I yield 3½ minutes to the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Let me also congratulate the authors of the bill and the fine work that they have done. We have had a hearing in Energy and Commerce, where I serve, but I thought I would just follow up a little bit on what the gentleman from Louisiana talked about, a little bit about the preemption.

Madam Speaker, I think almost everybody in this House is for genetic protection from genetic discrimination. There have been many bills over the years that Ms. SLAUGHTER has worked on. I think she indicated she has worked on it for 12 years. I compliment her on her perseverance. Sometimes it takes that kind of conscientiousness to get anything accomplished here. The fact we are able to get this today is a success story. In fact, the President has indicated, I think nationally, that he would like to sign this bill. So it is on a fast track, and I am sure that we won't have any trouble in the suspension passing it.

But one significant concern that I bring to the attention of my colleagues is a Federal preemption. I mention this as perhaps, as the Senate and the House come together, they can solve this problem. So I will continue to talk about it.

According to CBO, the bill would ''preempt some State laws that establish confidentiality standards for genetic information, and would restrict how State and local governments use such information in employment practices and in the provision of health care to employees.'' This bill will create, I think, a little bit of a problem, the confusion in about the 42 States that currently have laws prohibiting discrimination based upon genetic information.

For example, my home State of Florida is very strong with clear definitions. If we superimpose this bill, it would create a lot of confusion, I think, in my State of Florida. Many exemptions occur, HIV testing, drug

testing, forensic analysis, routine blood tests for current health would be negated. Even more frustrating for the regulated, the operative Federal-State relationship rule is whatever part of a State law is more stringent survives. The question is, who decides when that occurs? The courts? I think that is a question the Senate should look at.

There are better approaches, but partial preemption is what we see here. I think it should be changed. Maybe the answer is across-the-board preemption, and that is what I am recommending, or maybe allow States to apply for an exemption. I believe Florida and other States are substantially meeting this policy.

In any event, some Federal agency should at least adjudicate so that the regulated community is not subject to uncertainty, fines, ultimately litigation. So I asked this same question when we had the markup in Energy and Commerce.

So I asked during our Energy markup on March 23 about this to the staff. At that time, it was difficult to understand what their answer was. I followed up on March 27 with a letter to Chairman DINGELL, signed along with a Health Subcommittee ranking member NATHAN DEAL. We have not at this point received a reply to this letter, and I just urge that somehow in the conference on this bill that we try to answer that question.

Finally, 11 Energy and Commerce Republicans signed our views to the energy report, which, Madam Speaker, I make part of the RECORD, and I support the intention of this legislation. It's good. I congratulate everybody, but I would like to see a preemption and other clear issues worked out in conference.

I support protection from genetic discrimination, so much so I have offered my own bills in prior Congresses. However, this bill has, some problems I would like resolved.

(For the record: Many people have been remarking that we have been working for over a dozen years on legislation to safeguard individuals from discrimination against due to their genetic profile when they seek to purchase health insurance or employment.

Well, I count myself among those waiting. For, in 1995, I was proud to be named the first Chair of the Congressional Task Force on Medical Records and Genetics, by then Commerce Committee Chairman Bliley. Congressman GENE GREEN (Committee Democrat) was my Co-chair, and together we held many meetings and hearings with witnesses from the genetics community, including insurance companies, the biotech and pharmaceutical industries, and patient advocates. Indeed, one of my proudest legislative achievements came in the Health Insurance Portability and Accountability Act of 1996 (HIPAA). In the Commerce Committee markup of HIPAA, I was successful in adding two words to the list of protections: "genetic information." It survived and is in the HIPAA law today.

And, I have continued my engagement, authoring bills in the last several Congresses to prohibit genetic nondiscrimination in health insurance.)

One significant concern is the lack of clarity over federal pre-emption. According to CBO, the bill would "preempt some state laws that establish confidentiality standards for generic information, and would restrict how state and local governments use such information in employment practices and in the provision of health care to employees." GINA will create confusion for the 43 states that currently have laws prohibiting discrimination based on genetic information.

Florida's law, for example, is very strong, with clear definitions. If we superimpose GINA it will create a lot of confusion. Many exemptions—HIV testing, drug testing, forensic analysis, routine blood tests for current health—would be negated. Even more frustrating for the regulated, the operative Federal-state relationship rule is whatever part of a state law is more stringent survives. And who will decide? The courts.

There are better approaches, but partial preemption is unsatisfactory. Maybe the answer is across the board preemption. Or, maybe allow states to apply for an exemption. I believe Florida and other States are substantially meeting the policy. In any event, some Federal agency should at least adjudicate so that the regulated community is not subject to uncertainty, fines, or litigation.

I asked this in the Energy and Commerce markup March 23. And, I followed up on March 27 with a letter to Chairman DINGELL, signed along with Health Subcommittee Ranking Member NATHAN DEAL—a response to which has not arrived. Finally, eleven Energy & Commerce Republicans signed Additional Views to our Committee Report, which I resubmit for the RECORD.

Again, I support the intention of this legislation, but would like to see pre-emption and other unclear issues worked out in conference.

GINA WILL CREATE CONFUSION FOR THE 43 STATES THAT CURRENTLY HAVE LAWS PROHIBITING DISCRIMINATION BASED ON GENETIC INFORMATION

We have not done a complete survey but understand that 43 States already have programs and definitions. We would then want to ask Members if they find the programs in their state inadequate. If you were to superimpose the GINA requirements on those states it will involve a lot of confusion. Many exemptions and clear statements regarding HIV testing, drug testing, and other issues would appear to be wiped out. Even more frustrating for the regulatory community the operative Federal-state relationship rule is whatever part of a state law is more stringent survives. This means pieces of state law will apply while other pieces will be preempted. This would all have to be sorted out by the courts. We think there are better approaches. The worst approach is this partial preemption approach. For some programs there is across the board preemption. In other cases, a state is allowed to submit its program for evaluation as a whole. If such programs are adequate or substantially promoting the policy, they would stay intact. We believe our States are substantially meeting the policy and do not see the need for disruption. In any event, some Federal agency should at least sort out what law applies in advance so that the regulated community is not held hostage to more lawyers and uncertainty. Joe Barton. Nathan Deal. Michael Burgess. Steve Buyer. Barbara Cubin. Mike Rogers. John Shadegg. Cliff Stearns. Lee Terry. Heather Wilson. Tim Murphy.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2½ minutes to the gentlewoman from California (Ms. ESHOO) who, again, has worked so hard to bring this legislation to the floor and helped to resolve some of the differences that have existed between the committees, and I thank her for her work.

Ms. ESHOO. I thank the distinguished chairman of the Education Committee.

Madam Speaker, today is a very exciting day. I don't think there is any feeling that beats coming to the floor and knowing that success awaits us and the American people. I think that's the case today as we gather to support the Genetic Information Nondiscrimination Act, known as GINA.

Many times over the course of American history in this Chamber, discrimination has been struck down. I believe that is what we are doing here today with this bill. When the sequencing of the Human Genome Project was completed in April of 2003, it was a great, great victory in the scientific community. So many of us understood what the implications were for our constituents, for the people of our Nation, and people in the world.

Researchers identified genetic markers for a variety of chronic health conditions. When they did, they threw open the doors to increase the potential for early treatment and prevention of numerous diseases.

But there was something that stepped in the way, and that was the threat of discrimination against anyone that subjected themselves to the test, found that they had a gene that wasn't perfect, which I think is the potential of every single one of us, and as a result of that, that their job would be threatened, and that their health care insurance could be dropped. What this bill does today is to throw the doors open with a guarantee by making it illegal for health plans and health insurers to deny coverage to a healthy individual or charge a higher premium based solely on genetic predisposition to a specific disease.

I could go on and on about the bill, but the fact of the matter is, it has well over 200 cosponsors. It is a real bipartisan bill. Thank you to Congresswoman LOUISE SLAUGHTER for her tenacity and her belief in the effort. Twelve years, that is a long time.

I would also like to say what a difference a new majority makes, because this bill was really blocked from coming to the floor for full consideration. To Representative BIGGERT, she has been just as tenacious as LOUISE SLAUGHTER, to all of my colleagues that have worked on this, to the chairman, Mr. GEORGE MILLER of California, Mr. DINGELL, Mr. RANGEL, for making sure that they saw this through and, Ms. SLAUGHTER, of course, she slaughtered us all, I tell you, on this, she made sure, and to the inspirational Dr. Francis Collins, who testified over and over again what the possibilities were that awaited the American people.

I pay tribute to all of you. It's a great day here in the House of Representatives.

Mrs. BIGGERT. Madam Speaker, may I inquire how much time remains on both sides?

The SPEAKER pro tempore (Ms. DEGETTE). The gentlelady from Illinois has 8 minutes remaining. The gentleman from California has 9 minutes remaining.

Mrs. BIGGERT. Madam Speaker, I yield 2 minutes to a member of the Energy and Commerce Committee, Dr. BURGESS.

Mr. BURGESS. Madam Speaker, it's my feeling that this bill should have been brought to the floor under a rule to perhaps allow additional improvement and amendment, as pointed out by Mr. STEARNS. There is the opportunity, perhaps in conference, to further improve the bill. I don't think our work is quite done.

One improvement that I was able to effect in our committee, the Committee on Energy and Commerce, is the exclusion of title II for covered entities already subject to regulation under HIPAA statutes, the Health Insurance Portability and Accountability Act statutes. Dual regulation of communications, uses, disclosures and other aspects and activities, subject to regulation, currently regulated by the Department of Health and Human Services, by GINA, would have had disastrous consequences for coordination of care.

We need to make clear that providing health services is not the same as hiring, firing or job promotion. Genetic information is medical information and is not restricted under the House bill for employer-sponsored services that are covered in entities under HIPAA. Also, nothing in this bill affects the practice of medicine. That is not the intention, and this is among the principles that I have sought to ensure.

I would note that the current HIPAA regulations are extremely sophisticated. They are the result of over 5,000 communications and comments. We are not going to trump those regulations under title II, and that will prevent the possibility for enormous disruption and adverse consequences.

Failure to address this issue would have been calamitous, for efforts of using health information, new efforts for using health information technology. Medical information systems cannot be burdened with legal requirements that would, in effect, force complicated segregation of genetic information from other medical information and health care, including those in employer-sponsored clinics.

Still, with all of those caveats, I will be voting in favor of the bill today. I do look forward to making certain that these modifications survive in conference and perhaps there will be the opportunity to even make things a little bit better in that process.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend for yielding. I congratulate Chairman MILLER and Mr. RANGEL and Mr. DINGELL for their work, and especially my friend, Congresswoman SLAUGHTER, and Congresswoman BIGGERT for her great work. I think we should reflect on the great work they are achieving on this bill.

Madam Speaker, if your grandmother had breast cancer, you shouldn't be denied a job or a promotion. That's what this bill says. If your dad is a diabetic, you shouldn't have to pay higher health insurance premiums. That's what this bill says.

When the scientific community comes to you and asks you to participate in a genetic study that may hold the key to unlocking the mystery of AIDS or Alzheimer's or leukemia, you should be able to participate fully and freely without fear that your genetic information will be unlawfully and improperly shared with someone who wants to do the wrong thing with it.

□ 1415

This is a significant achievement, not only in protecting the working men and women of America from discrimination, but in empowering American scientists to achieve the maximum that we can from the promise of genetic medicine.

The bipartisan effort to support this bill will be vindicated year after year and case after case as Americans can work freely, can avoid discrimination, and as scientists can take the next step and the next step and the next step to unlock the keys to genetic medicine.

So I congratulate my friends, Madam Speaker, for their great work on this bill. I enthusiastically support it. I ask everyone to vote ''yes.''

I would like to note that the final version of H.R. 493 represents the input and compromises made by 3 committees of jurisdiction.

In particular, I would like to mention 3 critical compromises reflected in the final bill:

(1) the bill does not affect or limit the ability of health plans to provide information to their members about the availability and benefits of genetic tests,

(2) the bill is intended to supplement the protections afforded under HIPAA and not intended to prohibit practices permitted under HIPAA unless explicitly stated, and

(3) the bill is intended to provide 2 comparable but distinct causes of action for violations of the Act with respect to genetic information. Health plans and insurers generally are subject to the requirements of the title 1. Employers, including to the extent employers control or direct health benefit plans, are subject to the requirements of title II of the bill.

I commend my colleagues on all 3 committees for their hard work to enable us to pass this important genetic information protection bill.

Mrs. BIGGERT. Madam Speaker, I yield myself 1 minute.

Madam Speaker, I think that by incorporating genetic testing, we can significantly reduce the cost of chronic disease, which currently accounts for 70 cents of every health care dollar. I think the President of the United States understands this, and I will include for the RECORD the statement of administrative policy from the White House in favor of this legislation.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, April 25, 2007.

STATEMENT OF ADMINISTRATION POLICY

H.R. 493—GENETIC INFORMATION NONDISCRIMINATION ACT OF 2007 (REP. SLAUGHTER (D) NY AND 224 COSPONSORS)

The Administration favors enactment of legislation to prohibit the improper use of genetic information in health insurance and employment. The Administration supports House passage of H.R. 493, which would prohibit group health plans and health insurers from denying coverage to a healthy individual or charging that person higher premiums based solely on a genetic prediposition to developing a disease in the future. The legislation also would bar employers from using individuals' genetic information when making hiring, firing, job placement, or promotion decisions. The Administration appreciates that the House bill clarifies that the bill's protections cover unborn children.

The mapping of the human genome has led to more information about diseases and a better understanding of our genetic code. Scientists are pursuing new diagnostics, treatments, and cures based on this information, but the potential misuse of this information raises serious moral and legal issues. Concern about unwarranted use of genetic information threatens the utilization of existing genetic tests as well as the ability to conduct further research. The Administration wants to work with Congress to further perfect this legislation and to make genetic discrimination illegal and provide individuals with fair, reasonable protections against improper use of their genetic information.

Madam Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Madam Speaker, I thank the chairman for yielding.

Madam Speaker, I rise in strong support of H.R. 493, of which I am a cosponsor. As science continues to make rapid advancement in the area of genetics, I cannot stress how important this bill is to every American citizen.

Genetic testing has increasingly become an integral part of the American health care system, providing the possibility to develop better therapies that are more effective against disease and allow individuals to take steps to reduce the likelihood that they will contract a particular disorder. However, as knowledge of the human genome expands, a greater proportion of the population will likely be identified as carriers of mutations associated with a greater risk of certain diseases, indicating that virtually all people are potentially victims of genetic discrimination in health insurance.

Along with the increasing prevalence of genetic testing comes the growing fear of the potential misuse of this information by way of discrimination in health insurance and employment. Accordingly, we need to strengthen current laws at both the Federal and State level in order to protect against the possibility of genetic discrimination. This bill will go a long way in making sure that this highly private information cannot be misused or abused.

In closing, I want to thank the primary sponsors of this legislation, particularly Ms. SLAUGHTER, I know how long she has worked on this, along with Ms. ESHOO and others. We finally came together in a bipartisan fashion to bring up what I think is a bipartisan bill. They should all be commended, all of us should be commended for our efforts. I think that this could serve as a model for bipartisan cooperation on other bills.

Mrs. BIGGERT. Madam Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. STUPAK), a member of the Energy and Commerce Committee.

Mr. STUPAK. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise in support of H.R. 493, the Genetic Information Nondiscrimination Act, or GINA. Congratulations to all who have worked for the last number of years on this legislation, especially Ms. SLAUGHTER.

In reviewing this bill, I was concerned that families may face genetic information discrimination from testing of embryos and fetuses, plus I was concerned about children who are in the process of being adopted. As genetic testing becomes increasingly common, GINA protections must be extended to genetic material gathered through pre-implementation genetic diagnoses, amniocentesis or other future techniques.

Together with Chairman DINGELL, Ms. DEGETTE and Mr. SMITH, we were able to close this loophole, which could have been exploited against families on the basis of genetic material of their fetuses or children in the process of being adopted.

I am proud to have worked with so many Members to correct the concerns I had on this bill. I support the passage of this bill.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS), a member of the committee.

Mrs. CAPPS. Madam Speaker, I thank my California colleague for yielding me time.

Madam Speaker, I also rise in strong support of H.R. 493, and I commend my colleagues, the Congresswomen who have been acknowledged, SLAUGHTER, ESHOO, BIGGERT and others who persisted over the years to bring this legislation to the floor, and acknowledge that the Caucus for Women's Studies of the 110th Congress has made the passage of this its highest priority.

I am also struck by the importance of the partnership that is highlighted with this legislation, a partnership between this legislative body and our colleagues in the National Institutes of Health and work that we should be doing together on behalf of the American people.

As Dr. Francis Collins and his wonderful staff of the Genome Project have taught us, the identification of genetic markers for disease is one of the most remarkable accomplishments scientists have ever made. Being able to identify risks for certain conditions holds such great promise for our ability to identify and practice greater preventive health care in this country. The importance of preventive care to our well-being and our optimum health can never be overemphasized.

However, as with almost all great scientific advancements, we have also opened the door to a whole slew of unintended consequences. Preventive health care can be put at risk if patients decline genetic testing for fear of insurance or employment discrimination. We need to work together, and we will, on ways to promote ethical genetic testing, coupled with appropriate privacy protections and with measures such as we are doing today to prevent discrimination.

This bill accomplishes these goals, and I am extremely proud to support it. I urge all of my colleagues to vote ''yes'' on its passage.

Mrs. BIGGERT. Madam Speaker, I have no further speakers, so I will yield myself the balance of my time to close.

Madam Speaker, this bill has been a bipartisan bill. It has got 95 Republicans and 125 Democrats. GINA passed the Education and Labor Committee, Energy and Commerce Committee and the Ways and Means Committee by voice vote. I think that GINA is needed to maintain high-quality genetic research and clinical trials at NIH. It passed the Senate last year 98–0, and the last Congress was a strong SAP for them, so when this goes to conference we will see what happens this year.

Let me just say that Newt Gingrich said to not have this bill is to cripple our ability to save lives. I would like to enter into the RECORD a statement of his in the Washington Times, and just to quote a little bit from it.

''Without protection from genetic discrimination, we risk missing out on the promise of personalized medicine. But if we apply time-honored principles of fairness and justice to the genome era, we can grant the American public the gift of better informed patients, better equipped providers, an enhanced biotech industry, improved health and lives saved.

''Let's not withhold this gift any longer. Let's empower all Americans to embrace the possibilities of personalized medicine for better health, and let's commend the forward-thinking bipartisanship of the 110th Congress that has brought us to the threshold of a world where Americans can embrace personalized medicine without fear.

''Our health, and that of our children and grandchildren, depends on it.''

Let me just say that this bill had to go through three committees, and that is not easy, Education and Labor, Ways and Means and the Energy and Commerce. That is no small feat. I really thank Chairman SLAUGHTER for all that she did to make sure that this went through, and all the time she has spent on this. It has been a great honor to work with her.

Again, let me thank the chairmen of these committees and the ranking members for the time that they put in, and all the Members that came down to speak today and all the Members that supported this as cosponsors.

To go through the three committees, everybody knows something about this place, but everybody wants to put their stamp on it. To come out with a bill we can all agree on, and, as people said, they have some things they would still like to put in, but I think being able to manage all of the different committees, and what was their jurisdiction and what maybe they thought was their jurisdiction but really was the jurisdiction of another committee, makes it a very interesting process.

And I think we all learned about how this type of bill works. It is a very technical bill, and that is why we thank all of the 200 groups, at least 200 groups that have worked on this bill and been able to give us the technical information that we needed to make this something that is going to save lives. It is going to lower costs and it also is going to find the cures for so many of these diseases and disorders, because people will be willing to go into clinical trials. So I congratulate all of the people that participated.

Madam Speaker, I include the article by Newt Gingrich for the RECORD.

CONGRESS OF THE UNITED STATES,
Washington, DC.

Why does Newt Gingrich Support GINA?

DEAR REPUBLICAN COLLEAGUE, We wanted to draw your attention to this op-ed by Newt Gingrich supporting H.R. 493, the Genetic Information Nondiscrimination Act. It appeared in the Washington Times on April 11, 2007. We urge you to vote ''yes'' when this legislation comes to the floor.

Sincerely,

JUDY BIGGERT,
Member of Congress.

GREG WALDEN,
Member of Congress.

[From the Washington Times]

HEALTH CARE RE-GIFTING LEGISLATION RIGHTLY AVOIDS GENETIC DISCRIMINATION

(By Newt Gingrich and Robert Egge)

Protecting every American from genetic discrimination is a long overdue gift to the nation. After 12 years of debate, Congress is at last poised to deliver this gift.

The sequencing of the human genome is leading to revolutionary advances in our understanding of the causes of disease. Four years after completing the Human Genome Project, we are witnessing the dawn of the era of personalized medicine.

The discovery of genetic variants that contribute to risk of common diseases will continue to grow rapidly during the next few years, offering better opportunities for individualized, preventive medicine. Already,

health-care providers can test for DNA patterns that predispose some of us to cancer, and soon this will be possible for diabetes, heart disease and other common diseases. Doctors will also soon be able to prescribe medicines and treatments based on our own individual genetics. Pharmacogenomics will better equip doctors to give the right medicine to the right patient at the right dose and, by avoiding giving treatments to patients who would suffer a negative reaction, save both lives and money.

The arrival of this new era, however, is being delayed by widespread public fear of genetic discrimination. Individuals worry that genetic predisposition to a particular disease will deny them access to health care of employment. These fears are not unwarranted. This issue affects all of us; there are no perfect specimens at the DNA level. Each of us carries gene variants that increase risk of developing one disease or another, each of us is at risk for genetic discrimination.

A recent independent survey conducted by the Genetics and Public Policy Center showed that more than 90 percent of Americans support the use of genetic testing by doctors to identify a person's risk for future disease. But nearly all Americans (93 percent) believe that health insurers should not be able to use genetic test results about increased risk of future disease to deny or limit insurance or charge higher prices. Similarly, 93 percent felt that employers should not be able to use genetic information to make hiring or promotion decisions.

Not only do these fears discourage Americans from using genetic tests that could personally benefit them, but they risk delaying the arrival of new medical breakthroughs. At the National Institutes of Health, fear of genetic discrimination is the most commonly cited reason for declining to participate in research that includes potentially lifesaving genetic tests for cancer; over one-third of eligible participants decline on this basis.

In the past, lawmakers have come close to providing Americans the protections they seek. Two years ago, with the support of the Bush administration, the Senate passed the Genetic Information Nondiscrimination Act of 2005 by a 98–0 vote. Progress in the House was slower. Despite 244 cosponsors, including 117 Republicans, the bill never came to a House vote in the 109th Congress.

In this Congress, the 110th, House and the Senate champions have taken up genetic nondiscrimination with even greater determination. All the House and Senate committees involved have already held hearings on the bill, and the leadership has signaled a commitment to moving S 358 and HR 493 to a vote. President Bush has strongly restated his support. The time is right to put the needed protections in place.

Without protection from genetic discrimination, we risk missing out on the promise of personalized medicine. But if we apply time-honored principles of fairness and justice to the genome era, we can grant the American public the gift of better-informed patients, better-equipped providers, an enhanced biotech industry, improved health and lives saved.

Let's not withhold the gift any longer. Let's empower all Americans to embrace the possibilities of personalized medicine for better health. And let's commend the forward-thinking bipartisanship of the 110th Congress that has brought us to the threshold of a world where Americans can embrace personalized medicine without fear.

Our health, and that of our children and grandchildren, depends on it.

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

Mr. GEORGE MILLER of California. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I would just want to join in thanking all of the Chairs and the ranking members of the three committees and the subcommittees, and clearly LOUISE SLAUGHTER, our colleague from New York, who has worked so hard on this legislation so very long, and JUDY BIGGERT also, and ANNA ESHOO.

Given the importance of this legislation, it is hard to believe it has been stuck in the Congress of the United States for 10 years, but it has been. Maybe our reporting it today off of the floor is a tribute to a fresh start.

This is a very, very important piece of legislation to the health of the Nation and to the world. The advocacy of LOUISE SLAUGHTER has reminded us almost every day in those 10 years what we were missing by not passing this legislation and making it available so that we could get on with the wonderful discovery and the wonderful help that could be provided to individuals, to their families and to our communities. And the National Institutes of Health is to be commended, with all of the assistance they provided and all of the information provided to this Congress.

With that, I also want to thank the staffs of the three committees on both sides of the aisle for all of their work. They put in a lot of hours to get this resolved so that we could come to the floor and work over the differences that were there sometimes between the committees.

Mr. GENE GREEN of Texas. Madam Speaker, I rise in support of H.R. 493, the Genetic Information Non-Discrimination Act.

The sequencing of the human genome was an amazing scientific advancement, and has contributed to the rise of genetic testing to inform patients of their proclivity for disease. Thanks to genetic testing, individuals with a risk of an illness can take precautionary steps ahead of time to ward off disease, which will contribute to lower health care costs over time.

As we take advantage of this scientific progress, however, it is critical that we protect individuals from any discrimination that could result from the information these tests reveal. The results should not be used by health insurers to deny anyone coverage or increase their premiums because of a pre-disposition to a certain disease. Likewise, the results should not be used by employers to discriminate against employees based on their predisposition to disease.

I am proud to be a co-sponsor of this legislation, which our colleagues Ms. SLAUGHTER and Mrs. BIGGERT have been working on for over a decade now. The health care marketplace has changed significantly since the bill's original introduction, and important changes were made to the bill during the 108th Congress to refine the bill's definitions and scope.

During the Energy and Commerce Committee's consideration of the bill, we learned about one segment of the health care marketplace that was excluded from the bill's protections—the long-term care insurance market. The bill sponsors and supporters all agreed that this bill was never intended to regulate the long-term care insurance market, and I understand that current statute treats long-term care insurance differently.

Regardless of the bill's original intent, the fact remains that the long-term care exclusion in this bill would allow a long-term care insurer to discriminate against an individual on the basis of genetic information. If an individual determines that she is at high-risk for developing Alzheimer's disease, the next obvious step is to plan her future care for Alzheimer's, including the purchase of long-term care insurance. Despite all of the good intentions in this legislation, the bill would allow long-term care insurance underwriters to refuse to cover her or charge her higher premiums for a disease she has yet to develop and may never develop.

As a Congress that continues to encourage Americans to plan for their future, we should ensure that future legislation extends the patient protections inherent in this bill to consumers who want to plan for their future and purchase long-term care. With that, Madam Speaker, I am pleased to support this important legislation and encourage my colleagues to vote for its passage.

Mr. PAUL. Madam Speaker, the supporters of H.R. 493, the Genetic Information Nondiscrimination Act, are right to be concerned over the possibility that third parties, such as the government or potential employers, will access an individual's genetic information without consent, and use that information to deny an individual health insurance or other benefits. I have long advocated repealing government laws and polices that allow third parties to access personal information. For example, I have worked to repeal the provision of Federal law giving the Federal Government the power to assign every American a ''unique medical health identifier.'' I also support repealing the phony ''medical privacy'' regulations that give law enforcement officials and state-favored private interests the right to access medical records at will.

Because of the Federal Government's poor record in protecting privacy, I do not believe the best way to address concerns about the misuse of genetic information is through intrusive Federal legislation. Uniform Federal mandates are a clumsy and ineffective way to deal with problems such as employers making hiring decisions on the basis of a potential employee's genetic profile. Imposing Federal mandates on private businesses merely raises the costs of doing business and thus reduces the employment opportunities for all citizens. A much better way to eliminate irrational discrimination is to rely on state and local regulation. Unlike the Federal Government, states and localities are able to tailor their regulations to fit the needs of their particular populaces. I would remind my colleagues that 34 states currently ban genetic discrimination in employment, while 46 states forbid health insurers from engaging in genetic discrimination. Clearly, the states are capable of addressing this issue without interference from Washington. My colleagues should also remember that Congress has no constitutional authority to forbid private sector employers from making hiring or other employment decisions on the basis of genetic information.

The best way to address the sponsors of H.R. 493's legitimate concerns is to put individuals back in control of the health care dollar. When individuals control the health care dollar they, not their employers, insurance

companies or Health Maintenance Organizations, can make all health care decisions, including whether or not to share individual genetic histories with a potential employer, insurer, or other third party. Therefore, instead of creating more Federal regulations and bureaucracies, my colleagues should increase individual control of health care by passing legislation expanding Health Savings Accounts and individual health care tax credits and deductions.

Mr. HOLT. Madam Speaker, I rise today in strong support of H.R. 493, the Genetic Non-Discrimination Act (GINA). As a cosponsor of this important legislation since I first came to Congress, I am delighted that it is finally being considered by the House of Representatives.

As humans, we have a genetic destiny that we cannot control. The genes we are born with are the genes we will die with, and it is wrong for any employer to fire, refuse to hire, or deny insurance to an employee based on that individual's genetic composition. It is unconscionable for employers to require their employees to submit to a genetic test or to secretly obtain genetic information, only to use the genetic information against the employees.

The Human Genome Project was created to provide a genetic map of the human body to aid the scientific and medical communities in their fight against some of the most insidious diseases and afflictions suffered by humanity. It is a great irony and a tragedy that this research is now being used as justification to fire or refuse to hire employees who have no control over their genetic destinies.

As a member of the Education and Labor Committee, I participated in hearings on GINA which highlighted the existing loopholes in federal and state laws protecting an individual's health information. Lacking a strong and clear national law prohibiting genetic discrimination, employees have been fired or denied insurance coverage based on this most personal of information.

Today, the House will act to end genetic discrimination in hiring and firing decisions. GINA will protect prospective and current employees from discrimination based on a genetic predisposition regardless of what state they live in. It will provide strong protections to those individuals who may suffer from actual genetic discrimination now and in the future. This legislation would pose a nominal cost to employers, but provide priceless protections for American workers and peace of mind for their families.

New Jersey, along with 32 other states, already prohibits genetic discrimination in decisions on hiring, firing, or benefits. However, only 25 states prohibit employers from requiring genetic information from their employees. Worse yet, only 10 states prohibit employers from obtaining genetic information or genetic tests of employees through any means.

This vital legislation is supported by more than 200 groups and associations including: the Hereditary Disease Foundation, the American Association for the Advancement of Science, the American Jewish Congress, the American Association of People with Disabilities, the American Society of Human Genetics, the March of Dimes, the NAACP, the National Fragile X Foundation, the National Hemophilia Foundation, the National Council of La Raza, Citizens for Quality Sickle Cell Care, the Coalition for Genetic Fairness, the Cornelia de Lange Syndrome Foundation, the Cystic Fibrosis Foundation, The National Workrights Institute, the Religious Action Center for Reform Judaism, Rett Syndrome Research Foundation, the Spina Bifida Association of America and many others.

Madam Speaker, it is long past time for the Genetic Non-Discrimination Act to become law. I urge my colleagues to vote for this important legislation, which will protect the rights of American workers and their families.

Mr. STARK. Madame Speaker, I am pleased that we are finally passing the Genetic Information Nondiscrimination Act.

This is a bill that has languished in Congress more than a decade. The Senate has twice passed earlier versions of this bill with unanimous votes, but the House has always blocked action.

It's good to see that times have changed. Members from both sides of the aisle—as well as the President support the bill before us.

As I hope most of you know, this bill does something very simple, but something very important as well. It protects people's genetic information and family history from being used by health plans or employers to discriminate against them. Enactment of this law is critical to protect patients and for genetic science to advance.

Recent breakthroughs in medical science have made genetic testing available to more patients, but with these breakthroughs comes the fear that patients may be discriminated against by insurance companies and/or employers if they are pre-disposed to suffer from a disease or other condition.

We are here today to make sure that patients can undergo genetic tests which could help with treatments or cures without fear that the results will keep them from affordable, reliable health care.

This legislation is an overdue and important step toward ensuring that our laws governing patient rights are as current as the latest medical technology.

I urge strong support for this bill.

Mr. SHAYS. Madam Speaker, as an original cosponsor of H.R. 493, I rise in strong support of this legislation and am grateful we are finally considering it. The objective of this bill is simple: preventing both health insurance companies and employers from using genetic information to discriminate against individuals.

In the past decade, science has made remarkable advances on the human genome. Genetic tests are already available to measure an individual's likelihood of developing specific diseases. In fact, soon every individual will have a genetic profile available that predicts the diseases for which they are more at risk, and what side effects to which they are more susceptible. These genetic advances will make health care pre-emptive and ultimately save the health care system—and consumers—money.

While these advances hold amazing potential, they also hold potential for abuse. For example, health insurance companies could charge higher rates—or even deny coverage—to individuals who are determined to be at higher risk for certain disease or illnesses. Similarly, employers could screen applicants for certain positions based on their genetic make-up to get the individuals least likely to develop diseases.

Our laws need to keep pace with medical advancement. If Americans are afraid of retribution from their health insurance company or from their employer if they get genetic testing done, none of the medical advances that are possible will be achieved. We simply must move forward in this critical area of science, which is why I urge passage of this legislation.

Mr. GEORGE MILLER of California. Madam Speaker, with that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER) that the House suspend the rules and pass the bill, H.R. 493, as amended.

The question was taken.

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

Mr. GEORGE MILLER of California. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

COMMUNICATION FROM THE HONORABLE JOHN E. PETERSON, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN E. PETERSON, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 25, 2007.

Hon. NANCY PELOSI,
Speaker, of the 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, I have been served with a judicial subpoena for documents issued by the United States District Court for the Middle District of Pennsylvania.

After consulting with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

JOHN E. PETERSON,
Member of Congress.

PROVIDING FOR CONSIDERATION OF H.R. 1332, SMALL BUSINESS LENDING IMPROVEMENTS ACT OF 2007

Mr. ARCURI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 330 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 330

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1332) to improve the access to capital programs of the Small Business Administration, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived

except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Small Business now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 9 or 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 1332 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

□ 1430

The SPEAKER pro tempore. The gentleman from New York is recognized for 1 hour.

Mr. ARCURI. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Washington (Mr. HASTINGS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. ARCURI. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 330.

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

There was no objection.

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

House Resolution 330 provides for consideration of H.R. 1332, the Small Business Lending Improvements Act of 2007 under a structured rule. The rule provides 1 hour of general debate controlled by the chairman and ranking minority member of the Committee on Small Business. The rule makes in order the substitute reported by the Committee on Small Business as an original bill for purpose of amendment. The rule makes in order all four germane amendments that were submitted to the Rules Committee. And finally, the rule provides one motion to recommit, with or without instructions.

Madam Speaker, this bipartisan legislation, crafted under the leadership of my colleague from New York, chairwoman of the Small Business Committee, Ms. VELÁZQUEZ, maintains support of a wide range of organizations, including the Independent Community Bankers of America, the American Dental Association, the American Veterans, and American College of Physicians.

Small businesses are the backbone of the American economy. In my home State of New York, 99 percent of all businesses are small businesses, and they employ 52 percent of the nonfarm, private sector workforce. In 2005, an estimated 62,000 new small firms began operations in New York, creating $77 billion in entrepreneurial income for the State of New York.

In my district and across this country, Americans depend on small businesses to drive the economy and provide essential everyday services. Sadly, it is a constant struggle for many of these entrepreneurs just to keep the lights on, as larger companies continue to push out the mom and pop businesses in the cities and towns across the country.

My constituents in upstate New York have experienced this loss firsthand. I am proud to have the opportunity, as a member of the distinguished Rules Committee, to manage this rule for such an important piece of legislation for our Nation's small businesses.

The Small Business Lending Improvements Act will help strengthen our Nation's small businesses by updating and streamlining two of the Small Business Administration's largest financing programs, the 7(a) and 504 loan programs.

This bill will make the 7(a) program more affordable for both borrowers and lenders by reducing fees and increasing the SBA guarantee on 7(a) loans. It will also modernize the 504 Certified Development Company Program by improving the ability of CDCs to liquidate defaulted loans and by requiring their local community leaders be included on every CDC board of directors. And it will make permanent the Community Express Program, providing increased access to capital for socially and economically disadvantaged small business owners.

This bill also establishes two important new 7(a) loan programs, one to encourage private health care providers to establish practices in federally designated Health Professional Shortage Areas, and one to assist our Nation's veterans in starting or expanding a small business.

Despite an abundance of health professionals, New York State has 102 communities designated by the Federal Government as Health Professional Shortage Areas. Only 16 percent of the physicians practicing in New York provide services in these medically underserved areas. According to the Department of Health and Human Services, the district I am privileged to represent is short nearly 70 dental, primary care and mental health practitioners. Further, a handful of counties I represent don't even have a resident OB/GYN, forcing thousands of women to travel 40 to 50 miles just to seek routine care.

Madam Speaker, this problem is not confined to upstate New York. Over 60 million Americans currently live in medically underserved areas across the country. The Small Business Lending Improvements Act will address this critical shortage by establishing a 7(a) loan program that reduces lender and borrower fees by half and increases the government guarantee to 90 percent of the doctors and dentists serving Health Professional Shortage Areas.

These financial incentives are critical to encouraging private health care providers to establish practices in underserved areas and to expand access to quality health care for millions of Americans.

Madam Speaker, this legislation will also ensure that our returning servicemen and women are afforded every opportunity to start or expand a small business by establishing a dedicated 7(a) loan program for veterans.

An estimated 900 of New York's Reservists currently deployed in Iraq and Afghanistan are self-employed, and another 100 are considered key employees within small businesses. The absence of these men and women during 12- or 15-month deployments often forces the small businesses they own to operate at greatly reduced levels, at times declining to near startup conditions by the time the owner returns. An absence due to deployment is most detrimental to the smallest towns where many Reserve and Guard members operate businesses essential to the community.

The Small Business Lending Improvements Act will help address the obstacles faced by small business owners deployed in Iraq and Afghanistan by eliminating borrower and lender fees and increasing to 90 percent the government guarantee for loans to veterans under the 7(a) program.

According to American Veterans National Commander Thomas C. McGriff, ''These lenders fees, which can amount to thousands of dollars, are due up front and can deter entrepreneurs from seeking financial assistance altogether.''

Madam Speaker, by creating a lender structure tailored specifically for veterans, this bill will encourage entrepreneurship and help to repay the enormous debt we owe to our brave men and women in uniform.

Madam Speaker, it is our Nation's small businesses that keep our Nation's economy moving full speed ahead. Let's take this opportunity to provide further encouragement for the creation of new small businesses and for our Nation's existing small business owners to expand.

I am proud to support this bipartisan legislation and encourage my colleagues on both sides of the aisle to do the same.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I want to thank the gentleman from New York (Mr. ARCURI) for yielding me the customary 30 minutes, and I yield myself as much time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Madam Speaker, the Small Business Administration was originally created to assist small businesses which are vital sources of job creation and economic growth here in America, but are often disadvantaged when it comes to access to capital.

The Small Business Administration's two largest small business finance programs, the 7(a) loan guarantee program and the 504 loan program, have assisted thousands of small businesses every year that otherwise would not have attained a commercial loan for the purpose, amount and on the terms that small business borrowers need.

The Small Business Lending Improvement Act enhances and streamlines these finance programs and makes the 7(a) program more affordable and accessible to borrowers and lenders by providing the Small Business Administration with the authority to use funds to reduce fees on both lenders and borrowers. This bill encourages increased lender participation in the 7(a) program by reducing application burdens for borrowers and lenders in rural areas and expediting the loan consideration time.

This bill was favorably reported by the Committee on Small Business by a voice vote, and it enjoys strong bipartisan support.

Madam Speaker, our Nation's small businesses are the engine that drives our economy. Small business represents 99.7 percent of all employers and have generated 60 to 80 percent of new jobs annually over the last decade. Clearly, we must act to help our Nation's small businesses continue to grow and create job opportunities.

While I support the underlying Small Business Lending Improvement Act, more must be done to help small businesses overcome the challenges they face. Congress must act quickly to continue tax incentives for small business expenses that spur job creation and grow the economy.

In the last Congress, I supported the Tax Increase Prevention and Reconciliation Act, which extended through 2009 the enhanced section 179 small business expensing allowance. In 2007 the maximum allowance will be $112,000. But in 2010, this maximum amount will plummet to $25,000 without an extension of the current law.

I am disappointed that the Democrat majority has chosen not to provide small businesses more significant tax relief in a form that has an opportunity to become law. We cannot afford to halt our Nation's economic growth and job creation opportunities by letting small business tax relief policies expire and become part of the Democrats' proposed largest tax increase in American history.

Congress must also act to provide regulatory relief and make health care more affordable for small business employees and the self-employed.

Madam Speaker, because of the way health insurance is priced and regulated, small businesses usually pay more for similar coverage than larger corporations, and I think this is simply unfair. It is currently estimated that 60 percent of those without health insurance work for or depend on small employers who lack the ability to provide health benefits for their workers.

The high cost of health insurance prevents many small business owners from providing health insurance to their employees, and we must look for ways to make health care more affordable. One way is to expand Health Savings Accounts so that individuals can choose a health plan that best meets their needs. Health Savings Accounts allow individuals to make their own decisions about their health care, while building, at the same time, savings tax free to pay for future medical expenses.

Another way to make health insurance more affordable and accessible is to allow small businesses to join together to use the marketplace to buy health insurance as a group. This would provide small businesses with greater bargaining power and lower health plan costs that larger companies now often afford.

We must also provide fairness to self-employed individuals who purchase their own health insurance, but yet are treated differently under the U.S. Tax Code than those who receive health insurance benefits from their employer.

So I call on this new majority to bring forth legislation to the House floor that not only makes improvements to small business lending programs, as this bill does, but that provides real tax and regulatory relief to small businesses and makes health insurance more accessible.

Madam Speaker, I am disappointed that this House Resolution 330 is a structured rule. I am even more concerned that an amendment offered by my colleague from Indiana, Mr. BUYER, the ranking member of the Committee on Veterans' Affairs, was not made in order by the Rules Committee. In fact, it was rejected by the Democrat majority on a party line vote.

Mr. BUYER's thoughtful amendment would authorize Federal contracting officials to treat small businesses owned by service-disabled veterans under the same rules as those applied to businesses in SBA's 8(a) program. Under House Resolution 330, Members are denied the opportunity to consider a full range of ideas on this floor to the Small Business Lending Improvement Act.

Accordingly, Madam Speaker, I urge my colleagues to vote against the previous question and against House Resolution 330.

Mr. MCGOVERN. Madam Speaker, let me say at the outset that I always enjoy listening to my colleague from Washington State, Mr. HASTINGS, both on the floor and in the Rules Committee.

I want to respond to a couple of things he said. He talked about the Democrats and taxes. Let me remind him that the biggest tax increase that is looming that could impact small businesses is the alternative minimum tax, or so-called AMT. And the Democratic majority is actually working on a solution so that millions of Americans won't be unfairly burdened with that tax. That is an issue that, when the gentleman's party was in the majority, they chose not to deal with. And the Democrats will deal with that.

Let me say one other thing, Madam Speaker. It is always interesting to hear the gentleman from Washington complain about the rule.

□ 1445

Let me state for my colleagues, both Democrat and Republican, that every single germane amendment that was offered to this bill was made in order by the Rules Committee. That is something that very rarely happened when the gentleman's party was in the majority. So I think this is a good rule.

He complains that a nongermane amendment was not made in order, one that deals not with the issue of loans, which the underlying bill deals with, but instead the Buyer amendment deals with contracting. And the gentleman says that we need to do this for our veterans. Well, I want to do all we can for our veterans, and maybe in the right vehicle we can deal with that issue. But I also want to point out to my colleagues here in Congress that when the gentleman's party was in control, veterans health and veterans benefits were woefully underfunded. I mean, we are dealing with scandals at Walter Reed. We are dealing with scandals all over the country dealing with veterans health because of the inadequacy of the funding that came out of the Republican majority, budget after budget after budget after budget.

The Democrats take control and have literally pumped billions of dollars more into veterans programs, including veterans health programs. And I will say to the gentleman from Washington that today he will have the opportunity, in the conference report on the supplemental appropriations bill, to vote for a conference report that adds

even billions of dollars more to help our veterans. So if people are concerned about helping our veterans, then they will have an opportunity this afternoon to vote that way.

Mr. HASTINGS of Washington. Madam Speaker, will the gentleman yield?

Mr. MCGOVERN. I am happy to yield to the gentleman.

Mr. HASTINGS of Washington. Madam Speaker, I appreciate the gentleman's yielding.

Let me first talk about the issue of the structured rule and about Mr. BUYER's amendment, which I am going to call for a vote on the previous question so we can rectify what we didn't do in Rules last night, and that is simply this: The Rules Committee exists to make rules for debate on the floor of this House. We, on a regular basis, waive the rules for whatever. In fact, we are going to have the supplemental budget on the floor, and line 1 of that supplemental rule talks about waiving rules.

So the point is this: If we had had an open rule, as I suggested last night, Mr. BUYER could have offered his amendment.

Mr. MCGOVERN. Madam Speaker, I would like to reclaim my time, if I may.

What the gentleman knows full well is that even with an open rule, the Buyer amendment would still not be germane and subject to a point of order by any Member of this House. I mean, we have germaneness rules for a reason.

Let me also point out another interesting fact that I think my colleagues should remember. The gentleman from Wisconsin (Mr. OBEY), during the last Congress, time and time and time again went before the Republican Rules Committee asking for a waiver on an amendment that would repeal the tax cut for the top 1 percent income earners in this country, the multibillionaires, if you will, so that those savings could be put into veterans programs. He needed a germaneness waiver. Time and time and time again, the Republican Rules Committee denied him the right to offer that amendment.

Now, I guess my point is that it is a little bit curious that the gentleman voted routinely to uphold the germaneness rules with regard to amendments to help veterans in the past, but now somehow is complaining that we need a different standard now that they are in the minority.

Madam Speaker, I would simply say that this is a fair rule. Every germane amendment that was offered is made in order. Anybody could have offered an amendment. And this is something that was very rarely afforded to us when we were in the minority. And I think it is a good rule.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I wonder if my friend has any more requests for time. If he is prepared to yield back, I will make my closing statement and then yield back.

Mr. MCGOVERN. I am going to wait with bated breath while the gentleman gives his closing statement. I have no further requests for time.

Mr. HASTINGS of Washington. Madam Speaker, I yield myself the balance of my time.

Let me respond. I appreciate at least the short time that the gentleman yielded to me. I wish I could have made my point, but I will finish making it here.

And that is if we had had an open rule, Mr. BUYER could have come to the floor and attempted to offer his amendment. Somebody would have probably raised the germaneness issue under a point of order, and I have all the confidence in the world that the Speaker would have ruled it out of order because that is what the rules are.

But now, because we have established a policy here of going through structured rules, we want to give every Member in this body an opportunity to see if we should have this amendment considered that allows for disabled veterans who have businesses to be treated as others would under that section of the SBA Act.

The second point I want to make in response to my friend's talking about tax relief, he talked about this majority's attempt, and I think he used the word ''attempt,'' or intention to address the AMT. I agree it needs to be addressed. There is a huge cost, as the gentleman knows; so we, in the past Congresses, have addressed it. But the tax relief issues that I was talking about in my remarks are already in place. They are already in place. They have been acted on. They were voted on, and the American people have enjoyed the tax relief. And they are going to go away if the majority follows at least the proposed budget that was passed by this body. It would result in the largest tax increase in American history, not only in the one that I cited but in others.

So with that, the last thing I would like to mention to my friend, because he talked about veterans funding, we not only dealt with and resolved the concurrent receipt issue, but in the last 6 years, veterans funding has increased by 50 percent. We all know that it is important that veterans get their due care because of what they have given us and our freedoms. So I just want to set the record straight that in the last 5 years, there has been a great deal of increase.

So we will be asking to vote, Madam Speaker, on the previous question. I will be asking for a ''no'' vote so that I can amend this rule to allow the House to consider an amendment offered by Mr. BUYER and provide the appropriate waivers. As I stated before, the Buyer amendment would authorize Federal contracting officials to treat small businesses owned by service-disabled veterans under the same contracting rules as those applied to businesses in the 8(a) program.

Madam Speaker, as I mentioned, the Rules Committee met yesterday, and they rejected, on a party-line vote, making it in order.

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

The SPEAKER pro tempore (Ms. DEGETTE). Is there objection to the request of the gentleman from Washington?

There was no objection.

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

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

Madam Speaker, let me begin by responding to a couple things the gentleman from Washington said.

First of all, on the issue of veterans funding, I don't know too many people who will get up and say that the funding under the previous majority for veterans was anywhere near adequate. The fact of the matter is we have more and more veterans each and every day as a result of the wars that we are involved with. The number of disabled veterans has gone up, and we have seen the direct impact of underfunding veterans health with the terrible tragedy at Walter Reed and so many of our other hospitals.

That is one of the reasons why, when the Democratic majority took over this place in January, one of the first items of business was to increase veterans health. And in the conference report on the supplemental appropriations bill that is coming before us today, there are billions of dollars more for veterans health. If you want to help veterans, vote for the money. It is not about rhetoric; it is about action.

Secondly, in terms of fiscal policies, I think there was a reason for the result in the last elections. I think Americans, Democrats and Republicans, were horrified with the fiscal policies of the previous Republican majority. We went from huge surpluses under Bill Clinton and a huge economic boom under Bill Clinton to now record deficits. We have the largest debt in the history of our country. And I think most Americans, no matter what their party affiliation is, have been justifiably horrified by that result. They want a change. They want fiscal responsibility. That is why we are back to pay-as-you-go, and that is why we are for responsible tax relief. And that is what the Democratic majority is going to pursue.

Madam Speaker, the Small Business Lending Improvements Act will go a long way towards strengthening our Nation's small businesses by establishing much-needed improvements to the SBA's primary loan programs. Today we have an opportunity to encourage entrepreneurship, particularly for those who are socially or economically disadvantaged and those who

serve our Nation in the Armed Forces, and provide some additional opportunities for small business owners looking to expand.

I want to again commend my colleague from New York (Ms. VELÁZQUEZ) for her leadership in bringing this promising and long overdue legislation to the floor.

I think this is a fair rule. Everybody who wanted to offer a germane amendment to this bill could have done so. All the germane amendments are made in order. That is somewhat of a departure from the previous Congress, where we were routinely handed closed rules. So I would urge a ''yes'' vote on the previous question and on the rule.

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

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

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

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

AMENDMENT TO H. RES. 330 OFFERED BY REP. HASTINGS OF WASHINGTON

At the end of the resolution, add the following:

Sec. 3. Notwithstanding any other provision of this resolution, the amendment printed in section 4 shall be in order as though printed as the last amendment in the report of the Committee on Rules if offered by Representative Buyer of Indiana or a designee.

That amendment shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent.

Sec. 4. The amendment referred to in section 3 is as follows:

Add at the end of the bill the following:

TITLE III—8(a) PROGRAM

SEC. 301. AUTHORITY TO AWARD CONTRACTS UNDER 8(a) PROGRAM TO SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.

Section 8 of the Small Business Act (15 U.S.C. 637) is amended by adding at the end the following new subsection:

''(o) SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—

''(1) AWARD OF CONTRACTS.—The Administrator may award a contract under subsection (a) to a small business concern owned and controlled by service-disabled veterans on the same basis as a contract awarded under that subsection to a socially and economically disadvantaged small business concern.

''(2) ANNUAL CERTIFICATION REQUIRED.—The Administrator shall require each small business concern owned and controlled by service-disabled veterans that is a Program Participant under section 7(j)(15) or that is awarded a contract under subsection (a) to certify, on an annual basis, that such concern is a small business concern owned and controlled by service-disabled veterans within the meaning of section 3(q).

''(3) DISADVANTAGED OWNER.—For purposes of this section, in the case of a small business concern owned and controlled by service-disabled veterans, the term 'disadvantaged owner' means an owner who is a service-disabled veteran.''.

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

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

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

Mr. HASTINGS of Washington. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:30 p.m.

Accordingly (at 2 o'clock and 56 minutes p.m.), the House stood in recess until approximately 3:30 p.m.

□ 1545

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. DEGETTE) at 3 o'clock and 45 minutes p.m.

GENERAL LEAVE

Mr. WALZ of Minnesota. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Concurrent Resolution 121.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Ordering the previous question on House Resolution 330, by the yeas and nays;

Adopting House Resolution 330, if ordered;

Suspending the rules on H. Con. Res. 7, by the yeas and nays;

Suspending the rules on H.R. 1678, by the yeas and nays;

Suspending the rules on H.R. 493, by the yeas and nays.

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

PROVIDING FOR CONSIDERATION OF H.R. 1332, SMALL BUSINESS LENDING IMPROVEMENTS ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 330, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 226, nays 196, not voting 10, as follows:

[Roll No. 258]

YEAS—226

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
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
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
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)
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
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—196

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
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
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
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)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Boehner
Cubin
Davis, Jo Ann
Hunter
King (IA)
Lampson
Serrano
Velázquez
Waxman
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1610

Mr. WALSH of New York and Mrs. BIGGERT changed their vote from ''yea'' to ''nay.''

Ms. WASSERMAN SCHULTZ changed her vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALLING ON THE LEAGUE OF ARAB STATES TO ACKNOWLEDGE THE GENOCIDE IN DARFUR

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 7, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ACKERMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 7, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 425, nays 1, not voting 6, as follows:

[Roll No. 259]

YEAS—425

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

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

NAYS—1

Paul

NOT VOTING—6

Cubin
Davis, Jo Ann
Lampson
McNerney
Walz (MN)
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1617

Mr. JORDAN of Ohio and Mr. SHAYS changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

The title of the concurrent resolution was amended so as to read: ''Concurrent resolution calling on the League of Arab States and each Member State individually to acknowledge the genocide in the Darfur region of Sudan and to step up their efforts to stop the genocide in Darfur.''.

A motion to reconsider was laid on the table.

TORTURE VICTIMS RELIEF REAUTHORIZATION ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1678, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ACKERMAN) that the House suspend the rules and pass the bill, H.R. 1678.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 7, not voting 7, as follows:

[Roll No. 260]

YEAS—418

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

NAYS—7

Burton (IN)
Duncan
Flake
Goode
Paul
Rohrabacher
Sali

NOT VOTING—7

Carter
Cubin
Davis, Jo Ann
Green, Gene
Lampson
Lewis (CA)
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE.

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

□ 1625

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 260, had I been present, I would have voted "yea."

GENETIC INFORMATION NONDISCRIMINATION ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 493, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER) that the House suspend the rules and pass the bill, H.R. 493, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 3, not voting 9, as follows:

[Roll No. 261]

YEAS—420

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

NAYS—3

Flake
Paul
Royce

NOT VOTING—9

Cannon
Cubin
Davis, Jo Ann
Feeney
Jones (NC)
Lampson
Musgrave
Shea-Porter
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE.

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

□ 1632

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CANNON. Madam Speaker, on rollcall No. 261, I was inadvertantly detained. Had I been present, I would have voted "yea."

Ms. SHEA-PORTER. Madam Speaker, on rollcall No. 261, had I been present, I would have voted "yea."

GENERAL LEAVE

Ms. VELÁZQUEZ. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend remarks and enter into the RECORD any extraneous material on the bill under consideration, H.R. 1332.

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

There was no objection.

SMALL BUSINESS LENDING IMPROVEMENTS ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 330 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1332.

□ 1635

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1332) to improve the access to capital programs of the Small Business Administration, and for other purposes, with Mr. PASTOR in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 30 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, I yield myself as much time as I may consume.

Small businesses are this country's economic drivers, yet they continually face challenges that make it hard for them to succeed in today's marketplace. Entrepreneurs are already dealing with rising energy and health care costs as well as the increasing regulatory burden. The last thing they need is for accessing affordable capital to be another barrier in the way of their success.

What we continue to see is a steady increase in costs and a decrease in access for the very programs that are intended to help entrepreneurs. Over the

past 2 years, for the 7(a) program alone, costs have doubled for smaller loans, and the average loan size has declined by 37 percent.

A recent study released by the National Small Business Association found that access to capital is the number two concern for entrepreneurs. This means that it is more of a concern than taxes and even the regulatory burden.

The Small Business Lending Improvements Act of 2007 is a bipartisan effort introduced by Ms. BEAN and Mr. CHABOT. This bill will make loans more economical, while providing long-term stability for small business owners.

H.R. 1332 touches all aspects of the SBA lending initiative, including the 504 program.

Not only will this legislation put affordable financing back into the hands of entrepreneurs, but will also accomplish a number of important public policy initiatives. H.R. 1332 provides incentives for medical professionals to locate in low income areas, establishes a rural lender program, and allows for veterans to secure funds to start or expand their firms.

With the number of veterans returning from Iraq and Afghanistan, the need for affordable financing is more important than ever. When Congress passed the GI bill, we made a commitment to education and homeownership for veterans. Today we have an opportunity to show our commitment to their entrepreneurial endeavors.

Small businesses must have the ability to continue spurring economic growth and creating jobs. For these reasons, H.R. 1332 has the support of American Community Bankers, Independent Community Bankers of America, American Veterans, Credit Union National Association, National Small Business Association, Veterans of Foreign Wars, American Bankers Association, the U.S. Women's Chamber of Commerce, the U.S. Hispanic Chamber of Commerce and the American Dental Association.

I strongly urge my colleagues to vote for the Small Business Lending Improvements Act of 2007.

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

Mr. CHABOT. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, today, Madam Chairwoman and I rise to support H.R. 1332, the Small Business Lending Improvements Act of 2007. I want to especially thank the chairwoman and the gentlelady, Congresswoman BEAN, for working in a cooperative and bipartisan manner to bring this bill before the House, and I want to commend them for again working with us on this.

The Small Business Lending Improvements Act amends the Small Business Act to make necessary improvements and technical changes to the primary lending program offered by the Small Business Administration, the SBA, the 7(a) guaranteed loan program. H.R. 1332 also amends title V of the Small Business Investment Act of 1958 to make significant and necessary changes to the loan program, sometimes called the 504 loan program.

Before addressing the particulars of the legislation, it is important to note what H.R. 1332 does not do. The legislation does not modify the subsidy rate for the 7(a) guaranteed lending program. The subsidy rate for the program currently is zero. After this bill is enacted, the subsidy rate for the 7(a) lending program will be zero. In fact, if this bill attempted to modify the subsidy rate, it could not because it would require an appropriation. And of course, as an authorizing committee, we are unable to appropriate. So any argument that this bill will cost hundreds of millions or even billions of dollars over 10 years or so is just plain wrong.

At the correct time, I will oppose adding a subsidy for a program that works just fine without one.

And now, I turn my attention to what this bill does. The SBA charges a fee to borrowers which can be viewed as akin to paying points on a mortgage, which many people are familiar with doing. In addition, banks pay an ongoing fee each year on the amount of unpaid balance of the loan as guaranteed. Although some confusion exists about this point, I read the Small Business Act as authorizing the SBA to adjust the up front fee or points paid by borrowers in the same way that the SBA has the unquestioned authority to reduce fees to lenders. Despite the authority that the SBA has, the agency has not in recent memory reduced, except when dictated by Congress, the up front fees paid by borrowers. The SBA, on the other hand, has modified the annual fee paid by the lender. The SBA even testified at a committee hearing recently that it would be reducing the fees paid by lenders.

Section 101 does two very important things. First, it clarifies that the SBA has the authority to reduce or increase the fees paid by the borrower. This should resolve any confusion as to whether the SBA has the power to reduce the points or up front borrowing fee, as well as the annual fee paid by the lender. And as already noted, section 101 requires that these fees be calculated to arrive at a zero subsidy. That is so that the fees will cover the cost of the 7(a) loan program, without an appropriation, as I just mentioned. The section then goes on to restrict the administrator's discretion in only one regard; if an appropriation is made to support the 7(a) loan program, section 101 directs the administrator to first utilize the funds to reduce fees to borrowers and not lenders.

I support this change because the Small Business Act is, first and foremost, legislation designed to assist small businesses, not to assist small banks or any other banks. Therefore, the bill takes the logical step of directing that, should funds be made available, the administrator should reduce the fees to small businesses, not to banks.

Section 101 also requires that the administrator update quarterly the reduction in fees given available funding remaining. That makes sense, because if the SBA did not make that calculation, they would not know how much to reduce fees in an upcoming quarter, if at all. The need for this calculation simply recognizes that loan demand is not constant throughout the year and ensures that administrator properly allocates available funds. Once funds are exhausted, the legislation simply directs the administrator to operate the program at zero subsidy, the up front annual fees needed to cover the cost of the 7(a) loan program as if there was no appropriation.

Finally, to the extent that loan demand is not high, and there are sufficient funds available, the administrator may use any available extra funds to reduce the annual fee paid by banks. Although this is a possibility, the greater probability is that all funds will be utilized to reduce cost to small business owners.

There is more to H.R. 1332 than providing the administrator with a mechanism to reduce fees under the 7(a) loan program, if an appropriation is available. The guaranteed loan program is the largest of the SBA's financing programs, reaching the greatest number of businesses, yet there are businesses whose access to this program remains limited.

The SBA loan program is a fairly complex operation, and many banks, particularly community banks, do not have a sufficient loan volume to justify the expenses associated with a 7(a) loan program. This is particularly true for independent and community banks located in rural areas.

The bill requires the SBA to establish a low-document, or LowDoc, loan program for banks located in rural areas. To the extent that a rural community has no bank willing to participate in the program, there is nothing in the Small Business Act or the bill that prohibits a small business from using a rural lender not in the immediate vicinity.

Title I also makes the Community Express Loan Program permanent. I support this because I believe it can provide the same assistance to low income communities, including those in my district in Cincinnati, which would otherwise be provided under a more costly micro loan program.

In addition to providing greater assistance in rural communities and low income communities, the bill also reduces the cost of the 7(a) loans to veterans. In addition, the bill also provides for a reduction in fees to medical practitioners seeking to establish or expand practices in areas deficient of such practitioners. These are noble goals and deserve the support of all Members of the House.

Although title I is a significant achievement, I am particularly pleased

with title II of this bill. It modifies and strengthens the loan program operator pursuant to title V of the Small Business Investment Act of 1958.

Certified development companies, or CDCs, are vital to long-term economic and community development in many districts, including mine, around the country. CDCs operate to provide long-term, fixed rate financing for small business concerns who find their financing needs cannot be met due to the loan limits of the 7(a) loan program.

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And unlike many 7(a) lenders, CDCs must be locally based so they have a keen understanding of the needs of the communities they serve.

The first thing that title II does is change the name of the program. While this may sound minor, it is actually important. Colloquially, the program is known as the ''504 loan'' program for section 504 of title V of the Small Business Investment Act. This section authorizes the administrator to sell the loans made by the CDCs in a secondary market. It is not at all descriptive of the program or the entities involved in the program. By accurately describing the program, it will provide greater recognition to CDCs and enable them to better promote their important mission.

Section 202 makes important technical changes to the definitions in the CDC program, including, most importantly, defining the term ''certified development company.'' As a corollary, title II eliminates the outdated term ''qualified State and local development company'' from the Small Business Investment Act of 1958.

In my estimation section 203 is the most important provision in the bill. It statutorily establishes the procedures by which the SBA designates entities as CDCs. The most important requirement of these statutory procedures is the mandate that the CDC have local board members familiar with the economic development needs of their communities. Even though the bill authorizes expansion only into neighboring States, the CDC must have representatives that understand the local economic development needs of the new State of operation.

Another very important aspect of the bill authorizes CDCs to perform their own liquidations. Data that I have seen shows that current loan liquidation returns are about 20 cents on the dollar. Think of that. Only 20 cents on the dollar liquidation rate. That is very inadequate. By having CDCs with their local expertise perform liquidations, the government should get a better return when a loan goes bad, and that should save the taxpayers money.

Title II also makes other changes that will benefit greater financial opportunities to small businesses under the CDC program. Together all these changes made will ensure a robust CDC program that will spur economic development.

For these reasons I ask my colleagues to support passage of this important bill.

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

Ms. VELÁZQUEZ. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Illinois (Ms. BEAN), who is a member of the Small Business Committee and sponsor of the legislation.

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

Ms. BEAN. Mr. Chairman, the Small Business Lending Improvements Act of 2007, which I introduced earlier this year, was recently reported out of the Committee on Small Business, without objection, and I am pleased that it is being given consideration on the House floor today.

I would like to begin by thanking Chairwoman VELÁZQUEZ and Ranking Member CHABOT for cosponsoring this legislation and for their leadership in moving this bill forward. The expedited consideration of this bill, as well as the bipartisan support it has received, underscores the importance of ensuring access to capital to our small business community.

I am also very appreciative of the expert assistance provided by the House Small Business Committee staff, especially Michael Day, whose work on this issue has been invaluable.

Having been a small business owner myself, I can appreciate the challenges that entrepreneurs and small business owners face in gaining access to the capital that they need to grow. That is why I have long been active in my support of measures to improve and expand the SBA loan programs, which offer low-interest, long-term loans, not subsidies, to business owners seeking affordable options.

This bill is no exception. H.R. 1332 makes much-needed changes to SBA's lending initiatives and, most importantly, helps to preserve the original intent of these programs, to help make available affordable sources of financing. This is of particular importance as the cost of capital through these programs has risen rapidly over the last few years, stifling plans for both new businesses and those ready for plant and equipment expansion. This bill helps to reverse this discouraging trend by supporting our entrepreneurs and not stifling their visions for growth.

In addition, H.R. 1332 addresses the need for lending in our rural communities by restoring the LowDoc program and by strengthening the 504 initiative, which is integral in stimulating economic growth in rural America.

Together, these initiatives will streamline and reduce the fees for SBA's lending programs, making it easier for small lenders to participate. Local economies throughout the country will benefit from new jobs and economic development that will occur in their communities as a result.

Again, I commend the work of the Small Business Committee, under the leadership of Chairwoman VELÁZQUEZ, for recognizing the need for this legislation and prioritizing it relative to other committee work. Small businesses are the backbone of our Nation's economic stimulus, driving 80 percent of domestic job growth, and their success is dependent upon their ability to grow and to expand. This legislation helps provide them with the fundamental tools they need to do so.

I urge your support of this bill.

Mr. CHABOT. Mr. Chairman, I would like to yield such time as she may consume to the gentlewoman from Oklahoma (Ms. FALLIN) for the purpose of entering into a colloquy with the gentlewoman from New York.

Ms. FALLIN. Mr. Chairman, I thank the ranking member for yielding.

I would now like to yield to the gentlelady from New York for the purposes of entering into a colloquy.

Ms. VELÁZQUEZ. Mr. Chairman, I thank the gentlelady for yielding.

I know that the gentlelady has worked tirelessly to ensure that certain independently owned and operated franchises are afforded access to the SBA's 7(a) loan program. You have my assurance that I will work to address this concern as the bill moves forward.

Ms. FALLIN. Thank you.

Mr. Chairman, reclaiming my time, it is my goal to address the issue of certain franchisees, who by all intents and purposes are small businesses, not being allowed to receive 7(a) loans due to their affiliation with larger franchisors.

I believe the Small Business Lending Improvements Act should eventually contain language to modify the SBA's affiliation standard to allow that a business, if it is affiliated with another business and therefore determined to be something other than small, to still be eligible for a loan if it has no financial recourse to its affiliates for repayment of any of its debt.

These businesses operate financially independent of their franchisor and therefore operate like all other small businesses, and I believe they should be offered the same opportunity to receive the 7(a) loans as any other small business.

I ask that the gentlelady work with me to address this issue in the underlying legislation.

Ms. VELÁZQUEZ. Mr. Chairman, again I thank the gentlewoman for raising this important issue. I agree that this is an issue that we need to address, and I will make a commitment to work with you and your staff as this legislation heads to conference.

Ms. FALLIN. Mr. Chairman, I thank the chairwoman and ranking member for their work on this issue.

Mr. CHABOT. Mr. Chairman, I want to commend the gentlewoman from Oklahoma for her work on this issue. I know she has worked very hard to make this happen. So I want to commend her for that.

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

Ms. VELÁZQUEZ. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GONZALEZ), a member of the Small Business Committee.

Mr. GONZALEZ. Mr. Chairman, I thank my colleague for yielding.

Mr. Chairman, I rise today to express my strong support for H.R. 1332, the Small Business Lending Improvements Act of 2007.

I want to express my special thanks to the chairwoman of the Small Business Committee, NYDIA VELÁZQUEZ, as well as Ranking Member STEVE CHABOT, for their leadership in bringing this important bill which has strong bipartisan support to the floor today. I am honored to work with these fine leaders as we strive to support the small business community of this Nation.

The Small Business Lending Improvements Act of 2007 will boost our economic might by expanding entrepreneurs' access to capital through the Small Business Administration's 7(a) and 504 programs. The 7(a) and 504 programs are the SBA's largest in terms of number of loans made and amount of funds made available to small businesses. In fact, over the last decade, the SBA has approved more than 424,000 loans for over $90 billion. Furthermore, the programs operate as public-private partnerships to provide important financing for small firms through private sector lenders, greatly limiting costs to the United States Government.

Despite the positive impact of these programs, they must now be modernized and strengthened in order to continue to meet their goals. The Small Business Lending Improvements Act of 2007 provides much-needed changes to these programs. Provisions of this bill will give the SBA the authority to contribute funds for the purpose of reducing the burden associated with borrower and lender fees on 7(a) loans. It will also make it easier for rural lenders to assist local small businesses. It will increase access to capital for socially and economically disadvantaged small businesses. It will improve access to the program for medical professionals in health professional shortage areas. And, finally, it will expand opportunities for veterans to obtain such loans.

I think all of us in this Chamber often enough go back to our districts, and all small businesses will tell us that the greatest challenge is the lack of access to capital. This is a first step in addressing that very important challenge.

Mr. CHABOT. Mr. Chairman, I have no further requests for time, and I will continue to reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. SHULER), a member of the Small Business Committee.

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

Mr. Chairman, I rise today in support of H.R. 1332, the Small Business Lending Improvements Act of 2007.

As an entrepreneur, I understand the difficulties that small business owners face on a daily basis. I also know that small businesses are the backbone of our economy, both nationally and in western North Carolina.

Small businesses account for over half of all of our jobs in the U.S. and are responsible for 60 to 80 percent of all of our new jobs. For our small businesses to continue to grow and prosper, we must help them gain access to capital.

The bill will grant American entrepreneurs that access to capital by updating and streamlining SBA's 7(a) and 504 loan programs. Additionally, this bill will eliminate loan fees for veterans returning from Iraq and Afghanistan.

As a member of the Small Business Committee, I urge all Members to support this important legislation.

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

Ms. VELÁZQUEZ. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Chairman, I want to thank the gentlewoman for yielding. I also want to commend her for her outstanding leadership on this issue and other important issues that face this Congress.

And I want to also commend the ranking member, Mr. CHABOT, for his outstanding leadership on this particular issue.

Mr. Chairman, today I rise in strong support of H.R. 1332, the Small Business Lending Improvements Act of 2007.

As a former small business owner and an advocate for minority entrepreneurship and franchising, I might add, I am pleased that this legislation would target money more aggressively and efficiently towards small businesses and finally put them in a position to compete.

Mr. Chairman, the Small Business Administration's support of communities like my own in the First Congressional District of Illinois needs to be improved. One of the services that I provide to my constituents is monthly small business development seminars that we are conducting in cooperation with the local SBA. Also, I have hosted two franchise fairs to educate and engage my constituents on the power of minority entrepreneurship.

Mr. Chairman, one of the biggest issues raised is the accessibility of the SBA loans. Small business owners and startups have a hard time navigating the SBA. This important legislation bridges the financial gap for small business owners, particularly minority businesses. These owners are trying to create economic opportunities. They are trying to create jobs, and they are trying to increase the competition of goods and services. Not only do they need and deserve our support, but, Mr. Chairman, by focusing on these urban business pioneers, we honor the entrepreneur spirit that this Nation was built on.

I encourage my colleagues to support this legislation.

I fully support this bill's provision of:

Establishing a small bank outreach division;

Increasing capital for socially and economically disadvantaged small businesses; and

Completely eliminating loan fees to veteran-owned small businesses.

Mr. Chairman, this bill ensures that the mission and goals of the Small Business Administration are not only being maintained but that their standards for aggressive outreach, increasing access and promoting equitable lending are raised.

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Ms. VELÁZQUEZ. I yield 2 minutes to the gentlewoman from Ohio (Mrs. JONES), a former member of the Small Business Committee.

Mrs. JONES of Ohio. I want to thank the Chair of this wonderful committee, NYDIA VELÁZQUEZ. I was on this committee when I came to Congress, and she helped me understand what legislative bodies were all about, and I want to thank her for her leadership because many times people want to give small business to the Republican Party, but this Chair has shown that small business is a Democratic as well as a Republican issue. And I thank my colleague from Ohio (Mr. CHABOT) for the work that he has done.

Today, I rise in support of H.R. 1332, the Small Business Lending Improvements Act of 2007. This act is a tremendous effort to adapt the sometimes arcane SBA rules to the American businesswoman.

Among the impressive provisions of this act are a requirement to authorize SBA loans for projects that reduce energy consumption by at least 10 percent. In addition, the rural lending outreach program sends a great message to our small businesses in rural areas, who sometimes have to manage isolation and lack of resources because they have no proximity.

In addition, by making the Community Express Program permanent, you provide an attractive incentive for the erstwhile disenfranchised entrepreneurs to set up legitimate businesses. These businesses help to keep families together, and eventually contribute to our tax base.

I am from Cleveland, Ohio, which at the moment is said to be the poorest city in the Nation. Ninety-five percent of the private sector jobs are provided by small businesses. Therefore, the creation of jobs and growth of our small businesses is vital to our economic recovery.

The Small Business Administration's 7(a) lending program is essential for small business owners who cannot access capital through conventional markets. However, the program has been and is currently underfunded, and the burden has been shifting increasingly onto small business owners. Recent

changes to the program have increased the fees to access 7(a) programs, which diminishes access of small business owners.

I want to thank the chairwoman and the ranking member for their leadership around this issue. I want to thank you for the opportunity to be heard. And small business is not only a Republican issue, it is a Democratic issue. It's an American issue.

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

I want to again thank the chairwoman for her leadership on this particular piece of legislation, which I think is very good for small businesses across the country.

Mr. Chairman, as was mentioned in the Rules Committee yesterday I believe by Mr. DREIER, it's preferable for small businesses to get their loans through the private sector if they're able to do so. And as one who believes in less government as opposed to more government, that would certainly be my preference. But there are some cases in which the private sector at this point just wouldn't cover those particular entities, some of the start-up small businesses, especially some in struggling areas, some disadvantaged areas as we have in some urban areas, and some rural areas as well. And so there is an appropriate place for 7(a) loans and the 504 loans. As I mentioned, the name of that particular program is going to be changed as a result of this bill.

I think these are vital improvements. A streamlining of the process will be helpful to small businesses all across the country. I think we have a responsibility to improve the climate for small businesses, especially when one considers that somewhere between 60 and 80 percent of the new jobs that are created in this country are created not by large corporations, but by small businesses. So I think this bill helps businesses who need it most. I think this is a good bill, and so I urge my colleagues to support it.

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

Ms. VELAZQUEZ. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, this week is Small Business Week, a time to honor entrepreneurs for the contributions they make to this country. Small businesses create three out of every four new jobs. They are the economic backbone, and our largest job creators.

However, it is not easy to be a small business owner. They struggle every day to provide health care for their employees, to comply with increasing regulatory burdens, and to access financing to keep their businesses up and running.

This week, rather than just talk about supporting our Nation's 26 million small businesses, we have an opportunity to do something, provide them with the support they deserve, and ensure it is not a struggle to access much needed capital.

H.R. 1332 will make loans more economical while providing long-term stability for small business owners. Ensuring loans are affordable and that relief from rising capital costs is available is critical for small firms to remain a driving force in today's economy. Let's put the money back into the hands of entrepreneurs where it belongs.

I want to thank the ranking member, Mr. CHABOT, for his work and his leadership in working with me on this legislation. I also want to thank the staff that worked on this bill; from the minority staff, Mike Smullen, Barry Pineles and Kevin Fitzpatrick; and from the majority staff, Michael Day, Adam Minehardt, Andy Jiminez and Tim Slattery, and Elizabeth Hart and Sam Hodas from Representative BEAN's staff.

I strongly urge my colleagues to vote for the Small Business Lending Improvements Act of 2007.

Ms. JACKSON-LEE of Texas. Madam Chairman, I rise in support of H.R. 1332, the Small Business Lending Improvements Act. As a member of Congress, I have been a strong supporter of our Nation's small businesses. Already this week, we have debated bills seeking to ensure that America remains competitive in the global economy, and, in doing so, we have recognized the importance of ongoing technological innovation. Small businesses comprise an important segment of this process of development; by acting as a catalyst within our economy, they spur growth for all sectors of business.

Small businesses represent the American dream, and they define the American economy. These businesses currently account for 95 percent of all employers, create half of our gross domestic product, and provide three out of four new jobs in this country. However, to keep this sector of the economy thriving, small businesses require access to loans to initiate, develop, and expand their range of goods and services. The Small Business Administration (SBA), a Federal organization that aids small businesses with loan and development programs, is a key provider of support to small businesses. The SBA's main loan program accounts for 30 percent of all long-term small business borrowing in America.

By streamlining the SBA's two largest finance programs directed at small businesses, H.R. 1332 would offer these businesses the crucial tools that they need to be successful in today's marketplace. This bill gives the SBA authority to contribute funds to reduce the burden associated with borrower and lender fees on 7(a) loans, making these loans more economical, without upsetting the program's current stability.

H.R. 1332 also creates several new loan programs under the 7(a) umbrella. It specifically reaches out to rural lenders, reducing their 7(a) loan paperwork. It makes permanent the Community Express Program, granting improved access to capital for socially and economically disadvantaged small businesses. It recognizes the I need for doctors and dentists in federally designated Health Professional Shortage Areas, and establishes a program to reduce borrower and lender fees in these areas. Finally, this bill offers help to our returning veterans, those who have served our Nation bravely in Iraq and Afghanistan, to establish and expand their own businesses. In addition to all these programs, H.R. 1332 seeks to establish a Small Bank Outreach division within SBA. This new division would provide direct support to community banks participating in the 7(a) program, and would enable these local banks to make loans to a wider range of deserving businesses. It would also work to strengthen local economies by providing lenders deemed Certified Development Companies with a range of tools to grant loans to businesses within their own communities.

As we consider what we as a Congress might do to make our Nation more economically secure, and to continue to augment our position within the global economy, it is crucial that we focus on the importance of small businesses. Small business owners are leaders in innovation, creative business operations and new technologies and products. I continue to believe that the success of our economy is dependent on these businesses. I urge my colleagues to support this bill, and to continue to assist small business owners to realize their potential.

Mrs. CHRISTENSEN. Mr. Chairman, I rise in support of H.R. 1332, the Small Business Lending Improvements Act of 2007.

As we celebrate Small Business Week, it is only appropriate that we recognize the enormous contribution of small businesses to our economy by passing legislation that would facilitate access to capital. Without ready access to capital, small businesses are often forced to turn to more costly lending alternatives, including credit cards, which carry high interest rates and fees. Without access to financing, companies are unable to target new markets, grow, or hire new workers.

Currently, the SBA's 7(a) and 504 programs are the only federal lending programs available to small businesses and there are no federal grants for starting and/or financing small businesses. The SBA 7(a) and 504 programs were created to help small businesses gain access to affordable financing. However, these programs are in dire need to be modernized and strengthened if they are to continue to meet their important goals.

H.R. 1332 would make these necessary changes by updating and streamlining the 7(a) loan programs by reducing fees, make the Community Express Program permanent and reduce the paperwork generated by these loans. As a physician and Chair of the Congressional Black Caucus Health Braintrust, I am pleased that this bill also includes a provision to adapt the 7(a) program to improve access to the program for medical professionals in health professional shortage areas. Physicians are viewed first and foremost as health care providers but they are also small businesses and in today's economic environment many are struggling to stay afloat.

Mr. Chairman, I join the many organizations that support the passage this bill and urge my colleagues to support the bill as well. I would like to commend Chairwoman VELÁZQUEZ for her continued leadership and congratulate her and Ranking Member CHABOT for bringing this bill to the House floor.

Mr. INSLEE. Mr. Chairman, I thank the Chairwoman and Ranking Member for their this issue. I rise today to support my amendment to the Small Business Lending Improvements Act (H.R. 1332) which would add an eligibility area to Section 504 loans. My amendment will ensure that American entrepreneurs

have the opportunity to start, build and, grow green small businesses by adding a sustainable design or low-impact design to the public policy goals of this lending program.

This common-sense amendment would decrease long-term operating costs for small business owners, stimulate green building technologies, create a better work environment for employees and reduce carbon emissions in the United States.

Buildings account for one-third of carbon emissions per year. It is important that we help small business owners make sustainable choices that they might not otherwise make due to cost, or simply due to the fact that some of these technologies are new. My amendment will help SBA expand their financing structure to help businesses use sustainable building standards, such as LEED certified, which have a minimal impact on our environment. Currently, SBA loans can help a company upgrade to required standards, but very few Small Business Loans have helped owners choose green building standards.

Furthermore, green buildings benefit workers. Case studies show examples of 2 to 16 percent increase in productivity in among employees who work in buildings that incorporate sustainable building design.

Sustainable design and green building practices are easy and available. An excellent example of how this can be done, and why green technologies help small businesses and the community, is the Snoqualmie Gourmet Ice Cream factory in Maltby, Wash. I recently toured this factory, which is Snohomish County's first sustainable commercial project, owned by Barry Bettinger. Barry used Small Business Administration (SBA) loans for low impact development strategies. With assistance from the Sustainable Development Task Force, he used technologies to cut his lighting costs by 50 percent, reduce his water usage by 40 percent and reduce energy for cooling fans by 75 percent.

I hope that the SBA and experts in sustainable design such as the National Institute of Building Sciences will work together to develop meaningful standards in this eligibility area of sustainable design.

Congress has a huge opportunity here to further improve the small business lending program to meet goals of reducing energy consumption in this country. Thank you for supporting this amendment.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill will be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1332

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Small Business Lending Improvements Act of 2007''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—7(A) PROGRAM

Sec. 101. Authority for fee contributions.
Sec. 102. Rural Lending Outreach Program.
Sec. 103. Community Express program made permanent.
Sec. 104. Medical Professionals in Designated Shortage Areas Program.
Sec. 105. Increased Veteran Participation Program.
Sec. 106. Alternative size standard.
Sec. 107. Support to regional offices.

TITLE II—CERTIFIED DEVELOPMENT COMPANY ECONOMIC DEVELOPMENT LOAN PROGRAM

Sec. 201. Certified Development Company Economic Development Loan Program.
Sec. 202. Definitions.
Sec. 203. Eligibility of development companies to be designated as certified development companies.
Sec. 204. Definition of rural areas.
Sec. 205. Businesses in low-income areas.
Sec. 206. Combinations of certain goals.
Sec. 207. Refinancing.
Sec. 208. Additional equity injections.
Sec. 209. Loan liquidations.
Sec. 210. Closing costs.
Sec. 211. Maximum Certified Development Company and 7(a) loan eligibility.
Sec. 212. Eligibility for energy efficiency projects.
Sec. 213. Loans for plant projects used for energy-efficient purposes.
Sec. 214. Extension of period during which loss reserves of premier certified lenders determined on the basis of outstanding balance of debentures.
Sec. 215. Extension of alternative loss reserve pilot program for certain premier certified lenders.

TITLE I—7(A) PROGRAM

SEC. 101. AUTHORITY FOR FEE CONTRIBUTIONS.

Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—

(1) in paragraph (18)(A) by striking ''shall collect'' and inserting ''shall assess and collect'';

(2) in paragraph (18) by adding at the end the following:

''(C) OFFSET.—The Administrator may, as provided in paragraph (32), offset fees assessed and collected under subparagraph (A).'';

(3) in paragraph (23) by striking subparagraph (C) and adding at the end the following:

''(C) OFFSET.—The Administrator may, as provided in paragraph (32), offset fees assessed and collected under subparagraph (A).''; and

(4) by adding at the end the following:

''(32) FEE CONTRIBUTIONS.—

''(A) IN GENERAL.—To the extent that amounts are made available to the Administrator for the purpose of fee contributions, the Administrator shall—

''(i) first consider contributing to fees paid by small business borrowers under clauses (i) through (iii) of paragraph (18)(A), to the maximum extent possible; and

''(ii) then consider contributing to fees paid by small business lenders under paragraph (23)(A).

''(B) QUARTERLY ADJUSTMENT.—Each fee contribution under subparagraph (A) shall be effective for one fiscal quarter and shall be adjusted as necessary for each fiscal quarter thereafter to ensure that the amounts under subparagraph (A) are fully used. The fee contribution for a fiscal quarter shall be based on the loans that the Administrator projects will be made during that fiscal quarter, given the program level authorized by law for that fiscal year and any other factors that the Administrator considers appropriate.''.

SEC. 102. RURAL LENDING OUTREACH PROGRAM.

Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—

(1) by striking paragraph (25)(C); and

(2) by adding at the end the following:

''(33) RURAL LENDING OUTREACH PROGRAM.—The Administrator shall carry out a rural lending outreach program to provide up to an 85 percent guaranty for loans of $250,000 or less. The program shall be carried out only through lenders located in rural areas (as 'rural' is defined in section 501(f) of the Small Business Investment Act of 1958). For a loan made through the program, the following shall apply:

''(A) The Administrator shall approve or disapprove the loan within 36 hours.

''(B) The program shall use abbreviated application and documentation requirements.

''(C) Minimum credit standards, as the Administrator considers necessary to limit the rate of default on loans made under the program, shall apply.''.

SEC. 103. COMMUNITY EXPRESS PROGRAM MADE PERMANENT.

(a) IN GENERAL.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

''(34) COMMUNITY EXPRESS PROGRAM.—The Administrator shall carry out a Community Express Program for loans of $250,000 or less. For a loan made under this paragraph, the following shall apply:

''(A) The loan shall be made to a business concern—

''(i) the majority ownership interest of which is directly held by individuals who are women, socially or economically disadvantaged individuals (as defined by the Administrator), or veterans of the Armed Forces; or

''(ii) that is located in a low- or moderate-income area, as defined by the Administrator.

''(B) The loan shall comply with the collateral policy of the Administration, except that, if the amount of the loan is less than or equal to $25,000, the Administration shall not require the lender to take collateral.

''(C) The loan shall include terms requiring the lender to ensure that technical assistance is provided to the borrower, through the lender or a third-party provider.

''(D) The Administration shall approve or disapprove the loan within 36 hours.''.

(b) NOTICE AND COMMENT.—The program required by section 7(a)(34) of the Small Business Act, as added by subsection (a), shall be established after the opportunity for notice and comment and not later than 180 days after the date of the enactment of this Act.

SEC. 104. MEDICAL PROFESSIONALS IN DESIGNATED SHORTAGE AREAS PROGRAM.

(a) IN GENERAL.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

''(35) MEDICAL PROFESSIONALS IN DESIGNATED SHORTAGE AREAS PROGRAM.—The Administrator shall carry out a Medical Professionals in Designated Shortage Areas Program. For a loan made under this paragraph, the following shall apply:

''(A) The loan shall be made to a business concern that provides properly licensed medical, dental, or psychiatric services to the public.

''(B) The loan shall be for the purpose of opening a business concern in a health professional shortage area (as defined in section 332 of the Public Health Service Act (42 U.S.C. 254e)).

''(C) The loan shall include the participation by the Administration equal to 90 percent of the balance of the financing outstanding at the time of disbursement.

''(D) The fees on the loan under paragraphs (18) and (23) shall be reduced by half.''.

(b) NOTICE AND COMMENT.—The program required by section 7(a)(35) of the Small Business Act, as added by subsection (a), shall be established after the opportunity for notice and comment and not later than 180 days after the date of the enactment of this Act.

SEC. 105. INCREASED VETERAN PARTICIPATION PROGRAM.

(a) IN GENERAL.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

''(36) INCREASED VETERAN PARTICIPATION PROGRAM.—The Administrator shall carry out an Increased Veteran Participation Program. For a loan made under this paragraph, the following shall apply:

''(A) The loan shall be made to a business concern the majority ownership interest of which is directly held by individuals who are veterans of the Armed Forces.

''(B) The loan shall include the participation by the Administration equal to 90 percent of the balance of the financing outstanding at the time of disbursement.

''(C) The fees on the loan under paragraphs (18) and (23) shall not apply.''.

(b) NOTICE AND COMMENT.—The program required by section 7(a)(36) of the Small Business Act, as added by subsection (a), shall be established after the opportunity for notice and comment and not later than 180 days after the date of the enactment of this Act.

SEC. 106. ALTERNATIVE SIZE STANDARD.

(a) IN GENERAL.—Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following:

''(5) In addition to any other size standard under this subsection, the Administrator shall establish, and permit a lender making a loan under section 7(a) and a lender making a loan under the development company loan program to use, an alternative size standard. The alternative size standard shall be based on factors including maximum tangible net worth and average net income.''.

(b) APPLICABILITY.—Until the Administrator establishes, under section 3(a)(5) of the Small Business Act (as added by subsection (a)), an alternative size standard in the case of a lender making a loan under section 7(a) of that Act, the alternative size standard in section 121.301(b) of title 13, Code of Federal Regulations, shall apply to such a case.

SEC. 107. SUPPORT TO REGIONAL OFFICES.

Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

''(37) SUPPORT TO REGIONAL OFFICES.—The Administrator shall carry out a program, within an element of the Administration already in existence as of the date of the enactment of the Small Business Lending Improvements Act of 2007, to provide support to regional offices of the Administration in assisting small lenders who do not participate in the preferred lender program to participate in the 7(a) program.''.

TITLE II—CERTIFIED DEVELOPMENT COMPANY ECONOMIC DEVELOPMENT LOAN PROGRAM

SEC. 201. CERTIFIED DEVELOPMENT COMPANY ECONOMIC DEVELOPMENT LOAN PROGRAM.

Section 504 of the Small Business Investment Act of 1958 (15 U.S.C. 697a) is amended—

(1) by redesignating subsections (a) and (b) as subsections (b) and (c); and

(2) by inserting before subsection (b) (as so redesignated) the following:

''(a) The program to provide financing to small businesses by guarantees of loans under this Act which are funded by debentures guaranteed by the Administration may be known as the 'Certified Development Company Economic Development Loan Program'.''.

SEC. 202. DEFINITIONS.

Section 103(6) of the Small Business Investment Act of 1958 (15 U.S.C. 662(6)) is amended to read as follows:

''(6) the term 'development company' means an entity incorporated under State law with the authority to promote and assist the growth and development of small-business concerns in the areas in which it is authorized to operate by the Administration, and the term 'certified development company' means a development company which the Administration has determined meets the criteria of section 506;''.

SEC. 203. ELIGIBILITY OF DEVELOPMENT COMPANIES TO BE DESIGNATED AS CERTIFIED DEVELOPMENT COMPANIES.

Section 506 of the Small Business Investment Act of 1958 (15 U.S.C. 697c) is amended to read as follows:

''SEC. 506. CERTIFIED DEVELOPMENT COMPANIES.

''(a) AUTHORITY TO ISSUE DEBENTURES.—A development company may issue debentures pursuant to this Act if the Administration certifies that the company meets the following criteria:

''(1) SIZE.—The development company is required to be a small concern with fewer than 500 employees and not under the control of any entity which does not meet the Administration's size standards as a small business, except that any development company which was certified by the Administration prior to December 31, 2005 may continue to issue debentures.

''(2) PURPOSE.—The primary purpose of the development company is to benefit the community by fostering economic development to create and preserve jobs and stimulate private investment.

''(3) PRIMARY FUNCTION.—The primary function of the development company is to accomplish its purpose by providing long term financing to small businesses by the utilization of the Certified Development Company Economic Development Loan Program. It may also provide or support such other local economic development activities to assist the community.

''(4) NON-PROFIT STATUS.—The development company is a non-profit corporation, except that a development company certified by the Administration prior to January 1, 1987, may retain its status as a for-profit corporation.

''(5) GOOD STANDING.—The development company is in good standing in its State of incorporation and in any other State in which it conducts business, and is in compliance with all laws, including taxation requirements, in its State of incorporation and in any other State in which it conducts business.

''(6) MEMBERSHIP.—The development company has at least 25 members (or stockholders if the corporation is a for-profit entity), none of whom may own or control more than 10 percent of the company's voting membership, consisting of representation from each of the following groups (none of which are in a position to control the development company):

''(A) Government organizations that are responsible for economic development.

''(B) Financial institutions that provide commercial long term fixed asset financing.

''(C) Community organizations that are dedicated to economic development.

''(D) Businesses.

''(7) BOARD OF DIRECTORS.—The development company has a board of directors that—

''(A) is elected from the membership by the members;

''(B) represents at least three of the four groups enumerated in subsection (a)(6) and no group is in a position to control the company; and

''(C) meets on a regular basis to make policy decisions for such company.

''(8) PROFESSIONAL MANAGEMENT AND STAFF.—The development company has full-time professional management, including a chief executive officer to manage daily operations, and a full-time professional staff qualified to market the Certified Development Company Economic Development Loan Program and handle all aspects of loan approval and servicing, including liquidation, if appropriate. The development company is required to be independently managed and operated to pursue its economic development mission and to employ its chief executive officer directly, with the following exceptions:

''(A) A development company may be an affiliate of another local non-profit service corporation (specifically excluding another development company) whose mission is to support economic development in the area in which the development company operates. In such a case:

''(i) The development company may satisfy the requirement for full-time professional staff by contracting with a local non-profit service corporation (or one of its non-profit affiliates), or a governmental or quasi-governmental agency, to provide the required staffing.

''(ii) The development company and the local non-profit service corporation may have partially common boards of directors.

''(B) A development company in a rural area (as defined in section 501(f)) shall be deemed to have satisfied the requirements of a full-time professional staff and professional management ability if it contracts with another certified development company which has such staff and management ability and which is located in the same general area to provide such services.

''(C) A development company that has been certified by the Administration as of December 31, 2005, and that has contracted with a for-profit company to provide services as of such date may continue to do so.

''(b) AREA OF OPERATIONS.—The Administration shall specify the area in which an applicant is certified to provide assistance to small businesses under this title, which may not initially exceed its State of incorporation unless it proposes to operate in a local economic area which is required to include part of its State of incorporation and may include adjacent areas within several States. After a development company has demonstrated its ability to provide assistance in its area of operations, it may request the Administration to be allowed to operate in one or more additional States as a multi-state certified development company if it satisfies the following criteria:

''(1) Each additional State is contiguous to the State of incorporation, except the States of Alaska and Hawaii shall be deemed to be contiguous to any State abutting the Pacific ocean.

''(2) It demonstrates its proficiency in making and servicing loans under the Certified Development Company Economic Development Loan Program by—

''(A) requesting and receiving designation as an accredited lender under section 507 or a premier certified lender under section 508; and

''(B) meeting or exceeding performance standards established by the Administration.

''(3) The development company adds to the membership of its State of incorporation additional membership from each additional State and the added membership meets the requirements of subsection (a)(6).

''(4) The development company adds at least one member to its board of directors in the State of incorporation, providing that added member was selected by the membership of the development company.

''(5) The company meets such other criteria or complies with such conditions as the Administration deems appropriate.

''(c) PROCESSING OF EXPANSION APPLICATIONS.—The Administration shall respond to the request of a certified development company for certification as a multi-state company on an expedited basis within 30 days of receipt of a completed application if the application demonstrates that the development company meets the requirements of subsection (b)(1) through (b)(4).

''(d) USE OF FUNDS LIMITED TO STATE WHERE GENERATED.—Any funds generated by a development company from making loans under the Certified Development Company Economic Development Loan Program which remain after payment of staff, operating and overhead expenses shall be retained by the development company as a reserve for future operations, for expanding its area of operations in a local economic area as authorized by the Administration, or for investment in other local economic development activity in the State from which the funds were generated.

''(e) ETHICAL REQUIREMENTS.—

''(1) IN GENERAL.—Certified development companies, their officers, employees and other staff, shall at all times act ethically and avoid activities which constitute a conflict of interest or appear to constitute a conflict of interest. No one may serve as an officer, director or chief executive officer of more than one certified development company.

''(2) PROHIBITED CONFLICT IN PROJECT LOANS.—As part of a project under the Certified Development Company Economic Development Loan Program, no certified development company may recommend or approve a guarantee of a debenture by the Administration that is collateralized by a second lien position on the property being constructed or acquired and also provide, or be affiliated with a corporation or other entity, for-profit or non-profit, which provides, financing collateralized by a first lien on the same property. A business development company that was participating as a first mortgage lender, either directly or through an affiliate, for the Certified Development Company Economic Development Loan Program in either fiscal years 2004 or 2005 may continue to do so.

''(3) OTHER ECONOMIC DEVELOPMENT ACTIVITIES.—Operation of multiple programs to assist small business concerns in order for a certified development company to carry out its economic development mission shall not be deemed a conflict of interest, but notwithstanding any other provision of law, no development company may accept funding from any source, including but not limited to any department or agency of the United States Government—

''(A) if such funding includes any conditions, priorities or restrictions upon the types of small businesses to which they may provide financial assistance under this title; or

''(B) if it includes any conditions or imposes any requirements, directly or indirectly, upon any recipient of assistance under this title unless the department or agency also provides all of the financial assistance to be delivered by the development company to the small business and such conditions, priorities or restrictions are limited solely to the financial assistance so provided.''.

SEC. 204. DEFINITION OF RURAL AREAS.

Section 501 of the Small Business Investment Act of 1958 (15 U.S.C. 695) is amended by adding at the end the following new subsection:

''(f) As used in subsection (d)(3)(D), the term 'rural' shall include any area other than—

''(1) a city or town that has a population greater than 50,000 inhabitants; and

''(2) the urbanized area contiguous and adjacent to such a city or town.''.

SEC. 205. BUSINESSES IN LOW-INCOME AREAS.

Section 501(d)(3) of the Small Business Investment Act of 1958 (15 U.S.C. 695(d)(3)) is amended by inserting after ''business district revitalization'' the following: ''or expansion of businesses in low-income communities that would be eligible for new market tax credit investments under section 45D of the Internal Revenue Code of 1986 (26 U.S.C. 45D)''.

SEC. 206. COMBINATIONS OF CERTAIN GOALS.

Section 501(e) of the Small Business Investment Act of 1958 (15 U.S.C. 695(e)) is amended by adding at the end the following:

''(7) A small business concern that is unconditionally owned by more than one individual, or a corporation whose stock is owned by more than one individual, is deemed to achieve a public policy goal under subsection (d)(3) if a combined ownership share of at least 51 percent is held by individuals who are in one of the groups listed as public policy goals specified in subsection (d)(3)(C) or (d)(3)(E).''.

SEC. 207. REFINANCING.

Section 502 of the Small Business Investment Act of 1958 (15 U.S.C. 696) is amended by adding at the end the following:

''(7) PERMISSIBLE DEBT REFINANCING.—Any financing approved under this title may also include a limited amount of debt refinancing for debt that was not previously guaranteed by the Administration. If the project involves expansion of a small business which has existing indebtedness collateralized by fixed assets, any amount of existing indebtedness that does not exceed one-half of the project cost of the expansion may be refinanced and added to the expansion cost, providing—

''(A) the proceeds of the indebtedness were used to acquire land, including a building situated thereon, to construct a building thereon or to purchase equipment;

''(B) the borrower has been current on all payments due on the existing debt for at least the past year; and

''(C) the financing under the Certified Development Company Economic Development Loan Program will provide better terms or rate of interest than now exists on the debt.''.

SEC. 208. ADDITIONAL EQUITY INJECTIONS.

Clause (ii) of section 502(3)(B) of the Small Business Investment Act of 1958 (15 U.S.C. 696(3)(B)) is amended to read as follows:

''(ii) FUNDING FROM INSTITUTIONS.—

''(I) If a small business concern provides the minimum contribution required under paragraph (C), not less than 50 percent of the total cost of any project financed pursuant to clauses (i), (ii), or (iii) of subparagraph (C) shall come from the institutions described in subclauses (I), (II), and (III) of clause (i).

''(II) If a small business concern provides more than the minimum contribution required under paragraph (C), any excess contribution may be used to reduce the amount required from the institutions described in subclauses (I), (II), and (III) of clause (i) except that the amount from such institutions may not be reduced to an amount less than the amount of the loan made by the Administration.''.

SEC. 209. LOAN LIQUIDATIONS.

Section 510 of the Small Business Investment Act of 1958 (15 U.S.C. 697g) is amended—

(1) by redesignating subsection (e) as subsection (g); and

(2) by inserting after subsection (d) the following:

''(e) PARTICIPATION.—

''(1) MANDATORY.—Any certified development company which elects not to apply for authority to foreclose and liquidate defaulted loans under this section or which the Administration determines to be ineligible for such authority shall contract with a qualified third-party to perform foreclosure and liquidation of defaulted loans in its portfolio. The contract shall be contingent upon approval by the Administration with respect to the qualifications of the contractor and the terms and conditions of liquidation activities.

''(2) COMMENCEMENT.—The provisions of this subsection shall not require any development company to liquidate defaulted loans until the Administration has adopted and implemented a program to compensate and reimburse development companies as provided under subsection (f).

''(f) COMPENSATION AND REIMBURSEMENT.—

''(1) REIMBURSEMENT OF EXPENSES.—The Administration shall reimburse each certified development company for all expenses paid by such company as part of the foreclosure and liquidation activities if the expenses—

''(A) were approved in advance by the Administration either specifically or generally; or

''(B) were incurred by the company on an emergency basis without Administration prior approval but which were reasonable and appropriate.

''(2) COMPENSATION FOR RESULTS.—The Administration shall develop a schedule to compensate and provide an incentive to qualified State or local development companies which foreclose and liquidate defaulted loans. The schedule shall be based on a percentage of the net amount recovered but shall not exceed a maximum amount. The schedule shall not apply to any foreclosure which is conducted pursuant to a contract between a development company and a qualified third-party to perform the foreclosure and liquidation.''.

SEC. 210. CLOSING COSTS.

Paragraph (4) of section 503(b) of the Small Business Investment Act of 1958 (15 U.S.C. 697(b)) is amended to read as follows:

''(4) the aggregate amount of such debenture does not exceed the amount of loans to be made from the proceeds of such debenture plus, at the election of the borrower under the Certified Development Company Economic Development Loan Program, other amounts attributable to the administrative and closing costs of such loans, except for the borrower's attorney fees;''.

SEC. 211. MAXIMUM CERTIFIED DEVELOPMENT COMPANY AND 7(A) LOAN ELIGIBILITY.

Section 502(2) of the Small Business Investment Act of 1958 (15 U.S.C. 696(2)) is amended by adding at the end the following:

''(C) COMBINATION FINANCING.—Financing under this title may be provided to a borrower in the maximum amount provided in this subsection, plus a loan guarantee under section 7(a) of the Small Business Act may also be provided to the same borrower in the maximum provided in section 7(a)(3)(A) of such Act.''.

SEC. 212. ELIGIBILITY FOR ENERGY EFFICIENCY PROJECTS.

Section 501(d)(3) of the Small Business Investment Act of 1958 (15 U.S.C. 695(d)(3)) is amended—

(1) in subparagraph (G) by striking ''or'' at the end;

(2) in subparagraph (H) by striking the period at the end and inserting '', or''; and

(3) by inserting after subparagraph (H) the following:

''(I) reduction of energy consumption by at least 10 percent.''.

SEC. 213. LOANS FOR PLANT PROJECTS USED FOR ENERGY-EFFICIENT PURPOSES.

Section 502(2)(A) of the Small Business Investment Act of 1958 (15 U.S.C. 696(2)(A)) is amended—

(1) in clause (ii) by striking ''and'' at the end;

(2) in clause (iii) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(iv) $4,000,000 for each project that reduces the borrower's energy consumption by at least 10 percent.''.

SEC. 214. EXTENSION OF PERIOD DURING WHICH LOSS RESERVES OF PREMIER CERTIFIED LENDERS DETERMINED ON THE BASIS OF OUTSTANDING BALANCE OF DEBENTURES.

Section 508(c)(6)(B) of the Small Business Investment Act of 1958 (15 U.S.C. 697e(c)(6)(B)) is amended by striking ''during the 2-year period beginning on the date that is 90 days after the date of the enactment of this subparagraph,'' and inserting ''through the end of fiscal year 2008,''.

SEC. 215. EXTENSION OF ALTERNATIVE LOSS RESERVE PILOT PROGRAM FOR CERTAIN PREMIER CERTIFIED LENDERS.

Section 508(c)(7)(J) of the Small Business Investment Act of 1958 (15 U.S.C. 697e(c)(7)(J)) is amended by striking ''means'' and all that follows through the period at the end and inserting ''means each calendar quarter through the end of fiscal year 2008.''

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110–108. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be

subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. MATHESON

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110–108.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. MATHESON:

Page 6, line 4, insert after ''Forces'' the following: ''or members of the reserve components of the Armed Forces''.

Page 8, line 14, insert after ''Forces'' the following: ''or members of the reserve components of the Armed Forces''.

The CHAIRMAN. Pursuant to House Resolution 330, the gentleman from Utah (Mr. MATHESON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. MATHESON. Mr. Chairman, I rise as a supporter of H.R. 1332, the underlying bill, and I would particularly like to thank the sponsor of the bill, Representative MELISSA BEAN, as well as the chairwoman of the Small Business Committee, Ms. VELÁZQUEZ, and the ranking member, Mr. CHABOT, for all their hard work in bringing this bipartisan bill to the floor today.

Now, the 7(a) program is SBA's largest primary business loan program and provides loan guarantees to thousands of small businesses that are unable to obtain financing through the traditional lending market. That is why I am pleased that section 105 of the underlying bill will establish the Increased Veteran Participation Program to help increase 7(a) loans to military veterans, which declined by over $170 million between fiscal year 2005 and fiscal year 2006.

Section 103 of the bill, which permanently establishes the Community Express Program, will also provide much needed loans to veterans.

As 14 percent of small businesses in America are owned by veterans, we should do all we can to support those who have served our country. However, we should not leave out the men and women who continue to serve our country honorably every day in the military reserves. Small business ownership is extremely challenging, especially for members of the Reserve component of the Armed Forces who must carefully balance their civilian careers with their duty to serve our Nation.

My amendment would simply include members of the Reserve components of the Armed Forces as eligible to receive loans under the Community Express Program in section 103 of the bill and as eligible to participate in the Increased Veteran Participation Program in section 105.

Since 9/11, I think we all know we have relied on members of the Reserve more and more to participate in serving our country, and this increased role should be recognized and supported.

I urge colleagues to support my amendment.

I yield to the Chair of the full committee, Ms. VELÁZQUEZ.

Ms. VELÁZQUEZ. I want to thank the gentleman for yielding.

Mr. Chairman, I am prepared to accept the amendment, and I will yield to Mr. CHABOT for any comments that he may have.

Mr. CHABOT. Mr. Chairman, we have no objection to the amendment. We commend the gentleman for offering this helpful amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. MATHESON).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. MATHESON

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110–108.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. MATHESON:

Page 6, line 1, insert after ''women,'' the following: ''members of qualified Indian tribes,''.

The CHAIRMAN. Pursuant to House Resolution 330, the gentleman from Utah (Mr. MATHESON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. MATHESON. Mr. Chairman, as I just explained in the discussion on my previous amendment, SBA's 7(a) loan program helps thousands of entrepreneurs start new businesses, create jobs and grow the economy here in the United States. Unfortunately, many segments of the American population are still unable to obtain necessary capital to successfully become entrepreneurs. Now to help remedy this inequity, the SBA created the Community Express Program to reach out to segments of the small business community that have difficulty accessing capital from traditional lending markets. These businesses are typically owned by women, veterans and socially or economically disadvantaged individuals who are underrepresented as business owners and who need smaller business loans accompanied by technical assistance.

Members of Indian tribes especially lack sufficient access to capital for starting new businesses. Of minority-owned businesses, only 6.6 percent were owned by American Indians, the least percentage of any minority group surveyed. And of U.S. nonfarm businesses, less than 1 percent are owned by American Indians.

I represent many Native American tribes in my district, and I know the entrepreneurial spirit is alive and well if only scarce capital can be attained for new businesses.

My amendment would simply include members of qualified Indian tribes as eligible to receive loans under the Community Express Program in section 103 of the underlying bill. This minor revision will provide loans to a currently underserved population and help participating lenders better determine who is actually eligible to receive loans under the Community Express Program.

I urge my colleagues to support this amendment.

I yield to the Chair of the full committee, Ms. VELÁZQUEZ.

Ms. VELÁZQUEZ. Mr. Chairman, I am prepared to accept this amendment. I want to thank you for bringing this issue.

I yield to the ranking member, Mr. CHABOT, for any comment.

Mr. CHABOT. I thank the gentlelady for yielding. We would also agree with this amendment. I think they are both excellent amendments. And I meant to comment on the other one as well. When the gentleman included our Reserve forces as well as other member veterans in Armed Forces, I think when one considers how patriotic our Reservists are and how many of them, especially with our involvement in Iraq and Afghanistan, are literally putting their lives on the line, I think this is a very helpful and important amendment, both of them. And so we would commend the gentleman for introducing them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. MATHESON).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. CUELLAR

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110–108.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. CUELLAR:

Page 5, line 2, strike the period and insert the following: ''or, in the case of a small business concern located in a rural area that does not have a lender located within 30 miles of the principal place of business, through any lender that is enrolled in, and administers, the 7(a) loan program that the small business concern chooses.''.

The CHAIRMAN. Pursuant to House Resolution 330, the gentleman from Texas (Mr. CUELLAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

I rise today to encourage my colleagues to support my amendment and help rural small businesses receive the access to capital they need to grow.

I would like to thank my good friend, Chairwoman VELÁZQUEZ, for reporting out this critical bill, and to Congresswoman BEAN for taking the lead on this issue. I also want to thank the

ranking member, Mr. CHABOT, for the leadership and bipartisan support that he has shown in this bill and in the committee.

My amendment would strengthen the underlying bill and ensure that we solve one of the most critical problems facing rural small businesses.

Like many parts of the United States, my congressional district is the home to many rural companies. It is well known that small businesses found in rural communities have a more difficult time accessing affordable capital than their counterparts in the large metropolitan areas.

Considering that there are probably about 1.2 million rural businesses, it is important to reach out to this vital part of our economy. The Rural Indian Outreach Program proposed in this bill will be a tremendous tool for lenders located in rural communities.

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The provisions outlined will take a major step toward expanding the financial options for the rural economy.

Unfortunately, this bill in the current form, the rural small businesses owner needs access to the rural lenders that use this particular program. In my rural areas, many small businesses do not live close to a bank and therefore they are forced to do banking many miles away from the closest city. We must make sure that we help both the rural lender and the rural business owner.

The amendment that I have, Mr. Chairman, states that a rural small business who is not within 30 miles of a rural lender can take advantage of the rural lending outreach program through any lender in the SBA 7(a) loan program. It is my hope that this amendment will further increase opportunities for small businesses and expand the rural economies throughout our Nation.

Mr. Chairman, I yield to Chairwoman VELÁZQUEZ at this time. And I believe there is support for this amendment.

Ms. VELÁZQUEZ. In our hearings, Mr. Chairman, the committee heard testimony on the various challenges facing the 7(a) program. One of the more troubling developments has been a steady decline in the number of lenders participating in the 7(a) program, particularly among small lenders and community banks located in rural areas. With fewer lenders in the program, we all lose.

The rural lender outreach program is intended to help remedy this problem. With simpler application standards and a streamlined lending process, the rural lender outreach program will facilitate participation in the 7(a) among small lenders in rural communities.

I look forward to working with my colleague to ensure that this amendment will help the rural lender outreach program achieve its important objectives.

I yield to the gentleman from Ohio for any comments that he might have.

Mr. CHABOT. I thank the gentlelady for yielding, and I want to commend the gentleman from Texas for offering a very thoughtful amendment here.

Oftentimes when you have a bill as complicated as this one is, the point of the bill obviously is pretty straightforward: It is to streamline and improve the process, make it more accessible to small business people, because that is one of the main problems that we have, that small businessmen have, and small businesswomen as well, is access to capital.

One has to look at this sometimes what do you do to benefit rural communities, and sometimes it is more urban communities. I happen to represent an overall fairly urban community, the city of Cincinnati. But I know the gentleman has a much larger district in mind, one in which the challenges may be somewhat different. And I think it is very good that the gentleman took the time to go through this bill with such care to find a way that he can benefit the people in his community and at the same time make it a better bill.

So I again commend the gentleman for his thoughtful approach to this bill, thank him for offering this amendment, and we are in a position to accept it. And I again thank him for his hard work on this.

Ms. VELÁZQUEZ. Mr. Chairman, we are prepared to accept the amendment.

Mr. CUELLAR. Mr. Chairman, I want to thank again Chairwoman VELÁZQUEZ and the ranking member for their support and leadership, their bipartisan support.

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

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

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. INSLEE

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110–108.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. INSLEE:

Page 26, strike lines 3 through 8 and insert the following:

(2) in subparagraph (H) by striking the period at the end and inserting a comma; and

(3) by inserting after subparagraph (H) the following:

''(I) reduction of energy consumption by at least 10 percent, or

''(J) increased use of sustainable design or low-impact design to produce buildings that reduce the use of non-renewable resources, minimize environmental impact, and relate people with the natural environment.''.

The CHAIRMAN. Pursuant to House Resolution 330, the gentleman from Washington (Mr. INSLEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. INSLEE. My fellow Members, we know that small businesses have been leaders in job creation and are the dynamic growth center for the American economy, and now they are poised to become the leaders in our green building revolution. We know that we have challenges on energy security, we know we have challenges to deal with on global warming, and we know that small businesses have challenges to receive capital to help in their programs to make their businesses more efficient, less costly for energy consumption, and less emitting of greenhouse gases.

Our amendment would create the ability of the SBA to provide capital to our small businesses across the country to do thousands of things that they want to start doing, items like putting additional energy-efficient equipment into their businesses, building green roofs that can prevent energy loss, installation of renewable energy sources like photovoltaic cells and energy equipment heating and cooling systems. The list is endless.

I would like to think of a little small business called the Snoqualmie Ice Cream Company, which is some of the best ice cream in the world, but they used an SBA loan essentially to put impervious concrete and build a green roof, which helped their business operations and helped the environment to boot.

So we would propose that we expand the SBA purposes to allow our small businessmen and women to be on the cutting edge of green building and green businesses across the country. This will help them move a step forward to use their dynamic leadership.

Mr. Chairman, I yield to Ms. VELÁZQUEZ.

Ms. VELÁZQUEZ. Mr. Chairman, we are prepared to accept the amendment. I yield to the ranking member for any comments that he might have.

Mr. CHABOT. I thank the gentlelady for yielding. We are in a position to accept this amendment as well, and I commend the gentleman for offering it.

Mr. INSLEE. Mr. Chairman, I yield back the balance of our time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. INSLEE).

The amendment was agreed to.

The 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 CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. DEGETTE) having assumed the chair, Mr. PASTOR, 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. 1332) to improve the access to capital programs of the Small Business Administration, and for other purposes, pursuant to House Resolution 330, 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. MCCRERY

Mr. McCRERY. Madam Speaker, I offer a motion to recommit.

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

Mr. McCRERY. In its current form.

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

The Clerk read as follows:

Mr. McCrery moves to recommit the bill, H.R. 1332, to the Committee on Small Business, with instructions to report back the same forthwith with the following amendments:

Page 6, after line 7, insert the following:

''(B) For purposes of subparagraph (A)(i), the Administrator shall consider any small business concern that can demonstrate it is adversely affected by a raise in the Federal minimum wage to be economically disadvantaged.''.

Page 6, line 8, strike ''(B)'' and insert ''(C)''.

Page 6, line 13, strike ''(C)'' and insert ''(D)''.

Page 6, line 17, strike ''(D)'' and insert ''(E)''.

Ms. VELÁZQUEZ. Madam Speaker, I reserve a point of order against the motion.

The SPEAKER pro tempore. The point of order is reserved.

The gentleman from Louisiana is recognized for 5 minutes.

Mr. McCRERY. Madam Speaker, the motion to recommit that I am offering makes an important point about how we treat small businesses, the engine that drives much of our economy and creates many of our jobs in this country.

The underlying bill makes permanent the Community Express Program, which provides loans up to $250,000 to businesses which are owned by certain favored groups such as women, minorities, veterans, or socially or economically disadvantaged individuals. The measure does not define what it means for a business owner to be ''economically disadvantaged.''

This would require that the Small Business Administration would consider as economically disadvantaged those business owners that can demonstrate that they have been adversely impacted by an increase in the Federal minimum wage.

The importance of this motion is clear in the face of the failure of this House and the conferees on the supplemental appropriations bill that will be considered later tonight to adequately provide tax relief to those small businesses most impacted by an increase in the minimum wage.

The agreement reached by the majority and inserted into the supplemental does provide a larger dollar figure for relief than was passed by the House earlier this year, but almost none of the added tax revenues will provide relief to the small businesses most in need of assistance because of the increase in the minimum wage.

For example, more than 53 percent of the tax relief is in the form of a 44-month extension of the work opportunity tax credit. While extending the work opportunity tax credit may be good policy, and I happen to like that credit, more than 90 percent of the credits are claimed by firms with gross receipts over $50 million, hardly small businesses.

Other provisions, while well intentioned, will have little or no impact on small businesses. The S-Corp reforms, which costs almost $1 billion, have no direct relation to firms impacted by the minimum wage.

I support the changes in the package to the low income housing tax credit, but that $237 million in tax relief, again, does nothing towards satisfying the stated purpose of helping small businesses cope with the increase in the minimum wage.

While the work opportunity tax credit was expanded and was given a longer extension than in the House-passed package, provisions to help small businesses by increasing expensing were not given similar treatment. Other depreciation changes included in the Senate-passed bill that could have helped small businesses were completely left out of the conference agreement. In fact, barely $1 billion of the total almost $5 billion package provides relief to small businesses; and almost half of that, $457 million of it, exists solely to protect restaurant owners from the tax increase they would otherwise face from a minimum wage increase. Thus, only about one-eighth of the new benefits are targeted at small businesses.

That minimal relief for small businesses looks even smaller when compared against the Congressional Budget Office's estimate that the increase in the minimum wage will impose more than $16 billion in costs on the private sector over the next 5 years.

It should come as no surprise to anyone to learn that the National Federation of Independent Business, a small business association, released a statement today criticizing Congress for failing to deliver meaningful tax relief to the American small business community in the face of a mandated Federal minimum wage hike.

I submit for printing in the RECORD the entire statement of NFIB.

TAX PACKAGE TIED TO MINIMUM WAGE HIKE FAILS TO DELIVER RELIEF FOR SMALL BUSINESS

NFIB disappointed in diminished small-business tax relief in the federal supplemental spending bill

WASHINGTON, D.C., APRIL 25, 2007—Dan Danner, executive vice president of the National Federation of Independent Business, today made the following statement in reaction to the reduced small-business tax-relief package contained in the federal minimum wage increase legislation, now attached to the Iraq spending bill.

It's truly disheartening that during National Small Business Week Congress has decided to renege on their promise to deliver meaningful tax relief to the American small-business community in the face of a mandated federal minimum wage hike.

While small businesses appreciate the increased and extended expensing limit, the tax package as a whole simply does not offer enough growth-oriented tax relief to allow small businesses to invest and stay competitive. NFIB is disappointed to see that the reduced tax package falls short of truly offsetting the costs small businesses will be forced to absorb as a result of a minimum wage increase.

Small-business owners have always opposed mandated wage levels because it leaves them with fewer choices in how they compensate their employees. But in the face of an inevitable wage hike, the small-business community was pleased to hear that Congress was planning to offer a tax package aimed at helping small businesses cope with additional labor costs.

From the beginning of this debate, the accompanying tax package was supposed to be about helping the country's small businesses. Instead, Congress has spent more time catering to big business demands than providing real tax relief to those who need it most—American small-business owners.

As this debate continues, NFIB will continue its efforts to educate members of Congress about why small businesses need and deserve meaningful tax relief.

Last week my friend, the distinguished chairman of the Ways and Means Committee, indicated that the tax package on the supplemental was the final deal. I suppose he meant the final deal on taxes associated with the minimum wage increase. And I guess he meant that, even if the supplemental is vetoed, that we don't go back to square one, that there will still be no renegotiation of the tax package. That is unfortunate, and that is what brings us here today.

The majority has said it is unwilling to reconsider ways to ensure that we provide tax relief to the businesses most in need and to examine the shortcomings of the tax package. Thus, we must find other ways to help small businesses continue to be the engines of job creation in our economy. By making small businesses adversely affected by a minimum wage increase eligible for the community express program, Madam Speaker, we are offering the House an opportunity, a chance, to make good on the promise to help those businesses impacted by an increase of the minimum wage.

Madam Speaker, I urge passage of the motion.

□ 1730

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

Ms. VELÁZQUEZ. Madam Speaker, I withdraw my point of order against the motion, and I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 5 minutes.

Ms. VELÁZQUEZ. Madam Speaker, it amazes me if the gentleman from Louisiana is so concerned about the state of small businesses in our country, why is it that every time that I brought an amendment to any bill to reduce the cost of the 7(a) business loan program, you voted against that bill, against those amendments? That is the way we provide relief to small businesses.

The problem with the gentleman from Louisiana is that he doesn't believe that the minimum wage should be raised, and that 10 years is not long enough. So by supporting this motion to recommit, you are voting against providing relief to small businesses.

What we are doing with this bill is reducing up to $50,000 in fees to borrowers in this country. That is real relief.

So I urge my colleagues to vote against this motion, and to support the underlying bill.

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

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

There was no objection.

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

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

Mr. McCRERY. Madam 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.

The vote was taken by electronic device, and there were—yeas 197, nays 224, not voting 11, as follows:

[Roll No. 262]

YEAS—197

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
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
Cantor
Capito
Carney
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
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—224

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
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
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
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
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—11

Bartlett (MD)
Bishop (GA)
Boyd (FL)
Cubin
Davis, Jo Ann
Hunter
Kaptur
Lampson
McIntyre
Westmoreland
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining to vote.

□ 1755

Mr. MURPHY of Connecticut, Mr. KAGEN, Ms. DELAURO, Mr. McNERNEY, Ms. McCOLLUM of Minnesota, Mrs. GILLIBRAND, Messrs. HOYER, ALTMIRE, HILL, and SCOTT of Virginia changed their vote from "yea" to "nay."

Mr. MORAN of Kansas and Mr. PICKERING changed their vote from "nay" to "yea."

So the motion was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BOYD of Florida. Madam Speaker, on rollcall No. 262, had I been present, I would have voted "nay."

LEGISLATIVE PROGRAM

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

Mr. BLUNT. Madam Speaker, I rise for the purpose of inquiring about the schedule, and I yield to my friend, the majority leader, for information about the schedule, tomorrow, Monday and Tuesday.

Mr. HOYER. I thank the gentleman for yielding, and I want to tell the Members that tomorrow we have only one bill scheduled. That is H.R. 249. We will consider that bill. I am hopeful that we will complete that bill early afternoon.

On Monday, the funeral is being held for Congresswoman Millender-McDonald, and many of our Members on both sides of the aisle I know will be attending that funeral. We will have no business on Monday. Not only no votes, but there will be no business on Monday.

On Tuesday, you need to expect votes anytime after noon. So we plan to have a full day on Tuesday, not a 6:30 coming in here, but there will be no votes until noon on Tuesday.

Mr. BLUNT. I thank the gentleman for the information, and I think that is helpful to our Members.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

There was no objection.

SMALL BUSINESS LENDING IMPROVEMENTS ACT OF 2007

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

Ms. VELÁZQUEZ. Madam 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 380, noes 45, not voting 7, as follows:

[Roll No. 263]

AYES—380

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

NOES—45

Bachmann
Barrett (SC)
Biggert
Brady (TX)
Campbell (CA)
Cantor
Carter
Culberson
Davis (KY)
Deal (GA)
Doolittle
Duncan
Feeney
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Goode
Hastert
Hayes
Hensarling
Inglis (SC)
Johnson, Sam
Jones (NC)
King (IA)
Kingston
Lamborn
Linder
Mack
Manzullo
McHenry
Miller (FL)
Miller, Gary
Myrick
Neugebauer
Paul
Pence
Price (GA)
Radanovich
Rohrabacher
Royce
Sali
Shadegg
Tancredo

NOT VOTING—7

Buyer
Cubin
Davis, Jo Ann
Hunter
Lampson
Solis
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1806

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

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Madam Speaker, During rollcall vote No. 263, the Small Business Lending Improvements Act, on April 25, 2007. I was unavoidably detained. Had I been present, I would have voted ''aye.''

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1332, SMALL BUSINESS LENDING IMPROVEMENTS ACT of 2007

Ms. VELÁZQUEZ. Madam Speaker, I ask unanimous consent that the Clerk is authorized to correct section numbers, punctuation, and cross-references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 1332.

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

There was no objection.

AMENDMENT PROCESS FOR CONSIDERATION OF H.R. 1429, IMPROVING HEAD START ACT OF 2007; AND H.R. 1868, TECHNOLOGY INNOVATION AND MANUFACTURING STIMULATION ACT OF 2007

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

Ms. SLAUGHTER. The Rules Committee is expected to meet the week of April 30 to grant a rule which may structure the amendment process for floor consideration of H.R. 1429, the Improving Head Start Act of 2007.

Members who wish to offer an amendment to this bill should submit 30 copies of the amendment and a brief description of the amendment to the Rules Committee in H–312 in the Capitol no later than 2:00 p.m. on Monday, April 30. Members are strongly advised to adhere to this amendment deadline to ensure the amendments receive consideration.

Amendments should be drafted to the bill as reported by the Committee on Education and Labor. A copy of that bill is posted on the Web site of the Rules Committee.

Amendments should be drafted by Legislative Counsel and also should be reviewed by the Office of the Parliamentarian to be sure that the amendments comply with the rules of the House. Members are also strongly encouraged to submit their amendments to the Congressional Budget Office for analysis regarding possible PAYGO violations.

The Rules Committee is also expected to meet the week of April 30 to grant a rule which may structure the amendment process for floor consideration of H.R. 1868, Technology Innovation and Manufacturing Stimulation Act of 2007.

Members who wish to offer an amendment to this bill should submit 30 copies of the amendment and a brief description of the amendment to the Rules Committee in H–312 in the Capitol no later than 2:00 p.m. on Monday, April 30. Members are strongly advised to adhere to this amendment deadline to ensure the amendments receive consideration.

Amendments should be drafted to the bill as reported by the Committee on Science and Technology. A copy of that bill is posted on the Web site of the Rules Committee.

Amendments should be drafted by Legislative Counsel and also should be reviewed by the Office of the Parliamentarian to be sure that the amendments comply with the rules of the House. Members are also strongly encouraged to submit their amendments to the Congressional Budget Office for analysis regarding possible PAYGO violations.

PROVIDING FOR CONSIDERATION OF H.R. 1591, U.S. TROOP READINESS, VETERANS' HEALTH, AND IRAQ ACCOUNTABILITY ACT, 2007

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 332 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 332

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 1591) making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentlewoman from New York (Ms. SLAUGHTER) is recognized for 1 hour.

Ms. SLAUGHTER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

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

GENERAL LEAVE

Ms. SLAUGHTER. Mr. Speaker, I ask unanimous consent that all Members may be given 5 legislative days in which to revise and extend their remarks on House Resolution 332.

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, H. Res. 332 provides for consideration of the conference report for H.R. 1591, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes. The rule waives all points of order against the conference report and against its consideration. It also provides that the conference report shall be considered as read.

Mr. Speaker, after 4 years of the administration's relentless mismanagement of the Iraq war, mismanagement that has needlessly endangered our soldiers and lost countless Iraqi lives, this new Democratic Congress is determined to exercise our constitutional duty and to change the Nation's course in Iraq. We are hardly alone in our estimation of what must be done there.

A growing chorus of opinion has coalesced around the need for a new direction. Virtually all of our generals agree that this fight cannot be won militarily, and General David Petraeus has said that the American mission in Iraq is 20 percent military and 80 percent political, economic and diplomatic.

He is joined by the Secretary of Defense, Robert Gates, who applauded this debate, saying it will demonstrate to the Iraqi leadership that America will no longer tolerate an open-ended commitment without any benchmarks for success.

James A. Baker and Lee Hamilton of the President's own Iraq Study Group have called for the American military to focus on training Iraqi security forces instead of conducting endless security sweeps.

Retired generals have joined in as well. Retired Lieutenant General William E. Odom, to name just one, has said that the proposed change in course will, and I quote, ''re-orient U.S. strategy to achieve regional stability, and win help from many other countries—the only way peace will eventually be achieved.''

What of the people of the United States of America? It is their sons and daughters, their husbands and wives, their friends and family who have fought, have been injured and died in this war by the tens of thousands.

They, more than anyone else, have demanded that America's mission in Iraq be changed. This bill is a statement that Congress will no longer fund the war as it exists today.

With it, Democrats are demanding accountability and requiring that future support be based on tangible progress being made. We are refusing to ask our soldiers to continue fighting an open-ended battle to achieve goals that are constantly being altered. Such a request is not worthy of their sacrifice.

Let me say also that while the President said that this bill is nothing more than a political statement, the opposite is the case. Our bill reconciles hard realities with our most fundamental principles. It both protects our soldiers and seeks to give them the best chance to help to produce a secure Iraq. It could not be more sincere, and it will soon be on the President's desk. If he rejects it, that will be his political statement and not ours.

Finally, I must add briefly that this legislation also contains $18 billion to be spent on critically needed health care for the veterans injured in Iraq and Afghanistan, particularly for the traumatic brain injury victims, for Katrina recovery operations, for the avian flu vaccines, wildfire prevention, and for health insurance for children, among many other things. Those things are what supplemental bills have always been for, not to fund wars.

The President and his allies have chosen to dismiss this spending as unjustifiable pork. They have asked Congress to deliver a clean bill, in their words, but I can't think of programs much cleaner and more worthy of our support than those I just mentioned.

The definition of a great nation is one that has the power to define its own destiny and that uses its strength wisely to help others in need. Insurgents who seek to destroy what is left of the Iraq society are abominable, but they can do far less damage to our country than we do to ourselves by pursuing flawed policies that deplete our Armed Forces, undermine our alliances, and lessen our influence and moral authority around the world.

□ 1815

Why should we do what they cannot?

At the same time, the Iraqi people deserve so much more than the life of fear they now lead. But America can be true to itself; we must have the humility and the vision to recognize what is working and what is not, and to correct our failures when reality demands it.

I believe that we are, indeed, a great Nation, Mr. Speaker. We have the ability to choose our own way forward. Starting today, starting here, we can choose to reject a path that is failing our soldiers, our citizens, and the people of Iraq. And we can set a new course that offers a real chance for a better future instead of endless, unfulfilled promises.

This bill is the first step on that new course, and I urge everybody in this body and in the White House to see it for what it truly is. It is not an admission of defeat, but it is proof that our country has the courage and the foresight needed to truly act like the great Nation that we truly are.

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

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

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

Mr. DREIER. Mr. Speaker, I thank my very good friend from Rochester, the distinguished Chair of the Committee on Rules, for yielding me the customary 30 minutes.

Mr. Speaker, I rise in strongest opposition to both this rule and the underlying conference report.

Mr. Speaker, this conference report implements a policy of failure. It is nothing more than a cheap attempt to score political points at a time when the American people have understandably become very weary of war. Rather than offering the American people a

policy that allows us to complete our mission in Iraq and bring our troops home, which we all want to do, this bill simply offers them a charade.

The President, Mr. Speaker, has made it very clear that he will veto this policy of failure, which does not have enough support to override his veto. We will be right back here in a matter of days voting on another supplemental. And while this political charade plays out, Mr. Speaker, our troops will be left waiting for the funding that they need to do their jobs, and our country trapped in a political quagmire created by the Democratic leadership in this Congress.

Mr. Speaker, this very dangerous game of ''chicken'' could have been avoided entirely. The Democratic leadership may be bereft of ideas, but I know for a fact that this entire body is not. Had we considered the original bill under an open process, which, as we all know, is the tradition for wartime supplementals in this House, we could have had a real debate. We could have considered the worthy ideas of Members in this body.

Instead, Mr. Speaker, all but a very few were shut out of this process entirely. Republicans and Democrats, liberals and conservatives alike, were denied the opportunity to participate in this process. We didn't get any of their ideas, their expertise, their suggestions in bringing this measure to the floor. And what did that very small group in the Democratic leadership come up with? A constitutionally dubious attempt at micromanaging the Iraq war into inevitable defeat; a cynical political ploy that will leave dire consequences for the region and our own security in its wake.

Mr. Speaker, the Constitution lays out a very clear system of checks and balances derived from the ideas of the very brilliant and inspired Framers of our Constitution. James Madison I am thinking of, as I look to my friend from Virginia, Mr. MORAN, obviously a native of Virginia. And I will tell you that that Madisonian spirit of giving the three branches of government distinct roles, allows us to guard ourselves against tyranny from any one branch.

The President must seek the support of Congress in order to wage war; it is Congress that has the power to authorize; and, as we all know very well, it must be this institution that funds a war. But, Mr. Speaker, once funding and authorization are granted, the President of the United States serves as the Commander in Chief, with the authority to execute the war.

This conference report ignores the intentions of our Founding Fathers and attempts to turn the Constitution on its head.

I mentioned, looking to my friend Mr. MORAN, the father, the author of the Constitution, James Madison. Well, Mr. Speaker, in Federalist No. 51, Madison wrote ''that in framing a government that is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed, and in the next place oblige it to control itself.''

Mr. Speaker, Madison recognized the inherent challenges in designing a government that is both effective and limited. He knew that without checks and balances, tyranny would ensue.

Mr. Speaker, this conference report, like the bill before it, attempts to diminish these checks and balances. It tries to turn Congress into 535 Commanders in Chief.

This legislation of micromanagement is based, Mr. Speaker, on a disastrous strategy. Its authors fund the war, and then mandate its failure. They seek to tie the hands of our military commanders, and then force them to retreat when they are unable to meet impossible timetables. We heard in a briefing today from General Petraeus, from Secretary England, from Secretary Negroponte and others that the notion of timetables in fact clearly will undermine the potential for success.

Mr. Speaker, that leadership also knew it fell hopelessly short of the necessary support within their own party for passage. But rather than opening up the process so that real ideas and solutions could be considered, they just loaded it up with billions of dollars in unrelated spending. This conference report trades victory for potential electoral gains.

Mr. Speaker, what would the consequences of defeat be? The National Intelligence Estimate, the 9/11 Commission, our people on the ground and those who briefed us today, have all made it very clear that a precipitous withdrawal would have disastrous consequences. Violence will spill out across the country and spread to the entire region.

We heard about Iran and Syria today and the challenges that exist there. In our absence, Iran and Syria will be utterly unfettered in their ability to incite a regional war that threatens global security, with enormous casualties suffered by the people in the region.

Mr. Speaker, as I have said, and I know this very well, and I join Americans who have been very discouraged by this war; it has been ugly, it has been difficult, it has been very painful. We all, Mr. Speaker, feel the toll it has taken and are keenly aware of the price that we are paying, especially in a human sense.

I know as I look to my colleagues on the other side of the aisle that every single one of us has had the challenge and the difficulty of looking into the eyes of constituents whose family and friends have made the ultimate sacrifice in this war. Their pain is very real, and we all know that their loss is profound.

But, Mr. Speaker, we do not honor those who have sacrificed by abandoning their mission. I have regularly quoted my very good friend, a man who has become a friend of mine, a former marine called Ed Blecksmith, whose son J.P. was killed in the battle of Fallujah 2 years ago this past November. He said that if we were to withdraw, his son will have died in vain.

Mr. Speaker, we do not honor those in the field who are fighting as we speak by tying their hands and depriving them of the means to succeed. We will honor them by winning the war in Iraq so that our men and women come home having completed their mission.

We know that their mission will not be complete in the immediate future. That was pointed out today by General Petraeus and others. As President Bush and General Petraeus have both acknowledged, success will take months, not days or weeks. But to abandon our mission would be disastrous.

Mr. Speaker, I urge my colleagues to reject the policy of defeat and the potential return of terrorism to our homeland. I urge my colleagues to reject this political charade that leaves our troops in limbo, and let us instead have a real debate with real ideas for a real solution in Iraq.

Mr. Speaker, I include the following article from the Sunday Times for the RECORD.

[From the Sunday Times, April 22, 2007]

AL-QAEDA 'PLANNING BIG BRITISH ATTACK'

(By Dipesh Gadher)

Al-Qaeda leaders in Iraq are planning the first ''large-scale'' terrorist attacks on Britain and other western targets with the help of supporters in Iran, according to a leaked intelligence report.

Spy chiefs warn that one operative had said he was planning an attack on ''a par with Hiroshima and Nagasaki'' in an attempt to ''shake the Roman throne'', a reference to the West.

Another plot could be timed to coincide with Tony Blair stepping down as prime minister, an event described by Al-Qaeda planners as a ''change in the head of the company''.

The report, produced earlier this month and seen by The Sunday Times, appears to provide evidence that Al-Qaeda is active in Iran and has ambitions far beyond the improvised attacks it has been waging against British and American soldiers in Iraq.

There is no evidence of a formal relationship between Al-Qaeda, a Sunni group, and the Shi'ite regime of President Mah-moud Ahmadinejad, but experts suggest that Iran's leaders may be turning a blind eye to the terrorist organisation's activities.

The intelligence report also makes it clear that senior Al-Qaeda figures in the region have been in recent contact with operatives in Britain.

It follows revelations last year that up to 150 Britons had travelled to Iraq to fight as part of Al-Qaeda's ''foreign legion''. A number are thought to have returned to the UK, after receiving terrorist training, to form sleeper cells.

The report was compiled by the Joint Terrorism Analysis Centre (JTAC)—based at MI5's London headquarters—and provides a quarterly review of the international terror threat to Britain. It draws a distinction between Osama Bin Laden and Al-Qaeda's core leadership, who are thought to be hiding on the Afghan-Pakistan border, and affiliated organisations elsewhere.

The document states: ''While networks linked to AQ [Al-Qaeda] Core pose the greatest threat to the UK, the intelligence during

this quarter has highlighted the potential threat from other areas, particularly AQI [Al-Qaeda in Iraq].''

The report continues: ''Recent reporting has described AQI's Kurdish network in Iran planning what we believe may be a large-scale attack against a western target.

''A member of this network is reportedly involved in an operation which he believes requires AQ Core authorisation. He claims the operation will be on 'a par with Hiroshima and Naga-saki' and will 'shake the Roman throne'. We assess that this operation is most likely to be a large-scale, mass casualty attack against the West.''

The report says there is ''no indication'' this attack would specifically target Britain, ''although we are aware that AQI . . . networks are active in the UK''.

Analysts believe the reference to Hiroshima and Nagasaki, where more than 200,000 people died in nuclear attacks on Japan at the end of the second world war, is unlikely to be a literal boast.

''It could be just a reference to a huge explosion,'' sald a counter-terrorist source. ''They [Al-Qaeda] have got to do something soon that is radical, otherwise they start losing credibility.''

Despite aspiring to a nuclear capability, Al-Qaeda is not thought to have acquired weapons grade material. However, several plots involving ''dirty bombs''—conventional explosive devices surrounded by radioactive material—have been foiled.

Last year Al-Qaeda's leader in Iraq called on nuclear scientists to apply their knowledge of biological and radiological weapons to ''the field of jihad''.

Details of a separate plot to attack Britain, ''ideally'' before Blair steps down this summer, were contained in a letter written by Abdul al-Hadi al-Iraqi, an Iraqi Kurd and senior Al-Qaeda commander.

According to the JTAC document, Hadi ''stressed the need to take care to ensure that the attack was successful and on a large scale''. The plan was to be relayed to an Iran-based Al-Qaeda facilitator.

The Home Office declined to comment.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3½ minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I thank the distinguished Chair of the Rules Committee for yielding me the time.

Mr. Speaker, I want this war to come to an end now. I had reservations when I voted in support of the supplemental a few weeks ago, and I have misgivings about the conference report that is before us today. I believe very deeply that this war represents one of the biggest blunders in our history and that we must change course and bring it to an end.

But, Mr. Speaker, to defeat this conference report tonight would provide President Bush with a victory that he does not deserve and that he has not earned, and it would affirm a disastrous policy in Iraq. A vote against this conference report is a vote to support the status quo, which is essentially a vote to support a failed policy.

Since the President decided to escalate the war in Iraq, the violence has gotten worse. This administration has demonstrated a contempt for the American people, who have demanded a change in our Iraq policy.

Mr. Speaker, this President is presiding over a policy and a war in Iraq that is making the United States more vulnerable, not more secure. He refuses to listen. He refuses to acknowledge the facts. He refuses to compromise.

Now he has threatened to veto this conference report. And if he does so, then this President will make perfectly clear to the American people that the only way this war is going to end, the only way our troops will ever come home to their families and loved ones, the only way the Iraqis will ever be held accountable for governing their own country and ending their sectarian violence, will be if Congress finds a way to end it.

Every day it becomes more and more clear that the President has decided to kick the ball down the field to make this war somebody else's problem. Two years ago, President Bush announced his exit strategy for Iraq. He said, ''That's a problem for the next President.''

Mr. Speaker, that is unacceptable and it is false. It is a problem for all of us. None of us in this Chamber wake up each morning in harm's way. None of us stare death in the eye or see our comrades fall to bullets and bombs. Not even the Green Zone provides a sense of security any longer.

Instead of demanding reconciliation, we are building walls to keep Shiites away from Sunnis. Every day, thousands of Iraqis are fleeing the horror that has become their country. The best and the brightest are leaving. The average shopkeeper, the next-door neighbor, all are packing their bags and trying to find a way out of town, out of the country, away from the violence, the death and destruction.

Mr. Speaker, the reality is that whenever we finally leave Iraq, it will not be pretty. This failed policy has left Iraq with few options. But until we begin to leave, no one has to make the hard choices about how Iraqis are going to live together or die together.

Mr. Speaker, this terrible chapter in our history must come to an end, and I urge all my colleagues to join with me in saying to the President of the United States, enough is enough.

Mr. DREIER. Mr. Speaker, at this time I am very pleased to yield 2 minutes to the distinguished ranking member of the Committee on Foreign Affairs, our good friend from Miami (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman from California for the time.

At this difficult moment and in previous difficult moments in our Nation's history, there have always been those ready to declare that all was lost. Now we hear the voices of those proclaiming that the war against Islamic extremists in Iraq is lost. They say they support the troops, but the soldier cannot be separated from his mission.

When I consider the Parsons brothers from my congressional district, I know that our country has immense resources of courage and determination on which to draw. Huber Parsons was with the 101st Airborne for two long deployments in Iraq, and is currently on his third in Iraq with the Army Stryker Brigade. His twin, Bill, has served two tours in Afghanistan and two tours in Iraq. Their little brother, Charlie Parsons, is on his first deployment to Iraq. All three are serving in Baghdad right now, all three proud graduates of West Point.

Given the sacrifices and bravery of the Parsons brothers and all of the men and women serving our Nation in Iraq, we must not put them at risk by mandating artificial deadlines for withdrawal and surrender.

The consequences for our troops is a personal one for me. My stepson Doug and my daughter-in-law Lindsay both served in Iraq as marine fighter pilots, and Lindsay is currently deployed in Afghanistan.

□ 1830

Last time I spoke on the floor, I said Lindsay was about to be deployed. Well, she is there now, we are proud of her service. We are proud of all of the men and women serving our Nation wearing our Nation's uniform.

Imposing an artificial, arbitrary deadline for withdrawal of our forces before Iraq is stable and secure will give the insurgents and the Islamic terrorists a road map, a how-to guide on how to defeat the U.S., our Iraqi partners and other coalition forces in Iraq.

Let's help the Parsons brothers. Let's help all of our troops. Vote against the rule and against the conference report.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri and the Chair of the Armed Services Committee, Mr. SKELTON.

Mr. SKELTON. I thank the chairman of the Rules Committee. Mr. Speaker, I am blessed to be a Member of the House of Representatives.

Under the Constitution of our country, this is a co-equal branch of government. We are charged here in Congress to raise and maintain the military of the United States. The President is charged with being the Commander in Chief. Our job is clear. We must prepare and maintain our military to the highest standard possible.

1950, the North Koreans invaded South Korea. We had a small force there. General MacArthur, supreme commander in that part of the world, sent a unit that was untrained, underequipped and undersized, called Task Force Smith to stem the tide of the North Korean armies. They fought valiantly and found themselves in the southeast corner of South Korea in what is now known as the Pusan perimeter, and they were in serious trouble. General MacArthur's brilliant Inchon landing on the western coast of Korea changed the nature of the Korean War at that moment.

But the lesson of all of this is the lack of readiness of the United States

Army as it was in 1950. Our job is to see that that does not ever happen again.

This rule, this bill, this resolution is the right one for our time. It will help the readiness of the United States military, in particular our Army. I am very concerned about the stretching and the straining of the Army in Iraq, so much so we just have to fund them, and this is a major step in that direction.

Now, some object for some Iraqi language, which frankly leaves a lot to the discretion of the White House. But what we are overlooking is the fact that this bill, this resolution does lead to supporting the troops and keeping the readiness at a higher level. A large percentage of the equipment of the active duty of the National Guard and of the Reserve is not here in America, is overseas in Iraq or Afghanistan. Readiness capability of the future is what this is all about.

Mr. DREIER. Mr. Speaker, at this time I am very happy to yield 3 minutes to the distinguished gentleman from Indianapolis who has been a hardworking fighter on the Foreign Affairs Committee, Mr. BURTON.

Mr. BURTON of Indiana. Mr. Speaker, on 9/11, 2001, two planes flew into the World Trade Center and killed over 3,000 Americans, the worst attack on America in the history of this country, worse than Pearl Harbor. The people who are behind it were al Qaeda, and Osama bin Laden said numerous times he wanted to destroy America. They are the mortal enemy of the United States of America.

General Petraeus today, when he talked to the Members of Congress, said numerous times that they were fighting al Qaeda, al Qaeda, al Qaeda in Iraq, the mortal enemy of the United States of America.

Now my colleagues on the other side of the aisle want to pull us out of there. And if they do succeed, then I believe that that will become a gathering point for all of the al Qaeda operatives and other fellow travelers in the world, and they will try to attack the United States in numerous ways, probably on our home soil again. They attacked the USS Cole, our embassies in Africa, they attacked housing in Saudi Arabia.

I just want to say to my colleagues, remember what you are doing. If you force us out of Iraq now, you are helping al Qaeda. You are helping al Qaeda set up a base of operation, and they will be able to attack the United States of America again.

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

Mr. BURTON of Indiana. I will be happy to yield to my colleague.

Mr. DREIER. I will yield to my friend some additional time.

I just entered into the RECORD, and I didn't mention this in my opening remarks, an article that was in the Sunday Times of London last, this past Sunday, ''Is al Qaeda Planning a Big British Attack?,'' and this is a report on intelligence that has just come forward of a massive, large scale terrorist attack on Britain and other Western targets with the help of supporters in Iran. According to a leaked intelligence report that came forward, they talk about this attack being on a par with Hiroshima and Nagasaki in an attempt to shake the Roman Empire. And I have entered this article in the RECORD that was in the Sunday Times, and I think it is very important that this be related to the remarks the gentleman has made. And I thank him for yielding. And I would yield whatever the balance of my time is on this side to him.

Mr. BURTON of Indiana. Let me just say that appeasement and weakness led to World War II, and 62 million people died. We are now in the nuclear age, and we have an enemy that will tie a nuclear weapon or plastic explosives around themselves and blow themselves up. If they come to America with a nuclear device, a suitcase nuclear device, they could destroy this place and kill all of us three blocks away from here by detonating that kind of a device.

Remember, they are our mortal enemy. Osama bin Laden said it. They are in Iraq. We have got to stand firm.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TIERNEY). All Members are reminded to address their comments to the Chair and not to other Members in the second person.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota, the Chair of the Transportation Committee, Mr. OBERSTAR.

Mr. OBERSTAR. Mr. Speaker, I support the conference report, but not the rescission of highway contract authority which this bill uses to offset nonhighway spending elsewhere in the conference report.

The report provides an additional $683 million for the Federal Highway Administration's Emergency Relief Program. No offset is needed for that emergency relief.

Nonetheless, the conference report rescinds $683 million in unobligated balances of highway funds that have been apportioned to the States. Now, the rescission does protect highway safety programs, but it leaves transportation environmental programs vulnerable.

The rescission of highway contract authority is the exclusive jurisdiction of the Committee on Transportation and Infrastructure, and this provision violates clause 2 of rule XXI of the Rules of the House.

These types of rescissions adversely affect the Federal aid highway program, specifically the ability to ensure that the Nation's transportation system has modal choices.

More than a dozen States have applied these rescissions disproportionately to cut contract authority for critical transportation and environmental programs, Congestion Mitigation and Air Quality Improvement and the Transportation Enhancement Program.

CMAQ funds are only 4 or 5 percent of highway apportionment every year, but they have accounted for 20 percent of the funds rescinded in recent years, and particularly in the State of Texas.

In fiscal year 2006 States rescinded $888 million in CMAQ funds. One out of every $4 rescinded by States in 2006 came from CMAQ programs. In 2006 also the States rescinded 602 million of enhancements funds in which Texas cut $223 million of enhancement funding and completely suspended its program.

The House, I think, will have an opportunity to reconsider the rescission issue in a future supplemental. And we, with all the environment problems that we have and the climate change problems, this is one area that we should not allow to be cut.

Mr. DREIER. Mr. Speaker, at this time I am very happy to yield 2 minutes to a hardworking member of the Appropriations Committee, the gentleman from Morristown, New Jersey, Mr. FRELINGHUYSEN.

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in strong opposition to this rule and to this conference report.

Fundamentally, this bill is about providing funding for our troops, making sure that men and women who are on the front lines as we speak, have the resources they need to stay safe and do their military and humanitarian missions in Iraq.

It is clear that our troops have the support of this House and the American people. Surely, no one wants to see our soldiers defeated in Iraq. We all want their mission in Iraq to be as short as possible. We want the war to end. We want our young soldiers, all volunteers, to return home.

But this conference report before us today prejudges the effectiveness of our young warfighters as they seek to secure Baghdad under a new plan, under new military leadership.

This proposal starts withdrawal of our forces from Iraq on October 1, irrespective of the judgment of our military commanders on the ground.

My colleagues, the reinforcement of the Army in Baghdad and the Marines in Anbar, designed and executed by General David Petraeus, is underway. It won't be complete for weeks.

And yet, there are some signs of progress. The plan must be given time to work. Make no mistake about it. There will be wide and dangerous consequences if we abandon the Iraqi people and their government, now just 1 year old, before it is capable of governing and protecting its own people. First, for our own soldiers there are consequences. And secondly, we could have an explosion of sectarian violence, killing and bloodshed on a larger, more barbaric scale than we have now.

Mr. Speaker, we are a Nation at war and the stakes are extremely high for America. Our troops need this money now. They deserved it yesterday.

Mr. Speaker, I urge my colleagues to join together to honor the service of our young men and women and to work with the President, our Commander in Chief, to have some measure of success in Iraq. I urge a ''no'' vote on the rule and the conference report.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, last week the 2,100th American child had to be informed that they will never see their daddy or mommy again because their parent was killed in Iraq.

Mr. Speaker, our military families deserve a policy worthy of their sacrifice. They deserve better. This war is going to turn out to be one of the worst military, political, economic and moral blunders in American history.

I heard my colleague refer to 9/11. We now know that we were brought into this war through deliberate deception and the politics of fear. Saddam Hussein had nothing to do with 9/11, wouldn't allow al Qaeda into his country. In fact, he wasn't trying to get nuclear weapons. He had no weapons of mass destruction. All those mobile labs didn't manufacture chemical weapons. Nor is this war being paid for with Iraqi oil.

And yet, you want us, 4 years later, to believe the very same people that brought us into this fiasco. When do you start to lose your credibility? After we have had 58,000 soldiers killed as in Vietnam? We are up to 3,300 now. About 25,000 seriously wounded. And how can you stand before them and tell them that this fiasco was worthy of their sacrifice?

The government that we are supporting doesn't go outside the Green Zone in Baghdad. They don't serve their people. In fact, many of its ministers are corrupt. That is the reality of our policy in Iraq.

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And the fact too is that if the government we are supporting had the opportunity, they would turn Iraq into a Shi'a theocracy. Is that really worth our military families' sacrifice? The answer is no.

Support this rule and vote for this supplemental.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 3 minutes to the former member of the Rules Committee, now working hard on the Armed Services Committee, the gentleman from Marietta, Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I rise today, firmly and resolutely opposed to both this rule and the underlying conference report.

I regret to say that the Democratic leaders have once again demonstrated that it is either their way or the highway, except this time it is our fighting men and women who are left stranded in the middle of the road.

Mr. Speaker, I am truly saddened and, in truth, even angered by the majority's insistence on putting this war, our generals, and our war fighters on auto pilot with a forced retreat and an inflexible timetable.

The consequences of this decision, should it become law, will echo long beyond this date, this year, this decade. Defeat should not be an option, and yet it seems that this majority believes it is the only option.

We are at a critical juncture in history when the defenders of liberty and freedom have to stand firm against tyrants and terrorists.

And I will remind the gentleman from Virginia that just spoke, indeed, the famous quote says, ''There are times in our history when the tree of liberty must be nourished by the blood of patriots.''

Sure, without question, this war has been hard fought every step of the way, and it will continue to be. But few things worthwhile in life are ever easy.

Regrettably, this majority was bought and paid for by MoveOn.org and liberal extremists, and now they have come to collect, unfortunately, at the expense of our military and our security, today, tomorrow, and for decades to come.

When the Speaker of the House pushes to rewrite our foreign policy and yet refuses to meet with General Petraeus, our commander on the ground in Iraq, it becomes abundantly clear this majority would rather push left-wing politics over sound policy.

This political theater would be funny if its consequences weren't a matter of life and death, of victory and defeat. Every day that we delay a legitimate war-funding bill, the resources of our military and our soldiers' quality of life are diminished. In fact, this delay has forced the Pentagon to move $800 million from the Air Force's personnel accounts, money to pay our servicemembers, to make up for the gaps in the war funding.

I implore my colleagues on both sides of the aisle, oppose this rule, oppose this conference report. Let us end this political game and truly give victory a chance.

We can do better, Mr. Speaker. We have an obligation to do better for the sake of the men and women who put their lives on the line in Iraq and Afghanistan to protect ours.

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

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, take a moment to travel through the Nation's hospitals and speak to those in this final injury ward, see the young women bending over their soldier husbands who now have lost the use of all of their limbs, 25,000-plus injured and 3,000-plus dead.

It is not the policies of this Democratic majority that is causing this absolute disaster. It is the misdirected policies of those in the administration who are causing harm to our soldiers.

Let me thank our soldiers for their leadership, for their service, and their patriotism. But as I stand here today and look at my Members, the Speaker of the House who went into the Mideast, Mr. Giuliani, there is no white flag on this side of the aisle, and I reject your insult and insensitivity.

This legislation will not give the administration a blank check. It will give a new direction to Iraq. It will begin to redeploy soldiers if the President cannot certify the readiness in July and then in October of 2007. It provides funding for veterans hospitals, for the injured with spinal injuries, with brain injury. And, yes, there are those on this side of the aisle who understand the shedding of blood of our soldiers.

That is why this legislation will allow us to go and fight the terrorists, to find Osama bin Laden, and to do the job that we have not done since the tragedy and the terrorism of 9/11.

This is a sad day in this body. I want us to support the rule and the underlying bill because there is no white flag. We have the solution, and that solution is a policy that responds to the needs of the American people and our soldiers on the battlefield. No more nine soldiers of the 82nd Airborne. We thank them for their service. We declare a military success. And we bring our soldiers home.

And maybe it will be good if some of those who did not serve would understand what it means to serve.

Mr. Speaker, as a proud member of the Progressive and the Out of Iraq Caucuses, I rise to speak in support of the Conference Report on H.R. 1591, the "U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act." I support the Conference Report because this compromise offers us the first real chance to end the misguided invasion, war, and occupation of Iraq. It puts us on the glide path to the day when our troops come home in honor and triumph and where we can "care for him who has borne the battle, and for his widow and orphan." This legislation helps to repair the damage to America's international reputation and prestige. It brings long overdue oversight, accountability, and transparency to defense and reconstruction contracting and procurement. Finally, it places the responsibility for bringing peace and security where it clearly belongs and that is squarely on the shoulders of the Iraqi government.

Mr. Speaker, the House and Senate conferees have approved legislation providing $124.2 billion primarily for the wars in Iraq and Afghanistan. As part of the legislation, conferees approved a sensible plan to redeploy U.S. forces in Iraq paired with progress made by the Iraqi government in meeting diplomatic and security benchmarks. These legislative provisions, which are subject to a Presidential waiver, will ensure adequate rest between tours of duty of both active duty and Guard and Reserve forces, while also requiring that their service in Iraq not be extended beyond a year for any tour of duty.

President Bush would be required to certify that the Iraqi government is meeting the diplomatic and security benchmarks. If he makes that certification, deployment shall begin no later than October 1, 2007, with the goal of

completing the redeployment within 180 days. After that period, a limited number of U.S. forces could remain in Iraq for force protection, training and equipping Iraqi troops, and targeted counterterrorism options. The legislation makes it possible for the U.S. military to focus its resources on Osama bin Laden, whose organization attacked the nation on 9/11, and destroying his base of operations in Afghanistan.

Additionally, the U.S. commander in Iraq would provide regular progress reports to Congress on both the progress of the Iraqi government to take control of that country as well as the status of the redeployment efforts.

Finally, the conferees are also to be commended for providing needed funding to improve health care for returning soldiers and veterans, for continued Hurricane Katrina recovery for the Gulf Coast, to fill major gaps in homeland security, and to provide emergency drought relief for farmers.

Overall, the conference agreement provides more than $100 billion for the Department of Defense, primarily for continued military operations in Iraq and Afghanistan. The legislation includes a $1 billion increase for the National Guard and Reserve equipment and $1.1 billion for military housing. The legislation also provides $3 billion ($1.2 billion more than the President's request) for the purchase of Mine Resistant Ambush Protected Vehicles (MRAP)—vehicles designed to withstand roadside bombs and more than $5 billion to ensure that returning troops and veterans receive the health care that they have earned with their service.

Mr. Speaker, I would be remiss if I did not point out that the tragic loss of life last week at Virginia Tech still weighs heavily on our hearts and minds. Neither the mind nor the heart can contemplate a cause that could lead a human being to resort to such senseless violence to injure and destroy fellow human beings. The thoughts and prayers of people of goodwill everywhere go out to the victims and their families. In the face of such overwhelming grief, I hope they can take comfort in the certain knowledge that unearned suffering is redemptive.

The war in Iraq has also caused a lot of unearned suffering in Iraq and here at home. This is the same war, Mr. Speaker, whose proponents misrepresented to the nation would last no more than six months and likely less than six weeks. This same war in Iraq, we were led to believe by the Administration, would cost less than $50 billion and would be paid out of the ample revenues from Iraq's oil fields. The war in Iraq, the American people were promised, should have ended years ago with Americans troops greeted as liberators by jubilant Iraqis throwing rose petals at their feet.

The President has threatened to veto the legislation now before us if it passes. According to the President and the Vice-President, H.R. 1591 "would undermine our troops and threaten the safety of the American people here at home." Coming from an Administration that has been wrong on every important question relating to the decision to launch the Iraq War as well the conduct of it, this claim is laughable. Little wonder that nearly 70 percent of Americans disapprove of the way the President is handling the war. But more important, the President's claim is simply not true.

Mr. Speaker, many of the nation's most highly respected generals have endorsed H.R. 1591; all of them oppose the President's plan to escalate the war in Iraq. Take, for example, Maj. Gen. John Batiste, U.S. Army, Ret.

"This important legislation sets a new direction for Iraq. It acknowledges that America went to war without mobilizing the nation, that our strategy in Iraq has been tragically flawed since the invasion in March 2003, that our Army and Marine Corps are at the breaking point with little to show for it, and that our military alone will never establish representative government in Iraq. The administration got it terribly wrong and I applaud our Congress for stepping up to their constitutional responsibilities."

Maj. Gen. Paul Eaton, USA, Ret. Supports this legislation because it "gives General Petraeus great leverage for moving the Iraqi government down the more disciplined path laid out by the Iraq Study Group." According to Major Eaton, the real audience for the timeline language is Prime Minister al-Maliki and the elected government of Iraq:

The argument that this bill aides the enemy is simply not mature—nobody on the earth underestimates the United States' capacity for unpredictability. It may further create some sense of urgency in the rest of our government, beginning with the State Department.

Lt. Gen. William E. Odom, U.S. Army (Ret.), President Reagan's Director of the National Security Agency, supports the bill because it "gives the president a chance to pull back from a disastrous course, re-orient U.S. strategy to achieve regional stability, and win help from many other countries—the only way peace will eventually be achieved."

Mr. Speaker, to date, the war in Iraq has lasted longer than America's involvement in World War II, the greatest conflict in all of human history. But there is a difference. The Second World War ended in complete and total victory for the United States and its allies. But then again, in that conflict America was led by FDR, a great Commander-in-Chief, who had a plan to win the war and secure the peace, listened to his generals, and sent troops in sufficient numbers and sufficiently trained and equipped to do the job.

As a result of the colossal miscalculation in deciding to invade Iraq, the loss of public trust resulting from the misrepresentation of the reasons for launching that invasion, and the breath taking incompetence in mismanaging the occupation of Iraq, the Armed Forces and the people of the United States have suffered incalculable damage.

The war in Iraq has claimed the lives of 3,316 brave servicemen and women (64 in the first 16 days of this month). More than 24,912 Americans have been wounded, many suffering the most horrific injuries. American taxpayers have paid nearly $400 billion to sustain this misadventure.

The depth, breadth, and scope of the President's misguided, mismanaged, and misrepresented war in Iraq is utterly without precedent in American history. It is a tragedy in a league all its own. But it was not unforeseeable or unavoidable.

Mr. Speaker, H.R. 1591, the U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act the House passed last month provides real benchmarks and consequences if the Iraqi Government fails to live up to its commitments. First, it requires the President to certify and report to Congress on July 1, 2007 that substantial progress has been made on security, political and reconstruction benchmarks by the Iraqi government.

If the President cannot certify that the Iraqi government has made substantial progress, redeployment of U.S. combat troops must begin, with a goal of being completed within 180 days (by December 31, 2007). If the July certification is made, redeployment of U.S. combat troops must begin by October 1, 2007, with a goal of being completed within 180 days (by March 31, 2008).

The measure changes the mission of U.S. troops in Iraq after redeployment from combat to training and equipping Iraqi troops, targeted counterterrorism operations, and force protection.

I have to say, Mr. Speaker, the Iraqi Government is not off to a good start. The Green Zone surrounding Baghdad remains insecure. Two weeks ago, a suicide bomber managed to penetrate the security perimeter of the Iraqi Parliament and detonated a bomb that killed at least three members of the Iraqi parliament and wounded scores of others. Additionally, the market represented by Senator MCCAIN as an example of the improved security situation in Iraq was turned into a killing field within days after Senator MCCAIN'S visit. And just last week, we saw the bloodiest and deadliest day in Baghdad since the so-called "surge" began when 198 Iraqi civilians were massacred by insurgents.

Mr. Speaker, radical Shiite Muslim cleric Muqtada al-Sadr has reasserted his political power by yanking his loyalists from the Cabinet, a move aimed at showing his supporters he retains his credentials as an opposition leader and which increases the pressure on Prime Minister Nouri al-Maliki to loosen his embrace of the U.S. occupation, which many Iraqis blame for violence in the country.

These developments, Madam Speaker, illustrate the wisdom of requiring benchmarks the Iraqi Government must meet to justify continued American blood and treasure in Iraq. Moreover, because those benchmarks are established pursuant to President Bush's policies, it is passing strange indeed that he would threaten to veto the bill since it necessarily means he would be vetoing his own benchmarks for the performance of the Iraqi government. He would be vetoing his own readiness standards for U.S. troops. The President demands this Congress send him an Iraq war bill with "no strings." But the only "strings" attached, Madam Speaker, are the benchmarks and standards imposed by the President himself.

Mr. Speaker, in addition to the enormous financial cost, the human cost to the men and women of the United States Armed Forces has also been high but they have willingly paid it. Operation Iraqi Freedom has exacerbated the Veterans Administration health care facility maintenance backlog; placed an undue strain on the delivery of medical treatment and rehabilitative services for current and new veterans; and exacted a heavy toll on the equipment, training and readiness requirements, and the families of the men and women of the United States Armed Forces.

The emergency supplemental acknowledges the sacrifices made by, and the debt of gratitude, we and the Iraqi people owe to Armed Forces of the United States. But more than that, it makes a substantial down payment on that debt by providing substantial increases in funding for our troops.

The supplemental includes a total appropriation of $2.8 billion for Defense Health Care, which is $1.7 billion above the President's request. The additional funding supports new initiatives to enhance medical services for active duty forces and mobilized personnel, and their family members. Included in this new funding is $450 million for Post Traumatic Stress Disorder/Counseling; $450 million for Traumatic Brain Injury care and research; $730 million to prevent health care fee increases for our troops; $20 million to address the problems at Walter Reed; and $14.8 million for burn care.

Unlike the Republican leadership of the 109th Congress and the Bush Administration, the new Democratic majority is committed to America's veterans. What's more, we back up that commitment by investing in their well-being. For example, the supplemental includes $1.7 billion above the President's request for initiatives to address the health care needs of Iraq and Afghanistan veterans and the backlog in maintaining VA health care facilities, including $550 million to address the backlog in maintaining VA health care facilities so as to prevent the VA from experiencing a situation similar to that found at Walter Reed Medical Center.

We provide an additional $250 million for medical administration to ensure there are sufficient personnel to support the growing number of Iraq and Afghanistan veterans and to maintain a high level of services for all veterans; $229 million for treating the growing number of Iraq and Afghanistan veterans; $100 million for contract mental health care, which will allow the VA to contract with private mental health care providers to ensure that Iraq and Afghanistan veterans are seen in the most timely and least disruptive fashion, including members of the Guard and Reserve; and $62 million to speed up the processing of claims of veterans returning from Iraq and Aghanistan.

Madam Speaker, when American troops are sent into harm's way, America has an obligation to do all it can to minimize the risk of harm to the troops. That is why it was so important that we included additional funding above the President's request to support our troops. We provide $2.5 billion more to address the current readiness crisis of our stateside troops, including ensuring that they are better equipped and trained. We include $1.4 billion more for military housing allowances and $311 million more for Mine Resistant Ambush Protected (MRAP) vehicles for troops in Iraq. And there is included in the supplemental $222 million more for infrared countermeasures for Air Force aircraft to address the growing threat against U.S. air operations in Iraq and Afghanistan

Equally important, Mr. Speaker, the supplemental contains language directing the President to adhere to current military guidelines for unit readiness, deployments, and time between deployments.

The supplemental requires the Defense Department to abide by its current Unit Readiness policy, requiring the chief of the military department concerned to determine that a unit is "fully mission capable" before it is deployed to Iraq. The President may waive this provision by submitting a report to Congress detailing why the unit's deployment is in the interests of national security despite the assessment that the unit is not fully mission capable.

The Defense Department is also required to abide by its current policy and avoid extending the deployment of units in Iraq in excess of 365 days for the Army and 210 days for the Marines. The provision may be waived by the President only by submitting a report to Congress detailing the particular reason or reasons why the unit's extended deployment is in the interests of national security.

Mr. Speaker, to reduce the incidence of combat fatigue and enhance readiness, it is important that our troops have sufficient "time out of the combat zone and training between deployments. That is why we require the Defense Department to abide by its current policy and avoid sending units back into Iraq before troops get the required time away from the war theater. The President may waive this provision by submitting a report to Congress detailing why the unit's early redeployment to Iraq is in the interests of national security.

Mr. Speaker, the American people spoke loudly and clearly last November when they tossed out the Rubber-Stamp Republican Congress. They voted for a New Direction in Iraq and for change in America. They voted to disentangle American troops from the carnage, chaos, and civil war in Iraq. They voted for accountability and oversight, which we Democrats have begun to deliver on; already the new majority has held more than 100 congressional hearings related to the Iraq War, investigating everything from the rampant waste, fraud, and abuse of Iraq reconstruction funding to troop readiness to the Iraq Study Group Report to the shameful mistreatment of wounded soldiers recuperating at Walter Reed Medical Center.

Mr. Speaker, I urge the President should sign this measure, in order to get these needed resources to our troops and to our veterans and to hold the Iraqis accountable. By signing this legislation the President can help deliver the message to the Iraqi people that they must take responsibility for their own future. By signing this measure the President can show some leadership in the transitioning of the mission of U.S. troops from combat to training Iraqi troops and counterterrorism. Last, this legislation will help restore and strengthen our military, with a new Strategic Reserve Readiness Fund among other measures.

Last November the American people signaled clearly their loss of confidence in the President's leadership and their desire for a new direction in Iraq. In less than 120 days, the new Democratic majority has begun to deliver. And we will not rest, Madam Speaker, until we are clearly on a glide path to the day when our troops come home.

And even then our work will not be done. We must still be about the business of repairing the damage to America's international reputation and prestige. But this Democratic majority, led by the Progressive Caucus and the Out of Iraq Caucus, has ushered in a new era of oversight, accountability, and transparency to defense and reconstruction contracting and procurement.

I urge all members to join me in supporting the Conference Report to H.R. 1591. This is the best way to ensure accountability to our soldiers who have been sent into battle without proper training or equipment or a clear mission. It is the best way to keep faith with our veterans who are not getting the best medical care when they come home. Passing this supplemental appropriations bill is essential to restoring our military that is being stretched to the limits by the Bush policy. Last, it is absolutely necessary to regain the confidence of the American people who demand a new direction in Iraq.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. All Members of the House are once again reminded that they should direct their comments to the Chair.

Mr. DREIER. Mr. Speaker, at this time I am very happy to yield 3 minutes to one of our hardest-working fighters, the gentleman from Dallas, Texas (Mr. HENSARLING).

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

Mr. Speaker, I rise in great opposition to this rule and to this conference report.

We are here, yet again, discussing a Democrat plan for a statutory date certain for America's defeat in Iraq. We are here, yet again, discussing the Democrats' "slow bleed" strategy for our brave men and women in uniform in Iraq, designed to gradually deny them the critical equipment, support, and reinforcements they need to do the job. We are here, yet again, discussing just how much pork and unrelated spending can be shoved into this conference report to encourage or persuade reluctant Members to support this legislation.

And, Mr. Speaker, according to today's L.A. Times and other major media outlets, we are likely to have this vote again and again and again because the majority party's leadership somehow believes it is in their political interests to do so.

Now, Mr. Speaker, we all know about the recent announcement of the Democratic leader in the Senate. He has announced to our troops, he has announced to al Qaeda, he has announced to the world that the war in Iraq is lost.

Mr. Speaker, Corporal Tyler Rock of the 1st Battalion, 6th Marines seems to disagree. I would quote him directly, but I believe the House rules would not permit it; so allow me to paraphrase that he has a quote for the Senate majority leader. Let me go on to say that he has said, "We could leave this place and say we are sorry to the terrorists, and then we could wait for 3,000 more American civilians to die before we say, 'Hey, that's not nice again.' "

Mr. Speaker, I suspect that Corporal Rock speaks for most of our troops. Let's not cut their support. There will be no greater event to empower radical Islam than our defeat and retreat from Iraq.

The terrorists that we fight there believe they have the moral authority to kill 2 million, 2 million of our children, two of them being my own.

They are the ones that say the battlefield is in Iraq. Why can't we understand that in the Halls of Congress?

There is no doubt that fighting this war is costly. There is no more difficult duty I have, or any of us have, than to meet with the mothers of those who have lost loved ones on the field of battle. But as difficult as that duty is, I

never, never, never want to meet with the mothers who lose children in the next 9/11 because we turned our back on our duty.

The cost of fighting this war is great. The cost of losing it is greater.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, according to our military leaders, the status quo is not working in Iraq. Major General Batiste said, ''The administration got it terribly wrong and I applaud Congress for stepping up.'' Lieutenant General Odom said our bill ''gives the President a chance to pull back from a disastrous course, reorient U.S. strategy to achieve regional stability, and win help from many other countries, the only way peace will eventually be achieved.''

Our military has done everything the President and the Congress and American people have asked it. The President asked our men and women in uniform to invade a country, and they did. The President asked them to go to war against a nation's army, and they did. The President asked them to seize a capital, and they did. The President asked the men and women in uniform to depose a dictator, and they did. The President asked the men and women in uniform to capture that dictator, and they did.

Given all these military achievements by our Armed Forces, why do we have today the worst national security crisis in over a generation? There is not now, nor has there ever been, a political plan that matches the military leadership that we have seen from our Armed Forces. But this administration has offered no real plan for success, and our troops have been asked to back the Iraqi Government that has yet to stand up for itself. The entire plan over the last 4 years offered by the President and the Republican Congress has been more troops, more time, more money, and more of the same, even though we know that the challenges we face today require more than the status quo. The President's policy has come down to the status quo plus.

Secretary of Defense Gates had it right: ''Any solution in Iraq is not purely military but also political.''

Our plan holds the Iraqi people accountable for their own nation. It requires the Iraqi people to meet the benchmarks for success, the same benchmarks that the President outlined on January 10 before he turned against his own benchmarks. We will give our troops and commanders the resources and freedom to do their job. But we will do the one thing that a Republican Congress has refused to do over the years: demand accountability from the Iraqis.

I urge my colleagues to support the rule and to support this legislation.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Speaker, I thank my friend from New York for yielding.

Mr. Speaker, the President says send him the money. Let's be clear. This bill provides every penny the President asked for to fund the troops in Iraq. It also provides for something the President did not ask for: funds to help improve the treatment of our wounded soldiers at Walter Reed and other places around this country.

It also provides something that the American people have now insisted on but the White House doesn't ask for, and that is accountability with respect to the war in Iraq. That is why the President doesn't like the bill before us. We know the White House has become an accountability-free zone. The White House got used to a Congress, the old Republican Congress, that gave the President a blank check, money without accountability. And this provides funding with accountability. That is why they don't like it.

Let us be very clear. If the President vetoes this bill, he will be saying ''no'' to ensuring that our troops have the training and equipment that they need. If he vetoes this bill, he will saying ''no'' to ensuring that we hold the Iraqi Government accountable to the benchmarks which the Bush administration and the Iraqi Government have said are absolutely necessary to achieve political stability in Iraq. If he vetoes this bill, he will be saying ''no'' to those additional funds for our wounded soldiers at Walter Reed and for our veterans health care system.

He will also be saying ''no'' to the additional funds that we put in this bill to the fight against al Qaeda in Afghanistan. Here we are so many years after the attacks of September 11, 2001. Al Qaeda remains a vibrant organization and Osama bin Laden remains at large; we provide funds to go after Osama bin Laden, additional funds; the President will be saying ''no'' to that.

And the President, if he vetoes this bill, will be saying ''no'' to the overwhelming sentiment of the American people who understand the failed policy and say we need to change direction.

Let's change direction. Let's say ''yes'' to this conference committee report.

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Ms. SLAUGHTER. I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, we here highly resolve that starting today we will no longer allow President Bush to make an infinite number of mistakes with an infinite number of our sons and daughters.

We know one thing, the President believes he has done a heck of a job in Iraq; the American people disagree. The people who are now doing our bidding in Iraq proudly are standing up for democracy, and we want some democracy here. We know that there is a difficult road to hoe in Iraq, but we know there should be an infinite wisdom in one source in America, and that is the American people.

There is no sovereignty, there is no king, there is no person who always does a heck of a job. When push comes to shove, we have got to listen to the American people, and the American people have spoken to us loudly. They have said it is time for the Iraqi leadership to quit fiddling around and form a government. And they know, as we do, as the retired generals who have come out full force and said that the American people are right, we cannot expect our service personnel to solve the political problem in Iraq. And now, 13 months have gone by since supposedly they formed this constitution and they were going to solve this problem of what to do with their oil, and they still haven't got an agreement. They are still fiddling around while our sons and daughters die.

Now, the troops and the generals understand that there is a message being sent by this resolution, and the message is to Maliki and the rest of the Iraqi leadership: You have got to stop fiddling around and form a government, and you have got to reach an agreement about oil. And until you do, there is going to be civil strife, civil war and Americans driving in the middle of that. This is a message to them: Solve this problem.

Ms. SLAUGHTER. I will yield 2 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, we have a moral obligation to support our troops while they are in combat and when they come home; that is why in this bill we fully fund our troops in Iraq and Afghanistan. So a ''no'' vote against this bill is a vote against $3.1 billion to build better barracks, housing and training facilities here at home for troops returning from war.

We believe that supporting our veterans is a real cost of war, just as real as guns, tanks and bullets. A ''no'' vote on this bill is a vote against $1.8 billion and funding high priority health care programs for our veterans, with a special focus on taking care of those who need it the most, those suffering from traumatic brain injury, PTSD, or a loss of arms and legs. Our veterans' sacrifices don't end after they come home, and neither should our commitment to them.

A ''no'' vote on this bill is a vote against a $100 million for contracting out health care services so that members of the Guard and Reserves in rural areas can receive the timely health care that they need and deserve. For some, that timely care can mean the difference between good health and depression, for others the difference between life and death.

To prevent a Walter Reed Annex 18 tragedy from occurring in VA hospitals, we fund $550 million to address serious maintenance and repair needs at our VA facilities. A ''no'' vote on this bill is a vote against that funding for veterans. The needs addressed in this bill are real, the dollar amounts are fiscally sound, and our troops and our veterans deserve no less.

A vote for this bill is a vote for better health care and housing for America's heroes. By voting for this bill, we can honor and respect our troops, our veterans and their families, not just with our words, but with our deeds.

I urge a ''yes'' vote on this rule and a ''yes'' vote for our troops on this conference report.

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

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

Mr. ANDREWS. Mr. Speaker, I rise in support of this legislation because where continuity is merited, we have continuity, and where change is demanded, we have change.

The continuity comes from the fact of a bipartisan consensus to provide every dollar that our troops in the field need, and this bill does that. That will not change. What must change, though, is the abrogation of constitutional responsibility by the erstwhile majority.

For over 3½ years, the erstwhile majority, Mr. Speaker, vacillated between apology and inaction. Yes, the President is the Commander in Chief, but no President should be the sole source of law and judgment. And for nearly 4 years, the erstwhile majority sat silently by as the quagmire deepened. That is changing under this legislation.

What also must change is the policy itself. We have been asked what our plan was. Here it is. We say to the Iraqis, you promised to pass an oil law. Pass it. You promised to have local elections. Have those elections. You promised to stand up your own security and police forces. Put them into the fight. If you succeed, we will then stay for an 18-month period of time to facilitate your success, but if you fail, the days of the blank check and the endless commitment are over.

The erstwhile majority, Mr. Speaker, has a hard time recognizing this plan because they have no plan. Their only approach is to ratify the failure of the status quo. The troops in the field and the American people deserve much, much better, and that is what this legislation provides.

I urge a ''yes'' vote.

Mr. DREIER. Mr. Speaker, may I inquire how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from California has 8 minutes remaining; the gentlewoman from New York has 1½ minutes remaining.

Mr. DREIER. Mr. Speaker, just a few weeks ago we lost a very dear friend of mine, one of our Nation's great former leaders, a woman who was a lifelong Democrat, and in 1984 she became a Republican when she addressed the Republican National Convention. Her name was Jeane Kirkpatrick; she served as Ronald Reagan's ambassador to the United Nations.

I will never forget the speech that she delivered at our party convention in 1984. She quoted the contemporary French writer, Jean-Francois Revel, who said, ''Clearly, a civilization that feels guilty for everything that it is and does will lack the energy and conviction to defend itself.''

Mr. Speaker, I was struck with that because that was at a time when there were many people who were maligning the United States of America; they said that we had gone to hell in a handbag. They were attacking all of the policies of Ronald Reagan, tax cuts which were ruining the country. And I have to say that on a regular basis, Mr. Speaker, I continue to hear the same kind of criticism, and yet we have what is obviously the greatest Nation the world has ever known.

Today, the Dow Jones Industrial Average crashed through 13,000. We saw last month 185,000 new jobs created, an unemployment rate of 4.4 percent. It is amazing that during this very difficult time in which we are trying to successfully prosecute the war on terror, we are enjoying such success because of the greatness of the United States of America and because of our people.

I am very proud of the record that we have put forward, and I am saddened regularly when I hear people malign us. And now we have this debate, we have this debate, which led, as was said by my friend from Marietta and by the gentleman from Dallas, the statement by the majority leader of the United States Senate that this war has been lost. I will tell you, Mr. Speaker, I believe that the American people are convinced that we can be successful.

I know that there are many who today are critical of the fact that we have gone to war. People are very upset about the fact that we have gone into Iraq. I happen to still at this moment believe that we did the right thing, but I know there are many people who have said that it was the wrong thing. And I've had constituents who have come up to me. In fact, just over this most recent district work period, I was at numerous meetings in California and a number of people came to me and they said, you know, I didn't support our going into Iraq, I think it was a mistake, but the fact of the matter is we are where we are. We have our men and women in uniform who are in Iraq.

We have seen elections take place in Iraq. We know the threat that continues to exist from Iran, Syria, Hezbollah, Hamas, al Qaeda, you can go right down the line. And people have said we want to figure out a way for victory. I've had people who said we shouldn't have gone into Iraq say to me, we need to figure out a way that we can be victorious. And the word ''victory'' is one that unfortunately we really haven't heard from the other side of the aisle. In fact, one of the questions asked today at the briefing with General Petraeus is, how do we define what victory is? Well, it is really twofold. It still is. It is, Mr. Speaker, an Iraq that can defend itself. And General Petraeus said to us today that there are members of the Iraqi Security Forces who are fighting and dying for their country, those are the exact words that he used, and an Iraq that can govern itself, Mr. Speaker.

We understand the fragility of this government, with the Shia, Sunni and Kurdish populations and the challenges that Prime Minister Maliki faces, but we do believe that we can be successful because we have to be successful.

Now we have gone through this process and we have heard people say on both sides of the aisle that we want to make sure that we get funding to our troops. Mr. Speaker, the best way for us to get funding to our troops is to defeat this rule and defeat the conference report. Why? Everyone has acknowledged that the President of the United States will veto a bill that guarantees failure, which is what this bill would do by establishing these arbitrary deadlines for withdrawal. So we have all acknowledged that the President is going to veto the bill.

Mr. Speaker, why don't we make sure that our troops have the support that everyone has said that they need by not going through the challenge of the Presidential veto, the time-consuming process of the Presidential veto, having this bill go to the other body to be considered tomorrow. Let's defeat it right now, defeat the rule. And if we don't defeat the rule, at least defeat the conference report itself so that we can immediately get down to work. When we do that, Mr. Speaker, I hope very much that we won't have a small cadre of individuals within the Democratic leadership preventing Democrats and Republicans from participating in this very important process to make sure that we have everything that is necessary so that the American people, who want victory, can in fact see victory achieved.

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

Ms. SLAUGHTER. Mr. Speaker, I am absolutely hard pressed to see how some people define ''success.''

I read in the New York Times front page that 80 percent of the marines who died of upper body wounds would have lived if only they had the proper equipment. I know that soldiers who serve in the National Guard and Reserve are losing their homes and their jobs, but never mind about that because the stock market is great. Aren't we doing well? It hasn't hurt us a bit. We haven't called for any sacrifice at all from the American people in this.

My heart is broken. I am ashamed and chagrined that this business about

the booming economy could be brought into this debate about life and death. My worry is about the young people who go over there and don't get the proper care that they need.

I couldn't believe the testimony of Tillman's brother yesterday and Jessica Lynch who said the military lied about them. What are we doing in this country? The country that fought the Second World War to save this world, we've been reduced to this, that we decide as long as the stock market is good, the world is good, and let them go over there and die because we are going to give them some kind of government we don't even know they want? For heaven sakes, to every man and woman in country there comes a moment to decide, Mr. Speaker. This is one of those moments.

□ 1915

We either vote for this rule and this bill, and we tell the President of the United States if he vetoes this, he is absolutely continuing on a road to absolute failure and that we are not going to be a party to it. We want to take care of the soldiers. And if he vetoes the money, it is on his head, not ours. But we will continue until we can get those soldiers and marines out of that morass.

Mr. BUYER. Mr. Speaker, I stand before you in opposition to this resolution. Once again, it champions a dismally irresponsible and dangerous course of action. Setting a date certain for withdrawal of our troops from Iraq would envelope Iraq in a cloud of chaos and self destruction and expose us to a heightened threat of terrorism at home. It ignores the President's plan for success in totality. It makes no consideration for the effort to make progress on diplomatic and economic fronts—essential components for that success to occur. They offer no solutions in this bill, only criticism.

Mr. HOYER's failed attempt on April 19th to correlate my involvement regarding the U.S. efforts in Bosnia in the 1990s to that of the situation in Iraq today stretches into the realm of absurdity. However, what was clear from that debate was that Mr. HOYER at the time, as well as Mr. MURTHA, agreed that we should not tie the hands of our President in military operations, even in operations that the Congress did not approve.

Mr. Speaker, let me refresh everyone's memories of that debate which took place in this Chamber, a debate in which I was the lead sponsor of three significant resolutions or amendments that set the course of this Congress—all three which passed by significant margins with support from both sides of the aisle.

But before I begin let me remind the Nation that there are significant differences and some similarities between the debate of Bosnia and today in Iraq. First, Congress did not authorize the President to use force in Bosnia. Congress did authorize the President to use military force in Iraq. Second, we did not begin the conflict in Bosnia, but we did in Iraq. Third, the Republican majority in Congress did in fact try to work with President Clinton to find a solution. Former Senator Bob Dole and I with others traveled with President Clinton to Bosnia and worked with him to set benchmarks for the civil implementation of the Dayton Accords. I did not assign a date certain to define success for each benchmark, this would have been folly. At the time the leaders of the peace were once leaders during the war and they focused more on these differences than that which brought them together as a nation. President Clinton did a very good job focusing the Bosnian leaders to accomplish the benchmarks and move to resolve their differences and build their new nation.

Last week on the House Floor my colleague, STENY HOYER attempted to re-write the history of my involvement, claiming that I supported a date certain for withdrawal of our troops from Bosnia and therefore I should do the same with our forces in Iraq. The two contexts are dissimilar. Let me set the record straight.

On October 30, 1995, the House agreed to House Resolution 247, a bill that I sponsored with my Democrat colleague, Paul McHale of Pennsylvania, by a vote of 315 to 103. Representatives HOYER, MURTHA, and PELOSI voted "no," Mr. SKELTON voted "yes." The bill stated that there should not be a presumption that the United States Armed Forces would be deployed to enforce a peace agreement that resulted from the negotiations regarding the conflict in the Republic of Bosnia and Herzegovina.

In early December 1995, the Dayton Accords concluded, laying a basis for the path to peace in Bosnia.

On December 13, 1995, I sponsored House Resolution 302 with IKE SKELTON, a bipartisan bill that passed the House by a vote of 287 to 141. Representatives HOYER, MURTHA, and PELOSI voted "no." That bill reiterated the serious concerns and opposition to the President's policy that would result in the deployment of 20,000 members of the U.S. Armed Forces on the ground in the territory of the Republic of Bosnia and Herzegovina.

Despite the expressed will of the House, President Clinton chose to proceed with the deployment of those members of the Armed Forces to enforce the Dayton peace agreement in Bosnia. H.R. 302 declared the policy of the House was that the President should rely on the judgment of the commanders of U.S. forces on the ground on all matters affecting safety, support, and well being of U.S. forces. Congress also declared to furnish the resources to support the needs of President and the Secretary of Defense.

Also on December 13, 1995, the President expressed to Congress that the military mission in Bosnia would be accomplished in 1 year, and our troops would be pulled out no later than December 1996. No one believed that the goal could be accomplished within 1 year. A date certain does not define success, the mission does.

However, despite that assertion, in November 1996, without the consent of Congress, President Clinton announced that the timeline was slipping and that our troops would not be withdrawn until June 1998.

By that point, the United States Armed Forces had acted quickly to achieve their military objectives in Bosnia. In short order, the courage, dedication, and professionalism of those personnel resulted in a significant mitigation of the violence and suffering in that region.

However, the implementation of the civil infrastructure—the humanitarian support, the establishment of a judicial system and a validated police force—all of the fundamental parts that help make a society function had stalled and there was no definitive plan to remedy the situation.

In response, on June 24, 1997, I offered an amendment to the National Defense Authorization Act of 1998 that passed the House by a vote of 278 to 148. Representatives HOYER, MURTHA, and PELOSI voted "no", SKELTON voted "yes." That amendment would have cut funding to U.S. military operations in Bosnia after June 30, 1998—a date set by the President. I did not set the date Mr. HOYER, this was President Clinton's date. This amendment was later incorporated into the conference report that included provisions that would allow U.S. forces to remain if the President made certain certifications and accomplished certain benchmarks. While I used the date certain given to us by the President, I made it clear that I supported benchmarks that set the conditions for a withdrawal of U.S. forces after the mission had been successfully completed.

President Clinton had set an arbitrary date without articulating a comprehensive plan—he did not identify the conditions to be met into order to trigger a troop withdrawal from Bosnia. He simply set a date, and then revised that date. We in Congress took that date, and required certain benchmarks to be met, while at the same time allowing the President the flexibility to allow troops to remain if he thought it was in the interests of U.S. national security.

In Bosnia, we worked in a bipartisan manner with the President to set the conditions for success in Bosnia and gave the President maximum flexibility. Today, this President gets no such deference or flexibility from the Democrat majority. Mr. HOYER and Mr. MURTHA want to enforce a date certain for this President. They do not want to work with this President to set the conditions for success. They simply want to trigger a date for withdrawal, before the mission is done.

It is ironic that Mr. HOYER and Mr. MURTHA voted against that amendment—they did not want to set a date certain for withdrawal and tie the hands of their President. They wanted to give him the latitude that he needed to insure that the mission in Bosnia met with success; to re-establish civility, an effective government, a validated police force and civil infrastructure. Today, their position is the opposite. President Bush is not setting a date certain as President Clinton had done.

Speaker PELOSI, Majority Leader HOYER and Mr. MURTHA all are seeking to tie the hands of this President. They want to cut off funds to our forces who are only doing what this Congress has asked them to do.

Congress should not tie the hands of the President with a date certain for withdrawal from Iraq. Unlike President Clinton with Bosnia, President Bush had the approval of Congress to go into Iraq. He has given us a plan, conditions that must be met before we start to bring our troops home. Yet, Mr. HOYER and his party want to set an arbitrary date, a date certain for withdrawal that does not correspond to those conditions whatsoever—cut off funding for our troops who seek only to succeed in their mission. This is defeatist strategy.

We need to help establish a stable Iraq before we withdrawal our forces—the provisions in this bill do not allow us that flexibility and

the price that we will pay is chaos in Iraq and further exposure to terror here at home.

The majority leader of the Senate, HARRY REID talks about polling data from Senator SCHUMER that indicate ''political'' gains by their party on Iraq. It is unfortunate that the Democrat majority think of Iraq in terms of political points, not national security. If we do not resolve this issue with immediacy, the readiness of our troops will be compromised. They are struggling to determine how they will redistribute funds to pay for their operations while we are here politicking. We must stop the defeatist strategy of the majority now—the one by which they hope to gain political capital from to the detriment of our troops in the field.

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

The previous question was ordered.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 226, noes 195, not voting 11, as follows:

[Roll No. 264]

AYES—226

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
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
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—195

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
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
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
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
Ramstad
Regula
Rehberg
Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Blunt
Cubin
Davis, Jo Ann
Gilchrest
Goode
Lampson
Radanovich
Reynolds
Watson
Waxman
Westmoreland

□ 1937

Mr. JORDAN of Ohio changed his vote from ''aye'' to ''no.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

U.S. TROOP READINESS, VETERANS' HEALTH, AND IRAQ ACCOUNTABILITY ACT, 2007

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 332, I call up the conference report on the bill (H.R. 1591) making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 332, the conference report is considered as read.

(For conference report and statement, see proceedings of the House of April 24, 2007, at page H3823.)

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tabular and extraneous material on the conference report to accompany H.R. 1591.

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

There was no objection.

Mr. OBEY. Mr. Speaker, I yield myself 9 minutes.

Mr. Speaker, this bill gives the President the exit strategy from the Iraqi civil war that up until now he has not had.

Next Tuesday will be the fourth anniversary of the President's ''Mission Accomplished'' landing on that famous aircraft carrier. On that date, U.S. troops had won the war in Iraq, but since that time the administration's mismanagement, their misjudgments, and their missed opportunities have entangled us in a quagmire that has become a prolonged civil war. That civil war has gutted our influence in the Middle East and much of the world. In the last 4 years, the administration has spent over half a trillion dollars. It has stretched the Army to the limit, brought our Guard and Reserve to the breaking point, and reduced our military to the lowest state of military readiness in modern history.

The President has refused to finance this war through the normal appropriations process. He has chosen to mask the true cost of the war by paying for it on the installment plan through a series of supplemental requests. He has

now requested another supplemental of almost another $100 billion in military spending, and almost $4 billion in other additional spending. The bill before us today is our response.

We provide $4 billion more than the President asked for for troops in the field. The President is objecting on two grounds. First, he does not like the conditions we have placed on funding for the war. Second, he objects to the money we have added for other crucial activities. He calls it ''pork.'' So do some of the charter members of the ''Invent Your Own Facts Club'' that seems to populate this institution.

We have provided $4 billion more than he has asked for for operation and maintenance for personnel costs and for procurement.

We have provided $750 million more than he asked for for Afghanistan.

We have provided $2.2 billion more for military health to meet the medical needs of our returning soldiers. We have added $1.8 billion for veterans health care above the amount the President asked for.

We have provided $2.2 billion more for aviation security, port security, and border security.

We have provided $80 million more for nuclear nonproliferation, and we have added $150 million for the FBI.

We have provided $650 million more than the President asked for for the pandemic flu emergency, cleaning up an action that last year's Congress never got around to completing.

We have provided $3.3 billion more for Katrina, again cleaning up some more business that last year's Congress failed to complete.

We have also provided $3.1 billion more for BRAC which the administration itself asked for in its budget last year.

We provided $500 million for wild land fires, the same amount put into the same account by the Republican majority 2 years ago for the same purposes.

We have added $400 million to low income heating assistance because the previous Congress cut that by $1 billion. We should have added back the whole billion dollars, but in the interest of saving money we confined it to $400 million.

We have added $425 million to continue the rural school payments in the West that the last Congress never got around to renewing. Unfortunately, they allowed that program to expire, as they allowed so many other things to expire last year.

We have also provided $3.5 billion for agriculture disaster, again an issue which has been hanging around for more than a year. The President has declared more than 70 percent of the counties in this country to be agriculture disaster areas. There ought to be some action that flows from that unless we are taking the President's initial action to be meaningless.

We have also provided $396 million in SCHIP to make certain that low income children and low income families don't fall off the State health care rolls. We have been asked to do that by bipartisan Governors from 14 States.

If the President wants to object to those items and call them pork, or of members of the flat earth club in this body want to call it pork, that's fine with me; I think the public will look at those issues somewhat differently.

The President is attacking these additional items as a smoke screen to obscure the fact that the key issue on this bill is whether or not there will be a change in direction with respect to our policy in Iraq.

□ 1945

This bill supports the troops. It begins to hold Iraq and the administration accountable, and it points the way to ending our involvement in a protracted civil war.

As a condition of providing the President with the funds he has asked for, we require that our American military units meet certain standards that are known as the Murtha standards. They simply require that any unit sent into battle be fully combat ready. They would require, as the Defense Department already has for the most part, they would require that any unit that has been in Iraq does not have to stay there for more than a year without relief, and they also require that if they are sent back, they get to spend at least a year at home before they go back. And in an era where no one is being asked to sacrifice except military families, it seems to me those are all minimum goals that we all ought to be willing to adhere to.

Because the President rejected these requirements, we have given him the right to waive these requirements, but only if he spells out to the country why he has departed from them. That is imminently reasonable. He owes the country that explanation.

We require that Iraq meet certain performance benchmarks, benchmarks that were first laid out by the President himself, and we tie those benchmarks to a timeline. If those benchmarks are met, redeployment of U.S. troops must begin by July 1. If they are not met, they must begin by October. Those dates are firm. The goal for completing such redeployment is 6 months after it starts.

Now, the President objects to the fact that we are setting timelines, but the Secretary of Defense himself was quoted in the Washington Post as noting that these timelines, in fact, have helped give the Iraqis a message that we are not going to stay in Iraq forever. We stand by them. We believe these benchmarks and these timelines are necessary in order to give General Petraeus the ability to make clear to the Iraqis that we are not going to stay there forever, while they refuse to make the political compromises necessary to end the civil war.

Iraqis and the President must understand our troops won the war. They cannot achieve the political and diplomatic compromises that are needed to end the civil war, only the Iraqis can do that.

Four years after ''mission accomplished'' is long enough, Mr. Speaker. If the President were here I would simply say to him, ''Mr. President, with this bill we have compromised on two fronts. We have responded to your objection to the Murtha principles by giving you the ability to waive them; all you have to do is explain why to the country.'' We have responded to his concerns about those timelines by adjusting them and making them somewhat more flexible in terms of their completion.

So I would say to the President if he were here, ''Mr. President, it is your turn; we need a new direction and we need it now. Please do not say, as you said last week'' I will talk but I will not compromise. ''Mr. President, after 4 years, you need to change the direction. You need to sign this bill.''

Mr. Speaker, I include for the RECORD the following tabular material reflecting the funding levels in the conference report.

Emergency Supplemental Appropriations Act, 2007 (H.R. 1591)
(Amounts in thousands)

	FY 2007 Request	House	Senate	Conference
EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 2007				
TITLE I - SUPPLEMENTAL APPROPRIATIONS FOR THE GLOBAL WAR ON TERROR				
CHAPTER 1				
DEPARTMENT OF AGRICULTURE				
Foreign Agricultural Service				
Public Law 480 Title II Grants (emergency).....	350,000	450,000	475,000	460,000
General Provisions				
Sec. 1101. Bill Emerson Humanitarian Trust (emergency)	---	---	82,000	40,000
Total, Chapter 1.....	350,000	450,000	557,000	500,000
CHAPTER 2				
DEPARTMENT OF JUSTICE				
General Administration				
Office of the Inspector General (emergency).....	---	---	500	---
General Legal Activities				
Salaries and expenses (emergency).....	4,093	1,648	4,093	1,648
United States Attorneys				
Salaries and expenses (emergency).....	5,000	5,000	12,500	5,000
United States Marshals Service				
Salaries and expenses (emergency).....	14,921	2,750	32,500	6,450
National Security Division				
Salaries and expenses (emergency).....	1,736	1,736	1,736	1,736
Federal Bureau Of Investigation				
Salaries and Expenses (emergency).....	118,260	118,260	348,260	268,000
Drug Enforcement Administration				
Salaries and Expenses (emergency).....	8,468	8,468	25,100	12,166
Bureau of Alcohol, Tobacco, Firearms and Explosives				
Salaries and expenses (emergency).....	4,000	4,000	4,000	4,000
Federal Prison System				
Salaries and expenses (emergency).....	17,000	17,000	17,000	17,000
Total, Chapter 2.....	173,478	158,862	445,689	316,000
CHAPTER 3				
DEPARTMENT OF DEFENSE - MILITARY				
Military Personnel				
Military Personnel, Army (emergency).....	8,510,270	8,878,899	8,870,270	8,853,350
Military Personnel, Navy (emergency).....	692,127	1,100,410	1,100,410	1,100,410
Military Personnel, Marine Corps (emergency).....	1,386,871	1,495,828	1,495,827	1,495,827
Military Personnel, Air Force (emergency).....	1,101,287	1,229,334	1,218,587	1,218,587
Reserve Personnel, Army (emergency).....	147,244	173,244	147,244	147,244
Reserve Personnel, Navy (emergency).....	72,800	82,800	77,523	86,023
Reserve Personnel, Marine Corps (emergency).....	---	15,000	---	5,660
Reserve Personnel, Air Force (emergency).....	3,000	14,100	9,073	11,573
National Guard Personnel, Army (emergency).....	436,025	552,725	474,978	545,286
National Guard Personnel, Air Force (emergency).....	---	24,600	41,533	44,033
Subtotal.....	12,349,624	13,566,940	13,435,445	13,507,993

Emergency Supplemental Appropriations Act, 2007 (H.R. 1591)
(Amounts in thousands)

	FY 2007 Request	House	Senate	Conference
Operation and Maintenance				
Operation and Maintenance, Army (emergency)	20,423,379	20,897,672	20,373,379	20,373,379
Operation and Maintenance, Navy (emergency)	5,040,482	5,115,397	4,865,003	4,676,670
(Transfer to Coast Guard) (emergency)	(-120,293)	(-120,293)	(-120,293)	(-120,293)
Operation and Maintenance, Marine Corps (emergency)	1,401,594	1,503,694	1,101,594	1,146,594
Operation and Maintenance, Air Force (emergency)	7,035,881	6,909,259	6,685,881	6,650,881
Operation and Maintenance, Defense-Wide (emergency)	3,279,307	2,855,993	2,790,669	2,714,487
Operation and Maintenance, Army Reserve (emergency)	74,049	74,049	74,049	74,049
Operation and Maintenance, Navy Reserve (emergency)	111,066	111,066	111,066	111,066
Operation and Maintenance, Marine Corps Reserve (emergency)	13,591	13,591	13,591	13,591
Operation and Maintenance, Air Force Reserve (emergency)	10,160	10,160	10,160	10,160
Operation and Maintenance, Army National Guard (emergency)	83,569	133,569	83,569	83,569
Operation and Maintenance, Air National Guard (emergency)	38,429	38,429	38,429	38,429
Afghanistan Security Forces Fund (emergency)	5,906,400	5,906,400	5,906,400	5,906,400
Iraq Security Forces Fund (emergency)	3,842,300	3,842,300	3,842,300	3,842,300
Iraq Freedom Fund (emergency)	565,600	155,600	455,600	355,600
Joint Improvised Explosive Device Defeat Fund (emergency)	2,432,800	2,432,800	2,432,800	2,432,800
Strategic Reserve Readiness Fund (emergency)	---	2,500,000	---	2,000,000
Subtotal	50,258,607	52,499,979	48,784,490	50,429,975
Procurement				
Aircraft Procurement, Army (emergency)	627,750	461,850	619,750	619,750
Missile Procurement, Army (emergency)	160,173	160,173	111,473	111,473
Procurement of Weapons and Tracked Combat Vehicles, Army (emergency)	3,502,315	3,474,389	3,400,315	3,404,315
Procurement of Ammunition, Army (emergency)	681,500	681,500	681,500	681,500
Other Procurement, Army (emergency)	10,946,687	10,197,399	10,589,272	11,076,137
Aircraft Procurement, Navy (emergency)	730,713	995,797	963,903	1,090,287
Weapons Procurement, Navy (emergency)	171,813	171,813	163,813	163,813
Procurement of Ammunition, Navy and Marine Corps (emergency)	159,833	159,833	159,833	159,833
Other Procurement, Navy (emergency)	745,425	937,407	722,506	748,749
Procurement, Marine Corps (emergency)	2,055,715	1,885,383	1,703,389	2,252,749
Aircraft Procurement, Air Force (emergency)	1,726,336	2,474,916	1,431,756	2,106,468
Missile Procurement, Air Force (emergency)	140,300	140,300	78,900	94,900
Procurement of Ammunition, Air Force (emergency)	95,800	95,800	6,000	6,000
Other Procurement, Air Force (emergency)	2,092,754	2,042,183	1,972,131	2,096,200
Procurement, Defense-Wide (emergency)	979,380	934,930	903,092	980,050
National Guard and Reserve Equipment (emergency)	---	---	1,000,000	---
Subtotal	24,816,494	24,813,673	24,507,633	25,592,224
Research, Development, Test and Evaluation				
Research, Development, Test and Evaluation, Army (emergency)	115,976	60,781	125,576	100,006
Research, Development, Test and Evaluation, Navy (emergency)	460,175	295,737	308,212	298,722
Research, Development, Test and Evaluation, Air Force (emergency)	220,721	132,928	233,869	187,176
Research, Development, Test and Evaluation, Defense-wide (emergency)	650,864	545,904	522,804	512,804
Subtotal	1,447,736	1,035,350	1,190,461	1,098,708
Revolving And Management Funds				
Defense Working Capital Funds (emergency)	1,315,526	1,315,526	1,315,526	1,315,526
National Defense Sealift Fund (emergency)	5,000	5,000	5,000	5,000
Subtotal	1,320,526	1,320,526	1,320,526	1,320,526
Other Department of Defense Programs				
Defense Health Program (emergency)	1,123,147	2,789,703	2,466,847	3,251,853
Operation and maintenance (emergency)	(1,073,147)	(2,289,703)	(2,277,147)	(2,802,153)
Procurement (emergency)	---	---	(118,000)	(118,000)
Research, development, test and evaluation (emergency)	---	(500,000)	(71,700)	(331,700)
Medical support fund (emergency)	(50,000)	---	---	---
Drug Interdiction and Counter-Drug Activities, Defense (emergency)	259,115	259,115	254,665	254,665
Subtotal	1,382,262	3,048,818	2,721,512	3,506,518

Emergency Supplemental Appropriations Act, 2007 (H.R. 1591)
(Amounts in thousands)

	FY 2007 Request	House	Senate	Conference
Related Agencies				
Intelligence Community Management Account (emergency).	66,726	57,426	71,726	71,726
General Provisions				
Sec. 1302. New transfer authority (emergency).....	(3,500,000)	(3,500,000)	(3,500,000)	(3,500,000)
Sec. xxxx. Additional transfer authority (emergency)..	(3,500,000)	---	---	---
Sec. 1305. Defense Cooperative Account transfer authority (emergency).....	1,000	1,000	1,000	1,000
Sec. xxxx. Procurement, Marine Corps MRAP (emergency).	---	---	1,500,000	---
Sec. xxxx. Contractor efficiency savings (emergency)..	---	-815,000	---	---
Sec. xxxx. Army IG disability claims recommendations..	---	1,000	---	---
Sec. 1322. Military Construction, Army (by transfer) (emergency).....	---	---	---	(-6,250)
Sec. 1323. Economic Support Fund (Department of State) (by transfer) (emergency).....	(-110,000)	(-100,000)	---	(-110,000)
Total, Chapter 3.....	91,642,975	95,529,712	93,532,793	95,528,670
CHAPTER 4				
DEPARTMENT OF ENERGY				
Atomic Energy Defense Activities	---	---	---	---
National Nuclear Security Administration				
Defense nuclear nonproliferation (emergency).....	63,000	150,000	63,000	150,000
CHAPTER 5				
DEPARTMENT OF HOMELAND SECURITY				
Analysis and operations (emergency).....	---	35,000	---	15,000
United States Customs and Border Protection				
Salaries and expenses (emergency).....	---	100,000	140,000	115,000
(Transfer to Federal Law Enforcement Training Center) (emergency).....	---	(-1,000)	---	(-5,000)
Air and Marine Interdiction, Operations, Maintenance, and Procurement (emergency).....	---	150,000	75,000	120,000
Subtotal.....	---	250,000	215,000	235,000
United States Immigration and Customs Enforcement				
Salaries and expenses (emergency).....	---	---	20,000	10,000
Transportation Security Administration				
Aviation security (emergency).....	---	1,250,000	660,000	970,000
Federal Air Marshals (emergency).....	---	---	15,000	8,000
Subtotal.....	---	1,250,000	675,000	978,000
United States Coast Guard				
Operating expenses (Transfer from Defense, O&M, Navy) (emergency)....	(120,293)	(120,293)	(120,293)	(120,293)
National Protection and Programs				
Infrastructure protection and information security (emergency).....	---	25,000	18,000	37,000
Office of Health Affairs (emergency).....	---	---	18,000	15,000
Federal Emergency Management Agency				
Management and Administration (emergency).....	---	---	20,000	25,000
Salaries and expenses (emergency).....	---	25,000	---	---
State and local programs (emergency).....	---	415,000	855,000	552,500
Emergency management performance grants (emergency)...	---	100,000	100,000	100,000
Subtotal.....	---	540,000	975,000	677,500
United States Citizenship and Immigration Services (emergency).....	---	---	25,000	10,000

Emergency Supplemental Appropriations Act, 2007 (H.R. 1591)
(Amounts in thousands)

	FY 2007 Request	House	Senate	Conference
Federal Law Enforcement Training Center				
Federal Law Enforcement Training Center - (Transfer from Customs and Border Protection) (emergency)	---	(1,000)	---	(5,000)
Science and Technology				
Research, Development, Acquisition, and Operations (emergency)	---	---	15,000	10,000
Domestic Nuclear Detection Office				
Research, development and operations (emergency)	---	---	39,000	39,000
Systems Acquisition (emergency)	---	400,000	---	223,500
Subtotal	---	400,000	39,000	262,500
Total, Chapter 5	---	2,500,000	2,000,000	2,250,000
CHAPTER 6				
LEGISLATIVE BRANCH				
HOUSE OF REPRESENTATIVES				
Salaries and Expenses				
Allowances and expenses (emergency)	---	6,437	---	6,437
Government Accountability Office				
Salaries and expenses (emergency)	---	---	374	374
Total, Chapter 6	---	6,437	374	6,811
CHAPTER 7				
DEPARTMENT OF DEFENSE - MILITARY				
Military construction, Army (emergency)	1,289,290	1,329,240	1,261,390	1,255,890
Military construction, Navy and Marine Corps (emergency)	390,500	389,300	347,890	370,990
Military construction, Air Force (emergency)	60,200	60,200	34,700	43,300
Military construction, Air Force Reserve (emergency)	---	---	3,096	---
(Rescission)	---	---	-3,096	---
Department of Defense base closure account 2005 (emergency)	---	3,136,802	3,136,802	3,136,802
Total, Chapter 7	1,739,990	4,915,542	4,780,782	4,806,982
CHAPTER 8				
DEPARTMENT OF STATE				
Administration of Foreign Affairs				
Diplomatic and Consular Programs (emergency)	912,996	966,954	815,796	870,658
(Transfer out)(emergency)	---	---	(-20,000)	(-20,000)
Office of Inspector General (emergency)	35,000	46,800	36,500	36,500
Education and Cultural Exchange Programs (emergency)	20,000	20,000	25,000	20,000
Rescission of emergency funding (emergency)	---	---	-15,000	---
Emergencies in Diplomatic and Consular Service (By transfer)(emergency)	---	---	(20,000)	(20,000)
Subtotal	967,996	1,033,754	862,296	927,158
International Organizations				
Contributions for International Organizations (emergency)	---	---	59,000	50,000
Contributions for International Peacekeeping Activities (emergency)	200,000	288,000	200,000	288,000
(By transfer) (emergency)	---	---	(128,000)	---
Subtotal	200,000	288,000	259,000	338,000

Emergency Supplemental Appropriations Act, 2007 (H.R. 1591)
(Amounts in thousands)

	FY 2007 Request	House	Senate	Conference
RELATED AGENCY				
Broadcasting Board of Governors				
International Broadcasting Operations (emergency)	10,000	10,000	10,000	10,000
BILATERAL ECONOMIC ASSISTANCE				
Funds Appropriated to the President				
United States Agency for International Development				
Child survival and disease programs (emergency)	161,000	161,000	161,000	161,000
International disaster and famine assistance (emerg.)	105,000	135,000	187,000	165,000
Operating expenses of USAID (emergency)	5,700	10,700	5,700	8,700
Operating expenses of USAID, Office of the Inspector General (emergency)	---	3,500	4,000	3,500
Subtotal	271,700	310,200	357,700	338,200
Other Bilateral and Economic Assistance				
Economic Support Fund (emergency)	3,025,000	2,953,000	2,602,200	2,649,300
(Transfer from Department of Defense) (emergency)	(110,000)	(100,000)	---	(110,000)
Assistance for Eastern Europe and the Baltic States (emergency)	279,000	239,000	214,000	229,000
Subtotal	3,304,000	3,192,000	2,816,200	2,878,300
Department of State				
Democracy fund (emergency)	---	---	465,000	260,000
International narcotics control and law enforcement (emergency)	260,000	334,500	210,000	257,000
(Rescission of emergency funding)	---	---	-13,000	-13,000
Migration and refugee assistance (emergency)	71,500	111,500	143,000	130,500
United States Emergency Refugee and Migration Assistance fund (emergency)	30,000	35,000	55,000	55,000
Nonproliferation, Antiterrorism, Demining and Related programs (emergency)	27,500	87,500	27,500	57,500
Subtotal	389,000	568,500	887,500	747,000
Department of the Treasury				
International affairs technical assistance (emergency)	2,750	2,750	2,750	2,750
MILITARY ASSISTANCE				
Funds Appropriated to the President				
Foreign Military Financing Program (emergency)	220,000	260,000	220,000	265,000
Peacekeeping operations (emergency)	278,000	225,000	323,000	230,000
(Transfer out)(emergency)	---	---	(-128,000)	---
Subtotal	498,000	485,000	543,000	495,000
Total, Chapter 8	5,643,446	5,890,204	5,738,446	5,736,408
DEPARTMENT OF THE TREASURY				
Departmental Offices				
Salaries and expenses (emergency)	2,538	---	---	---
Total, Title I	99,615,427	109,600,757	107,118,084	109,294,871
Appropriations	---	(1,000)	---	---
Emergency appropriations	(99,615,427)	(109,599,757)	(107,149,180)	(109,307,871)
Rescission	---	---	(-3,096)	---
Rescission of emergency funding	---	---	(-28,000)	(-13,000)
by transfer (emergency)	(230,293)	(221,293)	(268,293)	(255,293)
transfer out (emergency)	(-230,293)	(-221,293)	(-268,293)	(-255,293)

Emergency Supplemental Appropriations Act, 2007 (H.R. 1591)
(Amounts in thousands)

	FY 2007 Request	House	Senate	Conference
TITLE II - ADDITIONAL HURRICANE DISASTER RELIEF AND RECOVERY				
CHAPTER 1				
DEPARTMENT OF AGRICULTURE				
General Provisions				
Sec. 2101 Emergency Forestry Conservation Reserve program (emergency)	---	---	115,000	115,000
Sec. xxxx. Livestock assistance (emergency)	---	25,000	---	---
Sec. xxxx. Irrigated crops (emergency)	---	15,000	---	---
Sec. xxxx. Citrus (emergency)	---	100,000	---	---
Total, Chapter 1	---	140,000	115,000	115,000
CHAPTER 2				
DEPARTMENT OF JUSTICE				
Office of Justice Programs				
State and Local Law Enforcement Assistance (emergency)	---	---	170,000	50,000
(Hurricane recovery)	---	---	(70,000)	(50,000)
(Presidential conventions)	---	---	(100,000)	---
DEPARTMENT OF COMMERCE				
National Oceanic and Atmospheric Administration				
Operations research, and facilities (emergency)	---	120,000	165,900	110,000
Procurement, acquisition, and construction (emergency)	---	---	6,000	---
Fisheries Disaster Mitigation fund (emergency)	---	---	50,000	---
Subtotal	---	120,000	221,900	110,000
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION				
Exploration capabilities (emergency)	---	35,000	---	35,000
Total, Chapter 2	---	155,000	391,900	195,000
CHAPTER 3				
DEPARTMENT OF DEFENSE - CIVIL				
DEPARTMENT OF THE ARMY				
Corps of Engineers - Civil				
Construction (emergency)	---	37,080	150,000	25,300
(Transfer to Flood control and costal emergencies) (emergency)	(-270,000)	---	---	---
Flood control and coastal emergencies (emergency)	---	1,300,000	1,407,700	1,407,700
(Transfer from Construction) (emergency)	(270,000)	---	---	---
Total, Chapter 3	---	1,337,080	1,557,700	1,433,000
CHAPTER 4				
SMALL BUSINESS ADMINISTRATION				
Disaster loan program account:				
Administrative expenses (emergency)	---	25,069	25,069	---
Administrative expenses (unobligated balances (emergency)	---	---	---	(25,069)
Economic injury disaster loans (unobligated balances) (emergency)	---	---	---	(25,000)
General Provisions				
Sec. 2401. Economic injury disaster loan (emergency)	---	---	25,000	---
Total, Chapter 4	---	25,069	50,069	---

Emergency Supplemental Appropriations Act, 2007 (H.R. 1591)
(Amounts in thousands)

	FY 2007 Request	House	Senate	Conference
CHAPTER 5				
DEPARTMENT OF HOMELAND SECURITY				
Office of the Inspector General				
(Transfer from Disaster Relief) (emergency)	---	(4,000)	---	(4,000)
Federal Emergency Management Agency				
Disaster Relief (emergency)	3,400,000	4,310,000	4,310,000	4,610,000
(Transfer to OIG) (emergency)	---	(-4,000)	---	(-4,000)
General Provisions				
Sec.2502. Community Disaster Loan Act (emergency)	---	320,000	320,000	320,000
Total, Chapter 5	3,400,000	4,630,000	4,630,000	4,930,000
CHAPTER 6				
DEPARTMENT OF THE INTERIOR				
National Park Service				
Historic Preservation Fund (emergency)	---	---	15,000	10,000
General Provisions				
Sec. 2601.				
National recreation and preservation fund (by transfer) (emergency)	---	---	---	(500)
Historic Preservation Fund (transfer) (emergency)	---	---	---	(-500)
CHAPTER 7				
DEPARTMENT OF EDUCATION				
Higher education (emergency)	---	30,000	30,000	30,000
Hurricane education recovery (emergency)	---	30,000	30,000	30,000
Total, Chapter 7	---	60,000	60,000	60,000
CHAPTER 8				
DEPARTMENT OF TRANSPORTATION				
Federal Highway Administration				
Federal-aid Highways				
Emergency relief programs (emergency)	---	---	388,903	682,942
Federal-aid highways (rescission of contract authority)	---	---	-388,903	-682,942
Federal Transit Administration				
Formula grants (emergency)	---	---	75,000	35,000
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT				
Public and Indian Housing				
Tenant-based rental assistance:				
Disaster voucher program (emergency)	---	80,000	---	---
Unobligated balances (rescission) (emergency)	---	-80,000	---	---
Office of Inspector General (emergency)	---	10,240	5,000	7,000
Total, Chapter 8	---	10,240	80,000	42,000
Total, Title II	3,400,000	6,357,389	6,899,669	6,785,000
Emergency appropriations	(3,400,000)	(6,437,389)	(7,288,572)	(7,467,942)
Rescission of emergency funding	---	(-80,000)	---	---
Rescission of contract authority	---	---	(-388,903)	(-682,942)
by transfer (emergency)	(270,000)	(4,000)	---	(4,500)
transfer out (emergency)	(-270,000)	(-4,000)	---	(-4,500)

Emergency Supplemental Appropriations Act, 2007 (H.R. 1591)
(Amounts in thousands)

	FY 2007 Request	House	Senate	Conference
TITLE III - OTHER EMERGENCY APPROPRIATIONS				
CHAPTER 1				
DEPARTMENT OF COMMERCE				
National Oceanic and Atmospheric Administration				
Operations research, and facilities (emergency).....	---	60,400	---	60,400
CHAPTER 2				
DEPARTMENT OF DEFENSE - CIVIL				
DEPARTMENT OF THE ARMY				
Corps of Engineers - Civil				
Operation and maintenance (emergency).....	---	---	3,000	3,000
Flood control and coastal emergencies (emergency).....	---	---	150,000	150,000
DEPARTMENT OF THE INTERIOR				
Bureau of Reclamation				
Water and related resources (emergency).....	---	---	18,000	18,000
Total, Chapter 2.....	---	---	171,000	171,000
CHAPTER 3				
DEPARTMENT OF THE INTERIOR				
Bureau of Land Management				
Wildland fire management (emergency).....	---	100,000	100,000	100,000
United States Fish and Wildlife Service				
Resource management (emergency).....	---	7,398	7,398	7,398
National Park Service				
Operation of the National Park System (emergency).....	---	525	525	525
U.S. Geological Survey				
Surveys, investigations, and research (emergency).....	---	5,270	5,270	5,270
Subtotal.....	---	113,193	113,193	113,193
DEPARTMENT OF AGRICULTURE				
Forest Service				
National Forest System (emergency).....	---	---	12,000	12,000
Wildland fire management (emergency).....	---	400,000	400,000	400,000
General Provisions				
Sec. 3301. Secure Rural Schools (emergency).....	---	400,000	---	425,000
Subtotal.....	---	800,000	412,000	837,000
Total, Chapter 3.....	---	913,193	525,193	950,193
CHAPTER 4				
DEPARTMENT OF HEALTH AND HUMAN SERVICES				
Centers for Disease Control and Prevention				
Disease control research and training (emergency).....	---	---	13,000	13,000
CDC Occupational Safety and Health 9/11 (emergency)...	---	---	3,589	50,000
Subtotal.....	---	---	16,589	63,000

Emergency Supplemental Appropriations Act, 2007 (H.R. 1591)
(Amounts in thousands)

	FY 2007 Request	House	Senate	Conference
Administration for Children and Families				
Low-income home energy assistance (emergency)	---	400,000	640,000	400,000
Office of the Secretary				
Public Health and Social Services Emergency Fund (emergency)	---	969,650	820,000	625,000
Covered Countermeasure Process Fund (emergency)	---	50,000	50,000	25,000
Subtotal	---	1,019,650	870,000	650,000
General Provisions				
Sec. 3401. DOL Training and employment services (rescission) (emergency)	---	---	-3,589	-4,494
Sec. 3401. DOL State umemployment insurance and employment service ops (rescission) (emergency)	---	---	---	-4,100
Sec. 3402. DOEd Safe and drug free school zone (national programs) (emergency)	---	---	---	8,594
Subtotal	---	---	-3,589	---
Total, Chapter 4	---	1,419,650	1,523,000	1,113,000
CHAPTER 5				
Architect of the Capitol				
Capitol power plant (emergency)	---	50,000	25,000	50,000
CHAPTER 6				
DEPARTMENT OF VETERANS AFFAIRS				
Veterans Benefits Administration				
Compensation and pensions	---	20,000	---	---
Veterans Health Administration				
Medical services (emergency)	---	414,982	454,131	466,778
Medical administration (emergency)	---	256,300	250,000	250,000
Medical facilities (emergency)	---	595,000	595,000	595,000
Medical and prosthetic research (emergency)	---	35,000	30,000	32,500
Subtotal	---	1,301,282	1,329,131	1,344,278
Departmental Administration				
General operating expenses (emergency)	---	62,000	46,000	83,200
Information technology systems (emergency)	---	35,000	36,100	35,100
Construction, major projects (emergency)	---	23,800	---	---
Construction, minor projects (emergency)	---	260,000	355,907	326,000
Subtotal	---	380,800	438,007	444,300
Total, Chapter 6	---	1,702,082	1,767,138	1,788,578
Total, Title III	---	4,145,325	4,011,331	4,133,171
Appropriations	---	(20,000)	---	---
Emergency appropriations	---	(4,125,325)	(4,014,920)	(4,141,765)
Rescission of emergency funding	---	---	(-3,589)	(-8,594)
TITLE IV - OTHER MATTERS				
CHAPTER 1				
DEPARTMENT OF AGRICULTURE				
Farm Service Agency				
Salaries and expenses	---	48,000	75,000	37,500

Emergency Supplemental Appropriations Act, 2007 (H.R. 1591)
(Amounts in thousands)

	FY 2007 Request	House	Senate	Conference
General Provisions				
Sec. xxxx. Trade Adjustment Assistance (rescission)...	---	---	-75,000	---
Total, Chapter 1	---	48,000	---	37,500
CHAPTER 2				
DEPARTMENT OF HOMELAND SECURITY				
Sec. 4401. US Coast Guard retired pay (mandatory).....	---	---	100,000	30,000
Sec. 4404 Rescission of unobligated balances:				
Office of the Secretary and Executive Management..	---	---	---	-1,201
Office of the Under Secretary for Management.....	---	---	---	-513
Office of Chief Information Officer.....	---	---	---	-462
Office of the Chief Financial Officer.....	---	---	---	-45
Preparednes - Management and Administration.....	---	---	---	-968
Science and Technology - Management and Administration.....	---	---	---	-1,215
United States Secret Service - Salaries and Expenses.....	---	---	---	-450
FEMA - Administrative and Regional Operations.....	---	---	---	-450
United States Coast Guard - Operating expenses....	---	---	---	-25,596
Various accounts.....	---	-20,000	---	---
Total, Rescission of unobligated balances	---	-20,000	---	-30,900
Sec. 4404. US Coast Guard Acquisition, construction and improvements.....	---	---	---	30,000
Sec. 4404. Office of the Undersecretary for Management.....	---	---	---	900
Total, Chapter 2	---	-20,000	100,000	30,000
CHAPTER 3				
DEPARTMENT OF HEALTH AND HUMAN SERVICES				
Indian Health Service				
Sec. 4502.				
Indian health services (Transfer to Indian health facilities).....	---	(-7,300)	(-7,300)	(-7,300)
Indian health facilities (Transfer from Indian health services).....	---	(7,300)	(7,300)	(7,300)
CHAPTER 4				
DEPARTMENT OF HEALTH AND HUMAN SERVICES				
National Institutes of Health				
National Institute of Allergy and Infectious Diseases (Transfer to Public Health and Social Services Emergency Fund).....	---	(-49,500)	(-49,500)	(-49,500)
Office of the Director (Transfer to Public Health and Social Services Emergency Fund).....	---	---	---	(-49,500)
Subtotal	---	(-49,500)	(-49,500)	(-99,000)
Office of the Secretary				
Public Health and Social Services Emergency Fund (Transfer from National Institues of Health).....	---	(49,500)	(49,500)	(99,000)
RELATED AGENCY				
National Council on Disability.....	---	---	---	300

Emergency Supplemental Appropriations Act, 2007 (H.R. 1591)
(Amounts in thousands)

	FY 2007 Request	House	Senate	Conference
General Provisions				
Sec. 4601. Employee Benefits Security Administration (Transfer from Pension Benefit Guaranty Corp)	---	(7,000)	(7,000)	(7,000)
Sec. 4601. Pension Benefit Guaranty Corp (transfer)	---	(-7,000)	(-7,000)	(-7,000)
Sec. 4604. HHS Office of the Secretary (rescission)	---	---	-1,000	-1,000
Sec. 4607. CNCS: Operating expenses (transfer out)	---	---	(-1,360)	(-1,360)
Sec. 4607. CNCS: Salaries and expenses (by transfer)	---	---	(1,360)	(1,360)
Sec. xxxx. Special Education	---	---	1,000	---
Sec. xxxx. Student aid administration (rescission)	---	---	-2,000	---
Subtotal	---	---	-2,000	-1,000
Total, Chapter 4	---	---	-2,000	-700
CHAPTER 5				
LEGISLATIVE BRANCH				
House of Representatives				
Payment to widows and heirs of deceased Members of Congress	---	165	---	165
Capitol Guide Service and Special Services Office				
Sec. xxxx. Capitol Guide Service	---	---	3,500	---
(Rescission)	---	---	-3,500	---
Total, Chapter 5	---	165	---	165
CHAPTER 6				
DEPARTMENT OF STATE				
International Commissions				
International Boundary and Water Commission, United States and Mexico, construction	---	10,000	---	---
CHAPTER 7				
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT				
Office of Federal Housing Enterprise Oversight				
Salaries and expenses	---	7,568	4,800	6,150
Offseting collections	---	-7,568	-4,800	-6,150
GENERAL PROVISIONS				
THE JUDICIARY				
Sec. xxxx. Judicial COLA (CBO)	---	---	5,000	---
Total, Title IV	---	38,165	103,000	66,965
Appropriations	---	(65,733)	(189,300)	(104,565)
Rescissions	---	(-20,000)	(-81,500)	(-31,450)
Offseting collections	---	(-7,568)	(-4,800)	(-6,150)
by transfer	---	(63,800)	(65,160)	(114,660)
transfer out	---	(-63,800)	(-65,160)	(-114,660)
TITLE V - AGRICULTURAL ASSISTANCE				
Sec. 5101. Crop disaster assistance (emergency)	---	1,808,000	2,090,000	1,850,000
Sec. 5102a. Livestock compensation program (emergency)	---	1,480,000	1,507,000	1,380,000
Sec. 5102b. Livestock indemnity payments (emergency)	---	31,000	33,000	33,000
Sec. 5103. Emergency conservation program (emergency)	---	20,000	35,000	20,000
Sec. 5106. National Diary Market Loss Payment Program (emergency)	---	283,000	31,000	31,000
Sec. 5107. Dairy assistance (emergency)	---	---	95,000	20,000
Sec. 5109. Low-income migrant and seasonal farmworkers (emergency)	---	---	---	21,000
Sec. 5110. Conservation security program (emergency)	---	---	115,000	115,000
Sec. 5111. Farm Service Agency, salaries and expenses (emergency)	---	---	30,000	30,000
Sec. xxxx. Ewe Lamb replacement (emergency)	---	---	13,000	---

Emergency Supplemental Appropriations Act, 2007 (H.R. 1591)
(Amounts in thousands)

	FY 2007 Request	House	Senate	Conference
Sec. xxxx. Flooded crop and grazing land (emergency)..	---	---	6,000	---
Sec. xxxx. Sugar beet and sugar cane disaster assistance (emergency).....	---	---	27,000	---
Sec. xxxx. Spinach (emergency).....	---	25,000	---	---
Sec. xxxx. Small business economic loss grant program (emergency).....	---	---	100,000	---
Sec. xxxx. Tree assistance program (emergency).....	---	---	40,000	---
Sec. xxxx. Emergency watershed protection program (emergency).....	---	---	50,000	---
Sec. xxxx. Peanut storage (emergency).....	---	74,000	---	---
Sec. xxxx. Aquaculture (emergency).....	---	5,000	---	---
Sec. xxxx. Insect infestations (emergency).....	---	---	20,000	---
Total, Title V.....	---	3,726,000	4,192,000	3,500,000
TITLE VI - ELIMINATION OF SCHIP SHORTFALL AND OTHER MATTERS				
DEPARTMENT OF HEALTH AND HUMAN SERVICES				
Centers for Medicare and Medicaid Services				
State Childrens Health Insurance Program (emergency)..	---	735,000	448,000	646,000
Medicaid impact of SCHIP funding (emergency).....	---	-287,000	---	-250,000
Sec. 6002. HHS/CMS (Medicaid regulation offsets).....	---	---	---	-3,000
Total, Title VI.....	---	448,000	448,000	393,000
Appropriations.....	---	---	---	(-3,000)
Emergency Appropriations.....	---	(448,000)	(448,000)	(396,000)
TITLE VII - MINIMUM WAGE INCREASE AND SMALL BUSINESS TAX RELIEF				
Fair Minimum Wage and Tax Relief (emergency).....	---	---	35,000	---
Grand total.....	103,015,427	124,315,636	122,807,084	124,173,007
Appropriations.....	---	(86,733)	(195,300)	(101,565)
Emergency appropriations.....	(103,015,427)	(124,336,471)	(123,121,672)	(124,813,578)
Rescissions.....	---	(-20,000)	(-84,596)	(-31,450)
Rescission of emergency funding.....	---	(-80,000)	(-31,589)	(-21,594)
Rescission of contract authority.....	---	---	(-388,903)	(-682,942)
Offseting collections.....	---	(-7,568)	(-4,800)	(-6,150)
By transfer.....	---	(63,800)	(65,160)	(114,660)
By transfer (emergency).....	(500,293)	(225,293)	(268,293)	(259,793)
Transfer out.....	---	(-63,800)	(-65,160)	(-114,660)
Transfer out (emergency).....	(-500,293)	(-225,293)	(-268,293)	(-259,793)
Transfer authority (emergency).....	(7,000,000)	(3,500,000)	(3,500,000)	(3,500,000)

Emergency Supplemental Appropriations Act, 2007 (H.R. 1591)
(Amounts in thousands)

	FY 2007 Request	House	Senate	Conference
CONGRESSIONAL RECAP				
Scorekeeping adjustments:				
Department of Defense transfer to Economic Support Fund (Department of State):				
Defense function	-110,000	-100,000	---	-110,000
International Affairs function	110,000	100,000	---	110,000
Total Scorekeeping adjustments	---	---	---	---
Total (including adjustments)	103,015,427	124,315,636	122,807,084	124,173,007

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

Mr. LEWIS of California. Mr. Speaker, I am proud to yield 1 minute to the gentleman from Ohio (Mr. BOEHNER), the Republican leader of the House.

Mr. BOEHNER. Mr. Speaker, what are we doing? What in the world are we doing? The President asked for funding for our troops in Afghanistan and Iraq to meet our commitments to bring freedom to those people and to protect the American people, and here we are with a bill that has some $25 billion worth of spending over and above what the President asked for. And if that is not bad enough, we handcuff our generals and we handcuff our troops and we go about this backhanded way of trying to end the war in a backhanded way because the votes are not there to do it in a straight-up fashion.

Mr. Speaker, we are sent here by the American people. We have grave responsibilities to them and to our allies around the world, and I understand that there are deeply held differences over what is going on in Iraq. But all of us understand what we heard today from General Petraeus. All of us understand what we have heard over the last few months coming out of Iraq.

The real battle in Iraq today is not with the Iraqis. The real battle in Iraq today is with al Qaeda that has made this the central front in their war with us. And let us remember, we did not start the war with al Qaeda; they did.

It is al Qaeda that has made Iraq the central front in their war with us, and if we are not willing to take on al Qaeda in Iraq today, when will we? When will we stand up to radical Islam that is spreading all over the world, endangering our allies and endangering our citizens? When will we stand up and fight? We did not do it like other world leaders for some 20 years because America, like the rest of the world, looked up, looked away, and just hoped the problem would go away. It is not just going to go away.

People who are raised to believe that killing Americans and our allies and killing freedom and hating freedom is the answer to get to Allah is not just going to go away. And so we can look up and we can walk out, we can walk out of Iraq, just like we did in Lebanon, just like we did in Vietnam, just like we did in Somalia, and we will leave chaos in our wake.

Now, if dealing with al Qaeda is not enough of a reason to finish the job that we have in Iraq, what about the issue of the Iranians? The Iranians are trying to spew their hate all over the Middle East and elsewhere. You see Iranians who are bringing new devices into Baghdad to kill Americans and our allies. It is Iranians who are bringing funds and doing training to stir up sectarian violence in Baghdad. Are we just going to look the other way again?

I say to my colleagues, and I have said this before, every generation of Americans has had their obligation. Every generation of Americans has had their obligation to stand up and to protect our country, not for just today but for tomorrow and for the next generation.

After looking away for 20 years during the 1980s and 1990s, what was America to do after 3,000 of our citizens died on 9/11? Just all hope it goes away, hope they do not care anymore?

I say to my colleagues that we have a solemn obligation to the American people to finish the job that we started. And while Iraq may not have started out as the central front in our war with al Qaeda, it may not have started out with a fight against the Iranians, all of us in this Chamber today know, all of us know that this is the central front in our war with al Qaeda, and this is the battleground with Iran. You all know it. You know it as well as I do.

And the question is, are we going to stand up and fulfill our obligation to the American people? Are we going to fulfill our obligation to the Iraqis who are struggling to create a government of the people, by the people and for the people?

I think they are on clear notice that they have got a job to do on their own, but if we step out today, we are ensuring that they will fail. We are ensuring that we will leave chaos in our wake. We will embolden our enemies, and it is our kids and their kids who will pay a very, very steep price.

This is not the right thing to do, in my opinion. I respect those who have opinions that are otherwise, but as I stand here as a Member of Congress, we need to think seriously about what we are doing, think seriously about the message that we are sending to our enemies around the world and ask ourselves, is this what our forefathers would have done? Is this the message that we want to send to the world? I would suggest to all of you it is not. We should vote ''no.''

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished Speaker of the House.

Ms. PELOSI. Mr. Speaker, thank you very much. I thank the gentleman for yielding and commend him for his exceptional leadership in bringing this important legislation to the floor. I also acknowledge the leadership of Mr. MURTHA and Mr. SKELTON for all that they are doing to make our country safer and to support our troops.

Mr. Speaker, the war in Iraq is the greatest ethical challenge facing our Nation. This is so because our troops are being sent into battle without the training, equipment. And the strategic plan for success because the administration is not honoring our commitment to our veterans and because the Iraqi war has strained our military, and therefore weakened our ability to fight the war on terrorism.

By placing an unacceptable strain on our military, this war is undermining our ability to protect the American people. Instead of making the American people safer, the war in Iraq has weakened our ability to protect our Nation from the threat posed by international terrorism, I repeat.

As Major General Petraeus said, right now we are not prepared. We are not prepared for the threat this Nation faces here at home. And, because in this business you cannot be half ready or half prepared, you are either ready or you are not.

We have put our citizens at greater risk. We have put their lives at greater risk, their property, our economy, our way of life, and that is just unacceptable.

Instead of strengthening our hand, the President's policies in Iraq have weakened our reputation in the world and diminished our ability to lead the international effort against terrorism, which again is the real threat.

With U.S. focus on Iraq, the war in Afghanistan has intensified because of the resurgence of the Taliban and al Qaeda in the absence of the fullest effort on our part there.

As Major General John Baptiste said, Here is the bottom line. Americans must come to grips with the fact that our military alone cannot establish a democracy. We cannot sustain the current operational tempo without seriously damaging the Army and the Marine Corps. Our troops have been asked to carry the burden of an ill-conceived mission. End of quote, Major General John Baptiste.

Our troops have done everything that they have been asked to do and excellently. We salute them for their courage, their patriotism, and the sacrifices they and their families are making. Instead of being honored as the heroes they are when they come home, our wounded veterans are being forced to cope with a system that is not equipped to care for them. Preparation was not made.

Americans have been shocked by the revelations of the appalling care at Walter Reed. As Senator Max Cleland, a great patriot, a decorated Army veteran, said, Walter Reed is the ugly face of the Iraq war. It is a face that the American people need to see because this administration from the beginning never planned to deal with casualties, never planned for the consequences of this war.

Last fall, the American people voted for a new direction in Iraq. They made it clear that our troops must be given all they need to do their jobs but that our troops must be brought home responsibly, safely and soon.

The President responded to this clear call for winding down the war in Iraq with a policy of escalation in Iraq that has been tried three times previously and failed and, additionally, has burdened our already strained military.

The problems addressed in this bill are problems of the President's own making. From the start of the war, the President has failed to recognize and to request in his budget the funds needed by our troops serving in Iraq, as has been indicated by the distinguished chairman of the Appropriations Committee, Mr. OBEY.

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This is the seventh emergency appropriations bill that Congress has had to pass to make up for the President's failure, seven emergencies. What is the surprise? Why aren't they understanding the cost of this war in lives and health, in reputation, in dollars, and the readiness of our military?

Furthermore, the President's budgets have failed to provide adequately for the medical needs of our troops wounded in Iraq and for other veterans. This bill supports our troops, honors our commitments to our veterans, rebuilds our military, and holds the Iraqi government accountable. It winds down the war by providing for the responsible redeployment of our combat forces based on benchmarks endorsed by the Iraqi government and by President Bush. They are his own benchmarks.

Oddly, though, even though they are the President's own benchmarks, holding the administration accountable to benchmarks has been criticized by the administration. They are criticizing their own benchmarks. Yet both Secretary of Defense Robert Gates and retired Major General Paul Eaton, formerly in charge of training of Iraqi security forces, have noted the value of timelines in persuading Iraqis to make the political compromises needed to end the violence.

Secretary Gates noted, we are all familiar with this, it bears repeating, ''The strong feelings expressed in Congress about the timetables probably has had a positive impact . . . in terms of communicating to the Iraqis that this is not an open-ended commitment.''

General Eaton said, ''This bill gives General Petraeus great leverage for moving the Iraqi government down the more disciplined path laid out by the Iraq Study Group.''

My colleagues, the war in Iraq has lasted longer than World War II and resulted in the lowest level of American military readiness since the Vietnam War. It has cost thousands of American lives, tens of thousands, scores of thousands of Iraqi lives, plus tens of thousands of our soldiers to suffer grievous injuries, and will cost well over $1 trillion if the war ended today.

The sacrifices borne by our troops and their families demand more than the blank check the President is asking for, for a war without end. The sacrifices demand a plan for bringing the war to an end. This bill contains that plan and provides the President for every dollar he asked for the troops, and, indeed, thank you, Mr. MURTHA, much more.

I urge my colleagues to support it. I urge the President to sign the bill so that we can focus on winning the war against terrorism, which is the real threat to the American people. That is our responsibility, and we fully intend to honor it.

Mr. LEWIS of California. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, we know that this conference report before us will be vetoed by the President because of the Iraqi withdrawal language and the many unrelated and costly spending items that have absolutely nothing to do with the global war on terror or recovery efforts in the gulf coast.

It is no secret that many Members of the House and Senate, both Republicans and Democrats, have strong reservations about the manner in which this legislation undermines the authority of the President, our Commander in Chief. Members are also rightly concerned about how this legislation places military decisions in the hands of politicians rather than the military commanders in the field.

As I have said many times before, this legislation ought to focus on our troops. It ought to focus on providing those in harm's way with the resources they need to complete their mission successfully. It ought to respect, not micromanage, our combatant commanders in whom we place the ultimate responsibility for prosecuting military actions.

My colleagues know that I have great respect for my friend, Mr. MURTHA, but I strongly disagree with his assertion that we ought to have 535 Members and Senators micromanaging the war in Iraq. With all due respect, that is not our job.

Let me again remind my colleagues, we are not generals, we are not the Secretary of State, and we most certainly are not the Commander in Chief. It is tragically ironic that the House is considering this conference report the same day that General David Petraeus met with Members in closed session on the current situation in Iraq.

It was on January 26 of this year, just 3 months ago, that the Senate voted 81–0 to confirm General Petraeus to be the top military commander in Iraq. One would have thought that Members and Senators would trust his judgment following such an extraordinary vote of confidence over 3 months ago. Senator REID, who supported the General's confirmation, now says, and I quote, ''I don't believe him.''

Recent history reminds us that the enemy we face in Iraq, in Afghanistan and other countries that harbor terrorists will stop at nothing to seek opportunities to attack the United States and our allies. Have we not learned anything from the original World Trade Center bombing in 1993, the Khobar Towers bombing, the attack on USS Cole or 9/11 itself?

Al Qaeda will view this legislation as the first sign of the United States backing down from its commitment to the war on terror. It will view the withdrawal provisions contained in this conference report as America signaling retreat and surrender. Indeed, al Qaeda will view this as a day that the House of Representatives threw in the towel, waved the white flag and signaled retreat and surrender in Iraq.

Our failure to learn the lessons of history, our failure to lead today, will result in devastating consequences, including an even greater loss of lives, and even more resources needed to fight tomorrow. Just as we have only one top General in Iraq, one Secretary of State and one Commander in Chief, we only have one Speaker of the House at a time.

Speaker PELOSI and I have been friends and have served as colleagues on the Appropriations Committee for many years. The Speaker played an important role in supporting the development of unmanned aerial vehicles, a critical and successful military capability that is a key element to the war on terror. She and I worked on that in the Intelligence Committee together years ago. It is puzzling to me that the Speaker would not only openly question the judgment of General Petraeus, Secretary Rice, and our Commander in Chief, but that she would also willingly work to undermine their efforts to secure a successful outcome in Iraq.

My colleagues, it is absolutely essential that America, the last remaining superpower on Earth, continue to be the voice for peace and freedom in our shrinking world. Our success is critical. Walking away will further signal to Syria, Iran, Afghanistan and others that the United States is no longer committed to a successful outcome in Iraq.

In closing, I ask Speaker PELOSI and my friends in the majority to weigh the implications of supporting this conference report. Even as I hold hope that the Speaker might have a road-to-Damascus conversion, I ask her to weigh the enormous consequences of putting our troops in peril. I strongly urge a ''no'' vote on this emergency supplemental.

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

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from New York (Mrs. LOWEY), the Chair of the Foreign Operations appropriations subcommittee.

Mrs. LOWEY. Mr. Speaker, I rise in support of the conference report on H.R. 1591 and commend Chairman OBEY for your efforts to protect our troops, respect the wishes of the American people, and preserve our Nation's interest in this bill.

Our troops have served with honor and courage. However, they should be deployed only when battle ready and with a clear and achievable mission. Neither is the case today in Iraq. Recent reports indicate the troop surge is not working. The number of casualties rose again in March, and this bloody trend continues.

We have heard from this administration that it is not willing to negotiate on Iraq. Frankly, their unwillingness to compromise has led us to this point, and the right of the American people to be heard is nonnegotiable. No amount of American blood or treasure can help Iraq if the Iraqis don't help themselves.

The Maliki government must exhibit the political will to confront extremists, to give all segments of society a stake in Iraq's future, and to put Iraqi revenues towards the hard task of reconstruction. That is why this bill asks the President to certify that the Iraqis are doing their part in meeting critical benchmarks.

In addition, I am pleased the conference report includes nearly $200 million in increased funding for Afghanistan, $80.3 million for Jordan, $45 million for Liberia, $769 million for Lebanon, much needed assistance for Sudan and Somalia, increased funding for disaster and refugee aid to Iraq, increased accountability through funding expanded mandates for the special Inspector General and the State and USAID IG operations.

While this bill provides most of the funding requested by the President, it puts in place safeguards and oversight to stop waste, fraud and abuse with U.S. taxpayer dollars in Iraq.

I urge my colleagues to support this bill.

Mr. LEWIS of California. Mr. Speaker, I yield 4 minutes to the ranking member on Homeland Security, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Speaker, I rise, regrettably, today in opposition to the supplemental conference report before us, the first time I have risen in opposition to an appropriations conference report in more than 12 years. The Democratic side of the aisle and many of their liberal newspaper editors are intent on substituting their judgment for that of our professional, trained, experienced military leaders.

I am reminded of a quote that I want to read to you, it's very brief, that speaks to this subject. I will tell you the author in just a moment. ''It appears we have appointed our worst generals to command forces, and our most gifted and brilliant citizens to edit newspapers. In fact, I discovered by reading newspapers that these editor geniuses plainly saw all my strategic defects from the start, yet failed to inform me until it was too late. Accordingly, I am readily willing to yield my command to these obviously superior intellects, and I will, in turn, do my best for the cause by writing editorials after the fact.'' Signed, Robert E. Lee.

This Congress is made up of 535 lawyers, doctors and teachers, some with military experience, some without. It is not, however, made up of 535 military commanders who possess the ability to manage a war against al Qaeda. Yet that is what this conference report does. It enables over just half of 535 politicians to micromanage the war in Iraq against al Qaeda.

Sadly, though, this is not the only reason to vote against this conference report. It's also full of billions of dollars in spending categorized as an emergency which undermines the true needs of our troops and gulf coast hurricane recovery efforts. Specifically for Homeland Security, the supplemental contains two categories of emergency funding, hurricane recovery and the global war on terrorism.

Speaking to the hurricane recovery portion, this is a true 2007 emergency. FEMA needs these funds now to continue our commitment to the devastated gulf coast region and to ensure the disaster relief fund does not run dry in the middle of what experts are predicting will be an active hurricane season.

I can only hope that in an effort to keep the overall exorbitant spending of the bill down, the majority has not shortchanged the true needs of this account.

The global war on terrorism, part of this funding bill, is another story. While it contains many worthy and important items such as nuclear and explosive detection systems and additional aircraft for the northern border, things I have supported in the past and continue to support, they are in no way a 2007 emergency. In every instance, these items could and should be addressed in the regular 2008 appropriations bill. By including them in this 2007 emergency, the majority is simply trying to look strong on security and buy down requirements to free up funds in 2008 for additional spending.

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While I support homeland security spending, I support it in a fiscally responsible way.

Mr. Speaker, it is not often that I have two such compelling reasons to vote against a bill: taking away authority to manage our war against al Qaeda from the military commanders, and carelessly adding billions of dollars in non-emergency spending. These are the very reasons we will be back here addressing these matters again in a couple of weeks after the President vetoes the bill.

We should address these issues now, and stop the political gamesmanship that harms both our troops and the gulf coast recovery effort. This bill is nothing short of a cut-and-run in the fight against al Qaeda. I urge a ''no'' vote.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the distinguished majority leader.

Mr. HOYER. Mr. Speaker, this bill is not cut and run. It's think and succeed. It's a good policy to try.

Mr. Speaker, tonight this House will adopt this reasonable conference report that fully funds our troops in Iraq and Afghanistan and that responds to the will of the American people, who are demanding, demanding, that our Nation change course. I urge all of our Members here, on both sides of the aisle, to support this bill.

After the Senate passes this conference report and it is sent to the White House, I urge and implore the President to sign this bill, even though he seems determined to veto this legislation, thereby defying the will of the American people, 70 percent of whom disapprove of his handling of the war in Iraq.

I know there is not a Member in this body who does not pray for our success in Iraq and for the safe return of our brave servicemen and women who serve us there. However, we cannot ignore the facts. After the loss of more than 3,300 American soldiers and nearly 25,000 injured, and after the expenditure of more than $400 billion, which will be after the end of this fiscal year some $600 billion, on a war now in its fifth year, even President Bush and Secretary of Defense Gates acknowledge that our efforts are not succeeding.

The Defense Department has concluded that the situation in Iraq is ''properly descriptive of a civil war.'' The Army Chief of Staff has issued warnings about the effect of the war on America's overall military readiness. And the Iraq Government has failed to meet political goals, such as reversing debaathification, drafting a plan for national reconciliation and disbanding militias, all of which are essential if we are to reach a political solution, as General Petraeus says is necessary.

In fact, last week, six ministers loyal to Muqtada al Sadr withdrew from the Iraqi Government, imperiling the chances of political resolution, which General Petraeus, as I said, says is imperative because, quoting again General Petraeus, ''There is no military solution to a problem like that in Iraq.'' General Petraeus: ''There is no military solution to a problem like that in Iraq.''

Meanwhile, the violence in Iraq continues. In just the last 2 weeks, a suicide attack inside the Iraqi Parliament killed eight, and spectacular car bombs, which occur almost daily, have killed hundreds.

Thus, Mr. Speaker, the question before the Members again today is this: Will we change direction in Iraq, or will we continue to stay the course with a failing policy? That is the question before this House tonight.

The answer, I think, is clear. After 4 years of rubber-stamping this administration's failed policy, not a service to the American people, this Congress must insist on accountability and a new direction. As the Speaker has said, more blank checks from this Congress would constitute an abdication of our responsibility and of our duty.

In short, this conference report protects our troops, requiring deployments to adhere to existing Defense Department standards. Mr. MURTHA has not adopted these standards, nor has Mr. OBEY, nor have any of us on this side of the aisle. These are Defense Department standards for training, acquiring equipment and armor, while allowing the President to waive those standards that are the Defense Department standards if, in his judgment, national security requires it. How much

more responsible a position can we take?

The conference report holds the Iraqi Government accountable. I think that reflects the sentiments of the American people, who believe that the Iraqis need to step up and take responsibility. What Secretary Gates said was if we do not have a consequence of not taking responsibility, they will not do it.

In fact, even if Mr. Maliki wants to do it, he will not be able to get the disparate factions in Iraq to do it, unless they feel a necessity to do it. We've seen that here in this Congress. That's democracy at work. So this is an assistance to the Iraqi Government to bring people together, because it says if you don't, there is a consequence. The American public supports that alternative.

And it includes a responsible strategy for a phased redeployment of U.S. forces and refocuses, refocuses our efforts on fighting al Qaeda and the Taliban in Afghanistan. There is nobody in this Congress who does not want to nor is not committed to confronting and defeating terrorism. No one should be misled by the false claims of those who argue that we must follow the same failing stay-the-course strategy. This bill does not constitute capitulation or micromanaging this war.

This may sound harsh, but had somebody told Custer that you are not supporting the troops unless you leave them here, they would have been wrong. As retired General Paul Eaton, who was in charge of training the Iraqi military in 2003 and 2004 recently stated, ''This bill gives General Petraeus great leverage for moving the Iraqi Government down the more disciplined path laid out by the Iraq Study Group. The real audience for the timeline language is Prime Minister Maliki,'' as I have said, ''and the elected Government of Iraq.'' So concluded Paul Eaton, the general in charge of training Iraqis in 2003 and 2004.

Mr. Speaker, the American people want and deserve a Congress that holds the Iraqis accountable for making progress. The American people are paying a steep price; our children are paying a steep price for this war. They haven't been given the bill yet, but they will be. And our young men and women, and not so young men and women, are paying with their lives, with their limbs, and with their health.

The American people want and deserve, as I have said, a Congress that holds the Iraqis accountable, that holds the administration accountable for implementing a policy designed to succeed. This conference report gives us that opportunity.

I urge all of my colleagues, on every side of the aisle, from whatever party, support this conference report. I urge the President, when we pass this conference report, when the Senate passes it and we send it to the President, sign this conference report. It fully funds our troops, it does not micromanage the war, it tells the Iraqis we expect accountability; because if they take accountability, our troops will be safer, our country will be better off and Iraq will be on the path to democracy that we hope for her and pray for her.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the ranking member on Military Construction of Appropriations, the gentleman from Mississippi (Mr. WICKER).

Mr. WICKER. Mr. Speaker, I served as a conferee on this bill Monday afternoon, and I was disappointed at what I saw. Everyone in the room knew then, as they know now, that President Bush will veto this legislation because it contains dangerous timelines for withdrawal in Iraq, undercutting our chances for success and making a political statement at a time when we should be working in a bipartisan manner to give our troops the resources they need to succeed.

Many of us heard General Petraeus this afternoon. I think most Members are highly impressed with his command of the situation and his candor. We ought to be willing to give him and his new strategy a chance. Instead, the bill before us tonight would guarantee failure.

This is a futile exercise and a waste of valuable time. It ensures further delay in getting the equipment, supplies and support to the troops. Because Congress has not provided this funding already, our military leaders must shuffle existing funds. Spending on new equipment will be postponed and repair work will be slowed on equipment needed elsewhere around the world, and the Pentagon will have to curtail training for National Guard and Reserve units. This will hamper their capabilities and their readiness.

The veto will come quickly, and, when it does, I hope the majority will not engage in further attempts to micromanage the war. Let's craft a responsible, focused supplemental package that funds the military and demonstrates to our soldiers that we support their efforts to complete the mission.

Contrary to what some in the Democratic leadership say, the war is not lost. Let's not legislate as if it is.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK. Mr. Speaker, I thank our chairman for yielding.

Mr. Speaker, this is a good bill. We are legislators. The President has a job and we who represent the people have a job. It funds the war, a war that the other side started, and the speech that they are giving tonight is the same speech they gave 4 years ago.

It's time to change course. This bill funds veterans who have been wounded severely, children who need health care, and all the emergencies that this country needs to address and has not been taking care of the last decade.

Pass the bill.

Mr. President, sign the bill. It's the best bill. The Senate and House have agreed, and we don't care that the President has said, before we even passed it out of the first Chamber, that he would veto it. We have to pass this bill, bring our troops home, and have a plan for success.

This is a good conference report. Americans, speak out. If the President does veto the bill, there is something to be paid. The troops need our help and our support, and I thank Chairman OBEY and Chairman MURTHA for their leadership. Vote for the conference report.

''Few will have the greatness to bend history itself; but each of us can work to change a small portion of events, and in the total of all those acts will be written the history of this generation.'' Sen. Robert F. Kennedy.

This vote will affect us today, it will affect our children tomorrow, it will affect our grand children of the next generation. Unlike some of our colleagues, I refuse to legislate any bill, much less this bill, merely because the President has issued a veto threat. Our brand of government has lasted for more than 230 years because of the separation of powers. The President needs the money, and Congress controls the power of the purse.

We have the opportunity to change course, confront crises, and continue the legacy of not only the Democratic Party but of America with this vote today.

As of April 23, 2007, there have been 3,333 U.S. Military Deaths Confirmed by the Department of Defense. There have been at least 20,000 women and men who have been wounded, and untold numbers of women and men who have been affected by traumatic brain injuries that we are just discovering, and will suffer for decades from post traumatic stress disorder.

The Democrats have worked to compromise with the Administration. While I, like many of my colleagues, hoped that we would retain the House language with regard to the troop deployment provisions, I understand that honesty and compromise are the hallmarks of this august body.

Make no mistake about it; this vote is a vote to support our troops and will bring an end to the war in the near future. The military options for Iraq are exhausted; we need to pursue diplomatic solutions so that the Iraqis and other countries in the Middle East can be real shareholders in the fate of Iraq.

This supplemental enforces the President's own benchmarks that the Iraqis protect and end their civil war. This bill has the military's own standards for readiness and deployment. This bill provides more than the President requested for military procurement, construction, health care, and readiness.

I am proud that the Committee supported my request for increased funding for the Low Income Home Energy Assistance Program, to remove the matching funds for many of the grants and loans going to the rebuilding of states affected by Hurricane Katrina, in particular the city of New Orleans.

$450 million for Post Traumatic Stress Disorder (PTSD)/Counseling: African American male Vietnam and Iraq theater veterans have higher rates of PTSD than Whites. Rates of current PTSD are 28% among Hispanics, 21% among African Americans, and 14 percent

among Whites. African Americans have greater exposure to war stresses and had more predisposing factors than Whites, which appeared to account for their higher rate of PTSD.

$450 million for Traumatic Brain Injury care and research: Traumatic brain injury (TBI) is caused by a blow or jolt to the head or a penetrating head injury that disrupts the function of the brain.

$20 million to address the problems at Walter Reed: When the federal base-closing commission recommended shutting down Walter Reed Army Medical Center in Washington, it was noted through a number of reports that most of the patients and communities affected were African-American.

$100 million to allow the VA to contract with private mental healthcare providers to offer veterans, including Guard and reserve members, quality and timely care: African Americans are more likely to be victims of serious violent crime than are non-Hispanic whites.

Food Assistance (PL 480 Title II): Adds $450 million, which is $100 million above the President's request, to support food aid in Sudan/Eastern Chad, Southern Africa, and the Horn of Africa.

Agricultural Assistance: Adds $3.7 billion. According to the National Farmers Union, over 80 percent of U.S. counties were designated as disaster areas in 2005, and 60 percent were declared in 2006, making this assistance essential if farmers are to maintain their livelihoods in the coming year.

Low Income Home Energy Assistance Program (LIHEAP): The Supplemental adds $400 million to partially restore cuts to the program.

Pandemic Flu Preparedness: Adds $1 billion to purchase vaccines needed to protect us from a global pandemic.

State Children's Health Insurance Program (SCHIP): As amended in Committee, the proposal adds $750 million for SCHIP to ensure continued healthcare coverage for children in 14 states that face a budget shortfall in the program.

Foreign Aid: $40 million in security assistance is added for Liberia. This provision was added only because of the CBC.

After far too long, the bill will address the outstanding needs of our working women and men by increasing the minimum wage of Americans.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind Members to address their remarks to the Chair.

Mr. LEWIS of California. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. YOUNG), the former chairman of the Defense Subcommittee and former chairman of the Appropriations Committee.

Mr. YOUNG of Florida. Mr. Speaker, first I want to make the point as strongly as I can that I want our troops out of Iraq and Afghanistan and anyplace else in the world where they are in harm's way as soon as we can possibly do it without risking the security of our own Nation and the security of our own people.

Mr. MURTHA and I have been partners in this business for many, many years, and he and I have both stood by the bedside of too many wounded troops and have attended too many funerals, and we want this over.

As a matter of fact, the legislation before us, the appropriations part of this defense bill is a good package. Mr. MURTHA and I met prior to him submitting this to the full Appropriations Committee and we agreed. Basically I told Mr. MURTHA that these are about the same numbers that I would have recommended if I were still the chairman. But we did agree to disagree on the issue of the restrictive language on the conduct of the battlefield.

My memory takes me back, as we discuss this legislation now, to October of 1983, where terrorists attacked the Marine barracks in Beirut. The Marines there on a peacekeeping mission and 241 of our troops were killed. In February of 1993, the World Trade Center was bombed, as Chairman LEWIS noted in his comments. Six lives were lost.

□ 2030

In June of 1996, Khobar Towers in Saudi Arabia, where our airmen were being housed, was bombed. Nineteen American lives were lost. August of 1998, our embassies in Kenya and Tanzania were bombed by terrorists again. Two hundred fifty-nine lives were lost. October of 2000, the USS *Cole* off the shore of Yemen was bombed by terrorists. Again, 17 American lives lost, and almost every crewman on the ship injured.

But all this time nothing happened except a lot of rhetoric. Well, we talked a lot. We were going to hunt them down. And you can run, but you can't hide.

But finally, after September 11, the people of America were so incensed by what they saw with the airplanes flying into the two World Trade Centers, the airplane flying into the ground in Pennsylvania, in or near Mr. MURTHA's district, and the airplane flying into the Pentagon right across the river, killing some 3,000 innocent people. The people of America were incensed. They demanded action. The President of the United States promised action, and the Congress provided action. And subsequently, our troops are in Afghanistan and are in Iraq. And it is essential that we provide whatever they need to carry out their mission and to protect themselves while they are carrying out the mission.

But now, what about leaving today or tomorrow or March or July, as some of these restrictions provide?

One of our great successes was Desert Storm. In Desert Storm, we attacked Saddam Hussein's armies successfully, and we annihilated, basically, his army. At least they ran away. They ran for cover. They surrendered. A lot of them lost the battle because the United States was aggressive and our coalition partners.

But here's where we made a mistake. Once we had Saddam's armies defeated, we left. We left before there was anything else there to provide a reasonable, logical government for the people of Iraq.

And what happened? Saddam responded in a vicious attack upon his own Iraqi citizens to continue the genocide that he began in earlier years. After we left from Desert Storm, he killed thousands of Shia Iraqis.

What General Petraeus and our American troops are trying to do is to give the Iraqi government that has been elected by the people, Constitution approved by the people, a parliament elected under the new Constitution by the people; General Petraeus said that the Iraqi security forces were growing in number, were growing in capability. Even the Sunnis are starting to join up with these security forces in Iraq to show a Sunni-Shia coming together. Not much, but a little bit.

But to let this government exist so that we didn't have another situation where we left, we didn't leave anybody in charge, and the bad guys took over again.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, you know, it's hard for me to even sit here and hear the other side talk about this, because they are missing the point. This is about our soldiers. If you care about our soldiers, you say you care about our soldiers, you will vote for this supplemental.

This supplemental has over $4 billion more than what the President asked for in everything. I'll tell you what this supplemental is about. It's about those soldiers that I visited in Landstuhl, Germany. On three different occasions, every time we went over to Iraq and over to Afghanistan we'd make a stop to come back.

You want to know what this supplemental is about? It's about those sons and daughters, 19 and 20 years old, who will never walk again with their legs because they have been cut off.

You talk about the President wants to veto this. Let's send it to him. Let him veto it. If he vetoes this bill that's got the money in it for the body armor that he sent troops into battlefield without, let him veto this. If he vetoes this bill, it will be like sending a dagger right in the heart of our soldiers.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to Mr. KINGSTON of Georgia, a member of the committee.

Mr. KINGSTON. Mr. Speaker, Winston Churchill said, ''The United States of America always does the right thing after it has exhausted all the other alternatives.''

And what we are doing here tonight, through the Democrat Party, is exhausting all the other alternatives.

This bill is wrong for a number of reasons. First of all, the Democrat leadership promised to cut out the pork and nondefense spending and give us a clean bill. But this bill contains minimum wage legislation, children's health care appropriations, $31 million for milk subsidies, $460 million for food aid, much of that not even going to the

Middle East, $40 million for grain storage, $37 million for new computers for the FSA in Kansas City, $4 million for the Office of Women's Health, and $15 million for livestock subsidies.

What does this have to do with Iraq? Not a thing.

And yet some of this stuff may have a lot of merit and get bipartisan support. But why not bring it up on the proper pieces of legislation, not on a military aid bill?

It's interesting, one of the Democrat Senators actually justified the nonmilitary spending saying, ''But the Republicans did it.'' And I agree with her. She's right. We did it. And that's why we are in the minority. The American people are tired of these kind of shenanigans.

Let's pull these items out and have a debate on their own merits, not on the backs of soldiers in Iraq.

Let's talk about Iraq. The Constitution, article I, section 2, says, and I quote, ''The President shall be Commander in Chief of the Army and Navy of the United States and of the militia of the several States when called into the actual service of the United States.''

In other words, the President, as Commander in Chief, runs wars, not 535 arm chair generals on Capitol Hill.

But this legislation, or surrender document, usurps the President's constitutional prerogative. For this reason alone we should reject it.

And finally, let's talk about the gist of this surrender. Putting a timeline on a war is great if the enemy agrees with it. But for some reason, they never do. Never in the history of war has a country won by announcing their surrender date to the world. It's odd, it's reckless, and it won't work.

We should not micromanage this war. We should do as Winston Churchill said and do the right thing.

And I urge a ''no'' vote.

Mr. OBEY. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Pennsylvania, Mr. MURPHY.

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I rise today with a heavy heart. This week, nine of my fellow paratroopers from the 82nd Airborne Division were killed in Iraq. Nine more heroes killed, nine more paratroopers returning home in coffins draped in the American flag.

Mr. Speaker, Daniel Webster's words that are etched in the marble above implore each of us in this room, and I quote, ''To see whether we also, in our day and generation, may not perform something worthy to be remembered.''

Mr. Speaker, I know the task is daunting, but let this Congress be remembered for leading our country in a new direction in Iraq.

Mr. Speaker, I was deployed to Iraq in 2003 and 2004. Nineteen of my fellow paratroopers I served with never made it home from the streets of Baghdad. I carry their names with me every single day to remind myself of the solemn responsibility we face each time the Speaker bangs down her gavel.

Nineteen men, including Specialist Chad Keith from Indiana. Nineteen guys who never made it home to their families. Specialist James Lambert III, from North Carolina. Nineteen all Americans who paid the ultimate sacrifice. Private Kyle Gilbert from Vermont. Nineteen men who are missed. Private First Class Marc Seidan from New Jersey. Nineteen men. Now we have nine more paratroopers to add to this list.

Mr. Speaker, how many more suicide bombs must kill American soldiers before this President offers a time line for our troops to come home?

How many more military leaders must declare the war will not be won militarily before this President demands that the Iraqis stand up and fight for their country?

How many more terrorists will President Bush's foreign policy breed before he focuses on developing a new strategy, a real strategy for fighting and beating al Qaeda?

Mr. Speaker, this bill says enough is enough. No more shortchanging our troops. No more open ended commitment in Iraq. No more refereeing a religious civil war.

Mr. Speaker, on the fourth anniversary of the war, I led this body in a moment of silence. Now my fellow Democrats offer a time line to bring our troops home.

Mr. Speaker, I ask my colleagues on the other side of the aisle who are about to vote ''no'' on this bill, will you stand with us next year to offer a time line on the war's fifth anniversary?

How about a time line on the sixth? How about a time line on the 10th? Because that's what voting ''no'' does. It says no to the tough questions. No to accountability and no to providing our troops on the ground with a clear mission.

Mr. Speaker, I may be hopeful, but I am not naive. I hear Vice President CHENEY taunt patriotic Americans who are concerned with the direction of our country. I see the President using his veto to hold our troops hostage to further his failed strategy in Iraq. I read the Bush Republicans' attacks questioning my patriotism and support for my fellow soldiers. But, Mr. Speaker, we have all heard these attacks before.

The American people know that President Bush and his allies are sadly out of touch. The American people know that supporting the troops means demanding accountability. The American people know we need a change.

Mr. Speaker, one of my fellow soldiers lost his brother in the World Trade Center on September 11 of 2001. This soldier is now in Iraq serving on his second deployment. And last week he sent me a message, unsolicited. It said, and I quote, ''Never did I think I would disagree with our foreign policy 5 years after my brother was murdered. Our latest mission here is to secure the Iraqi people. I signed up to secure the American people.''

My fellow colleagues, this bill, this vote helps us secure the American people. For too long the American people have been craving leadership, craving accountability, and craving a new direction in Iraq. Let's give this to them today.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the ranking member on the Budget Committee, the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, when the new majority came into power, they talked about being fiscally conservative. They talked about bringing fiscal responsibility back to the people's House. Well, that's not what we see here today, and that's not what we have seen for the last 4 months.

Last session, Mr. Speaker, we brought a bill that said if we are going to do emergency spending bills, let's clean these up. Let's not put pork barrel, unnecessary spending in emergency spending. We actually defined what an emergency is.

□ 2045

And then we set aside a reserve fund, $6.4 billion, to say we are setting this aside for emergency spending, and if we go over this amount, we have to scrutinize every dollar to make sure that it is truly an emergency.

What did the new majority do? To their credit, they carried these rules over into this session of Congress. Thankfully, they said, you know what? Let's not pork up emergency spending bills. Let's make sure that if it's really an emergency, it will get funded as an emergency. If it's not, it won't.

What happened the first time the pressure hit? They waived the rules. They waived the rules completely. And now the new budget resolution the majority is proposing gets rid of these proposals altogether. No more checks on emergency spending. All it takes is to waive the rules, stamp it as an emergency, and we can spend as much as we want. It's outside the budget caps. It gets added onto the deficit. And that's what is happening right here tonight.

In fact, Mr. Speaker, this bill right here violates the majority's own PAYGO rules by $5.8 billion. That's right. They are violating their own PAYGO that they put into place just a few months ago by $5.8 billion. They are adding $21 billion of nonemergency spending that were unrequested, that have nothing to do with the war on terror. And they have added $11 billion of congressional add-ons that have nothing to do with the war on terror, that were not requested.

The majority came out with their first spending bill, adding $6 billion on top of the deficit. Now they are adding $21 billion on top of the deficit with this unrequested, nonemergency spending. And in their budget resolution they are bringing to the floor, another $25 billion next year.

Fiscal responsibility is the last thing you could say to describe this bill. I urge rejection of this motion.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I would simply say in response to the previous speaker, last session your party couldn't even pass a budget. Last session your party couldn't complete action on a single domestic appropriation bill.

You may not like the decisions we have made, but at least we have made them. And we have had to spend the first 30 days of this session finishing the work that you could never manage to get around to. So I suggest you look to your own house before you start criticizing somebody who has at least gotten the work done that you couldn't get done last year.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from California for yielding.

It has been so interesting to listen to the debate this evening. I am reminded of my school teacher grandmother and an admonition that she would regularly give us to us, which was ''Your actions speak louder than your words.'' And she would remind us of this time and time and time again.

And, Mr. Speaker, I can tell you, quite frankly, I think that what we are seeing is the actions of a majority who are doing their best to ensure, to ensure, that our men and women in uniform do not have the funding that they need.

I represent a lot of these military men and women, and I have heard from them. I am hearing from a lot of the military men and women and their families, and they feel like the modified withdrawal dates in this legislative disaster are nothing more than a vote of no confidence for our troops. They feel that this legislation will embolden our enemies and send a message to the rest of the world that they believe that they are more qualified to prosecute a war than the men and women we are sending to the frontlines. That is something, Mr. Speaker, that they do disagree with.

Our military leadership deserves the opportunity to fight this war with the funding and the support that they need to accomplish their goals. They deserve the ability and the opportunity to win. Yet the leadership in this House continues to try their best to micromanage the war and our troops without the funding that they need.

Despite what the majority leader in the other body and his supporters in the House believe, this war is not lost. Yet this dead-on-arrival supplemental bill will only exacerbate the problem and put our troops in harm's way.

I think that we should show our respect for the men and women in uniform by respecting the job they do. We should do our job: Send the funding to the troops.

Mr. LEWIS of California. Mr. Speaker, I am pleased to yield 3 minutes to our Republican whip, Mr. BLUNT.

Mr. BLUNT. Mr. Speaker, I thank the gentleman for yielding as this debate comes to an end.

The legislation we have debated here tonight was at one point supposed to be an emergency supplemental spending bill for our troops, dispatched to them with urgency, resolution, and purpose. It was supposed to provide money and resources for our fighting men and women on the frontlines so that they had the tools and equipment they needed to finish the task at hand.

Instead the majority turned this important funding package into an exercise in political theater, along the way, disregarding the testimony of our military commanders, the wishes of many in their own caucus, and basic and numerous dictates of our Constitution and our history.

The result has been a final conference report, though we know it really won't be a final conference report. It has been a conference report that imposes artificial deadlines, ties the hands of our commanders in the field, and demotes those tasked with managing an active military engagement to the rank of administrative assistant, forced to check new boxes before exercising the authority they have today to execute their mission.

And it would spend billions of dollars on things that should have been debated at another time. Some of those things have merit. Some of those things I agree with. Some of them I don't. But they shouldn't have been debated as part of this bill.

Those who attended today's briefing with General Petraeus benefited from a clear and sober assessment of our chances for achieving success in Iraq and the consequences we can expect by declaring defeat. But not a single person in that room today, with knowledge of our progress on the ground, believes this war was lost or that our presence there was without merit. Unfortunately, too many in this Chamber seem convinced of the inevitability of defeat.

However this vote turns out, I am hopeful that tonight's roll call will end this effort to undercut our mission by undermining the authority of our commanders in the field. Republicans are willing, and have been willing, to work with the majority on this bill. But we will not waver on our insistence that an emergency troop support bill passed by Congress actually be focused on supporting the troops. The legislation before us tonight fails to meet that most basic standard.

I urge a ''no'' vote on this bill and ask my colleagues to join me tonight in standing up for the interests of our men and women in harm's way. And hopefully, very soon, we can join together in crafting a bill that will be considered quickly, as this one should have been, passed quickly, with help to the frontlines as soon as possible.

It's time for the political theater to end and the real work to begin.

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

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

I simply want to take this time to thank the staff on both sides of the aisle. They worked overtime for many days and many nights, and I appreciate it very much, especially the committee staff director, Rob Nabors.

I would also simply say that we have heard twice now from the minority that this bill endorses failure. Not at all. What we have seen the last 4 years is a failure of intelligence. We have seen a failure of the administration to listen to career military. We have seen a failure to plan for the occupation of Iraq. We have seen a failure on the part of the administration to give the Congress accurate information. We have seen a failure to focus on al Qaeda and Afghanistan rather than being diverted to Iraq. We have seen a failure to understand the nature of the civil war in Iraq. And as a result, we have seen a tremendous collapse of American influence in the world. It is tragic.

I urge an ''aye'' vote for the resolution.

Mr. Speaker, I yield the balance of my time to Mr. MURTHA.

Mr. MURTHA. Mr. Speaker, apparently a number of people have not read this bill. I know my friend BILL YOUNG has read it.

We have $1.5 billion to cover the full cost of housing allowances for the troops. If you vote against this, you are voting against housing allowances. We have a total of $2.3 billion in this bill to cover the full cost of fielding an additional 36,000 Army troops and 9,000 Marines. If you've read this bill, you'll realize we added $2 billion to address the training and equipment shortfalls in the forces not deployed. One billion dollars is dedicated to purchase Army National Guard equipment. If you vote against it, you're voting against $1 billion for the National Guard. You're voting against an additional $750 million for Afghanistan. You're voting against $2.4 billion with a joint IED task force. In procurement you're voting against the very thing that the military wants most, and that is the new vehicle with the V shape which is resistant to IEDs.

Now, let me talk a little bit about IEDs. In the last 4 months, we have lost more troops than any other period during this war. And I am sorry to hear from a friend of mine's wife who called me and said there was a joke on one of the shows last night by a Republican Presidential candidate who said that he brought an IED back and he put it under this guy's desk. That individual owes an apology to every troop that serves in Iraq.

When we go to the hospital, all of us, we see burn victims. We see victims that are wounded badly. And many of us don't get an opportunity to see the families.

I went to Fort Hood, Fort Bragg, and Fort Stewart. These folks are burned out. The truancy rate is up in the schools. The achievement is down in the schools where our troops' children go. One soldier said to me, a first sergeant, a woman, she says, I hate to tell my children I'm going back to Iraq.

They're going back the third and fourth time.

□ 2100

A general said to me, ''I can only take 9 months.'' And we're sending them back to 18; I hear rumors that they are going to extend them to 18 months.

We have an accountability bill, this is called the ''Iraq accountability bill.'' This war has been so mismanaged that we have the responsibility to force the White House to be accountable. The policy is not set by the military, the policy is set by the White House, and we have to hold the White House accountable for the mistakes that they have made.

We will have appropriated $1.2 trillion for the Defense Department in 1 year. We are spending nearly $10 billion a month in Afghanistan and Iraq. We have 126,000 contractors. And it took us 2 months, the committee that funds every cent that is spent in Iraq and Afghanistan had to spend 2 months to find out there were 126,000 contractors. And we told this to the Secretary of Defense. When one of the Members of Congress said, and one of them is making $300,000 a year, one of the contractors, he said, ''That's more than I make.'' Imagine, we've got a contractor making more than the Secretary of Defense makes. We have a contractor that I saw, when I talked to the Cavalry Division that was in Iraq, here is a guy pumping gas, this is what a soldier told me, he gets $25,000 a year, and right beside him was a guy pumping gas for $80,000 a year. This is what I call accountability.

We have to hold the White House responsible for accountability. Why do they have 126,000 contractors? Because we don't have enough troops. Why are they extending the troops to 18 months, possibly?

And finally, they realized they couldn't send them back before they had a year at home. They had to be trained and they had to be equipped. That is what we say in this bill, we say you've got to be trained and equipped.

I had General Pace come up after the last hearing. I said, General, you've got to tell me you're not sending any troops back there untrained and ill-equipped. And I don't know that this conversation made the difference, but a short time later they announced they are going to extend people, and they are not going to send anybody back unless they had a year at home. It is absolutely essential.

I talked to some of the wives at Fort Bragg. I got one story from the hospitals about how the service was there, they were able to get service anytime they wanted, within a week they were able to get service. Then I talked to the wives, the officers' wives, I said, after talking to them for a while, how many of you got service in a week? No hands went up. How many did it take over a month? Half the hands went up. We've got to take care of the people at home.

Let me tell you something, I get fatigued in going to the hospitals. The caregivers that care for them every day, think what they go through. A nurse called me and said you've got to put some money in the bill, and we did, to take care of caregivers to give them some relief. These caregivers see it every day. So we put $6 million in for Landstuhl program. We put $1 million in for Walter Reed, for Brooke's and for Bethesda. They are burned out. The troops are burned out. What we are trying to do in this bill is hold the White House accountable for the policy mistakes that they made.

We went into Iraq without weapons of mass destruction. I believed it. When I went there the first time, I saw a line drawn around Baghdad. They told me they were going to use biological weapons. I believed that. It took me 6 or 7 months to realize we had made a mistake. We went to Afghanistan, it was the right place to go.

I am inspired by these troops, I am inspired by their families; but they are burned out and they are bearing as much as they can bear. When we sit here, and one of the previous speakers said ''we.'' I hear this all the time, ''we're fighting,'' ''we're fighting terrorists.'' We are not fighting terrorism, we are sitting here in an air conditioned place while they are out there in dust.

And let me tell you about the policy in this latest deployment. I worried. I didn't say anything in public, but I worried. When you send 37 different elements out by themselves among the Iraqis, when you've got interpreters who you don't trust, you are going to expect the kind of disasters you just saw. That's the thing that worries me when you don't have enough troops. And one general said to me, he said, ''If you're there more than 9 months, you start making mistakes.'' Imagine what he's saying? He said, ''I question myself after 9 months.'' A psychologist told us, who came before the committee, he said 3 months in heavy combat, 3 months of going out every day and having IEDs, imagine a Presidential candidate making jokes about IEDs when these kids are blown apart? It's outrageous.

Let me tell you something, we owe a great deal of gratitude to these families and these young people who are doing the fighting. It's not ''we'' doing the fighting, it's ''them'' doing the fighting. They deserve accountability from the Congress of the United States, and we are going to demand that from this accountability bill.

Mr. UDALL of Colorado. Mr. Speaker, I will vote for this Defense Supplemental conference report.

Earlier, when the House considered the Defense Supplemental bill itself, I voted for it 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.

And I think the conference report is an improvement on that House bill.

As I said when the House debated the initial bill and again during debate on the motion to instruct conferees, I did not believe it was a good idea for the bill to include a date certain for withdrawing U.S. combat troops from Iraq. So I'm glad that language has been made more flexible in the conference report. It includes a goal of March 2008 for completing the redeployment of U.S. combat troops, and allows sufficient troops to remain to protect U.S. military and civilians in Iraq, conduct counterterrorism operations, and train Iraqi Security Forces. 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.

My vote for the conference report is 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.

But whatever may be said about the wisdom of invading Iraq 4 years ago—and I am one who believed it was a mistake to do so—the fact is that we are still deeply engaged in Iraq. So long as 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 conference report 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 this provision in the House-passed bill has been helpful by showing the Iraqis that American patience is limited.

This conference report is an important step toward what I think must be our goal—a responsible end to the war in Iraq, based on a strategy of phased withdrawal of troops, accelerated diplomacy and redeployment that is based on Iraqi stability and not arbitrary deadlines.

The conference report fully funds our troops, providing $4 billion more for the troops than

the president requested. It honors our veterans, providing $1.8 billion more for our veterans' unmet health care needs, including additional funds for treatment of Post Traumatic Stress Disorder and Traumatic Brain Injury care and research. It strengthens our military, providing $2 billion more to create a Strategic Readiness Reserve and address the serious readiness crisis our military is facing.

It also protects our troops by limiting deployment schedules and setting minimum readiness standards—based on current Defense Department standards—for U.S. troops deploying to the region. The president could waive these requirements but only by certifying in writing to Congress that waiving them would be in the interest of national security.

The conference report also provides $52.5 billion for military operations in Iraq and Afghanistan and provides $9.7 billion for the Afghan and Iraqi Security Forces to help them assume greater responsibility for their nations' security.

And the conference report includes $3.1 billion to fully fund the Pentagon's FY07 request for the 2005 Base Realignment and Closure Commission's recommendations, which is vitally important for Ft. Carson as it prepares to expand and for other military installations in Colorado.

On the non-military side, the conference report includes critically important funding for farmers and ranchers in southeastern Colorado who were recently hit hard by winter storms. Thousands of cattle were killed in storms worse than the October 1997 storm that killed approximately 30,000 cattle and cost farmers and ranchers an estimated $28 million. The struggles that family agriculture producers and small counties face are significant and are having a negative impact on the livelihood of hundreds of farmers and ranchers and their communities. So I am pleased that the Colorado delegation was successful in persuading the conferees to include financial assistance for farmers and ranchers, including for those affected by Colorado's recent blizzards.

Mr. Speaker, many of us who voted against authorizing the President to rush to war in Iraq were worried that while it would be easy to eliminate the Saddam Hussein regime, the aftermath would be neither easy nor quick. Sadly, our fears have proven to be justified. And now, as the Pentagon has finally admitted in its most recent quarterly report, the situation in Iraq is ''properly descriptive of a civil war.''

Insisting on keeping our troops in the middle of that kind of internecine war is not a recipe for victory; it is only a prescription for quagmire. And as a new Foreign Relations Council report notes, we bear responsibility for developments within Iraq, but are increasingly without the ability to shape those developments in a positive direction.

We need to be scaling back our military mission in Iraq. We need to make the U.S. military footprint lighter—not in order to hasten defeat or failure in Iraq, but to salvage a critical measure of security and stability in a region of the world that we can ill afford to abandon.

But as we do so, we must work to avoid a collapse in the region—not only because we have a moral obligation to the people of Iraq, but also because our national security has been so badly compromised by the Bush administration's failures there. The President's decision to take the nation to war has made our country less safe. We need to change course and chart a path that enhances our national security and sets the right priorities for the war on terrorism and struggle against extremists.

This conference report begins to chart this path, and I will support it. I hope the president will reconsider his stated intention of vetoing it.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today in opposition to the conference report to accompany H.R. 1591.

As I have said on previous occasions, Congress has every right to limit the use of appropriated funds. In this instance, I disagree with the manner in which my Democratic colleagues have chosen to do so.

The Iraqi government needs to understand our patience is not unlimited. Indeed, establishing benchmarks could well have a useful purpose in the effort to have the Iraqis take more decisive steps towards autonomy. Making these benchmarks public and tying them to a specific date by which we must begin to withdraw our troops, however, is a mistake. It sends the wrong message to our troops, and it gives the enemy invaluable information.

Along with many of my colleagues, I want our troops to leave Iraq as quickly as possible. Setting a public date by which this must happen, however, will ultimately create more problems than it solves.

Mr. ORTIZ. Mr. Speaker, the way to support the troops is to give them what they need on the battlefield, and what they need when they return home from their service to reset—or rest and fix the force for future missions.

This government must be accountable to our troops and their families, the only people actually carrying the burden for these wars today . . . along with our children, for whom we are leaving the cost.

Today's bill provides much needed money for troops in Iraq and Afghanistan . . . policy that requires accountability from the Administration . . . and funding to heal the readiness of our troops.

It is not the best bill we could get, but you never have a perfect bill.

But the predicament we are in now demands we support this bill.

We have so many emergencies on our doorstep now . . . mostly because the last Congress refused to see the negative impact operations in Iraq had on our military readiness, leaving us vulnerable as a nation . . . and leaving important national business undone.

Support for the troops is entirely about giving them what they need to fight the battles we've committed them to fight . . . and this legislation does just, with one eye on the future . . . something previous Congresses failed to do.

I wish the Congress would have put more energy into readiness oversight over the past 5 years to prevent the current situation . . . but all we can do today is go forward.

I ask my colleagues to join me in supporting our troops—and this funding for them.

Today's bill addresses many of these readiness concerns, with additions above the President's request to support our troops, including:

$2 billion more to address the current readiness crisis of our stateside troops, including ensuring that they are better equipped and trained;

$1.1 billion more for military housing allowances;

$3 billion for Mine Resistant Ambush Protected (MRAP) vehicles for troops in Iraq ($1.2 billion above the President's request);

$1.6 billion for body armor;

$9.7 billion to train and equip Afghan and Iraqi security forces.

It also fully funds the BRAC accounts so communities like the Coastal Bend of Texas—and others adversely affected by base closure decisions—can plan appropriately for that eventuality.

So many Americans are coming home alive—yet traumatized in their minds or bodies—to an extent we have never seen before. The scandalous treatment of heroes at Walter Reed—and the fact that it took a newspaper story to change it—is testament to the gigantic challenges facing military and veterans' health care.

The Supplemental includes funding for new initiatives to enhance medical services for active duty forces and mobilized personnel, and their family members (appropriating $2.1 billion more than the President requested.) These initiatives include:

$900 million for Traumatic Brain Injury care and research and PTSD treatment and research;

$20 million for facility improvement at Walter Reed.

The bill includes $1.8 billion over the President's request to address the health care needs of veterans returning from Iraq and Afghanistan and the backlog in maintaining VA health care facilities, including:

$30 million for at least one new Level I polytrauma center;

$9.4 million in operations costs for new polytrauma residential transitional rehab programs;

$10 million for additional transition caseworkers;

$10 million for blind rehab programs;

$100 million for enhancements to mental health services;

$20 million for substance abuse treatment;

$8 million for polytrauma clinic support teams;

$25 million for prosthetics;

$228.9 million in additional funds to treat veterans from both wars.

This bill is an excellent starting point for this new Congress to begin the long overdue oversight of the defense department. We are far ahead of the past Congresses in giving our troops the true support they need—with appropriate funding and acknowledgment of the strain and burden of Iraq.

While the ideal situation for Congress is for the authorizing committee to determine policy, that's coming very soon. I am grateful to Chairman MURTHA for the extraordinary lengths we've gone to in this bill to protect our soldiers by certifying their readiness, protecting the military readiness of the United States.

While this bill is not perfect, it is an extraordinary first step.

As the Readiness Subcommittee Chair, let me offer the House some perspective on the current state of our readiness:

In the National Intelligence Estimate declassified on Feb. 2, the U.S. intelligence services note that—absent a remarkable reversal of fortunes in Iraq—they find that ''the overall security situation will continue to deteriorate at rates comparable to the latter part of 2006.'' Further, the NIE determines: ''even if the violence is diminished . . . Iraqi leaders will be

hard pressed to achieve sustained political reconciliation in the time frame of this estimate''—which is 12–18 months.

The NIE goes on to say that if the U.S. were to leave Iraq, a greater, wider civil war would erupt, saying: ''the ISF [Iraqi Security Forces] would be unlikely to survive as a nonsectarian national institution, and neighboring countries might intervene openly in the conflict.''

Now, common sense tells me that will be the case whenever we leave . . . today, manana, this summer, next year . . . or 50 years from now. Whenever we leave Iraq, the unclassified intelligence estimate guides us on what we can expect. Our choice is in how long we remain . . . and how many more brave and patriotic volunteers—who carry the battle for this Nation—are lost in Iraq.

Today we have a chance to begin that change—in the purest way we can support the troops . . . men and women, and their families, who are alone in carrying the burden for the Iraq war.

The readiness of our next deployers—our ability to be prepared for current and future threats—is diminished due to the war in Iraq. We've worn out our force and their equipment, and that has huge implications for our ability to handle the threats to come.

The GAO has looked at this . . . and come away saying the Army itself ''cannot determine the extent to which the existing inventory reflects what the Army needs'' . . . and GAO notes that: ''until these strategic and management challenges are addressed, the Army will face uncertain risks should new conflicts occur.''

GAO also reports that all services ''have drawn heavily from their prepositioned stocks to support [the ongoing wars]'' . . . and ''these sustained military operations are taking a toll on the condition and readiness of military equipment and the Army and Marine Corps face a number of long-term challenges that will affect the timing and cost of equipment repair and replacement.''

GAO concludes: ''the Army's decisions today have profound future implications for the entire department and potentially affect our ability to respond to a conflict.''

Last year, Congress established a Commission on the National Guard and Reserves, which has also reported back to us. They tell us point blank: ''DoD's failure to appropriately consider National Guard needs and funding requirements has produced a National Guard that is not fully ready to meet current and emerging missions.''

The Commission says more pointedly: ''The lack of sufficient and ready equipment is a problem common to active and reserve components.

In particular, the equipment readiness of the Army National Guard is unacceptable and has reduced the capability of the U.S. to respond to current and additional major contingencies, foreign and domestic.''

Army Chief of Staff Schoomaker told the Commission: despite the readiness of troops overseas, ''88 percent of the forces that are back here in the U.S. are very poorly equipped today in the Army National Guard.''

The Commission also noted that state governors ''have become increasingly concerned about whether their National Guard forces would be available to respond to emergencies here at home.''

Mr. STARK. Mr. Speaker, I must again make the difficult decision to vote ''present'' on the U.S. Troop Readiness, Veterans' Health, and Iraq Accountability Act.

I support the immediate withdrawal of American troops from Iraq.

I can't in good conscience vote to fund President Bush's War in Iraq. This senseless conflict has already taken the lives of more than 3300 American and tens of thousands of Iraqis. It has undermined the United States' prestige in the world, led to the outbreak of a Shiite-Sunni civil war, and cost us $379 billion. Those funds—and the tens of billions of dollars for the war in today's legislation—would be better spent on education, healthcare and other unmet domestic priorities.

Nor can I can vote, however, against a Democratic majority intent on taking America's Iraq policy in a new direction. I applaud Speaker PELOSI and the Democratic leadership for working toward the withdrawal of American troops from Iraq. My Republican colleagues voting against today's legislation are doing a disservice to both our troops and our security by supporting an open-ended commitment in Iraq. I cannot join their opposition to holding President Bush accountable.

My ''present'' vote is therefore an expression of strong opposition to the war's continuation for even one more day and strong support for the Democratic Congress' attempt to get an arrogant and stubborn President to change course in Iraq.

I urge the President to reconsider both his threat to veto this bill and his insistence on keeping our troops in harm's way. It is long past time for Bush to end a war he should never have begun.

Ms. WOOLSEY. Mr. Speaker, it is with great sadness that I rise today to oppose this Conference Report. Our ultimate goal should be to bring our troops home in the fastest and safest way possible. Unfortunately, this Conference Report does not achieve that goal. I will continue to work with my colleagues to provide for a fully-funded withdrawal and to bring our troops home for the holidays.

Let me make myself very clear. I will not stop, I will not rest and I will not back down in my fight until every last American soldier is home safely with their families.

Mr. BLUMENAUER. Mr. Speaker, by calling for a withdrawal date from Iraq, today the House is making a compromise that marks another stage in the unfortunate struggle with the President to end the war. Yet despite our hard work and the desire of the American people, this bill faces a veto from a President who is out of touch both with what the American people and the Iraqi people want: winding down the presence of American troops who are stuck in the midst of a civil war.

This is not the precise legislation I would have written, but it is a fair compromise that reflects the mindset of Americans who voted for a new direction in Iraq. The U.S. spends $8 billion a month on the war, and Oregon has already lost 54 brave men and women in Iraq. I have opposed the war from the start, and this bill hastens the day when we bring the tragedy of the Iraq War to a close. I urge support for it.

Mr. OBERSTAR. Mr. Speaker, I rise in strong opposition to the rescission of $683 million of highway contract authority that is included in the Conference Report on H.R. 1591, the U.S. Troop Readiness, Veterans' Health, and Iraq Accountability Act, 2007.

The Conference Report provides an additional $683 million for the Federal Highway Administration's (''FHWA'') Emergency Relief Program. Section 4952 of the Conference Report designates this appropriation as an emergency requirement, for which no offset is required.

Despite the fact that no offset is required, the Conference Report rescinds $683 million in unobligated balances of highway funds that have been apportioned to the States. This rescission is highly gratuitous, as it is neither required nor effective as an offset for the supplemental appropriation to the Emergency Relief Program.

Rather than offsetting the supplemental appropriation for the Emergency Relief Program, the $683 million rescission of highway contract authority offsets other spending under the FY 2007 discretionary budget authority cap.

A similar provision was included in the Senate-passed version of the bill. The Senate amendment provided an emergency supplemental appropriation of $389 million for the FHWA's Emergency Relief Program, and rescinded $389 million in highway contract authority.

On April 23, 2007, I wrote to the conferees, strongly objecting to this unnecessary rescission of highway contract authority, and urged them to strike the rescission in conference. Instead, the conferees increased both the appropriation and the rescission to $683 million.

Madam Speaker, the rescission of highway contract authority is the exclusive jurisdiction of the Committee on Transportation and Infrastructure. This rescission violates clause 2 of Rule XXI of the Rules of the House.

Programmatically, I am concerned because of the effect these types of rescissions have on the Federal-aid Highway Program and, specifically, the ability to ensure that our nation's transportation system provides modal choices.

In recent years, the Appropriations Committees have increasingly relied on highway contract authority rescissions to finance non-highway spending in appropriations acts. In addition, more than a dozen states have chosen to apply such rescissions disproportionately to cut contract authority for the Congestion Mitigation and Air Quality Improvement (CMAQ) program, the Bridge program, and transportation enhancement funds.

I am particularly concerned with the treatment of the CMAQ program under these types of rescissions. The CMAQ program provides funding for projects and programs that reduce transportation-related emissions in areas that do not meet Clean Air Act air quality standards (i.e., nonattainment and maintenance areas).

Although CMAQ funds represent only about 4–5 percent of highway apportionments each year, CMAQ funds have accounted for about 20 percent of total highway funds rescinded in recent years. In FY 2006 states rescinded $881 million in CMAQ funds. Almost one of every four dollars rescinded by the States in FY 2006 came from the CMAQ program.

Comparing the treatment of CMAQ to other highway programs further illustrates the disproportionate cuts of these rescissions. In FY 2006, rescissions as a percentage of the total amount made available for programs are:

CMAQ—55 percent.

Interstate Maintenance—12 percent.

National Highway System—7 percent.

The Transportation Enhancements program has also received disproportionate contract authority cuts under the rescissions. The Transportation Enhancements program provides funds for bike paths, pedestrian walkways, historic preservation, and other activities that expand transportation choices and enhance the transportation experience.

In FY 2006, states rescinded $602 million in Transportation Enhancements funds, 15 percent of all rescissions in that year. Texas alone rescinded $223 million of Transportation Enhancements funding and the Texas Department of Transportation stated that it would not fund any transportation enhancement projects in that fiscal year. Texas' actions, which are facilitated by these contract authority rescissions, are directly contrary to our federal efforts to develop a balanced, multimodal surface transportation system.

During consideration of the FY 2004 Transportation-Treasury-HUD Appropriations bill, the Committee faced a similar effort to cut transportation enhancements funding. The bill, as reported by the Appropriations Committee, included a provision that would have prohibited funds from being used for the ten percent set aside for transportation enhancements under the Surface Transportation Program. Subcommittee Chairman PETRI and I offered an amendment to strike the anti-enhancements provision from the bill and the House overwhelmingly passed the amendment by a recorded vote of 327–90. This vote illustrates the tremendous support that exists among Members of Congress for transportation enhancements, the type of program that is disproportionately harmed by highway contract authority rescissions such as the one included in the Conference Report before us today.

Therefore, for both policy and procedural reasons, I oppose the rescission of highway contract authority as a means to offset nonhighway spending elsewhere in the budget.

Mr. Speaker, I believe that this House will have an opportunity to reconsider this decision in a future Supplemental Appropriations bill and I would like to make clear that, with the urgent climate change issues that our nation faces, I strongly oppose efforts to allow the continued raid of CMAQ and Enhancements funding.

Mr. RANGEL. Mr. Speaker, I extend my strong support ''The Small Business and Work Opportunity Act of 2007'' as included in the Conference Report to H.R. 1591. I am glad that both chambers of Congress, in passing this Conference Report, have spoken to the fact that an increase in the Federal minimum wage enjoys broad bipartisan, bicameral support, as does the approximately $5 billion in small business tax relief also included in the agreement.

Passage of the Conference Report is an important step in achieving an important goal—ensuring an increase in the Federal minimum wage for hardworking American taxpayers. The minimum wage has not increased in more than nine years—the longest period in the history of the law. During that time, Members of Congress have received a $31,600 pay raise. More astounding is the fact that an average CEO earns more before lunchtime in one day than a minimum wage earner earns all year.

Raising the minimum wage to from $5.15 to $7.25 an hour over two years would benefit 13 million Americans including 7.7 million women, 3.4 million parents, and 4.7 million people of color, and provide an additional $4,400/year for a family of three, equaling 15 months of groceries, or over two years of health care. It is wrong to have millions of Americans working full-time and still living in poverty, and at $5.15 an hour, a full-time minimum wage worker makes $6,000 less than the poverty level for a family of three.

Americans overwhelmingly support increasing the Federal minimum wage. An Associated Press poll conducted in January showed almost 80% of those polled supported the $2.10 increase. In fact, the House of Representatives overwhelmingly supports increasing the minimum wage, and passed H.R. 2 with 315 votes in favor. The President has also been supportive of the increase. I hope that combining the tax provisions of this bill with a Federal minimum wage increase will encourage the President's quick action on signing these provisions into law without further delay.

The ''Small Business and Work Opportunity Act of 2007'' as included in the Conference Report to H.R. 1591 expands and extends the Work Opportunity Tax Credit (WOTC), which serves as an incentive to encourage employers to hire individuals from targeted groups which typically experience barriers to work. The WOTC provision in the Conference Report offers additional incentives to hire disabled veterans. The Conference Report also extends and expands the increased expensing amounts for small businesses, allowing them to invest in new technology and equipment. And as a complement to the minimum wage increase, the tax provisions of the Conference Report allow restaurants to continue claiming the full tip credit despite any increase in the Federal minimum wage. Finally, the Conference Report provides a permanent waiver of the individual and corporate AMT limitations to ensure that small businesses are fully able to claim the WOTC and the credit for Social Security taxes paid with respect to cash tips.

The Conference Report contains provisions that continue the Federal government's commitment to the still-recovering areas hit by Hurricane Katrina. It would extend the placed-in-service date as applies to special credits designed to encourage development of low-income housing. The extension of this deadline helps accelerate the use of the credits by eliminating the reallocation process that otherwise would be used. The Conference Report also modifies a tax-exempt bond financing program to allow funds to be used to refinance existing mortgages on homes that were damaged by the hurricanes in the area.

Finally, the tax provisions of the ''Small Business and Work Opportunity Tax Act'' as included in the Conference Report to H.R. 1591 are fiscally responsible and fully offset in a revenue-neutral package. Senate Finance Committee Chairman Baucus and I have asked the nonpartisan Joint Committee on Taxation to make available to the public a technical explanation of the bill. The technical explanation expresses the Committee's understanding and legislative intent behind this important legislation. It is available on the Joint Committee's website at *www.house.gov/jct.*

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, due to medical reasons, I will be unable to vote on the conference report on H.R. 1591, the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007. However, if I had been in Washington, D.C. for the vote, I would have opposed this measure.

I believe that Congress is making a mistake with these attempts to substitute the judgment of military commanders in theater with the micromanaging of politicians in Washington.

Furthermore, I do not believe that setting artificial timetables for withdrawal of our forces from Iraq is in the best interests of our country or our military. While there have been mistakes made in Iraq, I believe that enacting this bill into law would have dangerous consequences for our Nation, Iraq, and the Middle East.

The Iraqi government continues to need our strong support as they rebuild their country, and this legislation would turn our backs on that country in its time of need.

Mr. CONYERS. Mr. Speaker, I rise today in support of the conference report on H.R. 1591, the Supporting Our Troops and Veterans' Health Care Act.

This legislation will support our troops and veterans, hold the Bush Administration and Iraqi government accountable and begin withdrawing our troops from Iraq by October 2007 or sooner. It will also provide emergency funding for critical programs that have suffered from years of neglect.

This supplemental appropriations bill provides emergency funding for critical programs that have long been underfunded by the Republicans. It includes $650 million to correct the funding shortfall in the State Children's Health Insurance program so that hundreds of thousands of children will not lose their health care. It provides $6.9 billion for Gulf Coast hurricane relief and recovery. The bill also adds $400 million to LIHEAP (Low Income Heating Assistance), as well as providing $1.8 billion to remedy the unconscionable state of our military and veterans' health care systems. All of these issues are emergencies in their own right and rise to the level of inclusion in this emergency supplemental spending bill.

The U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act requires the Iraqi government to meet the security, political and economic benchmarks established by the President in his address of January 10th, including improvements in the performance of the Iraqi security forces, a greater commitment by the Iraqi government to national reconciliation, and reductions in the levels of sectarian violence in Iraq.

In the bill, the President must determine that substantial progress is being made on security, political, and reconstruction benchmarks by July 2007. If the President cannot certify progress, redeployment must start by July with a goal of being completed within 180 days. If the President can certify progress by July 2007, redeployment must begin by October 1, with goal of completion within 180 days.

The bill ensures that our troops have the tools and resources they need to do the job they have been asked to do. It prohibits the deployment of troops who are not full trained, equipped and protected according to current Department of Defense standards. The President can only deploy unprepared troops if he certifies, in writing, to Congress, that deploying those troops is in the national interest. He must make similar certifications to lengthen troop deployments beyond DoD standards or to send troops back into battle who have not had enough time between deployments. The bill also provides funding so the Veterans Administration can meet the obligations of a new

generation of veterans, particularly by ensuring that they will have the medical care they need.

I have been an outspoken opponent of military action against Iraq since the day the administration started beating the war drums. My preference would have been to vote for a stronger bill with a binding date certain for ending the war. I would have preferred not to include waivers to allow the President to send less than fully equipped and rested troops into battle. I have additional concerns about the section of the bill that allows an unspecified number of U.S. troops to remain in Iraq after the March 2008 deadline to train Iraqis and fight terrorism.

However, I support this legislation in spite of these deficiencies because I believe it is an affirmative step towards our ultimate goal of ending the war. This bill is not everything that I would have liked, but it represents a critical turning point. No longer will this body uncritically hand over billions of dollars for the President to wage an endless war. Congress has a Constitutional responsibility to provide accountability—a responsibility that was shirked for the first 6 years of the Bush presidency while Republicans controlled Congress. Today, we have followed through on that critical duty. We will send a bill to the President that would definitively change our course in Iraq. Mr. Bush should make the right decision and support our plan for change that is overwhelmingly endorsed by the American people. If he follows through on his veto threat, he will be the one who has failed to provide our troops and our veterans with the resources they need. He will be the one who has rejected his own benchmarks to measure success in Iraq. He will be the one responsible for the ongoing loss of American life in Iraq.

The President and most Congressional Republicans ask that we continue to fund this war with "no strings attached." But the United States cannot afford an open-ended commitment to a war without end. It is the responsibility of this Congress to devise a means to end the U.S. combat role in Iraq so that we can reclaim our position of leadership in the world and direct our resources back towards urgent needs here at home. I believe that this bill moves us towards these goals in an effective and responsible way.

Mr. ETHERIDGE. Mr. Speaker, I rise in support of this important legislation. This supplemental appropriations conference report contains vitally important funding for critical priorities and unmet needs. For example, this bill includes $1.7 billion more than the President requested for military health care, including funds to correct the scandalous conditions at Walter Reed and other military hospitals. It includes another $1.7 billion for veterans' health care, $2.5 billion for improving the readiness of our stateside troops and $1.4 billion for military housing allowances. A nation at war simply must provide necessary funds to support our troops.

In addition, this legislation includes $3.1 billion for military construction to implement the BRAC mandates that impact Fort Bragg in my Congressional District and military communities all across the country. It is important to note that the former Republican Congressional Majority failed to pass the military construction appropriations and imperiled these priority projects. This legislation corrects that failure.

Mr. Speaker, this legislation will assert some measure of oversight and accountability to a war policy that has been tragically mismanaged by this administration for too long. We need a new direction to rebuild our military and refocus on the true threat to America from al Qaeda and the Islamist jihadists who attacked us on 9/11. We must deploy our military might to eliminate Osama bin Laden and the true "grave and gathering threat" to America.

We must pass this legislation to send a wake-up call to the President that "Stay The Course" is no longer an option. Denial is no longer an acceptable policy. I urge my colleagues to support a new direction and vote for the conference report.

Should the President veto this bill, as he has indicated, I believe he should then meet with Congressional Leadership to work together and forge a consensus on these vitally important matters.

Mrs. CAPPS. Mr. Speaker, I rise to support the conference report on the U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act.

For more than 3 years, when the President came to Congress to ask for funding for Iraq, the Republican leadership's only question was, "How much?"

When the President wanted to extend the tours of duty for troops already deployed and imposed stop-loss orders, the Republican leadership's only question was, "How soon?"

And when the President decided to send more troops to Iraq in one of the failed surges, the Republicans only asked, "How many?"

Madam Speaker, today we end the era of Congressional fealty to the President's failed policies in Iraq.

Today we stop writing blank checks for this war.

We vote today for a new direction in Iraq.

My constituents know that we can't win this war militarily. They know that it's time to start bringing our troops home.

It's time for the President to stop the rhetoric and work with us to end this war.

Support the troops. Bring them home.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on the conference report on H.R. 1591 will be followed by a 5-minute vote on H. Res. 320.

The vote was taken by electronic device, and there were—yeas 218, nays 208, answered "present" 2, not voting 5, as follows:

[Roll No. 265]

YEAS—218

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
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
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wu
Wynn
Yarmuth

NAYS—208

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lee
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder

LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
McNulty
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Waters
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—2

Emerson
Stark

NOT VOTING—5

Costa
Cubin
Davis, Jo Ann
Lampson
Westmoreland

□ 2127

Mr. YOUNG of Alaska and Mr. PAUL changed their vote from ''yea'' to ''nay.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COSTA. Mr. Speaker, on rollcall No. 265, had I been present, I would have voted "yea."

CONGRATULATING UNIVERSITY OF TENNESSEE WOMEN'S BASKETBALL TEAM FOR WINNING 2007 NCAA DIVISION I WOMEN'S BASKETBALL TOURNAMENT

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 320, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER. The question is on the motion offered by the gentlewoman from New York (Ms. CLARKE) that the House suspend the rules and agree to the resolution, H. Res. 320.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 17, as follows:

[Roll No. 266]

YEAS—415

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

NOT VOTING—17

Baker
Cramer
Cubin
Culberson
Davis, Jo Ann
Feeney
Gohmert
Hunter
Lampson
Linder
McCrery
McKeon
Radanovich
Stark
Waters
Weldon (FL)
Westmoreland

□ 2135

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONGRATULATING THE FAIRBANKS COMPANY

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

Mr. GINGREY. Mr. Speaker, I rise today to congratulate the Fairbanks Company in Rome, Georgia, which is celebrating their 120th year of manufacturing this year. In fact, the Fairbanks Company is the oldest surviving manufacturer in Floyd County, dating back to the plant's establishment in 1987.

Well, much has changed over the past century. The company has seen its original product line of wagon and railroad track scales give way to the current line of hand-trucks, wheels, dollies and platform trucks. In fact, the company was responsible for all of the trucks that serviced the British steamship *Queen Mary* and S.S. *United States*.

But one thing has not changed over the past 120 years, Mr. Speaker, and that is the company's commitment to quality and community. Indeed, the Fairbanks Company is a critical industry in the Rome community, and the company's leaders and workers take exceptional pride in their product and their work.

Mr. Speaker, I ask that you join me in congratulating Fairbanks Company on 120 years of industry in the Floyd County community.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. LINCOLN DAVIS of Tennessee). 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.

IRAQ WAR SUPPLEMENTAL

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

Mr. CUMMINGS. Mr. Speaker, I would like to begin by thanking Speaker PELOSI and Chairman OBEY for bringing the conference report for the Iraq supplemental to the floor. You have shown tremendous leadership in the face of great opposition and criticism.

To my colleagues who joined me in passing this legislation, we have demonstrated to our constituents that we are listening to their mandate.

Five weeks ago, we commemorated the fourth year of the U.S. invasion of Iraq. Today, we move with urgency to end 4 years of bloodshed that has resulted in the death of 3,300 men and women in uniform deployed in Iraq, 59 of those being sons and daughters of the great State of Maryland.

While I opposed the war from the very beginning, I believe we have a duty to redeploy in a responsible manner that protects the Iraqi people and our troops.

Additionally, we have a responsibility to our courageous men and women in uniform, their families, and the American people by putting an end to their incredible sacrifices.

Despite the rhetoric, the President's plan is simply not working. According to a Washington Post report dated April 4, 2007, the number of Iraqi policemen killed across Iraq nearly doubled from 171 in February to 331 in March.

Meanwhile, the numbers of unidentified bodies found across Baghdad are rising again, suggesting an increase in sectarian-motivated death squad killings. Surely, this is not a sign of us winning the war in Iraq; but instead, it is a sign of how the conflict is swiftly tumbling into a civil war that is on the edge of becoming a battle beyond our control.

As Members of Congress, it is our duty to bring President Bush back to reality. Progress in Iraq will not be measured in military terms. The primary solution to many of the crises in Iraq are simply political, in that obtaining bilateral assistance from Iraq's neighbors, the international community and the Iraqis themselves, is a vital step to resolving many of the present conflicts.

Unfortunately, the President views the situation quite differently. Rather than attempting to reach compromise, he has threatened to use his veto power. In doing so, he will be rejecting the benchmarks for Iraq that he himself has repeatedly stated must be reached to resolve this crisis. The President will also be vetoing so much more.

The supplemental provides troops with three things they need to be successful: Training, equipment and rest.

Further, as a member of the House Armed Services Committee, I am particularly proud that $3 billion is provided for the purchase of mine resistant, ambush protected vehicles.

The President should take note that he will be vetoing accountability requirements in the area of homeland security. To that end, the supplemental makes important changes to the Coast Guard's $24 billion, 25-year Deepwater contract to prevent the development of assets that simply do not work.

Further, the supplemental will require the Coast Guard to identify both the staffing structure it needs to manage Deepwater, and the training that acquisitions oversight staff will require to be effective.

Having chaired two oversight hearings involving Deepwater, and having worked with Chairman OBERSTAR, chairman of the full committee, to conduct an investigative hearing into Deepwater, I know that the significant problems that have been experienced with this contract have arisen at least in part due to the decision of the Coast Guard to move forward with the program before they had the staff, expertise, and management systems in place to ensure effective oversight.

Finally, I strongly support these provisions and look forward to building on them in the Coast Guard reauthorization which we are drafting. If this supplemental is not signed and if we fail to override the veto, we will start from scratch, forcing us back to the drawing board. However, I will not give up or give in. It is time to bring our troops home

PERSONAL EXPLANATION

Mr. COSTA. Mr. Speaker, I ask unanimous consent to address the House regarding rollcall No. 265.

Mr. PRICE of Georgia. Mr. Speaker, reserving the right to object.

Mr. COSTA. Mr. Speaker, I simply want to note for the RECORD that I had voted previously for the supplemental measure, and that if I had been here at the time, I would have voted ''aye'' on rollcall No. 265. It is consistent with my previous vote on this measure. While this measure is imperfect, I think on balance it provides the benchmarks the President has recommended. It also provides disaster relief that I think is necessary for many areas of the country that have experienced disaster that the President has so designated in his own message, and I want the RECORD to note that I would have voted ''aye'' on rollcall No. 265.

□ 2145

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

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

INTERVENTIONIST FOREIGN POLICY

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

Mr. DUNCAN. Mr. Speaker, no country has ever done as much for another country as the United States has done for Iraq. We have spent hundreds of billions rebuilding their infrastructure, providing police protection, building hospitals and clinics, schools, and water and power plants, giving free medical care, hiring hundreds of thousands of Iraqis and on and on. All of this in a country that had a total GDP of only $65 billion the year before the war was started.

In spite of all this generosity, a huge majority of Iraqis, 78 to 80 percent by almost every poll, wants us to leave. They want our money, of course, but not our presence, except those who are working for us. But there needs to be some limit to our generosity.

We need to start putting our own people first. If we do not, we are soon not going to be able to pay all the Social Security and military pensions, and all the other things we have promised our own people with money that will buy very much.

Governments all over the world have gotten in this situation. They then start printing more money, and people do not realize what is going on. All they see is each year their pensions buy less than the year before.

Today we have a national debt approaching $9 trillion. Even worse, according to the GAO, we have unfunded future pension liabilities of $50 trillion.

We all love and respect our military, but there is waste in any gigantic bureaucracy, and there is huge waste even in the military. A year and a half ago, it was reported by the Defense Department's own inspector general that $35 billion had been misspent in Iraq due to waste, fraud and abuse, and another $9 billion had simply been lost and could not be accounted for at all.

Not only has the U.S. done more for Iraq, we do more for every other country, by far, than does any other Nation. Almost every Federal department and agency has operations around the world.

Liberals will tell you that our foreign aid is only a little over 1 percent of our budget. This is very misleading. We are spending megabillions in other countries when you add up not only the Defense Department but all the other departments' spending, too.

We all love and appreciate our country, but all of this spending is not helping. There is more resentment than ever toward the U.S. because of our interventionist foreign policies.

President Bush campaigned in 2000, saying that we needed a more humble foreign policy, and that we should not be doing nation-building. Interventionist foreign policies and nation-building are not only causing resentment toward us, but we simply cannot afford them if we are going to pay our Social Security and other promises a few years from now. You can still love this country and be a very patriotic American and oppose interventionist foreign policies.

We cannot afford perpetual war just because defense contractors and people at the top levels of the Pentagon always want more and more money. All of this is stated more articulately by two conservative writers, Jacob Hornberger, president of the Future of Freedom Foundation, and Richard Ebeling of the Foundation for Economic Education.

Mr. Hornberger wrote: ''If Americans come to realize that the Federal Government's philosophy on foreign aid, foreign intervention and empire lies at the heart of foreign anger, resentment, and hatred for America, then they will see that another option is available to them: End the motivation for terrorism by putting an end to the U.S. Government's role as international welfare provider, intervenor, and meddler.

''The interventionist and imperial vision will inevitably lead to more terrorism against Americans, less freedom for the American people, and more power for the Federal Government. It is a vision that will inevitably lead us away from the principles on which our Nation was founded.''

He continued, ''The contrary vision, a vision based on liberty, free markets and limited government, is the key to peace, prosperity and harmony for the American people. That vision entails ending the U.S. Government's interventionist and imperial role in the world and limiting it to protecting our Nation from attack or invasion.''

Mr. Ebeling wrote: ''Two wrongs do not make a right. That America does things abroad it should not is not an excuse or rationale for what happened on September 11. But the United States will continue to create desperate and fanatical men who will view it as the enemy for as long as it interferes into the affairs of other people in other nations. That means there is no end to this 'war on terrorism' as long as the United States follows the foreign policy'' of recent years. ''Ending U.S. foreign political and military interventionism is the only way to reduce the creation of enemies of America in other lands.''

He continues, ''Ending the policy of foreign internventionism is also crucial to protecting our freedoms at home.

''Who will guard us from the guardians is the perennial dilemma. When the crisis has passed there will be new government agencies and bureaus with new government employees who will look around for new justifications and rationales to keep their jobs and expand their budgets. They will have powers to intrude into our lives that they will want to use in ways not originally intended. And even more of our freedoms will then be at risk.''

IT IS TIME FOR THE PRESIDENT TO STOP TALKING AND START LISTENING

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

Mr. McDERMOTT. Mr. Speaker, the bill we just passed has the weight of a feather. It is very weak on setting a date to get our soldiers out of Iraq. If anything, this legislation bends in the wind as a sign of flexibility by the Democratic Congress to work with the President.

And yet a piece of legislation so inherently weak has provoked so many attacks from the White House that its real value may be proving to the American people that the President is out of touch and out of control.

The President's military escalation has only escalated the body count, but he claims we are making progress. Mr. Speaker, tell the President we are not making progress. We are making widows and widowers. The bloody awful war must end now, but the President is in total denial.

How many more must die before this President opens his eyes to reality? We are not seeding democracy. We are spilling blood into the soil, and what is growing is hatred for America, contempt for the President's military occupation and the killing and maiming of America's next generation.

What will the President say to the 82nd Airborne when his rationale for continuing this war is irrational? This heroic, distinguished unit of American soldiers has suffered its worst single day of casualties since the Vietnam War.

Mr. Speaker, what will the President say; we are winning? There will be bad days in Iraq? We are making progress? Mr. Speaker, tell the President we are not making progress. We are digging graves to bury mothers and fathers and sons and daughters, all patriotic Americans, all of them sacrificed needlessly.

They marched off to war, and tens of thousands of Americans are coming home in coffins and on stretchers. The American people have had enough of this bloody, worthless war, but the ways of Washington are not as wise and as pragmatic as the will of the American people.

Today, we passed a weak-kneed piece of legislation that this President will cut off at the knees. The President will emerge from his reality-proof bunker just long enough to veto the bill. He will make a speech and what will he say? My way or no way.

The stroke of the President's veto pen will be like a knife cutting away any hope of reason or sanity for ending this bloody, God-awful war.

The President has retreated to a bunker where he cannot hear the American people, the Iraqi people, our soldiers, military experts and world leaders who keep telling him that the Iraq War will never end until we end it by withdrawing our soldiers and demanding diplomacy.

The American people want their government to listen. The American people want this President to stop ordering soldiers into the crossfire of civil war. The American people want our soldiers home and out of harm's way.

I voted for this Iraq bill today, knowing it will never become law. But I voted for the Iraq bill today because the weight of a feather can sometimes support the resolve of a Nation.

This piece of legislation is the smallest step down the right road, the only road available to leaders who can truthfully assess the reality on the ground in Iraq and respond with reason.

Some will say we are sending a message with this bill, but I think differently.

I believe the President will be sending a message to the American people when he vetoes this bill, a bill so flexible that it could barely stand on its own. The President's veto message will be that he refuses to listen, refuses to change, refuses to work with Congress and rejects the will of the American people.

The President said America will still be at war in Iraq when he leaves office in January 2009. That ought to be America's worst fear. And the only way to overcome it is for the American people to demand that the Republicans vote with the Democrats to overturn any Presidential veto that perpetuates the war any longer. And if Republicans will not do it, then elect someone who will.

The American people have spoken in November and they have said, get out of Iraq. It is time for the President to stop talking and start listening. Bring our soldiers home and leave Iraq to the Iraqis.

THE FUTURE OF OUR COUNTRY

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

Mr. BURTON of Indiana. Mr. Speaker, I am really distressed after listening to all the debate today. I have not seen this House split like this in the 25 years that I have been here, and I am really concerned not only about the future of Iraq and our troops over there, but I am concerned about the future of this country.

After 9/11, we were told by the President that this was going to be a long, arduous war against al Qaeda and that we had to go after terrorists around the world, wherever they are. Al Qaeda has attacked the USS *Cole*, as has been mentioned. It has attacked our embassies in Africa. It has attacked our residences in Saudi Arabia. It has attacked in Britain. It has attacked in France. It has attacked in Spain. They are not going to go away.

Al Qaeda, according to General Petraeus today, he mentioned them about five or six times, is one of the major adversaries that we face today. In fact, the new military leader, or war leader, this is the successor to al-Zarqawi, who was killed in 2006, a member of al Qaeda, is al-Muhajer, an al Qaeda leader who is now the head of the military wing of al Qaeda and the terrorist movement in Iraq. They have stated that they want to create an Islamic state and they are hell-bent to do it.

Al Qaeda, they are the ones that attacked the World Trade Center and killed 3,000 Americans. They are the ones that flew the plane into the Pentagon. They are the ones that attacked the plane and it flew into the ground in Pennsylvania, al Qaeda.

And they are the ones that apparently, according to the majority, are going to drive us out of Iraq, and if they do, my concern is that that will be a breeding ground and a launching pad for terrorism not only in the Middle East but around the world. I really have a concern about that, and if that happens, I think that what will happen is we will be involved in a much, much bigger war down the road.

We may be, if we pull out of Iraq, and I have no doubt that the opposition is going to push like the dickens to get it done, if we pull out of Iraq before the job is done, and I have sympathy for our troops and their families and everybody else, but if we pull out of Iraq before the job is done, I think we may very well be sowing the seeds for World War III. And as I have said on this floor a number of times and have talked to my colleagues, appeasement and weakness leads to horrible things.

Lord Chamberlain, going to Munich and talking to Hitler and appeasing him, led to 62 million people dying in World War II. We are now in a nuclear age. We have people who will blow themselves up in order to get their aims. They do not want to live. They want to die. They want to be martyrs.

Can you imagine what will happen if Iran develops a nuclear program and they have briefcase nuclear weapons? They will blow themselves up with a nuclear weapon. As I said earlier today, two blocks from here they could ignite one of those bombs, and it would kill all of us. They could do it two or three blocks from the White House, and it will destroy completely an eight-square-block area and radioactive fallout will be all over the place, killing tens of thousands of others.

I am really worried, and I hope my colleagues will think long and hard about not only today or yesterday, but the future. If we don't deal with this problem correctly now, if we don't let al Qaeda know that they can't win, then I believe the problems down the road are going to be much more severe, and thousands, maybe hundreds of thousands, and maybe millions of people will die as a result of the wrong decision we are making right now.

□ 2200

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

(Mrs. MCCARTHY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE SITUATION IN SUDAN, IN SUPPORT OF H. CON. RES. 7

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

Mr. WYNN. Mr. Speaker, I rise today to address the growing crisis in the Sudan. Today, earlier today, the House passed House Concurrent Resolution 7, an important piece of legislation that calls on the League of Arab States to acknowledge the genocide in Darfur, to support the U.N. peacekeepers and to work with the U.N. and the African Union to bring peace to the region. I am proud to have been a cosponsor of this important legislation, and I thank the House leadership for its attention to this crisis.

An estimated 200,000 noncombatant civilians, including women and children, have been murdered by the janjaweed militia fighters supported by the Sudanese government; 450,000 people have been killed in the conflict. To date, 2.5 million villagers in the Darfur region have been displaced from their homes. Most Darfurians live in camps today.

There is no question that the acts of the janjaweed militia and, by extension, the government of Sudan constitute a level of violence that can only be described as genocide. But now that violence has spread. With the splintering of rebel groups into as many as 12 factions, there is increasing rebel-on-rebel violence with the possibility of return to all-out war.

The African U.N. has deployed nearly 7,000 troops to the region. Last year the United Nations Security Council authorized a peacekeeping force of 22,000 U.N. troops for Darfur. Those peacekeepers, unfortunately, are still not in place due to the resistance of the government of Sudan.

Today, U.N. negotiations with Sudan continue in an attempt to add at least 3,000 U.N. peacekeepers to the existing 7,000 African U.N. peacekeepers, and to allow the U.N. to use helicopters to safeguard peacekeepers and the refugees they protect. The Bush administration has suspended its pending sanctions against Sudan at the request of the U.N. to give these negotiations time to work.

I hope that these negotiations will be successful, and that the peacekeepers can be effective in ensuring that there is no further loss of life and that international aid can get to those who most desperately need it. Humanitarian access to refugees is decreasing, due to the administrative foot dragging by the Sudanese government. Humanitarian groups are under increasing pressure due to restrictions placed on them by the Sudanese government, as well as the deteriorating security situation.

We must ensure access for humanitarian workers and continue provide to funding and support that they need to perform their lifesaving mission. The conference version of the appropriation bill approved by the House just a few minutes ago included over $360 million in peacekeeping and disaster assistance for the victims of this crisis. That includes $44 million in international disaster and famine assistance funding for immediate lifesaving needs of victims of the Darfur crisis, including health care, access to water, sanitation and shelter, $150 million for additional food assistance in Sudan and eastern Chad.

Most of the humanitarian groups now operating in Sudan are doing so supported by the U.S. Government, with money provided by U.S. taxpayers. We must work in cooperation with the United Nations and with our friends and allies around the world to stop these horrific crimes and to provide a essential aid to the victims of this conflict and to bring peace to the region.

We must be prepared to keep the pressure on. The emergency supplemental that we just passed calls on the Secretary of the Treasury to prepare a report on companies that do business in Sudan and determine whether the U.S. Government is currently doing business with them. The point is, that if the time comes for sanctions, Congress will be ready. Congress is also calling on Sudan's neighbors to acknowledge the genocide in Darfur and to take steps to stop it.

The bill we passed today calls on the Arab League to declare the systemic torture, rape and displacement of innocent civilians in Darfur as genocide. The Arab League must support and accept U.N. peacekeepers to ensure an end to hostilities and the safe passage of humanitarian aid. The Arab League needs to engage the U.S., African Union and Sudanese government to bring lasting peace and stability to Darfur.

I am very proud to have supported this legislation, as well as the conference report, and look forward to working with my colleagues to help bring a peaceful future to Sudan and peace to the lives of the Darfurian refugees.

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

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

SMALL BUSINESS WEEK

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

Mr. CONAWAY. Mr. Speaker, Monday, April 23 of this year marked the beginning of Small Business Week, honoring small business owners and their employees for their dedication and hard work that has helped to ensure that this Nation continues to remain a strong leader in the global economy.

This week, we celebrate their countless hours, their commitment to their families, communities and our Nation. The 11th district of Texas boasts a large number of successful small businesses and, combined, they have labored extraordinarily to establish themselves as a backbone of our economy. They have provided numerous jobs, endless opportunities, and sustained economic growth.

Mathis Field Cafe in San Angelo, Texas, is one of the small businesses that I am proud to represent in Washington. Mathis Field Cafe employs 26 people, specializing in serving authentic Chinese cuisine. It was founded by two Chinese immigrants in 1988, Sam and Rose Ng, who are now United States citizens running this very successful small business.

It is small establishments like this one in the 11th District of Texas that I proudly represent and that I want to honor and thank for their tireless efforts day in and day out. Steady pro-economic and pro-business policies encourage job growth and allow our small businesses to thrive. I expect to see cafe and other small businesses in District 11 reap the benefits of our strong economy and give back. This week we honor all small businesses alike.

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.)

IN MEMORY OF SERGEANT WILLIAM W. BUSHNELL

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

Mr. BOOZMAN. Mr. Speaker, I rise today to honor the memory of a fallen Arkansas hero, in fact, a true American hero, SGT William W. Bushnell of Jasper, Arkansas.

Sergeant Bushnell was a member of the 1st Cavalry at Fort Bliss. Sadly, he died from his wounds this past Saturday after his vehicle was hit by a rocket-propelled grenade.

Sergeant Bushnell's father, Wesley, told the Associated Press, ''Billy served proudly in the airborne infantry. That's what he wanted to do when he joined and proud to do it. His shoulder was hurt a while back, and he went to a hospital in Kuwait. All he could think about was getting back in with his comrades in Baghdad.''

This is the type of commitment towards others we can be so very proud of, to his fellow soldiers and commitment to his country.

My prayers, the prayers of my family, and the prayers of Arkansas are with the Bushnell family. I humbly offer my thanks to Sergeant Bushnell for his selfless service to the security and well-being of all Americans.

IN MEMORY OF ROSCOE LEE BROWN

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

Ms. WATSON. Mr. Speaker, it is with great sadness and a deep sense of loss that we received the word of the passing of Roscoe Lee Brown on April 11, 2007. Mr. BROWN was a distinguished Californian whose deeds and life merit the grateful acknowledgment of his community, his State, the Nation and the world.

Roscoe was born on May 2, 1925, in Woodbury, New Jersey. He graduated from Lincoln University in Pennsylvania in 1946, earned his post-graduate degree at Middlebury College, and did graduate studies at Columbia University.

In college, Roscoe was also a star athlete, winning the world championship in the 800 meters in 1951. After finishing his college and post-graduate career, Roscoe returned to Lincoln, where he taught French and comparative literature.

At a dinner party in 1956, Roscoe announced his decision to become an actor, auditioned for and won a role in Julius Caesar the next day at the newly formed New York Shakespeare Festival, and found his life-long artistic passion, performing five more roles with that company.

In 1961, Roscoe appeared with James Earl Jones in the original off-Broadway cast of Jean Genet's landmark play, ''The Blacks.'' He won an Obie for his role in ''The Old Glory,'' received the Los Angeles Drama Critics Circle Award for both ''The Dream on Monkey Mountain'' in 1970, and ''Joe Turner's Come and Gone'' in 1989.

He wrote and directed ''An Evening of Negro Poetry and Folk Music,'' 1966, returned to Broadway in Tommy Tune's 1983 ''Kicking the Clouds Away,'' and earned a Tony nomination in August Wilson's ''Two Trains Running.'' That was 1992.

In 1962, Roscoe made his debut in films, appearing in ''The Connection.'' He has also appeared in ''The Comedians'' in 1967; ''Up Tight!'' in 1968, Hitchcock's ''Topaz'' in 1969, ''The Liberation of L.B. Jones,'' ''Superfly,'' ''Uptown Saturday Night,'' ''Logan's Run,'' ''Legal Eagles,'' ''The Mambo Kings'' and ''Dear God.''

Roscoe's television career included memorable appearances on all the top 1970 sitcoms, including ''All in the Family,'' ''Maude,'' ''Sanford and Son,'' ''Good Times,'' and ''Barney Miller.'' He replaced Robert Guillaume on ''Soap,'' and in 1986 he won an Emmy guesting on ''The Cosby Show.''

His resonant baritone was heard in documentaries, live-action fare and animated films, as well as the spoken-word arena with such symphony orchestras as the Boston Pops and the Los Angeles Philharmonic. For many years he and actor Anthony Zerbe toured the United States in ''Behind the Broken Words,'' an evening of poetry and dramatic readings.

Roscoe Lee Brown was a person of exceptional talent and accomplishments. He was among the first generation of African-American actors who sought to ply their craft during a period that rarely acknowledged or provided opportunity to persons of color.

It can truly be said that the Denzel Washingtons and other younger black actors in movies and television stood on the backs of giants like Roscoe Lee Brown, who blazed a trail for them through perseverance, hard work, and uncommon displays of exceptional talent.

May he rest in peace.

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 Pennsylvania (Mr. TIM MURPHY) is recognized for 5 minutes.

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

□ 2215

A SAD AND SOBERING DAY FOR AMERICA

The SPEAKER pro tempore (Ms. CLARKE). Under a previous order of the House, the gentleman from Georgia (Mr. PRICE) is recognized for 5 minutes.

Mr. PRICE of Georgia. Madam Speaker, this is a sobering and sad day for America and for the House of Representatives. The Iraq supplemental war bill came to the floor this evening. It is a bill where the President had requested the resources of the American

people to support American men and women in harm's way nearly 11 weeks ago. The bill that came to the floor tonight had that amount of resources, and then some. It had over $20 billion in extra money, Madam Speaker, money that nobody could honestly say with a straight face was appropriate in an emergency supplemental bill.

In addition to that, it also had all sorts of timelines and arbitrary benchmarks that make it so that the Speaker of the House and every single Member of this House is in fact a commander-in-chief.

There was celebration on the other side of the aisle when this bill passed, muted. I would suggest, Madam Speaker, it was a little embarrassed, because they understand in their heart what they have done. What they have done is a shameful action, Madam Speaker.

General Petraeus came to visit the Congress today. General Petraeus is the Commander of Coalition Forces in Iraq. General Petraeus and his men and women are putting their lives on the line, day in and day out.

He came to the House today. He came to Congress today to ask for clarification of what Congress had intended. He asked for the opportunity to inform the House of Representatives, the Members of the House. And from what I heard this evening, Madam Speaker, the majority party didn't listen and they didn't learn. All they have done, apparently, is to work on legislation that will ensure defeat.

Madam Speaker, this majority party is vested in failure. Vested in failure. Their actions do a disservice to our troops. They say to our troops, we have got no faith in you. We don't believe in your mission. We don't believe in you. That is what this majority party says.

They send the wrong message to our allies. What they say to our allies is that you can't trust America. America's word is not good, given this majority party.

And they send the wrong message to our enemies. What they say to our enemies is, all you have to do is wait.

Madam Speaker, this is a sad and a shameful day. The majority leader in the United States Senate has said that this war is lost. ''This war is lost.''

I stood with parents of a constituent of mine this weekend, Madam Speaker, this past weekend, who was on his way to Iraq that very day. They asked me, what am I supposed to say to my son? It is a heart-wrenching question, Madam Speaker, when you have the majority leader in the United States Senate saying that the war is lost. It is in headlines across this Nation that the majority leader says this war is lost.

Madam Speaker, I think it is incumbent, given that kind of statement by the majority leader in the United States Senate, for the House Democrat leaders to come down to this floor and say what they believe. Do they believe the war is lost? Do they agree with Senator REID?

Madam Speaker, their silence is deafening. Do you hear them? What do they say? Are they here tonight? Are they here to say what they believe about our troops? Are they here to say that they believe in the men and women who are protecting our freedom and working as hard as they can to protect themselves?

Madam Speaker, this Democrat silence is deafening. What a shame. What a terrible shame.

Madam Speaker, it pains me and it saddens me to say what appears to be leading these new Democrats is the same as the old, and that that it is all politics all the time. What a shame.

30–SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Connecticut (Mr. MURPHY) is recognized for 50 minutes as the designee of the majority leader.

Mr. MURPHY of Connecticut. Madam Speaker, I am very pleased to be able to kick off what I hope will be a very interesting hour. Every week we try to get together at least once as members of the 30-Something Working Group at the pleasure of the Speaker of the House to talk about some of the most pressing issues, not only to this country at large, but in particular to the young people of this country. I appreciate the Speaker giving us this opportunity.

We are hopefully going to be joined today by some of the veteran 30-Something Members, but we are going to kick today off with Mr. ALTMIRE of Pennsylvania and myself and our special guest today from New Hampshire, young-at-heart PAUL HODES.

Madam Speaker, I think the gentleman from Georgia is right on one point at least, that this is a sobering week here in the halls of Congress. We have had a lot of bad news this week. We have mourned the death of far too many young people at Virginia Tech. We have mourned the loss of one of our own here on the House floor. We are wrapping up a month in which we have seen 86 more soldiers die on the battlefields of Iraq amidst a growing civil war, a war now that has cost over 3,300 lives, 24,000 wounded and $379 billion spent.

Our friend who just gave the final 5-minute speech on the other side of the aisle suggested that the silence was deafening from the Democratic side tonight in this Chamber. Well, we were talking all day. We were talking last week and the week before. There was no silence on this side of the aisle. For the first time, for the first time, this Congress picked its head up out of the sand to realize what is really happening over in Iraq.

You can talk all you want about failure and defeat and victory, but you have got to be a little bit clear about what we are talking about over there, because maybe we entered into a fight with an army commanded by Saddam Hussein, but we have now got ourselves mired in what is a civil war.

Madam Speaker, I got the chance, along with five other Members of this body, three Republicans, three Democrats, to go over to Iraq and Afghanistan a few weeks ago, and we asked the generals on the ground a very simple question: Of all of the fire that you find yourselves in the middle of on the streets of Baghdad, tell us what percentage of that which is directed at U.S. forces is a fight from insurgents directly against the United States, and tell us what percentage of that fire is sectarian strife, Sunnis and Shia fighting each other.

I have to tell you, listening to the other side, you would have no clue that the answer was 90 percent. Ninety percent of the fire directed at U.S. forces is simply by virtue of us being in the middle of what has become a civil war there.

So you can continue to bury your heads in the sand while we talk about this tonight, but we choose not to. We chose to side with the American people, 60 percent of whom say unequivocally that they want a timetable to bring our troops home. We sided with the Iraq Study Group, some of our top foreign policy leaders in this country, Republicans and Democrats, who unanimously stood up to say it is time to redeploy our forces. We stood with some of the brightest and most courageous military generals.

We have come to the position that it is de rigueur for generals to speak out against the war, because it seems that there is a new one coming out and talking about the tragedy of this war every day. Well, this didn't happen up until the Iraq conflict. You have never seen this number of former military men standing up and suggesting we need to set a different course.

So maybe this is a little bit of a quiet room tonight after a very long day, but, yes this was a loud and boisterous hall earlier tonight, because for the first time in a long time, this Congress stood up and excerpted the will of the American people.

Before I kick it over to Mr. ALTMIRE and Mr. HODES, let me just quickly talk about what we did here today.

You want to talk about supporting the troops. Let's talk about the fact that this bill had every dollar that the President asked for in it, and more. And more. We put in more money to make sure that every single troop has the equipment, the protection, the armor that they need.

This bill has $1.7 billion in additional money beyond what the President asked for for veterans, $1.7 billion beyond what the President asked for for healthcare for our existing armed forces.

You want to talk about supporting the troops, then you better look at the words and the numbers in this bill, balls what the President wanted, he got, and we put more on top of it to

make sure that every single soldier is taken care of on the battlefield, and when they return to this country, they are not just given average healthcare, but they are given the gold standard of healthcare when they come back here.

What we did on that bill was for the first time suggest that this commitment cannot be open-ended. For Mr. HODES and Mr. ALTMIRE and myself, we have gotten the opportunity over the last few weeks to go back and talk to our constituents, and you are having to turn over a bunch of different rocks as time goes on to find people who are still willing to say that we should have absolutely no end to our commitment there. That we should do virtually nothing to force the Iraqis to stand up for themselves.

Let me give you one important quote from this week. Folks on the other side of the aisle will say that this timetable is somehow harming our efforts there. They maybe should speak to our own Secretary of Defense, who just this week said this: ''The strong feelings expressed in the Congress about the timetable probably have had a positive impact in terms of communicating to the Iraqis that this is not an open-ended commitment.''

Our own Secretary of Defense, the spokesman on matters of war for this President, says that our discussion here about ending our open-ended commitment, about forcing the Iraqis to stand up for themselves, has had a positive effect. So to our friends on the other side of the aisle, they might want to check with the administration before they cast aspersions on the work that we are doing here.

The last thing to say. The last thing to say. We better put some definition on what war we are fighting here. I know Mr. HODES wants to say something about this as well. This is not a war for us that needs to be fought between two sectarian parties in Iraq. This is a war on the people that attacked this country. Maybe some people on the other side of the aisle haven't noticed, but the people that attacked this country came from Afghanistan, a country that we have left behind.

We had a chance to visit Afghanistan just a few months ago, and we found that the Taliban is in a resurgence there. We found that the new power player in the Middle East, Iran, is starting to meddle in the affairs of Afghanistan, in part because we haven't put the money and the troops and the resources and the infrastructure dollars behind our effort there to make sure that it is a self-governing country.

We have got fights all over the globe that this country needs to be a part of if we really want to talk about making this country safe. So when we talk about redeployment, we mean it. It is not just about withdrawal. It is not just about taking every single troop who is over there and bringing them home to their families. We would love to do that. There is not a single one of us who hasn't spent an amount of time with the National Guard and the Reserve troops that have been so heavily stressed by these multiple deployments. There is not one of us who has not sat with active duty families who have seen their family members deployed once, twice, three times, over to Iraq and Afghanistan.

We would love to bring every single one of them home. But we know that the reality of this new world order is that we have got to have a much more global view. We have got to make sure that we have the troops necessary to be committed all over the globe, to make sure that we recognize how broad the threat to this country is today.

That is not what we are doing right now. That is not what we are doing. In fact, what we have done is created a safe haven for terrorists. We have created what our own intelligence community calls the cause celebre for the Islamic extremist movement in this world, to find shelter in Iraq, to breed, to train, and then to present an even greater threat to this country.

So, yes, Madam Speaker, there was a little bit of celebration on this side of the aisle when we passed this bill tonight. Not because this isn't the most serious subject that this House will face over the next 2 years. It certainly is. We take that as a grave responsibility that it so deserves. But because it is about time that we picked our heads up out of the sand and said in our gut, in our conscience, we cannot allow our military forces to continue to be the referee of a civil war. And in our gut and in our conscience and in our head we know that this fight is broader than just what happens on the streets of Baghdad. This is a global fight against the people that took us on, and by redeploying those forces, by doing the right things by the soldiers who are on the ground in the middle of this civil war, by making a commitment as strong as ever to our troops and to our veterans, we finally, we finally, started imposing a foreign policy that will guarantee the security of this country, not just for the next week or the next month, but decades and hopefully centuries.

Madam Speaker, I would like at this point to yield, if I could, to a good friend and one of our new 30-Somethings, the gentleman from Pennsylvania, Mr. ALTMIRE.

□ 2230

Mr. ALTMIRE. I thank the gentleman from Connecticut. And I wanted to spend some time talking about what this bill actually does, because I heard some rhetoric during the debate from the other side that I couldn't believe I was hearing, because it had nothing to do with the facts of what's really in this bill. I heard Members stand up and say that the goal of the Democrats is to cut the funding for our troops and cut and run and do an immediate withdrawal. And none of that is in this bill. That is not what we voted on today.

And the great thing about democracy, the great thing about this House, the House of Representatives of the United States is that we have people who represent every side of the political spectrum. And there are a handful of Members who feel so strongly about this issue that they feel we need to immediately cut the funding and immediately withdraw our troops and bring them home. And they are very vocal. And what's interesting about that group is they didn't support this bill. The people who feel so strongly that we need to cut the funding and bring our troops home immediately voted against this bill, along with the Republicans.

So when I hear Members on the other side talk about what our goals are, and then I think of the fact that they are the ones that voted with the people who want to bring our troops home immediately and immediately cut the funding, that leads me to believe that perhaps they didn't read the bill closely enough, or maybe there's just some rhetoric that's being thrown around that they know is not true.

And what I would suggest to my colleagues, and certainly to the American people, is you look at what is in this bill. And we've talked about this before when we passed the first bill before it went to conference. We give the President more money than he asked for. The conference report that we voted today, 4 billion more dollars to go to Iraq and support our troops than President Bush asked us for. That's not cutting the funding. That is supporting our troops.

We increased funding for the Department of Defense health care facilities to make sure that situations like Walter Reed never happen again. We increased funding for the Veterans Affairs health care system to make sure that we have adequate coverage for our Nation's veterans, because, as we have talked about many times on this floor, there is no group that should stand ahead of our Nation's veterans when it comes time to make funding decisions.

And this bill, for now the fourth time in 4 months, we have voted to increase funding for the Veterans health care system, and not continue the past 6 years of chronic underfunding for the VA health care system.

And finally, this bill does, in fact, add some accountability to the process. The only remaining leverage that we have left in Iraq, almost 4 years to the day after we were told the mission was accomplished, that date was May 1, the only remaining leverage we have left is our presence there.

The gentleman from Connecticut talked about how he was in Iraq, and I don't want to put words in his mouth, but I am sure you spoke to some of the leadership over there and experienced the fact that the Iraqi government has not stepped up to manage their own affairs and administer their own government. In fact, they have failed miserably in that action, and they show no

sign of being willing to step up to the plate. And the only leverage we have to make that happen, and that is the only solution to this conflict, is a political solution. There's no military solution because, it has, as you said, degenerated into a civil war. The only leverage we have there is our presence there. And until we say, loud and clear to the Iraqi government, that our presence there is not open ended, that we do consider this to be a situation that they need to step up, administer their own affairs and run their own government, nothing's going to change. And we did have, 4 years ago today, an announcement that the mission was accomplished; and we'll be here next year and the year after and the year after, and we'll still be waiting for the Iraqi government to step up unless we take affirmative action to add some accountability, which is what we did in this bill today.

So I'm going to give it back to the gentleman so he can talk to Mr. HODES momentarily, because I know he's chomping at the bit to say what he has to say. And I'm looking forward to hearing it myself.

But I just want to be crystal clear, this bill, in no way, represents a cut in funding for our brave men and women who are serving us in Iraq. It has more money in it for our troops, direct aid for our troops, than the President asked for. Make no mistake about that.

So at this point I would yield back to the gentleman from Connecticut.

Mr. MURPHY of Connecticut. I want to read it one more time, Mr. ALTMIRE, just because it backs up everything you said. I want to read it one more time. Secretary Gates. ''The strong feelings expressed in the Congress about the timetable probably have had a positive impact in terms of communicating to the Iraqis this is not an open ended commitment.'' I mean, that's worth saying again, because for all the rhetoric that we get about what we are doing here and what kind of impact it has in Iraq, we have our Secretary of Defense telling us exactly what has been our intuition for years; that the only way, Mr. ALTMIRE, just like you said, the only way for us to exert any pressure on the Iraqis to stand up for themselves, to get their military shop in order, to get their civil shop in order, to get their political stop in order, is to tell them that we are not going to be the crutch that they can rely on in the long run. We've recognized that here for a very long time. Our Secretary of Defense now joins us in that.

And at this point I would like to turn it over, yield to Mr. HODES.

Mr. HODES. Well, I thank my friend from Connecticut and my friend from Pennsylvania for being here. You know, I'm on the something side of 30, but we are all new Members here tonight. And we came here, in large part, because the American people are way ahead of the politicians in this country. And the American people have had it with this exercise in Iraq. In overwhelming numbers, they, in their wisdom, have had it, and they spoke loud and clear to that in November of this year and that, in large part, is why we, and many of our colleagues, are now privileged to serve in the House of Representatives.

And what we have done today in passing the Iraq accountability bill is truly historic. And it started here in the House; it went to the Senate through the wisdom of our founders. There was a conference of House and Senate leaders. The bill came back here in slightly altered form. And now, as we sit here tonight, speaking about this bill, it's on its way to the desk of the President of the United States. And the President of the United States has a choice to make about the direction of this country. He, now, has a choice to make. He has a choice to make about supporting the troops. He has a choice to make about holding the Iraqis accountable, as he said he was going to do. He has a choice to make about supporting our veterans. He has a choice to make about supporting our wounded, whose care has been a disgrace, as many of us have seen. The President of the United States has these choices to make.

Now, we have had a lot of rhetoric in the chamber today, and our colleagues on the other side of the aisle called this shameful. They accused us of weakening America. They essentially questioned our patriotism. They said we didn't support the troops, and that is poppycock. It's disinformation. It's not true.

We all, whether we are Democrats or Republicans, and I know this is true of the people in this country, care deeply about this country. And what we want to see is an America with real strength that is protecting the real security of the American people, and that is leading the world, as we once did, as the most credible of nations, as the nation which, in World War II, stood up to lead the fight against fascism, and then had the courage to put Nazis on public trial in the Nuremberg war trials because we were strong enough to have a transparent due process system. We weren't afraid. And we shouldn't be afraid in resolving this conflict in Iraq, in acting with the real strength that means real security.

Now, our brave troops have done everything that we've asked of them. They fought through an invasion, and after that, it was an ill advised invasion, but then, through the incompetence and mismanagement of this administration, they have been left in the quagmire of a civil war.

And I want to turn now to the words of somebody with far more military experience than me, to talk about the effect of what we have done here in the Congress tonight. Major General John Batiste, United States Army Retired, said, this important legislation sets a new direction for Iraq. It acknowledges that America went to war without mobilizing the Nation, that our strategy in Iraq has been tragically flawed since the invasion in March 2003, that our Army and Marine Corps are at the breaking point with little to show for it, and that our military, alone, will never establish representative government in Iraq. And Major General John Batiste said, the administration got it terribly wrong. And I applaud our Congress for stepping up to their constitutional responsibilities because this Congress, as Major General John Batiste has recognized, unlike the rubber stamp Congresses that have preceded us for years now, is finally the accountability Congress. We are holding our government accountable by passing the Iraq accountability act, which forces the Iraqi government to take responsibility for their own stability.

We are into the fifth year of this war. Hundreds of billions of dollars, and still, no progress on reforming the Constitution.

What about reconciliation? What about all the ministries in the Iraqi government fighting amongst themselves? What about the Sunni/Shia divide that al-Maliki does not seem to want to face and deal with? The Sunnis and Shiites killing each other, and our troops in the middle of it.

So we hold our government accountable to our troops, to our returning soldiers and our veterans. This accountability Congress has held oversight hearings to investigate government mismanagement and corruption in Iraq. We found, for instance, in oversight hearings, that this administration shipped $12 billion of cash over to Iraq without accounting for it, and gave it away to Iraqi ministries to use as they would, without ever asking for a single shred of accounting. No paper trail, no nothing. We're restoring accountability to contracting, ending the massive waste caused by no bid contracts.

And the contractors in Iraq, just so we are clear, on this, we now know that, in addition to the 150,000 troops, give or take, currently in Iraq, there are 126,000 private contractors. And as John Murtha so eloquently talked about the floor tonight, we've got a situation where our brave soldiers are standing there, they are making $25,000 a year, let's say they are pumping gas and doing some security details. And next to them there's a private contractor making $80,000 a year doing the same job. Some of these private contractors, we heard, are making $300,000 a year. That's more than any government official in the United States government. And you want to know where our billions and billions of dollars have gone.

So we're restoring some accountability to government with the Iraq Accountability Act tonight. We're restoring openness and transparency to government, to repair the fabric of our democracy that has been undermined in the course of this administration.

So this President does have a choice to make tonight. And I think of the

words of Zbigniew Brzinski, the former National Security Adviser, who called this war an increasingly immoral, futile exercise in presidential hubris, because, my friends, I'm sorry to say that the President of the United States has said that he's going to veto what Congress has passed. He is going to essentially turn his back on the will of the American people. He's going to go against the advice of retired generals in droves who've come out to talk about the reality. And I believe the American people are going to be disappointed in that veto because they want a new direction in Iraq. And that is the course we have set tonight. I'll kick it back now to Mr. MURPHY.

Mr. MURPHY of Connecticut. Well, thank you very much, Mr. HODES. The three of us are new Members. We came here on that tidal wave of increasing popular angst against this war. And this place shouldn't be dictated just by what happens in elections, but elections have to mean something. When the people get a chance to go out there every 2 years and weigh in on the direction of their Federal Government, they have to feel, at some level, like what they say matters.

□ 2245

And, Mr. HODES, I mean you are right. When they pick up the paper whatever day it is going to be when he actually vetoes this, the feeling inside, that voter who thought they went out and cast a courageous vote for Mr. ALTMIRE or Mr. HODES or Mr. MURPHY who decided to make a change when it doesn't happen very often that you have a change like this, maybe once every decade or every two decades, well, they are going to lose just a little bit of faith in this process. And every day that we continue to have an administration that refuses to honor where the American people want the course of this war to go, which, as we have said over and over again, it is not just the American people but it is the American people being backed up by generals, being backed up by the foreign policy community, the Iraq Study Group, there is a little piece of democracy that dies every day that that happens.

Let me just bring up an additional topic here. When I got out into Baghdad on the day that we were in Baghdad, what we saw was the escalation in progress. What the escalation essentially is, is it is asking these soldiers who are on their second or third tour of duty over there, who would normally do 12-hour shifts patrolling these incredibly dangerous streets, trying to dodge sniper fire, trying to keep clear of the increasing number of IEDs, roadside bombs, now those troops, after the 12-hour shift, aren't going back to safe barracks; they are lodging themselves in the neighborhoods, in some of the most dangerous, war-torn neighborhoods of Baghdad. They are living in bombed-out buildings with little or no electricity or running water, in squalid conditions. That is what the escalation is.

Now, if this was a fresh round of troops, if this was a group of young men and women who were there for the first time, maybe you could understand putting them in that position. But that is not what this is. Twenty-three percent of all the troops who are being deployed right now are National Guard and Reserve troops. Eighty-eight percent of those National Guard and Reserve troops are so poorly equipped that they are rated not ready right now. That is from the Washington Post, about a month back.

We know that the number of Active Duty and Reserve brigades in the United States that are considered combat-ready, zero. None of them. We have maxed out our military. We have asked, Mr. HODES, as you said, our men and women to do everything we have asked them to do, and we have got to start asking ourselves the question, have we asked them to do too much?

One day they are in the middle of a firefight. The next day they are sitting down and trying to mediate a dispute between two rival neighborhood groups. The day after that they are overseeing the construction of a water filtration plant. They are, within a 3-day period, being asked to be fighters, diplomats, and civil engineers.

Having gotten to spend a couple days on the ground with these folks, they are by all measure the best people that we could send over there, the bravest, the most capable. If there is anyone in this world that could do this job, I know it is them. I knew it intuitively from back here in the United States. Having spent a few days on the ground, you know it from the moment you talk to them. But we have maxed them out.

And why I try to get here as often as I can to hear Mr. MURTHA speak here on the floor is because there is no better in talking about this subject than Mr. MURTHA. He said it here tonight: There is no one more in touch with the troops than he is. And our danger is not just in asking them something they may not be able to do, but permanently damaging the capability of this military going forward.

Mr. HODES. Madam Speaker, the interesting thing about what this bill does, I mean the reality of what it does, is it gives this President an opportunity, it gives him a fabulous opportunity, to face reality, as a leader should, and understand that he is being given the opportunity for a new direction, for a new direction that is tough and smart, and smart about our security, because it is designed to make sure that our interests in the Middle East are taken care of in a responsible way. The American people know that. They want us to be responsible in the way we resolve the situation in Iraq.

Major General Paul Eaton addressed the notion of why this is so responsible when he said, ''This bill gives General Petraeus great leverage for moving the Iraqi Government down the more disciplined path laid out by the Iraq Study Group. The real audience for the timeline language is Prime Minister al-Maliki and the elected Government of Iraq.'' Because it gives the general, it gives the President, the leverage to say, folks, it is time that you stepped up, to say to Prime Minister al-Maliki it is time you stepped up. Are you serious about reconciliation? Are you serious about the political stability that Iraq needs? Are you serious about the economic stability Iraq needs? Are you serious about it, or are you just waiting because we are going to be there forever? Because right now, the President has made an open-ended commitment, and this bill responsibly puts an end to that open-ended commitment.

Now, the folks on the other side of the aisle have said, time and time again, that this somehow weakens us because it gives notice to our enemy, whoever that may be. They say it is al Qaeda. We are in the middle of a civil war. There is some al Qaeda there to be sure. What Major General Paul Eaton said is, ''The argument that this bill aids the enemy is simply not mature. Nobody on the Earth underestimates the United States' capacity for unpredictability. It may further create some sense of urgency in the rest of our government, beginning with the State Department.''

Because we have got to ask, where are the diplomats? Where are the diplomats? There are some provincial reconciliation teams on the ground, working around the country and they are talking about more. But where have been the diplomats? Where has been the diplomatic effort that everybody acknowledges is really what is necessary to bring some stability in the Middle East?

Why did it take Speaker PELOSI to go to Syria to begin some dialogue? Because everybody recognizes that we have got to talk to people, even those who are our enemies in this complex world in the 21st century.

So this bill gives the President, it gives the generals, the leverage to forge a new direction.

Mr. MURPHY of Connecticut. Madam Speaker, I want to yield to Mr. ALTMIRE in a second.

But let me just underscore this to say none of us are happy to be in this situation. Myself, I think that this is the best course. I think that we need to set in law a sense of when our commitment is going to end there. The only way we will finally complete the training of our military and our Armed Forces within the Iraqi community is to give them a sense of when they will have to stand up for themselves.

Now, at the same time, there is no perfect option. In fact, there may be no good option here. We all have to admit at some level, Republicans and Democrats, that we have gotten ourselves into a mess here that there is no pretty way out of. And that is part of what government hasn't been pretty good about talking about. This administration, it is all about black and white to

them. It is good or evil. It is right or wrong.

There is a lot of gray, and we created most of that gray by being the bull in the china shop there. But what we put forward today, what the majority of this caucus supported this afternoon and this evening is not the perfect, and it is probably not even the good, but it is the best that we can do in a very bad situation. And it is certainly the best that we can do by the brave men and women who are fighting.

So as proud as we are, I think, Mr. HODES and Mr. ALTMIRE, standing up today and finally getting our head out of the sand and putting some direction in what has been a directionless conflict, at the same time it is a sobering day because we all admit, especially as new Members who didn't participate in the lead-up to this very troubling time, that getting ourselves out of it isn't going to be an easy process and it is not going to be a very brief process.

With that, I will turn it over to Mr. ALTMIRE.

Mr. ALTMIRE. I thank the gentleman from Connecticut for yielding.

I want to talk about what these charts mean that the gentleman from New Hampshire is holding up next to where he is speaking. These are examples of generals, people who have seen firsthand what is happening on the ground in Afghanistan, people with the utmost military experience, who have said clearly, without ambiguity, that the President's course of action is wrong. And the course of action that we took today here in this House is endorsed by these generals. And this is a further example of the President's not listening to anybody but himself and his very, very close circle of advisers, any of whom, if they differ from him, find themselves reassigned or out on the street. And for some reason, the President doesn't listen to his generals. He doesn't listen to the Iraq Study Group.

You will recall, and I would like to remind my colleagues, that he said, when the Iraq Study Group formed and was going about their business of studying this situation and coming up with their report, that he was going to pay attention to what they said and take some of their advice. Well, unfortunately, the report came out and was promptly discarded by the administration, and they did nothing about what was in the Iraq Study Group.

Now, some of the things that were talked about that we should engage in diplomacy with countries like Iran and Syria, we know where the President stands on that. He is not going to change with that. The Iraq Study Group recommended that we do set a timeline on our activities to increase our leverage with the Iraqi Government, as I talked about earlier. But the President chose to discard that. He chose to discard what his generals on the ground said. Those that disagreed were reassigned, and some of them now, as Mr. HODES has pointed out, are saying that what we are doing is the right course of action. But what is most important and what is most relevant for what we did today in this House, the President is ignoring the American people.

We have all seen the polls about where the American public feels about this. But we shouldn't legislate by polls; we should legislate based on we are elected Representatives of the American people. There are 435 districts in this House, each of whom has a voice, and it is our responsibility as Representatives to go back into our districts, listen to what our constituents have to say on these issues of critical importance, return here on a day like today, debate the issue the entire day, come back at 11 o'clock at night and we are still debating the issue. But we took a vote and we had to put it on the line, yes or no, where do you come down on this issue? The Congress has spoken. At least the House has spoken. The Senate is going to speak in the next day or two.

And I want to make one thing clear. Let there be there be no discussion about this. If the Senate passes the conference report, which we expect, and sends this bill to the President, as Mr. HODES said, he has a decision to make. He can either sign that bill and provide the troops the funding that they need to continue the mission, or veto the bill and deny them the support that they need. That is his choice. The Congress has spoken on that.

So when any Member of this House has one of their constituents come up to them and say, well, when are you going to give our troops the money that they need to continue this fight? Well, we did it today. The answer to that question is we did it today. The Senate is going to do it tomorrow, perhaps the following day.

Then the President has a decision to make. And if he chooses to veto that bill, the troops' funding will be delayed. But that won't be because of us. That will be because of a decision that was made down the street at 1600 Pennsylvania Avenue.

Mr. MURPHY of Connecticut. Madam Speaker, reclaiming my time, I want to make sure everybody knows that there are no hard lines in the sand in this House. And, in fact, the bill that we voted on today is different from the bill that we voted on about 2 weeks ago. In fact, what this House voted on, and what many Members insisted upon several weeks ago, was a hard deadline in the sand that said that we had to be out of Iraq by next spring or, at the latest, next fall. And many of us stood up and said, for the reasons we talked about tonight, that in order to get the Iraqis to finally stand up for themselves, we have got to give them that sense.

The bill that we voted on today in an effort to bring the President to the table, to get him to sign a bill that puts every dollar he asked for, and, more for troops and veterans was a goal. It was a goal. Now, there are a lot of us who wanted to see more than a goal. All of this is an effort in compromise. But that goal even is apparently objectionable to this President. And I have a feeling that this House will move again and will try to come up with yet another means of resetting our policy and our course in Iraq that is acceptable to this President.

□ 2300

So if anybody has any idea out there that the House of Representatives is just saying X and the President is just saying Y, no, we're trying to make that effort. And you know what? People are going to look in the paper this morning and see a vote that has a lot of Democrats voting for it and a lot of Republicans voting against it. Lest they think that that's been the case day in and day out here, in fact, it's been the exception to the rule in how we have conducted ourselves in this House. The 100 hours agenda, making changes on our economic policy, our health care policy, our national security policy, our homeland security policy had record numbers of Republicans. We stood together and we have stood together on everything from the minimum wage to stem cell research to even the budget.

So we have made great progress, I think, in this House on bringing back together some of that partisan divide. Lest people look up at the vote that we took tonight and think that we didn't honor our pledge to really start to bring that back together, I think we have in large part.

And I think that's important to say because I know, Mr. HODES, that as important as it is to the new Members to get Iraq right, to get health care right, to get energy right, it's also really important for us to start bridging some of the gaps here. And it pains us when these things do hit party lines, but on something as important as Iraq, the vote is what the vote is. And we'll get back to building those bridges as soon as we get beyond it.

Mr. HODES. I thank the gentleman.

You know, I was hopeful that we could bring both sides of this House together on this bill because our goal is a common goal, to achieve real strength and real security for America.

We all honor our troops. We have a difference in opinion, apparently along party lines primarily, about how best to achieve that. Our friends on the other side of the aisle, and the President, apparently, think that an open-ended commitment and putting more troops into a city of 7 million people into a civil war is the way to do it. We believe that there is a smarter way to help the Iraqis step up and to achieve that security.

Let me just talk briefly about what this bill does, because it really does three important things. First, it adopts the military's own guidelines for troop readiness, training and equipment. We've been sending our soldiers without the right equipment, without adequate training, and without enough

rest between deployments. They're stretched. They've been deployed two times, three times, four times. The length of their deployments have been stretched. And we've adopted the military's own guidelines to say that before troops are sent to Iraq they must be properly equipped, they've got to be trained, they've got to be ready to go.

I can't understand why the President would veto a bill that adopts the military's own guidelines for troop readiness. Because by his veto, he will therefore be rejecting the military's guidelines for troop readiness. He will be saying to the American people, I am perfectly satisfied with sending troops that aren't ready into combat.

The second thing this does is it fully funds the troops, as we have said. In fact, it provides $4 billion more than the President asked directly to the troops. So if he vetoes the bill, he will essentially be saying I'm vetoing, I'm rejecting funding for our troops. I am rejecting the funding that he asked for. I don't understand how he will do that, but that's what his veto will mean.

And finally, we provide a responsible way to redeploy that actually answers the concerns that people had about flexibility for our military commanders on the ground. Because what we do is we set a date based on benchmarks for the Iraqis that the President himself set out in a January 10 speech for the beginning of a strategic redeployment, and we give the military commanders the flexibility on the other end to reach the target goals. So if the President vetoes his own announced benchmarks for the Iraqis, I just don't understand it because he will be vetoing what he said in a speech to the American people on January 10 as his idea about what the Iraqis ought to be doing for themselves. He set the benchmarks, and now he said that he intends to veto his own benchmarks. It's beyond me to understand why he's going to veto what he said he wants to do.

If I can just go on for one more moment. I want to talk about some of the other money in this bill because this is really important. People have complained, I've heard it at home, about what they think is excess domestic spending in this bill. But here's what this bill does in terms of funding that is related to supporting our troops.

This bill provides $3 billion more for mine-resistant ambush-protected vehicles for troops in Iraq.

Mr. MURPHY of Connecticut. That doesn't sound like pork.

Mr. HODES. That's not pork. This bill provides $2 billion more for a Strategic Reserve Readiness Fund to meet the troops' readiness needs.

Mr. MURPHY of Connecticut. That doesn't sound like pork either.

Mr. HODES. That's not pork either.

It provides $1.1 billion more for needed military housing. Does that sound like pork?

Mr. MURPHY of Connecticut. That doesn't sound like pork to me, Mr. HODES.

Mr. HODES. The bill honors our returning veterans by providing $2.1 billion more for military health care than the President requested, including $900 million for post traumatic stress disorder and traumatic brain injury care and research, and $661 million to prevent health care fee increases for our troops. Because what they are now facing under this President's policies is getting sent off to war to fight for their country and coming home to find that their health insurance costs more, that the military health system is too overloaded to take care of them, and that the veterans' system has been overloaded beyond capacity.

Now, if the President vetoes these increases for the veterans and wounded warriors that his policies have created, it will be something that I don't understand and I don't think the American people are going to understand. And so he has a challenge in front of him. He has a challenge and a choice to make. And maybe between now and when this bill hits his desk, he will have one of those moments on the road to Damascus and decide that he will face the reality and do right by our troops, do right by the American people, do right by this country and set a new direction in Iraq.

I will kick it back to you, Mr. MURPHY.

Mr. MURPHY of Connecticut. We've got a few minutes left, so I'm going to throw it over for some closing remarks to Mr. ALTMIRE.

Mr. ALTMIRE. I wanted to change the subject here just momentarily here, if I could, here at the end and just mention something, because unfortunately, since we're not in session on Monday due to the unfortunate funeral that many of our colleagues are going to be attending for one of our colleagues, I wanted to mention the fact that Monday is going to be Paul Hayes, the House reading Clerk's last day. Paul has been here for 20 years, and to many viewers around the country of C–SPAN, he is the voice of the House of Representatives. I was going to do a 1 minute on Monday, but I will just do it today because we're not going to be in session on Monday and just say what an honor it has been for me, Paul, to be able to spend a few months as a Member with you here.

I was a staffer, as Mr. MURPHY knows, on Capitol Hill for 6 years in the early 1990s, and we used to watch Paul Hayes at work. And it has just been a great experience for me to come back as a Member of Congress and briefly be able to, for about 4 months, to be able to serve and work with you, Paul. So I just wanted to say congratulations, and we wish you all the best.

Mr. MURPHY of Connecticut. Well, it pains me to admit that I spent far too much of my life watching this House from a distance. And so I share those thoughts and I am so glad Mr. ALTMIRE would bring that up on this day.

With that, before we end our hour, we're going to allow our honored guest, who we hope is joining us for the first of many visits with the 30-Somethings.

As our veteran Members abandon us, our new Members step up. And Mr. HODES, if you might inform folks how they might find us via e-mail and via the Web.

Mr. HODES. Well, as I said at the beginning of the hour, Mr. MURPHY and Mr. ALTMIRE, I'm on the ''something'' side of 30, but I am glad to be with you because I am hoping that we, together, have brought an energy to this Congress that really has set a new tone and will help us set a new direction for this country, not just on the war on Iraq, but on health care, on energy, on education and all the policies that the American people want us to get to work on and we've been working hard on.

Before we go, I do want to say that Speaker PELOSI's 30-Something Working Group can be e-mailed at 30somethingdems@mail.house.gov. The 30-Somethings, whom I am now a proud guest, being on the something side, can be visited, and here is the Web site address on this chart, www.speaker.gov/30something/index.html.

So I invite everybody who has been working tonight to visit the 30-Something Web site for information on what the agenda for America is that Democrats have been working on. And I thank you for the opportunity to be with you.

Mr. MURPHY of Connecticut. Thank you very much. I thank the Speaker for giving us this opportunity once again.

THE FUTURE OF MEDICINE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BURGESS) is recognized for 50 minutes as the designee of the minority leader.

Mr. BURGESS. Madam Speaker, I come to the House tonight to talk about something that isn't number one or number two or perhaps even number three on the list of things that people are concerned about, it is number four, it is health care, health care in our country that is provided by the private sector, that is provided by the public or the government sector. It is a debate that we will be hearing a lot more about as we get deeper into a year that's going to be consumed by presidential politics.

Right now in our country we have an amalgam, if you will, of health care, part paid by the government, part paid by the private sector. I am oversimplifying for the purposes of debate, but the public or government sector, in pure dollar amounts, accounts for about 50 percent of the health care expenditures in this country. The private is sector insures about 160 million Americans, and that is roughly 50 percent of the lives covered by private insurance in this country. And we will have the debate, as the presidential

year unfolds, more government, more private sector. But tonight, what I really want to do is focus on the physician workforce, the physician workforce that we have now and the physician workforce that we might expect to have in the future.

Alan Greenspan, about a year and a half ago, right as his last days at the Fed were winding down came and talked to a group of us one morning, and inevitably the question came up about Medicare. In fact, we saw the trustee's report yesterday; everyone is concerned about the funding for Medicare, the future obligation that is there in Medicare. And Mr. GREENspan was pretty circumspect, he said, ''At some point I expect the Congress to deal with the problem of funding.'' And then he went on to say, ''What concerns me more is will there be anyone there to provide the services when you want them?'' That really struck a cord with me. And in fact last month, the month of March, back in my home State of Texas my Texas Medical Association puts out a periodical every month called ''Texas Medicine,'' and the cover story was in fact dedicated just to that concept, ''Running Out of Doctors.'' And the thrust of the article is how do we keep the medical students that we graduate from Texas schools, how do we keep them practicing in Texas, particularly in the high-need areas in Texas? And concentrating on the physician workforce is what I want to do during this discussion, in the time that I have available for the discussion this evening.

My perspective, of course, 30 years ago I graduated from medical school in Houston, Texas, so I do have the perspective of looking back over the last 30 years. But I also want us to look over the horizon to the next 30 years. What about the young man or woman who is graduating from medical school this year, what kind of world do they want to find themselves practicing in? What type of practice environment do they want to see that we have laid out for them 30 years from now? It is going to be important that we take the correct steps today in order to provide the correct practice environment 30 years from now.

Since we're talking about the physician workforce, the part that the government pays for is paramount, that is critical. And really the thing that I want to focus on of that government sector is the pricing and the payment schedule in the Medicare program itself.

□ 2315

Medicare, a good program, just celebrated its 41st or 42nd birthday. We had the second anniversary of the prescription drug benefit part D, which in my first year here we passed in 2003 and was added on in the year 2006.

Medicare is an integrated program. Part A is the hospital, part B is the doctor's care, part C is the Medicare, what is now called the Medicare Advantage Plans or the HMOs, and part D is the prescription drugs. But while it is an integrated program, the funding for Medicare actually exists in funding silos.

If we look at the comparative payment updates from the year 2002 to projected 2007, you see that there is something wrong with this picture. And what is wrong with the picture is that physician reimbursement in part B is significantly lagging behind the payment updates for the Medicare Advantage Plan's hospitals and nursing homes are shown on this graph. And there is a reason for that. It is really not a very difficult reason: Medicare Advantage Plan's hospitals and nursing homes receive every year essentially a cost-of-living update. It is a market-basket update that they receive based on the cost of inputs from the previous year. CMS has actuaries that go back and figure this out: What did it cost the hospitals to provide the care that they delivered to our seniors?

Part B is calculated differently. Part B is what is described as a volumetric formula. It weights volume and intensity. But basically you have a fixed amount of money, a finite pie, that if more and more people are submitting claims, the slices get progressively smaller. And in 2002, you can see there was a big drop. The reason 2003, 2004, 2005 are not a downward projection is because in fact at the last minute, Congress swept in and said we are going to do something to prevent this from happening. And, in fact, doctors got a modest update in 2003, 2004, 2005. 2006 doesn't really show up because that was a zero percent update.

Now, Madam Speaker, I have not been in Washington all that long, but I have learned some of the parlance and the lexicon that we use here. And in any other Federal program or any other federally funded program, if you are held to a level funding or a zero percent update for that year, anyone else would regard that as a cut. But we told the doctors that was great, you are going to get a zero update for that year and you will be happy for it.

Projected for 2007, if we don't do something, is going to be a substantial decrease. Once again, we may very well ride in at the last minute and do something to blunt the effect of that; but year in and year out, this problem continues; and the real insidious part of this is the dollars to fix the problem get higher and higher every year.

Last year I introduced a bill to just simply do away with the SGR and replace the SGR with a market-basket update. It is called the Medicare Economic Index. And it is not my idea; a group called MedPac, a Medicare Payment Advisory Commission, worked this out in actuarial fashion some years ago. And the Medicare Economic Index would in fact provide a 2 to 2½ percent update for most years based on the cost of input for the physicians providing the services to the patient.

The cost last year scored by the Congressional Budget Office of replacing the SGR formula with the Medicare Economic Index was $218 billion. Clearly, that is a lot of money, and it disrupts any budget that either party might put up there. So, as a consequence, I didn't get a lot of activity on that bill last year. It is still important to do. And every year that we delay doing something, and even those years that we come in and it looks like we fixed it a little bit, we actually just compound the problem and make it worse in subsequent years.

So in just very general terms for this evening's talk, we have got a lot of people who are going to be joining the Medicare generation. As the baby boomers age and retire, the demand for services is going to go nowhere but up. And if the physician workforce trends continue as they are today, we may be not talking about funding a Medicare program, we may be talking about there is no one there to take care of the seniors.

In my home State of Texas, the number of physicians between 1995 and 2005 increased by 46 percent or nearly 5,000. Okay, that is good, it went up. However, the State is still below the national average, the national average being 230 physicians per 100,000 population. In Texas the ratio, even with the increase, is 186 to 100,000 residents.

The American Academy of Family Physicians predicts serious shortages of primary care doctors in five States, including Texas, and says that all States will have some level of family physician shortage by the year 2020. The Council on Graduate Medical Education, a congressionally authorized entity, estimates that after 2010, growth in the physician workforce will slow substantially; and after 2015, the rate of population growth will exceed the rate of growth for the number of doctors. In other words, we won't be keeping up anymore. At the same time, the demand is only going to increase year over year, resulting in critical shortages, particularly in primary care, but the reality is all specialties may well be affected.

So my thesis, my proposition, is that Congress needs to approach this sort of as a three-pronged attack or a three-pronged solution to mitigate this shortage for the future, to improve payments to current doctors, keep them in practice longer, improve Federal assistance to medical students, encourage students to go into high-need specialties, and increase the number of residency training programs, particularly in rural and suburban areas, and keep the physician pipeline open.

To do that, I am going to be next week introducing three bills to deal with those three areas. The first, to insure the physician workforce, really deals with the Medicare funding and the SGR. You talk to doctors my age, those who graduated from medical schools 30 years ago, and their concerns are really consistent. They are concerned about the liability environment, which is not part of tonight's

discussion but one that we certainly need to have and I hope we do have in this Congress this year. Their concern is the year-over-year reduction in payment that the Center for Medicare and Medicaid Services comes up with for physician reimbursement. And it is not just a question of doctors wanting to make more money; it turns to be a real patient access problem, because there is not a week that goes by that I don't get a letter or fax from someone who says, you know what, I have just had enough and I am going to retire early, I am no longer going to see Medicare patients in my practice, or I am going to restrict the procedures that I offer Medicare patients.

Unfortunately, I know that is happening because I saw it in the hospital environment before I left the practice of medicine to come to Congress. But I also hear it in virtually every town hall that I do back in my district. Someone will raise their hand and say, How come on Medicare, you turn 65 and you have got to change doctors? And the answer is, because their doctor found it no longer economically viable to continue to see Medicare patients because they weren't able to pay the cost of delivering the care, let alone making any money on top of it. They weren't able to cover the cost of providing the care.

So in the bill to address that, the bill that I introduced last year, again, just simply repealed the SGR outright. The difficulty that I had with that was, again, just the cost was too high. But if we do that over time, perhaps we can bring that cost down to a level where it is manageable.

Getting the payment policy right in Medicare is going to be the first order of business for preserving the physician workforce. Paying physicians fairly will extend the careers of many physicians who are now in practice who would otherwise opt out of the Medicare program, seek early retirement, or restrict those procedures that they offer to their Medicare patients.

It also has the effect of insuring an adequate network of doctors available to older Americans as this country makes the transition to the physician workforce of the future.

In the bill, the SGR formula, this volume-based formula would be repealed in 2010, 2 years from now, but also provide incentive payments based on quality reporting and technology improvements to protect the practicing physician against that 5 percent cut that is likely to happen in 2008 and 2009. That would be voluntary. No one would be required to participate in the quality program or the technology improvement, but it would be available to those doctors or practices who wanted to offset the proposed cuts that will occur in physician reimbursement in the 2 years until the formal repeal of the SGR happens.

Now, why do it that way? Why not just bite the bullet and let's go ahead and get the SGR out of the way and get it repealed? Remember, it costs a tremendous amount of money to do that. Another problem that we have in Congress is we are required to submit all legislation to the Congressional Budget Office to find out how much it costs. If we are going to be spending the taxpayers' money, how much are we going to spend? Over what time will we spend it?

So that is not unreasonable, but because of the constraints of the Congressional Budget Office, we are not allowed to do dynamic scoring. We all knew, for example, when we began the prescription drug benefit 2 years ago, that if you deliver medications in a timely fashion, the timely treatment of disease, you are going to get better patient outcomes. And, in fact, that is what the trustee's report for Medicare that was released yesterday, although it still shows that we have got a big problem in paying for Medicare, the actual outlays for Medicare were down. And the reason they were down, I suspect, is a compendium of things; but part of it is treating disease in a timely fashion, not always catching it at the end stage but treating it at the beginning, you are going to end up with more functional individuals, to be sure, so they are going to continue to be productive in society. But the overall cost of Medicare is going to go down.

Unfortunately, we can't do that look-ahead with the Congressional Budget Office and say, you know, I think if we do this, we are going to save some money. So give me credit for that against that SGR score that you always rate my bill with. They won't and they can't do that.

So by postponing the repeal of the SGR by 2 years' time, taking the savings that occurs during that time and applying it to the SGR formula, actually may give us a number that is doable as far as releasing the SGR and replacing it with the Medicare Economic Index.

One of the main thrusts of this bill is to require the Center for Medicare and Medicare Services to look at their top 10 conditions that drive the highest percentage of payments in Medicare part B, and require CMS to adopt reporting measures relating to these conditions that have already been developed. It is not reinventing the wheel. The AMA Physician Consortium has already developed those reporting measures that drive that spending so high.

You know, the old famous bank robber Willie Sutton when he was asked why do you rob the bank, he said that is because that is where the money is. Let's go to those top 10 things where the greatest amount of money is spent, because that is where the greatest amount of savings can occur. If we can deliver care in a more timely fashion and if we can improve outcomes, we are actually going to spend less. And by focusing on those top 10 programs, at least initially, that will be the greatest return on investment for CMS and ultimately will be the greatest return on investment for retiring the SGR.

The same considerations may apply to the Medicaid program as well, so it will be a very useful exercise to go through that and identify those top 10 conditions. And where cost savings may be most easily gathered, not only will it have an improving effect on Medicare, but I suspect on Medicaid as well. We are going to establish quality measures focusing on these core conditions, and that is where the add-on payment for those 2 years, that is where half of it will come from. A 2½ percent update for those physicians who do voluntarily report quality measures on those top 10 conditions, that is where the protection from the continuation of the SGR for 2 years, that is where that protection will derive from.

We are going to report back to doctors on what their volume and intensity is. This information will not be made generally public, but it will be made available to the individual physician so they can see how they are doing, how they are doing relative to other doctors in their practice, other doctors in their community, other doctors around the country.

But the important point here is these are voluntary measures that will protect the physicians from the cuts that are inevitably going to occur as a result of the SGR program until the SGR can actually be repealed.

□ 2330

But, physicians can opt to take advantage of the bonuses, and it is going to return some value back to their businesses and return value to the taxpayer. Again, there may be an unintended benefit for the parallel Federal program to cover poor Americans under the Medicaid program if some of these programs deliver the benefit back that it is anticipated that they will.

The quality measures are going to be built around these high-cost conditions, and strive to improve the quality of care not only for those conditions and patients, but to drive down the cost of delivering Medicare.

There is also going to be a provision in the bill to help physicians' offices to bring their information technology, their infrastructure, hardware and software, bring it up to a standard where it will begin to derive benefit to not only the patient and the practice but to the Medicare system in general.

The percentage add-on payment is proposed to be 2½ percent, so those two bonus payments in aggregate would be 5 percent. And again, that is designed to be a protection against what are the anticipated reductions in payments that would occur in 2008 and 2009.

The provision will also create a safe harbor that will allow clinics, physicians' offices, and hospitals to share health information technology platforms, and the standards will be established and available to physicians' practices so they will understand how they need to comply with this. The

standards must be established no later than January 1, 2008.

Madam Speaker, I wasn't always a big proponent of things like electronic records. I wasn't sure if it would deliver the payoff that people said it would. But here is a picture of the medical records department in Charity Hospital in New Orleans. This picture was made in January 2006, about 4 or 5 months after Hurricane Katrina and the downtown flooding that occurred. It is the medical records room. These records are ruined. You can see, this is not smoke or soot damage, this is black mold that is growing on the records. You look there and it almost goes on to infinity, tens of thousands, hundred of thousands of records that were active, ongoing charts of people's medical conditions absolutely now unavailable. No one is going to get into that medical records department and risk inhaling the spores from the mold that is covering those charts.

This is the kind of problem that you can get into with a paper medical record. Of course the youngsters of today, the college students of today, the young physicians of today, they understand this very well. They are all connected and wired in. They would no more imagine turning in or doing a paper for one of their classes where they just had a single copy, a single paper copy, the old adage ''the dog ate my homework,'' most students will have a paper on a disk, on a flash drive and readily accessible and retrievable in many forms. We should do no less with our medical records.

But it costs money to do this. It is going to require a push for the private sector. I prefer to think as a bonus payment as being an inducement, an enticement for physician's offices to participate in this type of program. But it is also just good medicine. It is good patient care.

We all heard about the troubles at Walter Reed Hospital a few months ago. I went out to Walter Reed probably the week after the story broke in the Washington Post and talked to this young man who took me around Building 18. Yes, there was some concern. It was a crummy building. But his biggest concern was spending hours and hours with his medical record, his service record, going through the various parts of that and highlighting things. He had a yellow marker, a highlighter, highlighting parts of his medical record because this is how he was going to establish the benefits that he was going to receive in the VA system for his disability.

He said I can spend 20 man-hours putting this medical record together and it ends up on someone's desk and it doesn't get picked up, and then no one can find it and I have to start all over again. That was his main message to me that day.

Now the VA system has been indeed very forward-thinking in its embrace of electronic medical records and its investment in information technology. The problem is the medical records from the Department of Defense and the Department of Veterans Affairs do not possess the interoperability necessary to make this type of activity unnecessary.

So clearly delivering value to the patient, particularly a patient in that situation, is of paramount importance. And it is my contention that if we do make the bonus payment generally available to physicians, this will be something that they will embrace. There is a learning curve, to be sure. It is going to slow people down a little bit initially. But ultimately, the rapidity of the system will be impressive. And even in a smaller physician's office the ability, just think, never having to wait while they find your medical record because somebody didn't put it back in the right place. I know it happened in my medical practice, and I suspect it happens in offices across the country on a regular basis. If nothing else, you will save that time and embarrassment of not being able to locate a patient's record.

One of the problems last year when we dealt with trying to provide the health information technology bill that we passed here in the House and were never able to come to agreement with the Senate, part of the difficulty was being able to have the hospital and the clinic and the physician, there may need to be some relaxation in what are called the star clause to allow safe harbors so that these conditions can be met.

But the reality is that once people become used to this technology will embrace it. The other unintended consequence, the other unintended benefit of this is the rapidity with which the system can learn. When I say the system, the entire health care system because wouldn't it be nice to know which treatments deliver on the promise of getting people better faster at a lower cost. Wouldn't it be great to have that information and know what treatments were effective and what treatments were only marginal? That information can be literally at a physician's fingertips with the right type of computer architecture and technology environment. I believe the time has come that we do need to embrace that.

So the bill will include a Federal incentive to implement health information technology along with provisions providing safe harbors for the sharing of software, technical assistance and hardware, as well as the creation of consortiums.

Now, it is not just about physicians my age, because we have got to also concentrate on helping the younger doctors with residency programs. The funny thing about doctors is we to have a lot of inertia. A lot of us tend to practice very close to where we did our training. So the idea to get more training programs in areas that are underserved, rural areas, inner city areas, to get more training areas where the doctors themselves are actually needed.

So the second bill or the second prong of this three-pronged approach would be to develop a program that would permit hospitals that do not traditionally operate a residency training program, allow them the opportunity to start a residency training program to build the physician workforce of the future.

This bill would create a loan fund available to hospitals to create residency training programs where none has operated in the past. The programs would require full accreditation and generally be focused in rural, suburban, inner urban or frontier community hospitals.

On average, it costs $100,000 a year to train a resident and that cost for a smaller hospital can be prohibitive. The other issue is in 1997 the Congress passed what was called the balanced budget amendment and within that there is a residency cap that also limits resources to nontraditional residency hospitals such as smaller community hospitals. For the purposes of this bill, the loan amount to any institution would not exceed $1 million, and the loan itself would constitute start-up funding for a new residency program. And the start-up money is essential. Since Medicare graduate medical education funding can be obtained only once a residency program is firmly established, the cost to start a training program for a smaller, more rural or suburban hospital can be cost prohibitive because these hospitals operate on much narrower margins.

The overall bill would authorize a total of $25 million to be available over 10 years. The fund, of course, would be replenished because these are constructed as loans and the Health Resources Service Administration may make the loans available to new loan applicants or extend loans to increase the number of residency slots available at existing programs or a loan to continue newly established residency programs to hospitals that have been approved.

To be eligible, a hospital must demonstrate that they currently do not operate a residency training program, have not operated a residency training program in the past, and that they have secured preliminary accreditation by the American Council on Graduate Medical Education.

Additionally, the petitioning hospital must commit to operating an allopathic or osteopathic residency program in one of five medical specialties, or a combination of these specialties: Family medicine, internal medicine, emergency medicine, obstetrics and gynecology, or general surgery. Again, the hospital may request up to $1 million to assist in the establishment of this new residency program. Funding could be used to offset the cost of the residents' salaries and benefits, faculty salaries and other costs directly attributable to the residency program.

The bill would require the Health Resources Services Administration to

study the efficacy of this program in increasing the number of residents in family medicine, internal medicine, and primary care, and whether the program led to an increase in the number of available practitioners in these specialty areas, particularly in underserved areas. The loans would be made available beginning January 1, 2008, and the program would be sunsetted in 10 years time, January 1, 2018, unless Congress elected to reauthorize the program.

The third prong of the physician workforce for the future would be ensuring the availability for adequate future physicians, and provide medical students with assistance and incentives to practice in shortage specialties and shortage areas.

The third bill would establish a mix of scholarships, loan repayment funds, and tax incentives to entice more students to medical school and create incentives for those students and newly minted doctors to become primary care, family physicians, general surgeons, OB/GYNs and practice in shortage areas such as rural or frontier areas.

This bill would provide additional educational scholarships in exchange for a commitment to serve in a public or private nonprofit health facility determined to have a critical shortage of primary care physicians.

□ 2345

Such scholarships will be treated as equivalent to those made under the National Health Service Corps Scholarship Program and penalties apply for those that take advantage of the scholarships but do not go into one of those practice areas.

This will be a 5-year authorization, authorizing these loans and grants to be $5 million a year. The scholarship amounts will not exceed $30,000 per year. The scholarship amounts may be adjusted based on financial need, geographic difference and educational costs.

Again, this is going to be administered through the Department of Health and Human Services, specifically through the Health Resources Service Administration.

This program will have an established repayment program for students who agree to go into family practice, internal medicine, emergency medicine, general surgery, or OB/GYN, and practice in underserved areas. Again, HRSA will administer and promulgate the requirements. Recipients must practice in the prescribed specialty and prescribed area, which is designated as an underserved area, and the practices may include solo or group practices, clinics, public or private nonprofit hospitals. Again, a 5-year authorization at $5 million per year.

This will establish the Primary Care Physician Retention and Medical Home Enhancement grants to help ensure that primary care physicians continue to provide coordinated medical care to patients in underserved areas or high-risk populations. Now, I know we can all think of areas like that in our home districts and home States.

Also, in an area such as the gulf coast area where so many physicians left after the devastating twin hurricanes of Katrina and Rita a year and a half ago, it has been very hard on doctors in those areas. Many doctors have left. It is going to be difficult to attract doctors back to that area, and this will be yet one more tool, one more way, to get doctors to consider practicing in an area where the need is great.

This encourages States to establish Physician Workforce Commissions, especially in rural areas and in certain practice specialties such as family medicine, again basically primary care, by exempting from income tax any amount paid by the Physician Workforce Commission in the form of salary to a physician who has signed a contract with the political subdivision to practice in that area for any amount of time, no fewer than 4 years.

Every year there would be a report back to Congress about the effectiveness of this program, that is, once again, are we spending our dollars wisely, are we getting what we thought we would get when we initiated that program.

So, Madam Speaker, those are three bills that, again, I will be introducing during the week next week after we get back. I think these, while they may not be the answer to all the problems, certainly focus on where the problem areas exist, that is, physicians who are my age, 50 years plus or minus a little bit, who are in the Medicare program but looking to drop out or opt out because they can no longer continue their practices because we in Congress are cutting reimbursements to the point where we are no longer paying our fair share. We are no longer paying the freight on taking care of Medicare patients, but in addition to that, looking over the horizon to the future, being sure that we have the physician workforce of the future, to provide care for the baby boomers who are getting older, but just being able to provide that care in general.

In fact, we are not even talking about just the Medicare population here. We are talking about doctors who are going to work in primary care in a medically underserved area in a specialty which is in short supply in that area. That dual approach of increasing the number of residency slots, again, doctors tend to go into practice and stay in practice where they trained, and the other, a loan forgiveness program and a tax incentive program to young physicians getting out of school, may have several hundred thousand dollars in debt from their undergraduate and then their medical school training, this is a way for them to begin their careers without having that incredible debt load to carry with them, a loan forgiveness, a tax incentive program, provided they are willing to give back some time in a medically underserved area in a specialty that is in high medical need.

I believe that by taking these three steps, Madam Speaker, we really will go a long way towards alleviating the physician shortage. There is no question that we are going to need to devote a lot more time and energy to how we approach the problem dealing with health care in this country and dealing with the uninsured. I expect to have many more hours on subsequent evenings in the coming weeks to talk about just this problem and just what are some of the approaches that may be taken.

We had a fairly long hearing in committee this morning, in my committee, the Health Subcommittee of Energy and Commerce, hearing from a variety of people about how to provide additional care for the uninsured. Again, it is going to be a lively debate, what happens in the private sector or do we just simply give it over to a government program, perhaps bring the age for eligibility for Medicare down lower and lower, expanding the SCHIP program higher and higher, and then the two programs will meet in the middle and provide coverage for everyone in the country. I do not think that is necessarily a good way to go.

I think there are some reasons that the private practice of medicine does bring value to the entire American medical system. There is no question we have no shortage of critics in this country and around the world about the system of health care in this country, but my opinion, it is the American system that stands at the forefront of innovation in new technology, precisely the types of system-wide changes that are going to be necessary to efficiently and effectively provide care for Americans in the future.

There was an article in the New York Times published October 5, 2006, by Tyler Cowan. He writes, ''When it comes to medical innovation, the United States is the world leader. In the past 10 years, for instance, 12 Nobel prizes in medicine have gone to American-born scientists working in the United States, three have gone to foreign-born scientists working in the United States, and just seven have gone to researchers outside of the country.''

But he does go on to point out that five of the six most important medical innovations of the past 25 years have been developed within and because of the American system.

The fact is the United States is not Europe. American patients are accustomed to wide choices when it comes to hospitals, physicians, and pharmaceuticals. Because our experience is unique in this country, because Americans indeed are exceptional and we are different from the types of programs that are in other countries, this difference should be acknowledged and embraced, whether we are talking

about public or private health insurance programs.

Madam Speaker, it has been a long day and we have gone fairly late into the evening. I appreciate the time.

SPECIAL ORDERS GRANTED

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

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

Mr. CUMMINGS, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. WATSON, for 5 minutes, today.

Ms. JACKSON-LEE, for 5 minutes, today.

Mr. WYNN, for 5 minutes, today.

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

Mr. POE, for 5 minutes, on May 2.

Mr. BOOZMAN, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

Mr. MURPHY of Pennsylvania, for 5 minutes, today.

Mr. CONAWAY, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, May 1, 2, and 3.

Mr. PRICE of Georgia, for 5 minutes, today.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced her signature to an enrolled bill of the Senate of the following title:

S. 521. An act to designate the Federal building and United States courthouse and customhouse located at 515 West First Street in Duluth, Minnesota, as the ''Gerald W. Heaney Federal Building and United States Courthouse and Customhouse''.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House, reports that on April 24, 2007, she presented to the President of the United States, for his approval, the following bills.

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

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

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

H.R. 1003. To amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy.

H.R. 1130. To amend the Ethics in Government Act of 1978 to extend the authority to withhold from public availability a financial disclosure report filed by an individual who is a judicial officer or judicial employee, to the extent necessary to protect the safety of that individual or a family member of that individual, and for other purposes.

ADJOURNMENT

Mr. BURGESS. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 53 minutes p.m.), the House adjourned until tomorrow, Thursday, April 26, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1269. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 07-16, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Norway for defense articles and services, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

1270. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 07-12, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Korea for defense articles and services, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

1271. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 07-21, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Israel for defense articles and services, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

1272. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 07-17, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Turkey for defense articles and services, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

1273. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 07-11, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Korea for defense articles and services, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

1274. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

1275. A letter from the U.S. Global AIDS Coordinator, Department of State, transmitting a certification related to the Global Fund to Fight AIDS, Tuberculosis and Malaria, pursuant to Public Law 109-102, section 525; to the Committee on Foreign Affairs.

1276. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Report on Denial of Visas to Confiscators of American Property for the period of April 1, 2006 through March 31, 2007, pursuant to 8 U.S.C. 1182d; to the Committee on Foreign Affairs.

1277. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2007-16, pursuant to Section 534(d) of the Foreign Operations, Export Financing and Related Program Apporpriations Act of 2006, Pub. L. 109-102; to the Committee on Foreign Affairs.

1278. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a proposed removal from the United States Munitions List of the Commercial Primary Instrument Systems, pursuant to Section 38(f) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1279. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to the Cooperative Threat Reduction Act of 1993 and the FREEDOM Support Act; to the Committee on Foreign Affairs.

1280. A letter from the Chairman, Federal Communications Commission, transmitting the Commission's FY 2006 Annual Report required by Section 203 of the Notification and Federal Antidiscrimination and Retaliation Act of 2002, Pub. L. 107-174; to the Committee on Oversight and Government Reform.

1281. A letter from the Secretary, Federal Maritime Commission, transmitting the Commission's report on the amount of acquisitions made by the commission from entities that manufacture articles, materials or supplies outside the United States, pursuant to Section 641 of the Consolidated Appropriations Act of 2005; to the Committee on Oversight and Government Reform.

1282. A letter from the Director, National Science Foundation, transmitting the Foundation's annual report for FY 2006 prepared in accordance with Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1283. A letter from the Director, Office of Personnel Management, transmitting the Office's ''Major'' final rule — Examining System and Programs for Specific Positions and Examinations (Miscellaneous) (RIN: 3206-AK86) received March 22, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1284. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, ''Letter Report: Sufficiency Review of the Water and Sewer Authority's Fiscal Year 2007 Revenue Estimate in Support of $50,000,000 in Commercial Paper Notes''; to the Committee on Oversight and Government Reform.

1285. A letter from the President & CEO, Overseas Private Investment Corporation, transmitting the Corporation's FY 2006 Annual Report required by Section 203 of the Notification and Federal Antidiscrimination and Retaliation Act of 2002, Pub. L. 107-174; to the Committee on Oversight and Government Reform.

1286. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30533 ; Amdt. No. 3203] received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1287. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30531 ;

Amdt. No. 3201] received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1288. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SOCATA — Groupe Aerospatiale TB 20 and TB 21 Airplanes [Docket No. FAA-2006-26236 Directorate Identifier 2006-CE-66-AD; Amendment 39-14891; AD 2007-02-04] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1289. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Dart 528, 529, 532, 535, 542, and 555 Series Turboprop Engines. [Docket No. FAA-2006-24825; Directorate Identifier 2006-NE-17-AD; Amendment 39-14894; AD 2007-02-07] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1290. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 and ERJ 190 Airplanes [Docket No. FAA-2007-26797; Directorate Identifier 2006-NM-195-AD; Amendment 39-14878; AD 2006-20-14] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1291. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Model F2000EX Airplanes [Docket No. FAA-2007-26855; Directorate Identifier 2006-NM-264-AD; Amendment 39-14888; AD 2007-02-01] (RIN 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1292. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 and ERJ 190 Airplanes [Docket No. FAA-2006-25643; Directorate Identifier 2006-NM-135-AD; Amendment 39-14869; AD 2006-26-11] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1293. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Corporation AE 2100D3 Turboprop Engines. [Docket No. FAA-2006-26414; Directorate Identifier 2006-NE-42-AD; Amendment 39-14854; AD 2006-25-13] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1294. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls Royce plc RB211 Trent 700 Series Turbofan Engines. [Docket No. FAA-2005-19559; Directorate Identifier 2004-NE-03-AD; Amendment 39-14892; AD 2007-02-05] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1295. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747SR, and 747SP Series Airplanes Equipped with General Electric CF6-45 or -50 Series Engines, or Equipped with Pratt & Whitney JT9D-3 or -7 (Excluding -70) Series Engines [Docket No. FAA-2007-26811; Directorate Identifier 2006-NM-262-AD; Amendment 39-14887; AD 2007-01-15] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1296. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2005-22559; Directorate Identifier 2005-NM-076-AD; Amendment 39-14879; AD 2007-01-07] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1297. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Model 206A, B, L, L-1, L-3, and L-4 Helicopters [Docket No. FAA-2005-22696; Directorate Identifier 2005-SW-22-AD; Amendment 39-14877; AD 2007-01-06] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1298. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sicma Aero Seat; Third Occupant Seat Assemblies, 133 Series [Docket No. FAA-2005-22959; Directorate Identifier 2005-NE-40-AD; Amendment 39-14856; AD 2006-25-15] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1299. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International, S.A. CFM56 Series Turbofan Engines [Docket No. FAA-2006-26502; Directorate Identifier 2006-NE-37-AD; Amendment 39-14859; AD 2006-26-01] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1300. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211-524 Series Turbofan Engines; Correction [Docket No. 2004-NE-19-AD; Amendment 39-13197; AD 2004-26-05] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1301. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Schempp-Hirth Flugzeugbau GmbH Model Duo Discus T Gliders [FAA-2006-26437; Directorate Identifier 2006-CE-73-AD; Amendment 39-14855; AD 06-25-14] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1302. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F27 Mark 100, 200, 300, 400, 500, 600, and 700 Airplanes [Docket No. FAA-2006-23659; Directorate Identifier 2005-NM-236-AD; Amendment 39-14863; AD 2006-26-05] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1303. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Stemme GmbH & Co. KG Model S10, S10-V, and S10-VT Gliders [FAA-2006-26557; Directorate Identifier 2006-CE-85-AD; Amendment 39-14860; AD 2006-26-02] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1304. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145XR Airplanes [Docket No. FAA-2006-24440; Directorate Identifier 2006-NM-058-AD; Amendment 39-14862; AD 2006-26-04] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1305. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada (P&WC) PW535A Turbofan Engines [Docket No. FAA-2006-26112; Directorate Identifier 2006-NE-35-AD; Amendment 39-14837; AD 2006-24-08] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1306. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Alpha Aviation Design Limited (Type Certificate No. A48EU formerly held by APEX Aircraft and AVIONS PIERRE ROBIN), Model R2160 Airplanes. [Docket No. FAA-2006-26492; Directorate Identifier 2006-CE-77-AD; Amendment 39-14861; AD 2006-26-03] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1307. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777-200 and -300 Series Airplanes Equipped with Rolls-Royce Engines [Docket No. FAA-2006-26675; Directorate Identifier 2006-NM-203-AD; Amendment 39-14864; AD 2006-26-06] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1308. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; B-N Group Ltd. BN-2, BN-2A, BN-2B, BN-2T, and BN-2T-4R Series (all individual models included in Type Certificate Data Sheet (TCDS) A17EU, Revision 16, dated December 9, 2002) Airplanes [Docket No. FAA-2006-25668; Directorate Identifier 2006-CE-44-AD; Amendment 39-14815; AD 2006-23-03] (RIN: 2120-AA64) received March 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1309. A letter from the Chemical Security Compliance Division, Office of Infrastructure Protection, Department of Homeland Security, transmitting the Department's ''Major'' final rule — Chemical Facility Anti-Terrorism Standards (RIN: 1601-AA41) received April 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. JACKSON of Illinois (for himself, Mr. RUSH, Mr. LIPINSKI, Mr. GUTIERREZ, Mr. EMANUEL, Mr. ROSKAM, Mr. DAVIS of Illinois, Ms. BEAN, Ms. SCHAKOWSKY, Mr. KIRK, Mr. WELLER, Mr. COSTELLO, Mrs. BIGGERT, Mr. HASTERT, Mr. JOHNSON of Illinois, Mr. MANZULLO, Mr. HARE, Mr. LAHOOD, and Mr. SHIMKUS):

H.R. 2025. A bill to designate the facility of the United States Postal Service located at 11033 South State Street in Chicago, Illinois, as the ''Willye B. White Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. JONES of North Carolina (for himself and Mr. GOODE):

H.R. 2026. A bill to amend section 1922A of title 38, United States Code, to increase the amount of supplemental insurance available for totally disabled veterans; to the Committee on Veterans' Affairs.

By Mr. BILIRAKIS:

H.R. 2027. A bill to provide an additional 0.5 percent increase in the rates of military basic pay for members of the uniformed services above the pay increase proposed by the Department of Defense so as to ensure at least a minimum pay increase of 3.5 percent for members and to further narrow the ''pay gap'' that exists between the military and private sector pay scales; to the Committee on Armed Services.

By Mr. BOYD of Florida (for himself and Mr. MILLER of Florida):

H.R. 2028. A bill to extend Federal recognition to the Muscogee Nation of Florida; to the Committee on Natural Resources.

By Mrs. CAPPS:

H.R. 2029. A bill to facilitate the restoration of the native ecosystem on Santa Rosa Island within Channel Islands National Park, and for other purposes; to the Committee on Natural Resources.

By Mr. CLAY (for himself, Mrs. CHRISTENSEN, Mr. CLEAVER, Ms. JACKSON-LEE of Texas, Ms. KILPATRICK, Ms. LEE, Mr. PAYNE, and Mr. RANGEL):

H.R. 2030. A bill to establish a commission to investigate the expulsion of African-American residents of the Missouri cities of Aurora, Monett, Newburg, Pierce City, Cassville, and Webb City from their homes that occurred between August 1894 and August 1901, and make recommendations regarding the feasibility and appropriateness of providing reparations to such residents; to the Committee on the Judiciary.

By Mr. DEFAZIO:

H.R. 2031. A bill to safely redeploy United States troops from Iraq; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO (for himself and Ms. GINNY BROWN-WAITE of Florida):

H.R. 2032. A bill to require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security and Medicare benefits under titles II and XVIII of the Social Security Act; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELAHUNT (for himself, Mr. GOODLATTE, Mrs. MALONEY of New York, and Mrs. BONO):

H.R. 2033. A bill to amend title 17, United States Code, to provide protection for fashion design; to the Committee on the Judiciary.

By Mr. DINGELL (for himself, Mr. RANGEL, Mr. WAXMAN, Mr. STARK, Ms. SCHAKOWSKY, Mr. MARKEY, Mr. WYNN, Ms. BALDWIN, Mr. TOWNS, Ms. SOLIS, Mr. ENGEL, Mr. GENE GREEN of Texas, and Mr. DOYLE):

H.R. 2034. A bill to provide quality, affordable health care for all Americans; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and 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 Ms. HERSETH SANDLIN (for herself, Mr. SALAZAR, Mr. MORAN of Kansas, Mr. SMITH of Nebraska, and Mr. POMEROY):

H.R. 2035. A bill to tailor the rural broadband program to better serve those living in rural areas; to the Committee on Agriculture, 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. INSLEE (for himself, Mr. HOLT, Mr. HALL of New York, Ms. BORDALLO, Mr. DELAHUNT, and Mr. BLUMENAUER):

H.R. 2036. A bill to promote the development and use of marine and hydrokinetic renewable energy technologies, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Science and Technology, Ways and Means, and 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.

By Ms. KAPTUR:

H.R. 2037. A bill to amend the Energy Policy and Conservation Act of 1992 to require States to meet certain goals for the use of renewable fuels, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself and Mr. NUNES):

H.R. 2038. A bill to promote biogas production, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEVIN:

H.R. 2039. A bill to amend the Internal Revenue Code of 1986 to modify the alternative fuel vehicle refueling property credit; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia (for himself and Ms. PRYCE of Ohio):

H.R. 2040. A bill to require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964; to the Committee on Financial Services.

By Mrs. MILLER of Michigan:

H.R. 2041. A bill to amend the Miscellaneous Trade and Technical Corrections Act of 2004 to authorize the establishment of Integrated Border Inspection Areas at the Blue Water Bridge connecting Port Huron, Michigan, and Point Edward, Ontario, Canada; to the Committee on Ways and Means, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUPPERSBERGER (for himself, Mr. CUMMINGS, Mr. SARBANES, and Mr. KENNEDY):

H.R. 2042. A bill to amend the Natural Gas Act to modify a provision relating to the siting, construction, expansion, and operation of liquefied natural gas terminals, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of Washington (for himself and Mrs. MCMORRIS RODGERS):

H.R. 2043. A bill to provide for a Medicaid demonstration project for chronic disease management; to the Committee on Energy and Commerce.

By Mr. STUPAK:

H.R. 2044. A bill to amend title 10, United States Code, to extend eligibility for disability retired pay and separation pay to former cadets and midshipmen with prior enlisted service who incurred physical disabilities after January 1, 2000; to the Committee on Armed Services.

By Mr. UDALL of Colorado (for himself, Ms. GRANGER, Mr. BOSWELL, Mr. MCINTYRE, and Mr. CUMMINGS):

H.R. 2045. A bill to help promote the national recommendation of physical activity to kids, families, and communities across the United States; to the Committee on Energy and Commerce.

By Mr. EHLERS:

H. Con. Res. 128. Concurrent resolution authorizing the printing of a commemorative document in memory of the late President of the United States, Gerald Rudolph Ford; to the Committee on House Administration.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H. Con. Res. 129. Concurrent resolution recognizing Susan G. Komen for the Cure on its leadership in the breast cancer movement on the occasion of its 25th anniversary; to the Committee on Energy and Commerce.

By Mrs. NAPOLITANO (for herself and Mr. TIM MURPHY of Pennsylvania):

H. Con. Res. 130. Concurrent resolution supporting the goals and ideals of Mental Health Month, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WILSON of South Carolina (for himself and Mr. PENCE):

H. Con. Res. 131. Concurrent resolution commemorating the 40th anniversary of the reunification of Jerusalem; to the Committee on Foreign Affairs.

By Mr. SMITH of New Jersey (for himself, Mr. STUPAK, Mr. HOLDEN, and Mr. SHAYS):

H. Res. 337. A resolution supporting the goals and ideals of a Lyme Disease Awareness Month; to the Committee on Energy and Commerce.

By Mr. WEXLER (for himself, Mr. KIND, Mr. GALLEGLY, Mr. LANTOS, Mr. ENGEL, Mr. ENGLISH of Pennsylvania, and Mr. ISSA):

H. Res. 338. A resolution encouraging increased cooperation between the United States and the European Union to strengthen the transatlantic market; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

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

H.R. 20: Ms. WOOLSEY, Mr. HASTINGS of Florida, Mr. MCGOVERN, Mr. BISHOP of Georgia, Ms. WATERS, Mr. DINGELL, Mr. SCOTT of Georgia, Mr. MEEK of Florida, Mr. WATT, and Mr. RANGEL.

H.R. 23: Mr. HODES and Mr. KING of Iowa.

H.R. 73: Mr. HASTINGS of Washington.

H.R. 135: Mr. PRICE of Georgia, Mr. GINGREY, Mr. KUHL of New York, Mrs. MUSGRAVE, Mr. MARCHANT, and Mr. WELDON of Florida.

H.R. 177: Mr. LEWIS of Georgia.

H.R. 219: Mr. MARSHALL.

H.R. 255: Mr. TIM MURPHY of Pennsylvania.

H.R. 297: Mr. BOUCHER, Mrs. CAPPS, Mr. EMANUEL, Mrs. LOWEY, Mr. PASCRELL, and Ms. WOOLSEY.

H.R. 303: Mrs. MUSGRAVE, Mr. JINDAL, and Mr. PICKERING.

H.R. 322: Mr. PITTS, Mr. CAMPBELL of California, Mr. SHADEGG, Mr. YOUNG of Alaska, Mr. ROSKAM, Ms. GRANGER, Mr. HOEKSTRA, Mr. REYNOLDS, Mr. EHLERS, Mr. EVERETT, Mr. SHUSTER, Mr. CANTOR, and Mr. MCCAUL of Texas.

H.R. 370: Mr. RUSH.

H.R. 405: Mr. LARSEN of Washington.

H.R. 436: Mr. MCKEON.

H.R. 464: Mr. LOEBSACK.

H.R. 471: Mr. LINCOLN DAVIS of Tennessee, Mrs. CUBIN, Mr. HIGGINS, Mr. WALZ of Minnesota, Mr. KNOLLENBERG, Ms. HERSETH SANDLIN, and Mr. SKELTON.

H.R. 522: Mr. PAYNE and Mr. TOWNS.

H.R. 531: Mr. COHEN, Ms. JACKSON-LEE of Texas, and Mr. GRIJALVA.

H.R. 543: Mr. SMITH of Washington.

H.R. 551: Mr. GONZALEZ, Mr. MCCARTHY of California, Mr. NUNES, and Mr. ROHRABACHER.

H.R. 563: Mr. NUNES.

H.R. 579: Ms. WASSERMAN SCHULTZ and Mr. LOEBSACK.

H.R. 583: Mrs. BONO, Mr. CALVERT, Mr. WALZ of Minnesota, Ms. NORTON, and Mr. LANTOS.

H.R. 612: Mr. LATHAM.

H.R. 690: Mr. CUMMINGS.

H.R. 691: Mr. MILLER of North Carolina and Ms. SLAUGHTER.

H.R. 692: Mr. NADLER.

H.R. 695: Mr. SCHIFF.

H.R. 697: Mr. SMITH of Texas, Mr. SHADEGG, Mr. JINDAL, and Mr. DUNCAN.

H.R. 698: Mr. EDWARDS, Ms. SCHWARTZ, and Mr. MANZULLO.

H.R. 718: Mr. ABERCROMBIE, Mr. MURTHA, and Mr. CARNEY.

H.R. 728: Mr. CROWLEY.

H.R. 734: Ms. FALLIN and Mr. BONNER.

H.R. 741: Mr. RANGEL, Mr. SAXTON, Ms. SLAUGHTER, Mr. COURTNEY, Mr. ENGEL,

Mr. REYNOLDS, Mr. HALL of New York, Mr. FOSSELLA, Mrs. GILLIBRAND, and Mr. HOYER.

H.R. 758: Mr. LOEBSACK.

H.R. 760: Mrs. CAPITO.

H.R. 772: Mr. KAGEN.

H.R. 782: Mr. INGLIS of South Carolina, Mr. BISHOP of Utah, Mr. ROGERS of Alabama, and Mr. ETHERIDGE.

H.R. 801: Mr. PORTER.

H.R. 804: Ms. SUTTON, Mr. HARE, and Mr. JOHNSON of Georgia.

H.R. 853: Mr. MCGOVERN.

H.R. 869: Mr. HAYES.

H.R. 898: Mr. MCINTYRE and Mr. DELAHUNT.

H.R. 923: Mr. FARR.

H.R. 927: Mr. FOSSELLA.

H.R. 971: Mr. NEUGEBAUER and Mr. MELANCON.

H.R. 980: Mr. BOSWELL, Mr. TIAHRT, Mr. SPACE, Mr. WILSON of Ohio, Mr. HOLDEN, Mr. TIERNEY, Mr. LARSON of Connecticut, and Mr. DONNELLY.

H.R. 983: Mr. HASTINGS of Washington, Mr. HULSHOF, and Mr. WICKER.

H.R. 997: Mr. WELDON of Florida, Mr. MORAN of Kansas, and Mr. WALDEN of Oregon.

H.R. 1014: Mr. ETHERIDGE, Mrs. MALONEY of New York, Ms. JACKSON-LEE of Texas, Mr. ROTHMAN, Mr. WYNN, Ms. WOOLSEY, Mr. OBERSTAR, Ms. CORRINE BROWN of Florida, Mrs. BONO, Mr. REHBERG, Mr. ORTIZ, Ms. CARSON, Mr. GOODE, Ms. MATSUI, Ms. DEGETTE, Mr. FARR, Mr. ABERCROMBIE, Mr. FERGUSON, Mrs. SCHMIDT, Ms. CASTOR, Ms. GRANGER, Ms. SCHWARTZ, Ms. HARMAN, Mrs. GILLIBRAND, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Ms. CLARKE, Mr. LOEBSACK, Mr. PERLMUTTER, and Mr. MURTHA.

H.R. 1023: Mr. TOWNS and Mr. HASTINGS of Washington.

H.R. 1031: Mr. LANTOS.

H.R. 1032: Mr. RAHALL and Mr. MCINTYRE.

H.R. 1034: Mr. MCCRERY.

H.R. 1038: Ms. SLAUGHTER, Mr. LOEBSACK, and Mrs. MCCARTHY of New York.

H.R. 1061: Mr. MCCAUL of Texas, Mrs. GILLIBRAND, and Mrs. DAVIS of California.

H.R. 1063: Mr. TURNER.

H.R. 1071: Ms. CLARKE.

H.R. 1072: Mr. PRICE of North Carolina.

H.R. 1073: Mr. UDALL of New Mexico, Mr. JACKSON of Illinois, Mr. SHULER, and Mrs. DAVIS of California.

H.R. 1084: Ms. WATSON, Ms. MATSUI, and Ms. BORDALLO.

H.R. 1092: Mr. LINCOLN DAVIS of Tennessee, Mr. DINGELL, Mrs. DAVIS of California, Mr. GONZALEZ, Mr. MCNULTY, Ms. SCHWARTZ, Mr. WEXLER, Mr. RODRIGUEZ, and Ms. BERKLEY.

H.R. 1098: Ms. SCHWARTZ.

H.R. 1102: Mr. PETERSON of Minnesota and Mr. JINDAL.

H.R. 1117: Mr. HOLT, Mr. GEORGE MILLER of California, Mr. KIND, Mr. RUPPERSBERGER, Mr. FILNER, and Mr. ROTHMAN.

H.R. 1147: Mr. CAMP of Michigan.

H.R. 1148: Ms. SCHAKOWSKY.

H.R. 1157: Mr. BRADY of Pennsylvania, Mrs. GILLIBRAND, Mr. NUNES, Mr. ENGLISH of Pennsylvania, Mr. KUHL of New York, Ms. LINDA T. SÁNCHEZ of California, Mr. LOBIONDO, Mr. ELLISON, Mr. VAN HOLLEN, Mr. MCHUGH, and Mr. MILLER of North Carolina.

H.R. 1188: Mr. RAHALL.

H.R. 1192: Mr. BOSWELL.

H.R. 1222: Mr. JINDAL and Mr. LARSON of Connecticut.

H.R. 1224: Mr. MORAN of Virginia, Mr. HOLDEN, and Mr. FORTUÑO.

H.R. 1225: Mr. SMITH of Washington.

H.R. 1228: Mr. WALZ of Minnesota and Mr. MCINTYRE.

H.R. 1250: Mr. GILLMOR.

H.R. 1260: Mr. DUNCAN and Mr. LINCOLN DAVIS of Tennessee.

H.R. 1280: Mr. GONZALEZ.

H.R. 1293: Mrs. CUBIN and Mr. GILLMOR.

H.R. 1302: Mr. JACKSON of Illinois, Ms. MOORE of Wisconsin, Mr. COHEN, Ms. SCHWARTZ, and Mr. MCCAUL of Texas.

H.R. 1330: Mr. LOEBSACK.

H.R. 1333: Mr. JINDAL, Mr. CAMPBELL of California, and Mr. CUELLAR.

H.R. 1336: Mr. MORAN of Kansas and Mr. WALDEN of Oregon.

H.R. 1352: Ms. ZOE LOFGREN of California.

H.R. 1355: Mr. CALVERT.

H.R. 1384: Mr. HERGER, Mr. LANTOS, and Ms. ROYBAL-ALLARD.

H.R. 1394: Mr. CHANDLER and Mr. KIND.

H.R. 1399: Mr. PRICE of Georgia, Mr. WESTMORELAND, Mr. KLINE of Minnesota, Mr. PLATTS, Mr. PICKERING, Mr. CALVERT, and Mr. KING of Iowa.

H.R. 1422: Mr. SAXTON and Mr. RUSH.

H.R. 1427: Mr. TERRY.

H.R. 1431: Mr. AKIN.

H.R. 1440: Mr. MCINTYRE.

H.R. 1459: Mr. EDWARDS, Mr. MEEKS of New York, Mr. EMANUEL, Mr. ELLSWORTH, Mr. YOUNG of Florida, Ms. WASSERMAN SCHULTZ, and Mr. PATRICK MURPHY of Pennsylvania.

H.R. 1461: Mr. GUTIERREZ, Ms. CARSON, and Mr. CLAY.

H.R. 1466: Mr. REICHERT.

H.R. 1481: Mr. NEUGEBAUER and Mrs. EMERSON.

H.R. 1498: Mr. LAHOOD, Mr. ROSKAM, Mr. PAUL, and Ms. SCHWARTZ.

H.R. 1499: Mr. BAIRD.

H.R. 1524: Mr. JINDAL, Mr. MCCOTTER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. COHEN, Mr. PRICE of North Carolina, and Mr. SENSENBRENNER.

H.R. 1527: Mr. MILLER of Florida.

H.R. 1533: Mr. FORTENBERRY.

H.R. 1537: Mr. RADANOVICH, Ms. ZOE LOFGREN of California, Ms. LORETTA SANCHEZ of California, and Mr. PORTER.

H.R. 1540: Mr. MCDERMOTT.

H.R. 1541: Mrs. DAVIS of California.

H.R. 1583: Mr. NADLER, Mr. HINCHEY, Mr. HALL of New York, Mr. MEEKS of New York, Mrs. LOWEY, and Mr. PASCRELL.

H.R. 1593: Mr. GILCHREST, Mr. COSTELLO, and Mr. AL GREEN of Texas.

H.R. 1600: Mr. ANDREWS.

H.R. 1638: Mr. PASCRELL, MRS. MCCARTHY of New York, Mr. FERGUSON, and Mr. KING of New York.

H.R. 1641: Mr. PICKERING.

H.R. 1655: Mr. GERLACH.

H.R. 1662: Mr. COSTA and Mr. RADANOVICH.

H.R. 1665: Mr. CHANDLER and Mr. NEUGEBAUER.

H.R. 1673: Mr. PICKERING, Mr. GERLACH, and Mr. CHANDLER.

H.R. 1674: Mrs. MYRICK and Mr. CLYBURN.

H.R. 1709: Ms. HIRONO.

H.R. 1730: Mr. CARNEY.

H.R. 1731: Mr. ENGLISH of Pennsylvania, Mr. NEAL of Massachusetts, Ms. BORDALLO, Mr. DUNCAN, Mr. OBERSTAR, Mr. LEWIS of Georgia, and Mr. MCNULTY.

H.R. 1742: Mr. CARNEY.

H.R. 1756: Mr. HILL and Mr. REHBERG.

H.R. 1767: Mrs. DRAKE, Mr. SKELTON, Mr. CLEAVER, Mr. CALVERT, Mr. BONNER, and Mr. ORTIZ.

H.R. 1823: Mr. CLEAVER, Mr. WU, and Mr. HASTINGS of Washington.

H.R. 1827: Mr. ENGLISH of Pennsylvania.

H.R. 1845: Mr. ROGERS of Alabama, Mr. BOUSTANY, Mr. COLE of Oklahoma, and Mr. ETHERIDGE.

H.R. 1871: Mrs. MALONEY of New York.

H.R. 1873: Mr. REYES, Mr. LARSEN of Washington, Mr. GONZALEZ, Mr. JORDAN, and Ms. BEAN.

H.R. 1881: Mr. PASCRELL, Mr. JOHNSON of Georgia, and Mr. MCCOTTER.

H.R. 1889: Mr. PETERSON of Minnesota.

H.R. 1890: Mr. PETERSON of Minnesota.

H.R. 1902: Mr. MARSHALL.

H.R. 1907: Mr. PAYNE and Mr. ALLEN.

H.R. 1909: Mr. NEUGEBAUER, Mr. AL GREEN of Texas, and Mr. MCCAUL of Texas.

H.R. 1929: Mrs. BOYDA of Kansas, Mr. EVERETT, Mrs. CUBIN, Mr. PETERSON of Minnesota, Mr. LINCOLN DAVIS of Tennessee, Mr. BOSWELL, and Mr. DONNELLY.

H.R. 1930: Mr. REICHERT.

H.R. 1932: Mr. MCCOTTER, Mrs. EMERSON, and Mr. LATOURETTE.

H.R. 1940: Mr. DAVID DAVIS of Tennessee, Mr. GINGREY, Mr. PRICE of Georgia, Mr. CARTER, Mr. CULBERSON, Mr. MCKEON, Mr. SULLIVAN, Mr. WESTMORELAND, Mr. TANCREDO, Mrs. DRAKE, and Mr. HUNTER.

H.R. 1945: Mrs. MALONEY of New York.

H.R. 1960: Mr. FATTAH and Ms. CARSON.

H.R. 1971: Ms. SCHWARTZ.

H.R. 1974: Ms. SCHWARTZ and Mr. SESSIONS.

H.R. 1975: Mr. NEAL of Massachusetts.

H.R. 1980: Ms. MATSUI.

H.R. 1986: Mr. ROSS, Mr. MOORE of Kansas, and Ms. HERSETH SANDLIN.

H.R. 2005: Mr. WALZ of Minnesota, Mr. KAGEN, Mr. ELLISON, Mr. PETERSON of Minnesota, and Mr. ENGLISH of Pennsylvania.

H.R. 2016: Mr. HOLT.

H.R. 2017: Mr. REYES and Ms. HIRONO.

H.J. Res. 9: Mr. LATHAM, Mr. BURTON of Indiana, Mr. HENSARLING, and Mr. PICKERING.

H.J. Res. 30: Mr. STARK.

H. Con. Res. 21: Mr. CANTOR.

H. Con. Res. 70: Mr. GOODE, Mr. SHAYS, and Mr. UDALL of Colorado.

H. Con. Res. 95: Mr. ROTHMAN.

H. Con. Res. 102: Mr. MCCOTTER.

H. Con. Res. 104: Ms. CARSON, Mr. ENGLISH of Pennsylvania, Mr. CLEAVER, Mr. DELAHUNT, Mr. WEXLER, Mr. SMITH of Washington, and Mr. SIRES.

H. Con. Res. 105: Ms. ROS-LEHTINEN, Ms. GINNY BROWN-WAITE of Florida, Ms. FALLIN, Mr. LUCAS, Mrs. BONO, Mrs. CAPITO, Mrs. BIGGERT, Mrs. WILSON of New Mexico, and Ms. PRYCE of Ohio.

H. Con. Res. 108: Mr. LOEBSACK.

H. Con. Res. 112: Ms. DELAURO, Mr. KILDEE, and Ms. SHEA-PORTER.

H. Con. Res. 122: Ms. CASTOR, Ms. MCCOLLUM of Minnesota, Mr. FARR, and Ms. SCHAKOWSKY.

H. Res. 87: Mr. PICKERING.

H. Res. 128: Mr. RUPPERSBERGER and Mr. FERGUSON.

H. Res. 145: Mr. BECERRA, Ms. ROYBAL-ALLARD, Ms. SOLIS, Mr. HINOJOSA, Mr. REYES, Mr. WU, and Mr. BISHOP of New York.

H. Res. 194: Mr. SCHIFF, Mr. BERMAN, Mr. HOLT, and Mr. WAXMAN.

H. Res. 197: Mr. LOEBSACK.

H. Res. 216: Mr. CONAWAY, Mr. GERLACH, and Mr. ENGLISH of Pennsylvania.

H. Res. 223: Mr. MCNULTY, Mr. KUHL of New York, Mrs. MUSGRAVE, Mr. LAMBORN, Mr. MARCHANT, and Mr. CARTER.

H. Res. 231: Mr. WAMP and Mr. LAMBORN.

H. Res. 272: Mr. RUSH.

H. Res. 282: Mr. CARNEY, Mr. SKELTON, Ms. WASSERMAN SCHULTZ, Mr. SAXTON, Mr. UDALL of Colorado, Mr. ISRAEL, Mr. GRIJALVA, Mr. DONNELLY, and Mr. PAYNE.

H. Res. 287: Mr. WOLF.

H. Res. 291: Mr. THOMPSON of Mississippi, Mr. MOORE of Kansas, Mr. KUHL of New York, and Mr. WOLF.

H. Res. 296: Mr. HIGGINS, Mr. BOYD of Florida, and Mr. TOM DAVIS of Virginia.

H. Res. 308: Ms. CLARKE , Mr. HASTINGS of Florida, Mr. SHAYS, Mr. FOSSELLA, Mr. HARE, Mr. JOHNSON of Illinois, Mr. COHEN, Mr. MCDERMOTT, Mr. MCCOTTER, Mr. CROWLEY, Mr. KING of New York, Ms. LEE, Ms. JACKSON-LEE of Texas, Mr. HINCHEY, Mr. HOLDEN, and Mr. NEAL of Massachusetts.

H. Res. 313: Ms. LINDA T. SÁNCHEZ of California, Mr. LOBIONDO, Mr. SESSIONS, Mr. SHERMAN, Mr. BOUCHER, Ms. KAPTUR, Mr. GUTIERREZ, Mr. PETERSON of Minnesota, Mr. GRIJALVA, and Mr. YOUNG of Alaska.

H. Res. 326: Ms. BORDALLO, Mr. BURTON of Indiana, Mrs. MALONEY of New York, Ms. SHEA-PORTER, Mr. TIM MURPHY of Pennsylvania, Mr. LAMPSON, Mr. MORAN of Virginia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CROWLEY, Mr. STUPAK, Mr. HIGGINS, Mr. WILSON of Ohio, Mr. JOHNSON of Georgia, Ms. WOOLSEY, Mr. MCGOVERN, and Mr. UDALL of New Mexico.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative *Robert C. ''Bobby'' Scott* or a designee to H.R. *1429*, the *Improving Head Start Act of 2007*, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 65: Ms. HERSETH SANDLIN.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 249

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 2: At the end of the bill, add the following new section:

SEC. 2. REQUIREMENT OF OFFSETS.

(a) IN GENERAL.—No authorization of appropriations made by this Act or other provision of this Act that results in costs to the Federal Government shall be effective except to the extent that this Act provides for offsetting decreases in spending of this Act does not either increase the Federal deficit or reduce the Federal surplus.

(b) DEFINITIONS.—In this section, the terms ''deficit'' and ''surplus'' have the meanings given such terms in the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.).