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House of Representatives

The House met at 10 a.m.

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

''If we have received good things from the hand of the Lord, why should we not accept evil as well?''

Lord, great comfort is provided in this wise question of Job. In times of adversity and anxiety, it is good for us all to recall the gifts You have given us, our Creator, just so that we are able to address what confronts us. Things often taken for granted mean more when inner strength is tested.

So it is, Lord, we approach this day with renewed gratitude for good health and strong relationship in family and in colleagues in Congress. We are also grateful for Your Divine Providence which has brought to us this moment and Your Word and wisdom to guide us that we may accomplish the multiplicity of tasks set before Congress on just an ordinary day.

But since our times are so powerful and threatening, Lord, Job's advice moves us, or should, to deeper gratitude. Only then will we be able to deal with whatever evil we need to face.

The times require us, as never before, to be grateful for our constitutional government, all the natural and human resources of this country, as well as the prayers and encouragement of the American people, for everything, Lord, is Your gift to our Nation. Gratitude will be our strength, now and forever.

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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

CONGRESS DOING THINGS TO MAKE AMERICA BETTER

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

Mr. COHEN. Mr. Speaker, the Congress is at a low point in terms of its ratings with the American public, but I want the American public to know that I am proud to be a Member of this Congress. Congress is part of a system of government that involves the executive and a two-part legislature that includes the Senate and the House. Our system of government is the best ever known to man, and it's working; although slowly, it's working.

The country has told the Congress and the President what the American people want, and that is to bring our troops home from Iraq, or to redeploy them to fight al Qaeda in Afghanistan and other places where there is terrorism.

We have increased the minimum wage. We have put more money into Pell Grants. We have reduced the cost of college loans. We are going to try to pass a bill, which I think we will today, on stem cell research to give people with catastrophic illnesses hope for the future.

This Congress is doing things to make America better. We are doing it in a responsible way with a balanced budget.

Mr. Speaker, I am proud to be a Member of this Congress, and I want this country to know that this Congress is working hard and doing its job to put America on the right course. We are draining the swamp to make this a more ethical place.

TIME TO ACT ON CRISIS IN BURMA

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

Mr. PITTS. Mr. Speaker, I rise today on behalf of freedom-loving people in Burma. This week there is a delegation of leaders from Burma, ethnic minority leaders, visiting Washington. The information they bring is a stark reminder of the brutality to the Burmese people under the military junta.

The terrible offensive of 2006 continues against the ethnic Karen people and others. Over 3,000 villages have been burned. There have been over 25,000 new internally displaced people in that one province.

How can we turn our backs on people who are being ethnically cleansed through genocide, raped, shot, maimed by land mines and who watch their villages and food sources be destroyed daily? The U.S. and the international community must help provide more humanitarian assistance and protection for them.

We need to continue to push for a U.N. Security Council resolution on Burma. The U.S. needs to renew its sanctions against dictators. We need to get direct humanitarian aid to the people.

It is time to act. The people of Burma deserve to live safely and peacefully in their own land.

SUPPORT THE LOAN FORGIVENESS ACT OF 2007

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

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Ms. LORETTA SANCHEZ of California. Mr. Speaker, our country is facing a severe shortage of registered nurses. The situation is well-documented. The Journal of the American Medical Association has stated that, without changes, the United States will have a shortage of more than 400,000 nurses by the year 2020. To date, there has been limited government action to address this very national need.

Effective health care delivery relies on an adequate supply of well-educated health care professionals, so this week I introduced H.R. 2572, the Nurse Loan Forgiveness Act of 2007, to expand the supply and to help provide for the education of registered nurses, because nurses play a principal role in the health care delivery system in various settings, in hospitals, in home health agencies, in long-term care facilities, managed care centers and community health clinics.

The Nurse Loan Forgiveness Act would forgive up to $17,000 in Federal loans over a 5-year period for people who have worked in a hospital at least 1 year. If they continue to work, they would be able to, over time, have that entire amount forgiven.

Mr. Speaker, I hope that the Congress has the ability to take action on this critical issue, and I urge my colleagues to cosponsor this very important legislation.

RESPECTING ALL LIFE IN AMERICA

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

Mr. PENCE. Mr. Speaker, today Congress is once again poised to pass legislation that authorizes the use of Federal tax dollars to fund the destruction of human embryos for scientific research, and I oppose it.

I believe that life begins at conception. A human embryo is a human life, and therefore I do think it is morally wrong to create human life to destroy it for research.

But while supporters of this bill will argue this debate is a battle between science and ideology, that really misses the point. The debate today is not about whether we should do embryonic stem cell research. It is legal in all 50 States of this country. The debate today is about who pays for it.

It is simply morally wrong to take the taxpayer dollars of millions of pro-life Americans who believe that life is sacred and use it to fund the destruction of human embryos for research.

The debate today is not really about what an embryo is. The debate is about who we are as a Nation and whether we will respect the deeply held moral views of more than half of our citizenry.

I urge my colleagues to oppose this bill. Having been here before, I expect its passage. On behalf of millions of pro-life Americans, I say, Mr. President, veto this bill again.

ENDING SCANDALS

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

Mr. EMANUEL. Mr. Speaker, at this time last year, the Jack Abramoff scandal was on the front pages of the newspaper. Today, a new guilty plea in the scandal proves it is not over. It is like deja vu all over again. The president of a major environmental group with close ties to this administration pleaded guilty to obstructing a congressional investigation and agreed to provide assistance in the ongoing Jack Abramoff scandal investigation.

In little more than 4 months, Democrats and Republicans together in Congress have put an end to ''business as usual'' on Capitol Hill and passed the most sweeping ethics reform since Watergate. But our work is not done. We must continue to hold those in this institution accountable for their conduct, and reform doesn't stop at this end of Pennsylvania Avenue. The American people deserve better from their public servants.

This Congress passed legislation to assure that the public trust is not lost at the expense of private interests. We are shining a bright light on the goings on at the Department of Justice, the Department of Education, the Department of the Interior, the Veterans Administration and the Student Loan Administration. With the power to hold hearings and ask questions that demand answers, this Congress is holding the administration and their officials accountable for their conduct and their oversight of the public trust.

America voted for change, and we will hold both ends of Pennsylvania Avenue accountable. We will never accept business as usual in Washington and will not stop until we bring the right reforms to the goings on here in Washington.

A LOVE FOR LIFE

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

Mrs. BLACKBURN. Mr. Speaker, sales and marketing is my career field, and I know a little bit about the branding of products and the value that is there, and sometimes the name of the product or the idea can make or break the success of the product. Marketing is not always about the product. Sometimes it is about selling a slogan.

Yesterday we debated the Human Cloning Prohibition Act, which sounds good, right? No one wants human cloning. But what this bill does is just a very clever marketing ploy that sounds good, but leaves open Pandora's box to a world of dangerous interpretation.

Let's make it clear: All this ban does is to prohibit a clone from living inside a mother's womb. It doesn't ban destroying clones from experimentation, just for human life. So that is good.

But how would this House leadership react when a woman breaks a law and decides to have a cloned embryo inserted into her womb? Would they force her to abort the clone inside of her?

Columnist Charles Krauthammer, a prominent supporter of embryonic stem cell research, says, ''This practice sanctions the most ghoulish and dangerous enterprise in modern scientific history, the creation of cloned human life for the sole purpose of destroying them in the name of science.''

Mr. Speaker, life is a gift, not a science experiment. Let us have the decency in this Chamber to treat it as such. I strongly opposed the bill and urge all those that believe in the beauty of life to do the same.

Today, we debate embryonic stem cell research. Republicans are often categorized as opposing stem cell research. The truth is that Federal funding for stem cell research has increased by 60 percent since 2004 and was nonexistent before 2001. I support ethical scientific research when it does not depend on the destruction of life and I urge my colleagues to do the same.

SALUTING THE IOWA NATIONAL GUARD'S 1ST BATTALION, 133RD INFANTRY

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

Mr. BRALEY of Iowa. Mr. Speaker, I rise today in the week after Memorial Day to salute the brave men and women of the Iowa National Guard's 1st Battalion, 133rd Infantry. Their devotion to serving their country is worth recognizing, because these men and women put their lives on the line, day in and day out, in Iraq.

On Memorial Day weekend, CBS's ''60 Minutes'' devoted an entire hour to telling the story of the 1–133rd, one of the first times since 2004 that they devoted an entire hour to one subject. Many Iowans watched intently that Sunday night as they saw the story of their friends, neighbors and loved ones. We saw a group of Iowans mature over 2 years from their deployment to their pending return back home.

We speak a great deal in this body about our troops and the war in Iraq, and for good reason. But if I have learned anything from my interactions with the 1–133rd over the past several months, it is that the sacrifices we ask our troops to make when they are deployed in a hostile situation thousands of miles from home really are incalculable.

The story of the 1–133rd should be required watching for all the Members of this body, who must weigh the decision to send our troops overseas.

Again, I commend these brave men and women from Iowa.

□ 1015

COMBATING FRAUDULENT CREDIT CARD ABUSE

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

Mr. WILSON of South Carolina. Mr. Speaker, what do Ozzy Osbourne concert tickets, strip clubs, Las Vegas casinos, and expensive jewelry have in common?

If you think it sounds like a bachelor party itinerary, you will be surprised to learn it actually is a sampling of purchases made and places visited by Federal employees while using their government-issued credit cards.

What began as an efficient method for tracking and reimbursing legitimate expenses has morphed into an unmonitored system that can lend itself to abuse and fraud. For these reasons, Senator GRASSLEY and I have reintroduced the Government Credit Card Prevention Act. This bill provides for necessary oversight, including credit checks and periodic audits.

American taxpayers will not stand for this continued abuse and lack of oversight. Enactment of this legislation is crucial to promote fiscal responsibility.

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

CONGRATULATIONS TO J.F. ALLEN COMPANY

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

Mrs. CAPITO. Mr. Speaker, on March 21 of this year, a West Virginia leader in work site safety, J.F. Allen Company, marked a milestone of 1 million safe hours of work. I rise today to honor the company and join its employees in celebrating this outstanding accomplishment.

Established as a small family business, J.F. Allen Company has grown into one of the largest heavy highway construction firms in our State. The company's contributions can be seen in all corners of my district, including Stonewall Jackson Dam and Interstates 79 and 81.

J.F. Allen's contributions to the State are critical to our infrastructure development and maintenance. However, it is their commitment to employee safety that is the most important contribution to West Virginia. Thanks in large part to an award-winning safety program, employees are safe at work, logging 1 million safe hours since 1994.

Mr. Speaker, small businesses are the heart of our economy, especially in rural States like West Virginia. J.F. Allen Company's record of worker safety and commercial achievement is a model for all companies and represents the very best of West Virginia's workers and businesses.

STEM CELL RESEARCH ENHANCEMENT ACT OF 2007

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 464 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 464

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (S. 5) to amend the Public Health Service Act to provide for human embryonic stem cell research. All points of order against the bill and against its consideration are waived except those arising under clause 10 of rule XXI. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to commit.

SEC. 2. During consideration of S. 5 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.

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

Ms. MATSUI. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. MATSUI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution and to insert extraneous materials into the RECORD.

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

There was no objection.

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

Mr. Speaker, House Resolution 464 provides for consideration of S. 5, the Stem Cell Research Enhancement Act of 2007. The closed rule provides for 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce.

The rule waives all points of order against the bill and against its consideration except those arising under clause 10 of rule XXI. The rule also provides one motion to commit.

Mr. Speaker, today's debate on stem cell research should be about the hope of science. It should be about how our society has always valued ethical medical research.

Many Americans awoke this morning to a news story about a potential new stem cell research technique using skin cells from mice. It was on the front page of many newspapers precisely because our society values hope and scientific advancement when done in an ethical manner.

The bill made in order under this rule maintains that tradition. With the House's approval, expanded Federal embryonic stem cell research again will be one signature away from becoming law.

Mr. Speaker, we already know that embryonic stem cell research has a potential to cure many debilitating conditions like diabetes, Parkinson's disease, Alzheimer's, spinal cord damage, and maybe even bone marrow failure. These ailments affect the young and the old, the rich and the poor.

Families from all walks of life have had firsthand experiences with these tragedies. Sad but true, disease is one of life's great equalizers. Research and medical ingenuity are our society's tools to fight these diseases.

This shared experience, the hope that stem cell research brings, may be one reason why it enjoys such bipartisan support. Polls indicate that three out of every five Americans support stem cell research, including 54 percent of Republicans.

But there are many other reasons to endorse expanded Federal stem cell research. Earlier this year, Congress and the world heard support from an unexpected source. In testimony before Congress on March 19, the Director of the NIH made a high-profile break with the administration on shortsighted stem cell policy. He said: ''It is clear today that American science would be better served and the Nation would be better served if we let our scientists have access to more cell lines that they can study.''

The United States has always led the effort to push the frontiers of medical research. But as the NIH Director's testimony indicates, Mr. Speaker, on this issue the United States is falling behind for no good scientific or moral reason.

His testimony is in line with the consensus within the wider scientific community as well. The American Association for the Advancement of Science, the Cancer Research and Prevention Foundation, the UC Davis Medical Center in my hometown of Sacramento, the University of Texas Southwestern Medical Center at Dallas in my colleague's district, the Lance Armstrong Foundation, all of these and hundreds of others support ethical embryonic stem cell research.

Mr. Speaker, it is abundantly clear that we must update our national stem cell research policy. A bipartisan majority in Congress has tried several times. Last year, both Chambers voted by wide bipartisan margins to expand ethical Federal stem cell research. Unfortunately, the President blocked that progress, that hope, that good science. But his veto only delays the issue temporarily because support for this responsible research continues to grow.

Earlier this year, the new Democratic majority acted swiftly to reconsider the issue. The bill before us is a result of that bipartisan, bicameral leadership; and it passed by a greater margin than in the last Congress.

We should act now to forward that proposal on to the President. We should give him another chance to do what is right by signing this bill into law.

Mr. Speaker, there is little disagreement about the science of stem cell research or what ethical rules should govern it, so let's stop delaying a commonsense proposal. I urge all Members to support this rule and the underlying legislation.

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

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

Mr. Speaker, I rise today in strong opposition to this closed rule and to this seriously flawed underlying legislation. While the process involved with bringing bills to this floor is very slightly improved over this past January when the Democratic leadership bypassed long-standing bipartisan regular order and used their rules package to create a closed process that skipped even bringing their flawed stem cell bill to the Rules Committee for its consideration, it is still overwhelmingly flawed and directly contradicts widely reported Democrat campaign promises to run the most open and ethical Congress in history.

Yesterday, the Rules Committee met and the majority Democrats reported out two completely closed rules, one which will completely lock down this important debate today regarding the Federal funding of stem cell research upon which a great deal of honest and heartfelt moral and scientific disagreement exists on both sides of the aisle.

In this exclusive and rushed process, it feels very familiar for the Members. If it does, it should. Because, back in January, the Democrat leadership forced a similar hastily written and politically motivated stem cell bill through the House without any input from the Members. Their purpose then was the same as it is today: to attempt to score some political points at the expense of sound science, openness, and transparency, not to mention feedback from its Members.

Because they knew that their crass political move would never pass the Senate, today we are forced again to take up yet another flawed stem cell bill for political purposes under yet another completely closed rule that provides no Member of this body with the opportunity to amend or improve it.

Worst of all, rather than taking this second chance to work in a bipartisan fashion to create a bill that balances cutting-edge medical research with the serious ethical implications created by stem cell research, this rule simply advances the Democrats' cynical agenda to send a flawed bill to the President for his veto, despite the legislation not even achieving a veto-proof majority in the Senate.

Unfortunately, judging by their performance on recent supplemental funding measures for our troops, it seems like the Democrats need to be vetoed once or twice before they realize that they simply cannot pander to their liberal blogs. They actually need to work together to reach across the aisle to deliver workable bills that are in the interest of the American people.

Mr. Speaker, not only is this a bad way to handle this process, I think it is an embarrassment to the institution that the Democrat leadership would fail to work openly with the over 400 duly elected Members of this legislative body to find common ground that balances the multiple grave concerns surrounding this legislation.

This legislation forces taxpayers to fund research requiring the destruction of human embryos rather than seeking a middle ground on which researchers can be provided with the embryonic stem cells that they need to advance science while not violating the sanctity of life.

This legislation fails to specify whether these embryonic stem cells that will now be eligible for Federal funding can be taken from embryos that still retain the potential for implantation or if they would be taken from embryos that no longer have the potential for further cellular division.

This lack of clarity is not a function of a lack of ideas or debate on the matter. A compromise measure, introduced in the Senate by Senators ISAKSON and COLEMAN, already exists which provides for research only on those embryos which no longer have the potential for cellular division.

Here in the House my colleagues, including my friend from Georgia, Dr. GINGREY, also offered a thoughtful amendment that was rejected by the Democrat Rules Committee which would have provided for the Federal funding of pluripotent stem cells which can specialize in any bodily tissue but cannot develop into a human being.

□ 1030

And despite the near-certain protests to the contrary that will be made by some Members of this body, this legislation also fails to contain language to prohibit or even propose ethical regulations for cloning or egg farming.

Finally, rather than allowing science to progress based on merit, this legislation picks winners and losers in the research community by choosing which research methods would be funded. It diverts research funds from very promising areas, such as adult stem cells and cord blood, despite the fact that adult stem cells have already been proven to work over and over.

But don't take my word for it. James Thompson, the first scientist to derive stem cells from a human embryo, was quoted in The Wall Street Journal saying, ''I am not entirely convinced that embryonic stem cells will, in my lifetime and possibly anybody's lifetime for that matter, be holding quite the promise that we desperately hope they will.''

Mr. Speaker, this debate has been so politicized that the American public can no longer even hear above the political fray about the miraculous and leading-edge technologies and therapies being derived today from adult stem cells, amniotic fluid and human umbilical cords, all without the moral and ethical controversies created by this bill.

Treatments for injuries and chronic illnesses as diverse as spinal cord and heart tissue regeneration, bone marrow and vision therapies and diabetic management are all emerging as we speak, and this Congress should not be in the business of politically allocating scarce resources away from these technologies and methods as researchers continue to perform scientific miracles, such as creating embryonic-like stem cells without using eggs or destroying embryos, like the scientists at the Whitehead Institute for Biomedical Research in Cambridge, Massachusetts, have already accomplished in laboratory tests.

The point, Mr. Speaker, is that the process provided for under this rule does not allow for debate on the central issue: Does a middle ground exist that can provide scientists with the stem cells that they need to continue their cutting-edge research while at the same time respecting the sanctity of life?

Unfortunately, once again, the graveyard of good ideas in the House, the Democrat Rules Committee, has provided this body with a rule that allows none of this debate. Instead, Members of this body are being asked to vote up or down on a very blunt measure that fails to recognize the vast complexity of this issue.

This is no way to run the people's House, Mr. Speaker, and it is certainly no way to run a self-proclaimed most open and ethical Congress in history. I urge all of my colleagues to defeat this rule and the underlying legislation so that the House can have a real and meaningful debate on this issue and not allow something as important as the fate of stem cell research to be determined by bumper-sticker politics. This House does deserve better and the American people deserve better.

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

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, I thank my colleague from California (Ms. MATSUI) for yielding me the time.

Mr. Speaker, I rise today in strong support of this ground-breaking legislation, S. 5, the Stem Cell Research Enhancement Act of 2007, and I want to commend the bipartisan leadership of Senator REID and Senator HARKIN and Senator ORRIN HATCH for their hard work in crafting and passing this legislation. And I also want to thank the bipartisan leadership of Congresswoman DIANA DEGETTE and Congressman MIKE CASTLE for their tireless work on stem cell research funding.

Mr. Speaker, Democrats have fought long and hard in the name of science

and innovation. Here in the House of Representatives on January 11 of this year, as part of the 100 hours legislation led by Speaker PELOSI, we saw the unlocked potential held in stem cell research. We saw the potential to cure the diseases that affect 100 million Americans, debilitating diseases such as Parkinson's, diabetes, Alzheimer's, Lou Gehrig's, multiple sclerosis and cancer, and I could go and on and on and on.

In my district of Massachusetts, my constituents see the value of progress and want to invest in the life sciences. As part of the life science initiative by the State, a stem cell bank will be created at the University of Massachusetts Medical Center in Worcester. It will be part of the largest repository of stem cell lines in the world.

Mr. Speaker, embryonic stem cell research has the support of over 500 organizations, including the American Medical Association, AARP, the Association of American Medical Colleges, American Diabetes Association and Paralyzed Veterans of America, and I could go on. I believe we owe the American people the promise of science and medicine.

The legislation before us reflects the best science in the world. The legislation before us holds out the hope for a better life for millions of people all throughout the world.

It is time that President Bush stop being an obstructionist on this issue. It is time that he gets out of the way and listens to the will of the American people.

The gentleman from Texas (Mr. SESSIONS), my colleague, says that this is about politics. It is not about politics. This has nothing to do with politics, and it is sad that so many people who oppose this want to politicize this issue. It isn't about politics.

It is about life and death. It is about improving the quality of life through the best science that is available to us.

So it is time for this Congress to at long last do the right thing. We have debated this issue over and over and over and over and over. It is time for this Congress to do the right thing, to listen to the will of the American people, to listen to the best science and finally pass this bill.

GOVERNOR PATRICK ANNOUNCES MASSACHUSETTS'S NEW LIFE SCIENCE INITIATIVE

BOSTON.—Tuesday, May 8—Governor Deval Patrick today announced his plan to make Massachusetts the global leader in life sciences, unveiling for the first time ever a comprehensive, collaborative Massachusetts Life Science Strategy.

The plan, outlined during a speech at the BIO 2007 convention, includes a 10 year, $1 billion investment package that will both enhance the state's already nationally recognized assets in the fields of medicine and science and fill gaps in federal funding to ensure the state's ability to support life science progress from the idea stage through the production stage. The Patrick Administration's strategy brings together industry, academic research hospitals, and public and private colleges and universities to coordinate these efforts, spur new research, strengthen investments, create new jobs and produce new therapies for a better quality of life.

''There is no place in the world with as much talent in life sciences and biotech as here in Massachusetts,'' said Governor Patrick. ''Now is the time for us to invest in that talent and bring together the resources of our unparalleled research universities, teaching hospitals, and industry to work towards a common goal—to grow ideas into products to create cures and jobs.''

Key to the Governor's Life Science Initiative is new legislation that will strengthen the Massachusetts Life Science Center and charge it with the execution of a life science mission focused on science and economic development, strategic investments at critical stages of the development cycle, and collaboration with the private sector to create innovation infrastructure critical to both researchers and companies. The Governor also announced his commitment to making targeted investments in companies that encourage life science economic development in the Commonwealth.

''I commend the Governor for reaching out to all sectors of our life science cluster in order to craft a stem cell/life science package that recognizes the unique institutional assets and intellectual firepower in our region,'' said Steven Hyman, Professor of Neurobiology at Harvard Medical School and Chairman of the Massachusetts. ''The Governor allocates state resources in effective ways to enhance our traditional strengths, buttress areas that need attention, and encourage powerful collaborations between our leading edge institutions.''

Today's announcement at the BIO 2007 Convention highlighted the following:

A $1 billion investment package that includes funds to:

Bridge the NIH funding gap—A competitive grant program during the current downturn in federal support to sustain key programs in the state. Our collective success during the 1998–2003 period when the NIH budget doubled from $14 billion to $28 billion only solidified Massachusetts' dominance in the area of biomedical research. However, the subsequent four years of flat funding since 2003 has caused a 13 percent loss of funding power by NIH and a 35 percent reduction in support for clinical trials. The Patrick administration will make surgical investments during the downturn to sustain key programs here in Massachusetts in order that our position is sustained to once again capture large percentages of new funding when it materializes.

Create the Massachusetts Stem Cell Bank—A first in the nation centralized repository of new stem cell lines available to all sectors, public and private, of research enterprise. Boston University, Brigham & Women's, Children's Hospital, Harvard University, Massachusetts General Hospital, the Massachusetts Institute of Technology, Partners HealthCare and the University of Massachusetts have already agreed to participate in the Bank when it is completed.

Establish Massachusetts Life Science Fellowship Grants—Grant packages for research institutions in Massachusetts to attract and retain the rising stars of life sciences research in the Commonwealth, and ensure Massachusetts is competitive with other states and nations.

Establish Massachusetts Life Science Innovation Centers—Centerbased research facilities that streamline technology transfer, development time and funding opportunity.

''As the president of the University of Massachusetts, the leading public academic research institution in the Commonwealth, I applaud Governor Patrick for making such a strong commitment to the life sciences, particularly stem cell research and RNAi-related research and development,'' said University of Massachusetts President Jack M. Wilson. ''The announcement today is an important step in developing a world-class life sciences strategy for the Commonwealth that will foster scientific innovation, including unlocking the mysteries of debilitating diseases, and spur economic growth. The University of Massachusetts is proud to be able to play an important role in this strategy and I truly believe this proposal is far-reaching, comprehensive and of sufficient scope and scale to enable Massachusetts to continue and expand its national and global leadership in biotechnology and the life sciences.''

''It is clear to me that scientific innovation and cutting-edge research help set Massachusetts apart in the eyes of the life sciences and greater scientific community. Today's announcement of this significant, new state funding is an important signal that the opportunities to do cutting-edge research in this state are expanding. I am proud that RNAi is already changing the scientific landscape, offering new tools in the effort to better human health; my colleagues at the UMass Medical School and I see great promise in our continued work with RNAi and RNAi Therapeutics. Support of this type from the government, academic institutions and society allows us to further advance science and to conduct important basic, clinical and translational research,'' Nobel Laureate Craig Mello, Ph.D. of the University of Massachusetts Medical School said.

''The future of life sciences is here in Massachusetts.'' Governor Patrick said. ''We have the talent. We have the entrepreneurial spirit. Now let's seize the future.''

Mr. SESSIONS. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the ranking member of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I'm proud to stand here as someone who is supportive of embryonic stem cell research. I have voted in support of this research in the past, and I plan to vote for it again today when this measure is brought up.

But I have to say that as I listened to my very good friend from Massachusetts (Mr. MCGOVERN) speak on this issue, and I will say again to him that, as he knows, I am a supporter of stem cell research and I will be voting in support of this bill, I'm absolutely horrified by the remarks that were just made by my colleague from Massachusetts. Why? Because just yesterday he stood here during the debate on the Afghanistan Freedom Act rule and said there that we're now enjoying a new day in the House of Representatives, and yet, we today are considering this rule under a completely closed process, shutting out all Members, Democrats, Republicans alike, who might want to have an opportunity to make some kind of amendment or modification to this process.

Further, Mr. MCGOVERN went on to talk about the fact that there is a very important institution in his congressional district that will be the beneficiary of the funding that is provided

for this research, and that gets right to the point that I believe is a very important one for us to make.

Well, we continue, Mr. Speaker, to hear this argument that it's a new day in this Congress. I am very, very troubled over a number of issues and over the fact that nothing, nothing could be further from the case.

Now, we've heard both sides of the aisle talk about the need for earmark reform, and that's the reason that I just raised the issue of Mr. MCGOVERN's hospital to be a beneficiary of this bill. I'm wondering whether or not that's an earmark that we're considering.

Now, Mr. Speaker, I'm very proud of the fact that, in the 109th Congress, we passed major earmark reform legislation. It was earmark reform legislation that had enforceability and full accountability, and we heard Democrats say that they wanted to, quote/unquote, improve on the earmark reform that we proudly put into place in the 109th Congress.

The real tragedy here, Mr. Speaker, is the fact that we not only have seen no improvement on the issue of earmark reform, but what has happened? We have seen a retrograde step taken on the issue of accountability and enforceability.

And let me explain that to my colleagues and then proceed to say that Mr. SESSIONS will be moving to defeat the previous question, and if the House sees fit to defeat the previous question on this issue, Mr. Speaker, what we will do is we will offer an amendment, an amendment that will finally bring about the kind of enforceability that we passed in the 109th Congress but, through sleight of hand by the House Committee on Rules, has been denied every Democrat and every Republican in this institution.

And so let me make it very clear, as we complete this debate and go into a vote on the previous question, any Member of this institution who votes in favor of the previous question to end debate will be, in fact, denying an opportunity for us to have accountability, enforceability and transparency on this issue of earmark reform.

Now, what is it that we've seen reported to us on this earmark process that is going to be moving ahead in the days and weeks and months ahead? We've already seen abuse in the Intelligence authorization bill that we had, and I'm not going to get into the details of that. Everyone knows we had a major clash that took place here between our colleague from Michigan (Mr. ROGERS) and the gentleman from Pennsylvania (Mr. MURTHA). We all know about that.

But what is on the horizon for us, Mr. Speaker? What's on the horizon is the fact that the very distinguished gentleman from Wisconsin, the chairman of the Committee on Appropriations, has already announced, when it comes to the issue of earmarks, we're not going to be doing it in the appropriations process. How is it that earmarks are going to be able to get into the bill? They're going to be air dropped into conference reports. Now, it's very difficult to imagine a more secretive process for earmarks than to have them air dropped into conference reports.

But now let's again look at what we did in the 109th Congress and what we're going to propose if Mr. SESSIONS is successful at defeating the previous question.

What is going to happen, Mr. Speaker, is we're simply going to say that there should be an opportunity for enforcement. Again, we had that enforcement provision in the earmark reform that we passed in the 109th Congress, but that has been completely denied. Mr. Speaker, no Democrat, no Republican can stand up, and if a list is not provided of those earmarks, raise a question about that. If the chairman has simply said, there are no earmarks, there is no opportunity today under the action that has been taken by this Democratic Congress, whether they have said they're for earmark reform and accountability and transparency, they, in fact, deny that.

And so all we're saying, Mr. Speaker, is let's give Democrats and Republicans an equal opportunity to do what it is that the American people have said should be done. We want to bring an end to wasteful spending and abuse of this so-called earmark process.

So there's going to be an opportunity. There's going to be an opportunity in just a few minutes for every single Member of this institution, Democrat and Republican alike, to decide whether or not we're going to build on the success that we had in the 109th Congress with accountability, enforceability and transparency on earmark reform, or will we, in fact, allow a secretive process which encourages abuse to proceed.

Now, I'm old enough, Mr. Speaker, to have served here when Ronald Reagan was President of the United States. In his negotiations with the Soviet Union, he used a Russian expression. ''Doveryai, no proveryai,'' was the Russian expression that he used. And what did that translate to? ''Trust, but verify.'' And that's exactly what this debate comes down to, Mr. Speaker: Trust, but verify, because I hear Democrats and Republicans alike say that we need to have full accountability and we need to bring an end to abuse of the earmark process. But we need to have a process of verification. We need to have a process that will allow us to ferret out the kind of abuse that we've already seen in the 110th Congress to this earmark process.

□ 1045

Again, I am going to encourage a ''no'' vote on the previous question. Mr. SESSIONS will be encouraging that at the end. When, because I am an eternal optimist, like Ronald Reagan, when we defeat the previous question, all we will be doing is saying that we should come back to the kind of accountability, transparency, and enforceability of the earmark reform to which everyone seems to be so strongly committed.

Ms. MATSUI. Mr. Speaker, I want to remind everybody today that we are talking about embryonic stem cell research.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ARCURI), a member of the Rules Committee.

Mr. ARCURI. I thank my colleague and good friend, the gentlelady from California, for yielding me this time.

Mr. Speaker, I rise today in very strong support of this rule and the underlying bill, the Stem Cell Research Enhancement Act.

I have listened to stories from around my upstate New York district from families affected by life-threatening and debilitating illnesses: children with childhood diabetes, men and women with spinal cord injuries, lupus, Alzheimer's and Parkinson's. Every day, these brave Americans fight the odds with the hope that stem cell research will one day give them a new lease on life.

The Stem Cell Research Enhancement Act will ensure that our Nation's scientists are able to work towards making that hope a reality. Most importantly, this bill creates an ethical framework, stronger than the President's current policy, which must be followed in conducting this lifesaving research. The bill only authorizes the use of stem cell lines generated from embryos that would otherwise be discarded by fertility clinics and requires written, informed consent from the donating women.

My constituents support this ethically responsible lifesaving research, and I stand with them today to give hope to millions of people around the country.

Opponents say they believe life is sacred, and I agree. It is. So let us leave no stone unturned to give as many people the opportunity, the chance to live, people with lupus, with Alzheimer's, with Parkinson's, with diabetes. Let us pass this stem cell bill.

The message from the American people is clear. It is time for this administration to do the right thing and sign this critically important law.

My colleague talks about bumper sticker policies and pandering to liberal blogs. This is not about pandering to liberal blogs. This is about listening to the American people. It is time this administration listens to the American people and signs a stem cell research bill.

Mr. SESSIONS. Mr. Speaker, I yield to the gentleman from Georgia, Dr. GINGREY, 5 minutes.

Mr. GINGREY. I thank my former colleague on the Rules Committee, Mr. SESSIONS, for yielding to me.

Mr. Speaker, I rise today in very strong opposition to the rule and the

underlying legislations, S. 5, the Stem Cell Research Enhancement Act.

Once again, the Democratic majority brings to the floor a closed rule on a bill that Members of this body would love to have the opportunity to make better through the amendment process. This legislation has not been given a committee hearing or even vetted in a markup. Instead, the Democrats in the House have said that they know best, period, in the 110th Congress.

Over 45 percent of the bills have come up under our closed rule, and less than 2 percent have enjoyed what we call an open rule that allows for full and honest debate, whether it's debate from a Democrat or a Republican.

Now their legislation was sent over to the other body in January, where they changed it, they amended it. So why, I don't understand, why do the House Democrats insist on shutting their colleagues in the people's House out of the process? It's okay in the other body, but it's not okay here.

Well, this new majority has sent a clear message when it comes to valuing the input of their colleagues. They don't.

On bills that clear committees unanimously, bills where both parties rush to the floor to applaud the final legislative process, the Democrats allow amendments on those. Let them offer them and be debated. But on an issue where the American people hold deeply differing views, the Democrats shut out ideas and debate.

By once again debating this stem cell legislation under the same closed rule, the Democratic leadership is saying to the American people this issue is the same today as it was in January, as it was last summer in the 109th Congress, as it was, indeed, back in August of 2001.

However, the reality is that this issue has fundamentally changed. Science is moving faster than bureaucracy and, yes, even faster than politics. Scientific breakthrough after scientific breakthrough shows that there are other ways to achieve the hope, the hope of medical cures, the new therapeutic treatments without any collateral damage mandated by the legislation that we are debating today.

Science has, indeed, outrun politics, and the American people, they deserve a full and comprehensive debate on a morally contentious issue such as this.

That's the reason that I offered an amendment, my colleague referred to it earlier, to the Rules Committee yesterday that would have replaced this ethically divisive legislation with a bill introduced by Representative ROSCOE BARTLETT, the gentleman from Maryland, and myself. We call it the Alternative Pluripotent Stem Cell Therapy Enhancement Act.

This amendment would authorize the use of Federal funds to research alternative and ethical ways to extract embryonic life or pluripotent stem cells. My amendment would authorize the use of Federal funds to research alternative and, yes, ethical ways to extract these embryonic-like, or we call them pluripotent, stem cells; and that's what we should be debating on the floor of this esteemed body today, legislation that sidesteps the ethical questions of embryonic stem cell research altogether.

We don't have to go down this road that totally divides us. Some on the Republican side, some on the Democratic side, pro-life, pro-choice, if we can avoid that division, I think we ought to embrace the opportunity to do so.

That's why, reluctantly, I have to come and stand and oppose a rule. I have great respect for my colleagues on the majority side of the Rules Committee that I worked with for the last 2 years, but I think it's wrong to close a rule or a question of this importance.

So I do, I ask my colleagues, oppose the rule and oppose the underlying legislation. That's exactly what we need to do, because we can do this better, and we don't have to divide one another.

Ms. MATSUI. Mr. Speaker, before I yield, I just want to make a point that this bill sets stringent ethical guidelines for an expanded Federal embryonic stem cell research program, and it encourages new alternative sources of stem cell research, like what made the news today.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio, a member of the Rules Committee, Ms. SUTTON.

Ms. SUTTON. I thank the gentlewoman for her leadership on this rule and on this very, very important issue and for the time to speak.

Mr. Speaker, I rise today in favor of the rule and in favor of S. 5, the Stem Cell Research Enhancement Act.

As the elected representative of diverse constituencies, we face many challenges in this House. We face challenges that affect the lives, finances, work and health of all Americans. As we face these challenges, we are called to do everything in our power to create solutions and find relief for the problems that plague our constituents. We are called to fight. We are called to work creatively. We are called to open doors and explore new avenues. We do everything in our power to relieve suffering, to bring relief, to create opportunity and to enhance lives.

Today, I rise in favor of continuing that mission to do everything that we possibly can to relieve the suffering of the people of Ohio's 13th District and districts across the United States.

During my campaign, I had the good fortune to meet a business owner by the name of Fred Martin. For the past 33 years, Fred has lived with diabetes. Diabetes has no cure. Despite diligent care, a precise diet and insulin, shots that he takes over and over throughout the day, the best that Fred can hope for is that his disease not get any worse. He has worked meticulously over the past 33 years to manage his disease so that he could be there for his children and attend to his business, but he wonders how his life could be different.

Fred endures seven insulin shots every day, two before breakfast, two before lunch, two before dinner and one before bed. He pricks his finger to check his insulin levels 8 to 10 times every day. He says that he's glad that he's still here. He's grateful for all that science has done for him that has allowed for him to be around to raise his children. But he adds, please, don't stop now.

When discussing the potential that stem cells hold, he says, ''To deny our scientists the right to make the people in our society healthier and to help them lead better lives is really a crime! . . . I expected more of my government.''

If we do not change our policies soon, we will continue to drive this cutting-edge research overseas. Just this week, newspapers report that British scientists are embarking on research which could deliver the world's first stem cell treatment for blindness. The 4 million pounds that were donated to the project came from an anonymous American philanthropist. This country cannot afford to be a hostile environment for scientific research and development.

Today, we have a chance to unlock a world of potential. Our researchers will no longer have to fight with one hand tied behind their back.

I believe that we have a duty to our constituents to do everything we can to make their lives better, to relieve their suffering and to use our government and its resources effectively and efficiently to heal, help and explore.

Fred Martin was right. Our constituents expect more. Today, they will get it.

Mr. SESSIONS. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. I thank the gentleman for yielding and for his strong and clarion remarks on this rule.

Mr. Speaker, I oppose this rule and rise to oppose the underlying bill as well.

I must tell you, as I listened to the gentlelady from Ohio bring her remarks to the floor, I want to say, there they go again. There they go again, telling the American people that this is a debate between science and ideology when, in fact, destructive embryonic stem cell research, despite my strong moral objections, is completely legal in the United States of America.

The debate today is not about whether embryonic stem cell research, research that destroys a human embryo for scientific research, should take place. This is just about who pays for it.

I can understand why Members of the majority want to focus on this false choice between science and ideology.

The language like America becoming a hostile environment for medical research is amusing me, because destructive embryonic stem cell research, and I say this with a heavy heart, is legal in all 50 States in America. It is simply that liberals in this country are not content to simply have research that destroys human embryos for unproven human science, but they want me to pay for it. They want tens of millions of Americans who, like I do, believe that life begins at conception to see their taxpayer dollars used to fund research that they find morally objectionable. That's really the issue.

The debate is not about whether we should do embryonic stem cell research, would that it was, would that we were here on the floor actually debating along the fault lines of science and morality. I am ready for that debate. Forty-eight years and nine months ago today, I was an embryo. I am ready to have the debate about the sanctity and the value of human life. But we are not having that debate today.

America since Roe v. Wade has moved past the issue that was framed so eloquently by the late President Ronald Reagan. He said, we cannot diminish the value of one category of one human life without diminishing the value of all human life.

□ 1100

But our Supreme Court made a decision decades ago that we would put choice above life. But I will stay in that moral debate. But, again, it's not what we're about today. And any one of my colleagues here on the floor and anyone listening in, let's at least be honest about what we're talking about. And that is, this debate is not about whether we should do embryonic stem cell research. And I know we've heard from wonderful scientists on our side of the aisle who've reminded us, inconvenient for the majority, that 100 percent of the scientific breakthroughs that have taken place in stem cell research have taken place in adult stem cell research. There's not been a single therapy developed from embryonic stem cell research, and there are scientific reasons why we can expect that there never will be, given the instability of nascent human life at that stage. But I'm not an expert in that area.

You know, I'm a guy; I come from south of Highway 40 in Indiana. I keep things real simple. This is just a debate about who pays for research that destroys human embryos. And I simply want to say again, this debate is not really about what an embryo is. This debate is about who we are as a Nation; whether or not Congress will, as they did before, send legislation to the President of the United States that will take the taxpayer dollars of millions of pro-life Americans and use it to fund research that they find morally objectionable. But I can count, Mr. Speaker. I expect this legislation will pass again. But I thank God that we have a President in the White House who will, I have every confidence, veto this legislation just as he did before, and that we have a tenacious pro-life minority in this House that will defend the President's veto.

Let me say, again, I believe that life begins at conception. And I believe it's morally wrong to create human life to destroy it for scientific research. But that is not what this debate is about. This debate is not about whether we should do embryonic stem cell research; it's about who pays for it. And liberals in this Congress are not content simply to have embryonic stem cell research legal in all 50 States. They want pro-life Americans like me to get our wallets out and finance it, and I'm not having that, Mr. Speaker.

Ms. MATSUI. Mr. Speaker, before I yield to the next speaker, let me just say that Mrs. Reagan was in favor of stem cell research, embryonic stem cell research. And we know that President Reagan had a very debilitating disease, and I feel that that's the reason why she has supported it.

So with that, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ. Mr. Speaker, I rise in strong support of the Stem Cell Research Enhancement Act.

My own State, Pennsylvania, is in the forefront of science and medicine. Our hospitals, medical schools, biotechnology and pharmaceutical institutions are home to some of the best and brightest scientists who are working every day to provide new medicines and diagnostics. These scientists need access to all of the tools available to do their vitally important work.

The science is clear. Stem cell research offers hope for better treatments and possible cures for cancer, Parkinson's, Alzheimer's, diabetes, spinal cord injuries and so many other debilitating diseases and disorders that directly affect 100 million Americans and their families.

Yet President Bush continues to let politics, not science, not the health and well-being of American families, and not the will of the majority of Americans dictate his decision-making.

American families want cures, not politics. They want hope, not lost opportunities. That is why it is so important that we are, again, bringing this proposal to the floor of Congress.

Today, with bipartisan support, Congress will again seek to offer hope to millions of Americans battling disease and injury. Today, Congress will, once again, vote to maintain the United States' stance as a world leader in medical research and scientific advancement. And today, we will stand up to the President and, again, choose to advance scientific discovery in an ethical and responsible manner.

I urge my colleagues to support ethical scientific research and to support hope. We should vote ''yes'' on this rule. We should vote ''yes'' on the Stem Cell Research Enhancement Act.

Mr. SESSIONS. Mr. Speaker, at this time, I would like to inquire upon how much time is remaining on both sides, please.

The SPEAKER pro tempore. The gentleman from Texas has 3½ minutes. The gentlewoman from California has 14.

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

Ms. MATSUI. 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, this is a very personal debate, and it is a serious one. But I would only ask my colleagues on the other side of the aisle to entertain the thought that we are, today, addressing the lives of Americans, and we can't fool around with life and death issues that impact on the lives of Americans. Millions of Americans today, a collective number of 110 million, are dealing with the diseases of diabetes, Alzheimer's, some with spinal cord injuries, and many others impacted by the inertia of this body. And so let me applaud my colleague, Congresswoman DEGETTE, because this legislation, as my colleagues realize, is imperative for it to move as S. 5, the Stem Cell Research Enhancement Act of 2007. We know that if this bill does not pass, it does not get to the President's desk, and lives of millions of Americans will be impacted. It is a simple bill. It says that ''the stem cells were derived from human embryos that are donated from in vitro fertilization clinics for the purpose of fertility treatment and were in excess of the needs of individuals seeking such treatment. The embryos would never be implanted in a woman and would otherwise be discarded. Such individuals donate the embryos with written informed consent, and receive no financial aid or other inducements.'' These embryos otherwise would be discarded.

What is our challenge in America? To rise to our higher angels?

This rule is constructed to save lives. Our friends will have the privilege of a motion to recommit, but we have the responsibility of saving the lives of 110 million Americans, children, family members of yours, loved ones, husbands and wives and others. Some are our soldiers on the front lines of Iraq and Afghanistan. We can do no less today. Pass S. 5. Vote for the rule, and vote against the motion to recommit.

Mr. Speaker, I rise today in support of S. 5, the "Stem Cell Research Enhancement Act of 2007," which the House passed in substantially similar form by a vote of 253–174 on January 11, 2007. The legislation passed the Senate by a nearly veto-proof majority of 63–34. The only difference between the version passed by the House and the Senate is that

the Senate version contains a provision directing the Secretary of HHS to conduct and support research on alternative human pluripotent stem cells.

Mr. Speaker, once again we find ourselves in a position to pass legislation that will provide our nation's scientists with the valuable opportunity to save lives. It is our duty as representatives of the people to help Americans who are suffering. The President should put away his veto pen and listen to the American people. They want him to sign this bill. Signing this bill will help bring about the new direction in leadership and responsiveness that American people voted for last November.

In 1998, the very first stem cells were isolated, leading to the immediate realization of the enormous possibilities this discovery presents. Suddenly treatments, even cures, seemed possible for devastating illnesses like Parkinson's disease, diabetes, Alzheimer's, Amyotrophic Lateral Sclerosis (ALS), cancer, and spinal cord injuries.

Despite restrictions on federal funding imposed by President Bush in 2001, the states of California, New Jersey, Connecticut, Illinois, and Maryland have provided funding for this important research. In 2005 and again last year, we learned that in spite of the President's continued opposition to stem cell research, support for it in Congress transcended party lines.

Unfortunately, the embryonic stem cells currently permitted by law for research are not sufficient for scientists' needs. According to the National Institute of Health (NIH), of more than 60 stem cell lines that were declared eligible for federal funding in 2001, only about 22 lines are actually available for study by and distribution to researchers. These NIH-approved lines lack the genetic diversity that researchers need in order to develop effective treatments for millions of Americans.

In spite of recent scientific breakthroughs that suggest alternate means of obtaining stem cells, I must caution my colleagues from thinking that embryonic stem cell research is no longer necessary. I applaud Dr. Anthony Atala and his team at Wake Forest University and Harvard University for their very recent outstanding discoveries. However, I must repeat the caution of Harvard researcher George Daley in saying that these newly discovered cells "are not a replacement for embryonic stem cells"—on the contrary, research for these is entirely complementary. In addition, while we know very little about these new methods, much progress has already been made in the research of embryonic, or pluripotent, stem cells, the most adaptable and unique of all the stem cell varieties. They currently provide scientists with the most possibilities for research and for the discovery of life-saving treatments; as such, we must allow these scientists the opportunity to do so.

It is understandable that many Americans may have moral conflicts with this issue if they believe that embryos need to be destroyed in order for this research to be implemented, but this is not the case. It is estimated that more than 400,000 excess frozen embryos exist in the United States today and that tens of thousands, and perhaps as many as 100,000, are discarded every year.

Further, S. 5 ensures that none of the embryos used in stem cell research is intended for implantation in a woman. All of these embryos would otherwise be discarded. Mr. Speaker, denying people in our nation who suffer from debilitating illnesses the possible medical benefits that could result from embryonic research is not only cruel but a waste of these valuable life-sustaining stem cells.

This is indeed a matter of ethics—we cannot morally argue that it is better to deny suffering people hope for a cure. Let us provide all people in this world with possibilities for a better future by supporting stem cell research. Let us create the potential for miracles in the lives of paralyzed individuals, those with cancer, or those in need of organ transplants.

This bill provides a limited—yet significant—change in current policy that would result in making many more lines of stem cells available for research. If we limit the opportunities and resources our researchers have today, we only postpone the inevitable breakthrough. Our vote today may determine whether that breakthrough is made by Americans, or not.

I urge my colleagues to vote in favor of this bill, to vote in favor of scientific innovation, and to vote in favor of a perfect compromise between the needs of science and the boundary of our principles.

Mr. SESSIONS. I continue to reserve my time, Mr. Speaker.

Ms. MATSUI. Mr. Speaker, I yield 3½ minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, first, I want to express my enormous appreciation to Congresswoman DIANA DEGETTE.

This morning Speaker PELOSI said, this is really a great day, not only in the United States Congress but for the American people around the country. Many times we deal with issues that are either sort of lower on the list of importance. We name post offices. We give certain honors to individuals. That's all good. But today we're dealing with an issue that affects millions, over 100 million Americans, really not a family that's not touched by Alzheimer's disease, Parkinson's disease, diabetes, as DIANA DEGETTE's daughter is. And like many mothers who come to the Congress and ask us to address issues that have affected their children, DIANA DEGETTE is in a position to actually make something happen, and she has, in the most educated, illuminated, compassionate way, to bring this legislation to the floor of the House of Representatives today.

I also rise in the name of our beloved friend and part of our congressional family, Lane Evans. Lane is one of the million Americans who suffers from Parkinson's disease, who has had to cut his career short. His leadership and dedication to making progress with stem cell research was inspiring. He understood the hope that embryonic stem cell research holds for so many like him. It's time that we pass this bill for people like Lane Evans; a hero, a Marine, someone who has fought all his life. And now we need to fight for him.

I also rise in support of this bill for my friend, Bonnie Wilson, and her daughter, Jenna, who's one of the 7 million American children living with diabetes. Stem cell treatment may be her only hope. It's time that we finally make progress, put aside ideology, and, yes, it is about ideology versus science, and pay attention to the science. And I want to thank all the children and parents, the children who have diabetes who have come to me year after year after year after year to my office, told me about the shots that they take, the parents waking up several times during the night to check the levels on their children; worrying day and night that they are going to get that phone call that there has been some disaster. It's for them that we do this. And so we're standing today on the brink of incredible scientific breakthroughs that are going to address the issues that plague all our families. My family has been plagued by the early loss of my daughter-in-law, Fiona, to cancer.

Let me just say then, for Fiona and for my grandchildren who were left motherless at a very, very young age, and all the families, I'm not alone. No one's alone in this; that we stand together today to say we believe in a cure. We want to support a cure. We, the American people, through our taxpayer dollars, what could be a better expenditure of that? Should we throw away unused embryonic stem cells? Should we toss in the garbage, literally, the possibility of these cures? I don't think so. Let's take that leap today for our children and future generations.

Mr. SESSIONS. Mr. Speaker, at this time I'd like to yield 2 minutes to the distinguished gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Every week, Mr. Speaker, medical journals, science periodicals, as well as the mainstream media, announce and report on yet another promise and advance in adult stem cell research and clinical application. Unlike embryonic stem cell research, which has had a poor track record, adult stem cell therapies are not only the present, they are the future as well. Cord blood stem cells, for example, are healing and mitigating a myriad of diseases today and promising research that suggests better therapies to come.

Let me just say a word about embryo destroying stem cell research. It has at least three strikes against it. First, it has an incredible propensity to morph into tumors. Secondly, if embryonic stem cells are ever successful and transplanted into humans, embryonic stem cells carry an enormous proclivity for rejection. And third, embryonic stem cell research requires the killing of human embryos. If it ever worked, the limited supply of so-called spare embryos, and that's a very offensive word, let me just say. Those children who have been adopted from cryogenic tanks—snowflake babies—are a witness against this idea of saying somehow there's a spare embryo. But just take that for what it is. If it ever worked, there would be a near insatiable demand for freshly killed human embryos.

On that last point, let me ask my colleagues to consider what Dr. Robert Lanza, vice president of research and scientific development at Advanced Cell Technology said, and he said, ''creating that many lines,'' talking about to meet what would be the need, ''would require millions of embryos from IVF clinics.''

□ 1115

In the March 16, 2006, edition of Stem Cells, Civin and Rao calculated how many embryos would be needed for clinical applications, and they said that embryonic stem cell lines could reach into the millions if the therapies live up to their potential. Millions of human embryos would be killed. That's unconscionable.

So this is the tip of the iceberg. You are talking about spare embryos now in this debate but if it ever did work, especially when we have an ethical alternative that does work, but if it ever did work, it would mean requiring the killing of millions of embryos, and I don't think enough Members have looked forward enough to realize where this could take us. That is a brave new world. This is the tip of the iceberg today, and hopefully we will not go that way. We must do ethical stem cell research instead.

And let me say one last thing. The Bush administration doubled from 300 to 600 million dollars the amount of money that we are spending on stem cell research. We are passionately in favor of stem cell research, but only the ethical kind.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I thank the gentlewoman on the Rules Committee for yielding to me.

I rise in support of this bill and in support of the promise that comes with funding embryonic stem cell research.

Millions of Americans suffer from diseases for which we might actually find a treatment. Millions more watch family and friends suffer while we deny a chance for a cure. How can we tell a parent watching a child suffer from cancer that we aren't going to do every single thing possible to save that child? How can we tell a child that we won't try to put a halt to the ravages of the Parkinson's disease from which a father or mother is suffering? How can we tell a teenager that there is a chance we could repair a damaged spinal cord so that the teen can walk again but we aren't going to pursue it? How can we tell someone with a family member with Alzheimer's disease that we won't try every single thing possible to fight it?

In my own district, the Buck Institute on Aging is doing great research into lifesaving research with embryonic stem cells. Just recently, they received a grant from the State of California to continue their great work. Private research facilities and States are on the forefront of research, and the Federal Government must join them.

Today, we have an obligation. We have an obligation to the people of this country to support research that could prevent suffering, that could save countless lives. Federal funding for research in stem cells is vital. It is vital to making real progress as quickly as possible to find real cures.

I urge my colleagues to join me in supporting this bill that will certainly have long-lasting effects in improving the health and the well-being of millions of Americans; and I, too, want to thank Congresswoman DIANA DEGETTE from Colorado for being such a leader in the stem cell debate.

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

Mr. Speaker, the Republican Party, this President, is completely in favor of spending money in doing stem cell research. We, however, are not in favor of putting an olive branch out that is unproven, untested, and up to today has produced no results from embryonic stem cell research.

The real problem with it is that it takes someone else's stem cells and puts them into someone else's body and there is a rejection rate. We know what works best is when a researcher uses stem cells from a person's own body and puts them back into their own body. This is called stem cell research for adults. This is what will lead this country to where it needs to go.

We are simply saying, rather than spending Federal money on untested and unwise decision-making processes that have not led forth to any research that is meaningful, we should spend the money which will yield the best results.

Mr. 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. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. Mr. Speaker, I will be asking for a ''no'' vote on the previous question so that we can amend this rule and allow the House to consider a change to the rules of the House to restore accountability and enforcement to the earmark rule.

Mr. Speaker, before I yield back the balance of my time, I want to say thank you very much for your cautious and careful rulings and administration today as the Speaker. I appreciate and respect the way you have conducted yourself in this debate.

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

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

I include the following statements in support of S. 5:

CANCER RESEARCH AND PREVENTION FOUNDATION

Embryonic Stem Cell Research and Regenerative Medicine

JUNE 7, 2007.

The Cancer Research and Prevention Foundation (CRPF) strongly supports efforts to expand the current, restrictive policy governing embryonic stem cell research, under strict, ethical guidelines. The Stem Cell Research Enhancement Act, S. 5, will accomplish the expansion, while maintaining strong ethical standards. Enactment of S. 5 will provide hope to the estimated 1.5 million men, women and children diagnosed with cancer each year.

The House and Senate have both passed legislation in the 110th Congress that will expand the current policy by allowing Federally-funded research to be conducted on embryos derived after August 9, 2001, on leftover embryos that will be otherwise destroyed or discarded by fertility clinics. The legislation ensures that no Federal funds will be used to create or derive embryos for research purposes, nor will any individual be compensated for donation of an embryo for research purposes.

According to a poll recently released by the Coalition for the Advancement of Medical Research, nearly sixty (60) percent of Americans want President Bush to sign the Stem Cell Research Enhancement Act into law. More than 500 disease advocacy organizations, universities, professional societies and other organizations have endorsed S. 5 and the Stem cell Research Enhancement Act.

Embryonic stem cell research may hold great potential to improve the prevention, diagnosis and treatment of cancer. Scientific evidence indicates that stem cells provide powerful models of the cellular and molecular origins of many cancer types, helping us better understand the disease and provide insight into critical aspects of cell growth and differentiation altered during tumorigenesis. This work may also improve pre-clinical evaluations of drug toxicity and efficacy, identify markers for early cancer detection and aid in the discovery of novel treatment targets.

The Cancer Research and Prevention Foundation supports embryonic stem cell research, as well as other forms of stem cell research such as bone marrow stem cells, adult stem cells and stem cells derived from cord blood.

Embryonic stem cell research has the potential to benefit millions of Americans suffering from cancer, diabetes, Alzheimer's, Parkinson's, spinal cord injury, heart disease and beyond. In order to realize the full potential of embryonic stem cell research, the Federal Government must act quickly to ensure that research is being conducted with the most scientifically viable stem cell lines available, that the best and brightest medical researchers and clinicians are involved in the field, and that the United States and top research institutions remain leaders in biomedical and regenerative medicine research.

UNIVERSITY OF CALIFORNIA,
OFFICE OF THE PRESIDENT,
June 6, 2007.

Hon. DORIS MATSUI,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE MATSUI: On behalf of the University of California, I urge your support for S. 5, the Stem Cell Research Enhancement Act.

S. 5, the stem cell bill that you will consider this week is similar to the House version (H.R. 3) in that it expands the number of stem cell lines that are eligible for

federal funding. It passed the Senate on April 11, 63 to 34. Like H.R. 3, this bipartisan bill also institutes strong ethical requirements to govern stem cell research. S.5 has been amended, however, to include the Alternative Pluripotent Stem Cell Therapies Enhancement Act, S. 2754. The additional provisions from S. 2754 would direct the National Institutes of Health (NIH) to conduct and support basic and applied research to obtain stem cells using alternative methods that would not result in the destruction of an embryo. The University remains fully in support of S. 5 with these changes.

Understanding and realizing the potential of stem cells through the advancement of ethical scientific research is a priority for the University of California and our world-class research enterprise. Your support of S. 5, the Stem Cell Research Enhancement Act, will enable the University to continue its tireless pursuit of knowledge and scientific breakthroughs that may lead to developing cures for many devastating diseases and conditions and ultimately improve the lives of millions of Californians.

Sincerely,

A. SCOTT SUDDUTH,
Assistant Vice President.

LANCE ARMSTRONG FOUNDATION,
Austin, TX, June 5, 2007.

Hon. DORIS MATSUI,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE MATSUI: The Lance Armstrong Foundation (LAF) respectfully urges you to vote in favor of S. 5, the Stem Cell Research Enhancement Act. This legislation will be scored by the LAF as a key vote for cancer survivors.

The LAF unites people to fight cancer. We engage the public at large to pursue an agenda focused on preventing cancer, ensuring access to screening and care, improving the quality of life for people affected by cancer, and investing in needed research.

The LAF supports exploring every avenue of research, including embryonic stem cell research within specified ethical limits, until a cure for cancer is found. The most respected scientists in our field view embryonic stem cells as an area of research that must be explored, and one that our government must make a commitment to support.

S. 5 is identical to legislation that passed the House of Representatives in January, except that the Senate-passed bill contains an added provision that would direct the federal government to conduct and support research on alternative human pluripotent stem cells.

A vote in favor of S. 5, the Stem Cell Research Enhancement Act, is a vote in support of people affected by cancer and other serious and life-threatening illnesses.

Sincerely,

LANCE ARMSTRONG,
Chairman of the Board.
DOUG ULMAN,
President.

Mr. Speaker, ethical embryonic stem cell research is a reality. It exists, and it can help save lives.

The Federal Government has two options. We can engage by participating in the research and influencing the ethical debate within the global community. Or we can ignore the issue and let others lead.

Again, this is not just my opinion. The Presidentially appointed Director of the NIH said earlier this year, ''We cannot be second best in this area . . . I think it is important for us not to fight with one hand tied behind our back here.''

I could not agree more. America is the world leader in medical research and development. We cannot cede that ground.

I am in support of this bill for my young friend Scott, 11 years old, who is dealing with diabetes every single day; and for my good friend Sybil, who has Parkinson's disease and asks me all the time to support all stem cell research; and for those with blood or bone marrow cancers or failures like my husband, Bob. It is too late for him but maybe not for others.

The bill made in order under today's rule represents the bipartisan consensus in America on how we combine hope, the scientific consensus, and our values into a policy right for our society.

I urge a ''yes'' vote on the previous question and on the rule.

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

AMENDMENT TO H. RES. 464 OFFERED BY MR. SESSIONS OF TEXAS

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

SEC. 3. Clause 9(c) of Rule XXI is amended to read as follows:

''(c) As disposition of a point of order under paragraph (a), the Chair shall put the question of consideration with respect to the bill, joint resolution, or conference report, or amendment described in paragraph (a)(3). The question of consideration shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent, but shall otherwise be decided without intervening motion except one that the House adjourn.''.

(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.

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 221, nays 195, not voting 16, as follows:

[Roll No. 440]

YEAS—221

Abercrombie	Braley (IA)	Cuellar
Ackerman	Brown, Corrine	Cummings
Allen	Butterfield	Davis (AL)
Altmire	Capps	Davis (CA)
Arcuri	Capuano	Davis (IL)
Baca	Cardoza	Davis, Lincoln
Baird	Carnahan	DeFazio
Baldwin	Carney	DeGette
Bean	Carson	Delahunt
Becerra	Castor	DeLauro
Berkley	Chandler	Dicks
Berman	Clarke	Dingell
Berry	Clay	Doggett
Bishop (GA)	Cleaver	Donnelly
Bishop (NY)	Clyburn	Doyle
Blumenauer	Cohen	Edwards
Boren	Cooper	Ellison
Boswell	Costa	Ellsworth
Boucher	Costello	Emanuel
Boyd (FL)	Courtney	Engel
Boyda (KS)	Cramer	Eshoo
Brady (PA)	Crowley	Etheridge

Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones (OH)
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)
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—195

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
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
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
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
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
Pitts
Platts
Poe
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
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—16

Andrews
Bilbray
Cantor
Conyers
Garrett (NJ)
Hastings (FL)
Holden
Jefferson
Kagen
Lampson
Marchant
Pickering
Pomeroy
Porter
Ryan (OH)
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1147

Mrs. MYRICK, Mrs. CUBIN, Mr. BARTLETT of Maryland and Mr. SOUDER changed their vote from ''yea'' to ''nay.''

Messrs. JACKSON of Illinois, GUTIERREZ and OBERSTAR changed their 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 question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 224, noes 191, not voting 17, as follows:

[Roll No. 441]

AYES—224

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
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
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Price (NC)
Ramstad
Rangel
Regula
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Sutton
Tanner
Tauscher
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
Young (AK)

NOES—191

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Costello
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
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
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
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Price (GA)
Pryce (OH)

Putnam
Radanovich
Rahall
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—17

Bilbray
Buyer
Cantor
Conyers
Garrett (NJ)
Hastings (FL)
Holden
Jefferson
Kagen
Lampson
Marchant
Pickering
Pomeroy
Porter
Ryan (OH)
Sestak
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1154

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.

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, I took a leave of absence until 12 p.m. on June 7, 2007, as I was in my district on personal business. The following list describes how I would have voted had I been in attendance this morning.

"Yea"—Motion on ordering the previous question on the rule.

"Aye"—H. Res. 464—Rule providing for consideration of S. 5, to amend the Public Health Service Act to provide for human embryonic stem cell research.

Mr. DINGELL. Mr. Speaker, pursuant to House Resolution 464, I call up the Senate bill (S. 5) to amend the Public Health Service Act to provide for human embryonic stem cell research, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 5

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stem Cell Research Enhancement Act of 2007''.

SEC. 2. HUMAN EMBRYONIC STEM CELL RESEARCH.

Part H of title IV of the Public Health Service Act (42 U.S.C. 289 et seq.) is amended by inserting after section 498C the following:

"SEC. 498D. HUMAN EMBRYONIC STEM CELL RESEARCH.

''(a) IN GENERAL.—Notwithstanding any other provision of law (including any regulation or guidance), the Secretary shall conduct and support research that utilizes human embryonic stem cells in accordance with this section (regardless of the date on which the stem cells were derived from a human embryo) .

''(b) ETHICAL REQUIREMENTS.—Human embryonic stem cells shall be eligible for use in any research conducted or supported by the Secretary if the cells meet each of the following:

''(1) The stem cells were derived from human embryos that have been donated from in vitro fertilization clinics, were created for the purposes of fertility treatment, and were in excess of the clinical need of the individuals seeking such treatment.

''(2) Prior to the consideration of embryo donation and through consultation with the individuals seeking fertility treatment, it was determined that the embryos would never be implanted in a woman and would otherwise be discarded.

''(3) The individuals seeking fertility treatment donated the embryos with written informed consent and without receiving any financial or other inducements to make the donation.

''(c) GUIDELINES.—Not later than 60 days after the date of the enactment of this section, the Secretary, in consultation with the Director of NIH, shall issue final guidelines to carry out this section.

''(d) REPORTING REQUIREMENTS.—The Secretary shall annually prepare and submit to the appropriate committees of the Congress a report describing the activities carried out under this section during the preceding fiscal year, and including a description of whether and to what extent research under subsection (a) has been conducted in accordance with this section.''.

SEC. 3. ALTERNATIVE HUMAN PLURIPOTENT STEM CELL RESEARCH.

Part H of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.), as amended by section 2, is further amended by inserting after section 498D the following:

"SEC. 498E. ALTERNATIVE HUMAN PLURIPOTENT STEM CELL RESEARCH.

''(a) IN GENERAL.—In accordance with section 492, the Secretary shall conduct and support basic and applied research to develop techniques for the isolation, derivation, production, or testing of stem cells that, like embryonic stem cells, are capable of producing all or almost all of the cell types of the developing body and may result in improved understanding of or treatments for diseases and other adverse health conditions, but are not derived from a human embryo.

''(b) GUIDELINES.—Not later than 90 days after the date of the enactment of this section, the Secretary, after consultation with the Director, shall issue final guidelines to implement subsection (a), that—

''(1) provide guidance concerning the next steps required for additional research, which shall include a determination of the extent to which specific techniques may require additional basic or animal research to ensure that any research involving human cells using these techniques would clearly be consistent with the standards established under this section;

''(2) prioritize research with the greatest potential for near-term clinical benefit; and

''(3) consistent with subsection (a), take into account techniques outlined by the President's Council on Bioethics and any other appropriate techniques and research.

''(c) REPORTING REQUIREMENTS.—Not later than January 1 of each year, the Secretary shall prepare and submit to the appropriate committees of the Congress a report describing the activities carried out under this section during the fiscal year, including a description of the research conducted under this section.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect any policy, guideline, or regulation regarding embryonic stem cell research, human cloning by somatic cell nuclear transfer, or any other research not specifically authorized by this section.

''(e) DEFINITION.—

''(1) IN GENERAL.—In this section, the term 'human embryo' shall have the meaning given such term in the applicable appropriations Act.

''(2) APPLICABLE ACT.—For purposes of paragraph (1), the term 'applicable appropriations Act' means, with respect to the fiscal year in which research is to be conducted or supported under this section, the Act making appropriations for the Department of Health and Human Services for such fiscal year, except that if the Act for such fiscal year does not contain the term referred to in paragraph (1), the Act for the previous fiscal year shall be deemed to be the applicable appropriations Act.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary for each of fiscal years 2008 through 2010, to carry out this section.''.

The SPEAKER pro tempore (Mr. PASTOR). Pursuant to House Resolution 464, the gentleman from Michigan (Mr. DINGELL) and the gentleman from Texas (Mr. BARTON) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

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

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

There was no objection.

Mr. DINGELL. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, as we consider S. 5 as passed by the Senate, I am pleased to report that both Houses of Congress have again found common ground on stem cell research policy. This is a matter of utmost importance. We have sent this legislation, or similar legislation on stem cell research, to the President twice. The legislation has been vetoed.

This is a bicameral bill and our actions are clear: We and the American people will not be deterred from enacting potentially life-saving legislation of this kind. For those suffering from diseases such as Alzheimer's, autism, cancer, cystic fibrosis, heart disease, Parkinson's or spinal cord injury, stem cell research offers both promise and hope, and that is why we must continue this fight and continue this research.

The legislation lifts the arbitrary date restriction and expands the number of cell lines eligible for federally funded research. It contains strong ethics provisions passed in H.R. 3, ensuring new stem cell lines are only derived from unused embryos created for human fertility treatments that would otherwise be discarded.

I want to be clear: S. 5 does not permit funding for creation or destruction of embryos. This is a critical point. If

not used in research, these stem cells will be discarded as medical waste.

Finally, I note that S. 5 includes the text of the Hope Offered Through Principled and Ethical Stem Cell Research Act, or the HOPE Act, which is Senate language.

At this time I wish to yield now and I ask unanimous consent that the distinguished gentlewoman from Colorado (Ms. DEGETTE) be permitted to control the time on this side. She has done a superb job in providing leadership on this matter.

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

There was no objection.

Mr. BARTON of Texas. Mr. Speaker, I yield 2½ minutes to the distinguished physician from Denton and Flower Mound, Texas (Mr. BURGESS), a member of the committee.

Mr. BURGESS. Mr. Speaker, I thank the ranking member for yielding.

Mr. Speaker, the speed of scientific investigation certainly exceeds that of the legislative process. Medical research, especially in the field of regenerative medicine, holds great promise, and it is our responsibility to strike an appropriate balance between that which is ethical and the promise that regenerative medicine holds. Science is resolving and providing answers to this ethical dilemma actually without the help of legislation from this Congress, but really through the hard work of dedicated medical researchers.

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Yesterday, in an article published in the scientific periodical ''Nature,'' several teams of researchers have been able to make stem cells from a mouse skin cell, a mouse fibroblast, by genetically modifying it with a special technique that they have developed.

So here we have a stem cell that was created from a skin cell without destroying an embryo. These researchers have already shown success with mice by reprogramming mature cells to act like stem cells. This field of cell signaling is going to be very important in the field of regenerative medicine in the decades to come.

These researchers are also working to see how these reprogrammed cells may limit the growth of tumors, a problem identified when using human embryonic stem cells from destroyed embryos.

When we had this discussion last January, Dr. Anthony Atala from Wake Forest University and his Institute of Regenerative Medicine have found that stem cells derived from amniotic fluid, no harm to the baby, no harm to the fetus, cells derived from amniotic fluid have the same or similar characteristics of stem cells derived from embryos. He has been able to build on this research and regrow human organs, bladders in mice, in a handful of cases to do the same thing in humans. Because these stem cells are not from embryos but from the amniotic fluid or from the placenta, there is much less risk of tumors developing than there is in embryonic stem cells. Because these cells are not from embryos but from the amniotic fluid, there is no harm to the embryo. Over 40 cell lines are available in Dr. Atala's lab.

Mr. Speaker, I am extremely disappointed that we have brought this bill to the floor without a hearing in our committee. The science has moved tremendously. This is the same bill we debated 2 years ago on this House floor. Not a single committee hearing, not a single consideration of how the science has advanced in the past 2 years. That is a shame, and for that reason this bill should be defeated. We should go back to the committee and go through regular order.

Once again, we are debating a bill on the House floor which science has lapped multiple times.

We all agree that medical research, especially in the fields of regenerative medicine hold great promise, but our responsibility is to strike an appropriate balance between the ethical challenges of stem cell research and the promise that it holds.

Science is beginning to address this ethical dilemma without the help of legislation from this Congress, but through the hard work of hundreds of medical researchers.

I would like to call an article in the recent edition of Nature to the Speaker's attention.

Several teams of researchers have been able to make stem cells from a certain type of skin cell genetically modified with retroviruses, without destroying embryos.

These researchers have already shown success with mice by reprogramming mature cells to act like stem cells.

These researchers are also working to see how these reprogrammed cells may also limit he growth of tumors, a problem identified when using stem cells derived from destroyed embryos.

Dr. Anthony Atala, director of Wake Forest University's Institute of Regenerative Medicine, has also found that stem cells derived from amniotic fluid have the same or similar characteristics of stem cells derived from embryos.

He has been able to build on this research and re-grow bladders in mice and in a handful of cases do the same in humans.

Because these stem cells are not from embryos but from amniotic fluid or placenta, there is less risk of tumors.

Over 40 lines are available in Dr. Atala's lab already, and he has the ability to collect more of these very plastic cells in any birthing center.

In fact, I am disappointed that instead of considering a bill that actually does something, which I have cosponsored and introduced by Congressman LIPINSKI, is not before us in place of S. 5.

This bill would provide funding to bank amniotic and placental cells and make them available for research and at some point in the future for actual medical treatments.

This Congress and its leadership has missed an opportunity to hold hearings on this important field of medical research and bring something to the floor that would actually move the science forward.

Instead, we have before us today, an uninformed, morally objectionable bill designed to inflame political divisions when what America needs is a Federal medical research policy that moves forward in an ethical and responsible manner in real-time, adapting to the needs of science.

Ms. DEGETTE. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise today to express frustration, frustration that I share with millions of Americans around this country. Every day, millions of patients suffer from debilitating diseases and conditions. For many, embryonic stem cell research is the most promising source of potential cures and treatments. Unfortunately, because of the stubbornness of one man, President Bush, these people continue to suffer as they wait.

Since the discovery of embryonic stem cells in 1998, the vast majority of biomedical researchers in this country identify embryonic stem cell research as the most promising source of treatments for diseases like diabetes, Alzheimer's, Parkinson's, spinal cord injury and multiple sclerosis. With the unique ability to become any cell in the body, embryonic stem cells truly are the key to taking science to a whole new level.

Unfortunately, President Bush has stubbornly refused to pay attention to these scientists and the patients who might be helped by this research. In August 2001, the President announced that he would prohibit the National Institutes of Health from funding research on embryonic stem cells lines created after August 2001. Assertions to the contrary, there are fewer than 20 stem cell lines in existence, and most of these researchers are finding less and less workable.

Despite the President's opposition to the research, Congress has acted over and over again for this funding. In 2006, we passed the first bill. This year, as H.R. 3, we passed the second bill. And all of the bills, including S. 5, have the same provisions: Embryos used to derive stem cells which were created for fertility treatments and are in excess of clinical need, the individuals for whom those embryos were created, have determined the embryos are not needed and voluntarily donate them and the individuals provide written consent.

Let me remind my colleagues that under current law there are no ethical guidelines like these that govern any stem cell research that happens today. Unfortunately, the President vetoed the bill. But in the 2006 elections, embryonic stem cell research became a critical issue, and it passed this House again in January with an overwhelming majority.

It is time to pass this bill again now with the Senate language and send a clear message to the President and this country: The majority of Americans want stem cell research.

While the NIH remains limited to a few number of stem cell lines, the rest of the world has eagerly filled the void.

California has recently authorized several billion dollars to conduct embryonic stem cell research. Japan, the U.K., Singapore and others have allocated billions of dollars. But the NIH lags behind. Not only is it not participating in this research, it has lost its cutting edge.

Since I first began working on this issue, public support for embryonic stem cell research has soared. According to a Gallup poll released just this week, since May 2002, it has gone up to 64 percent, steadily increasing.

Mr. Speaker, the Senate gets it. The public gets it. The House gets it. Why doesn't the President of the United States get it?

Opponents of this research say there are other types of cell research that are being explored. And, in fact, yesterday, shockingly, another new advance, which seems to happen every time we bring this bill up. We welcome these advances as we welcome all advances in ethical life-saving research. However, this new scientific research should not be used as an excuse to say that it is a substitute for embryonic stem cell research.

One of the lead researchers, Kevin Eggan, said: ''All of us agree strongly with human embryonic stem cell research. These experiments are not motivated by a desire to find an end run around these issues.''

This week, in fact, on the other end, embryonic stem cell research has led to huge new advances in curing macular degeneration in England. They believe that embryonic stem cell research will lead to a cure in humans within 5 years.

It is promising research. It is supported by a majority of Americans, by the House, by the Senate. Mr. Speaker, that's why we are here today: the chance for so many to live a life that others take for granted.

Vote for S. 5 to restore hope.

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

Mr. BARTON of Texas. I would like to yield 1 minute to the distinguished congressman from Allentown, Pennsylvania (Mr. DENT), home of the Allentown Canaries.

Mr. DENT. Mr. Speaker, we have come to the floor many times over the past few years to discuss the advancement of various forms of stem cell research: adult, cord blood, amniotic, embryonic. We have had discussions about the science and about our moral obligations and about ethics. These discussions have been passionate and heartfelt. We have all come to the floor with the best of intentions.

For some of us, our feelings on these issues have been colored by personal experiences with our own families. For all of us, our stance has been informed by the conversations we have had with our constituents.

I have had countless discussions with my constituents about embryonic stem cell research. In particular, there are two families from my district whose personal stories have made a profound impact on my thinking about this issue, the Sheaffers from Kempton, Pennsylvania, and the Pitts from Nazareth.

I am very happy that the Pitts family, Melissa and Jeff and their sons, Ryan and Alex, are able to be with us today. I first met Melissa and the boys in 2005. Ryan and Alex are energetic 6-year-old twin boys. You could not tell them apart if not for the fact that Alex is in a wheelchair. Alex suffered a spinal cord injury at birth and has been paralyzed since. Melissa has told me that the promise of embryonic stem cell research gives her hope, hope that advances will allow her son, Alex, to live the same kind of independent life that Ryan will enjoy.

Every day that goes by while we play politics with science is a day that we could have gotten one step closer to finding therapies for kids like Alex. I urge my colleagues to support S. 5. This is an important bill which will ensure that researchers adhere to the highest possible principles of scientific inquiry and respect critical ethical boundaries while advancing some of the most important research of our time.

Ms. DEGETTE. Mr. Speaker, I am pleased to recognize the distinguished gentlewoman from California (Mrs. CAPPS) for 2 minutes.

Mrs. CAPPS. Mr. Speaker, I rise in strong support of Senate 5, the Stem Cell Research Enhancement Act. But then again, you already know that because I have stood on this floor countless times in the past few years expressing this same sentiment.

Today, we have an opportunity to again pass a bill that would direct federally funded, ethical stem cell research and fulfill a promise to the overwhelming majority of Americans who support it.

Fortunately, my State of California has stepped up to the plate and dedicated $3 billion to embryonic stem cell research. But this is only the first step. Because the only way to make true progress is through coordinated research conducted on a national level. In the meantime, we sit and watch as scientists throughout Europe and the rest of the world make breakthroughs that the United States cannot as long as our researchers' hands are tied.

What amazes me most about this debate today is the rhetoric used by the opposition about using Federal money to create and destroy embryos. But then again, that is just what the opponents want you to believe, when, in fact, it is just plain untrue.

As we have discussed many times before, this bill explicitly mandates that Federal funds only be used to conduct research on stem cells already extracted from embryos created by in vitro fertilization which would have been discarded anyway because the donors no longer need or want them.

Please vote today in favor of this bill that will give hope to millions of Americans, including the loved ones of everyone in this body. My own family members suffer from diseases that may be cured through embryonic stem cell research. There is really nothing else left to say other than please don't let these people down. Don't tell them that the potential for cures for their diseases are not important enough.

Finally, I want to commend my colleagues, the gentlewoman from Colorado (Ms. DEGETTE) and the gentleman from Delaware (Mr. CASTLE), and all of the people who have worked so tirelessly to bring this sound, bipartisan legislation here before us today.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Westminster, South Carolina, which is near the home of the Fighting Clemson Tigers, the starting catcher on the Republican charity baseball team, Mr. GRESHAM BARRETT.

Mr. BARRETT of South Carolina. Mr. Speaker, several times I have stood here and adamantly spoken against embryonic stem cell research.

I understand that stem cells are necessary for the advancement of medical science. I am encouraged and hopeful of the promising effects stem cell research has for those struggling with debilitating diseases and disabilities, but these solutions can be found without destroying innocent life.

We no longer have to choose between medical advancement and the protection of life. In fact, stem cells derived from adults and umbilical cords have produced over 70 successful therapies, while embryonic stem cell research has produced none.

Mr. Speaker, I do believe in the wonders of science and medical research, and I am hopeful that together we can find cures to these devastating diseases and disabilities, but the end does not justify the means.

The citizens that I represent cannot stand at this podium and speak for the protection of the innocent and those unborn yet do not have a voice, so I ask my colleagues to vote against S. 5. Let's work together to advance the science that we know works and does so without using taxpayer dollars to destroy life.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Ohio (Mr. SPACE).

Mr. SPACE. Mr. Speaker, I thank my colleague for her leadership on this issue.

I rise today in support of S. 5. In January, I stood before this body to pledge my support for embryonic stem cell research; and I also shared with the House the story of my son, Nicholas, who is now 16 and has battled juvenile diabetes for 10 years.

I asked my colleagues to put aside the differences that they have from a political perspective to support this research that offers the promise of a better quality of life for millions of Americans like my son. When the House passed H.R. 3, I was optimistic. I believed in the power of the government to do good for this Nation and its citizen. I believed we could put politics

aside for a cause of such great importance, but, Mr. Speaker, I was wrong. The administration, even many Members of this body, have succumbed to the vices of the game of politics. They put sound bites ahead of their own citizens.

In the last Congress, my colleagues in both Chambers worked together to craft legislation that would advance the promise of stem cell research. It was a good, bipartisan bill with broad support. Unfortunately, the President saw fit to veto their hard work, nullifying the opportunity that it offered.

Here we are again in the 110th Congress, Mr. Speaker, in exactly the same position we stood 2 years ago. And what has happened in the interim, thousands of children have died from terrible illnesses, and families have been torn apart. In the face of all this, we are having a debate that we have already had. With this enormous opportunity before us, I am saddened and, frankly, frustrated.

Today must be a day to start fulfilling our promise to the people of this country and be leaders on this great issue of importance. The future of our children and loved ones simply cannot wait.

Mr. BARTON of Texas. Mr. Speaker, I want to yield 2 minutes to the distinguished gentleman from Trenton, New Jersey, the Honorable CHRIS SMITH, who is generally acknowledged as the pro-life leader in the House since Henry Hyde retired.

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Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, in early January, a team of scientists from Wake Forest University and Harvard Medical School announced a historic breakthrough: a new readily available source of life-saving stem cells derived exclusively from amniotic fluid.

The Washington Post called these highly ethically derived pluripotent stem cells ''highly versatile and readily available.''

Newsweek said, ''A new era begins. Stem cells derived from amniotic fluid show great promise in the lab and may end the divisive ethical debate once and for all because the amniotic fluid stem cells are pluripotent, able to transform into cells representing each of the three major kinds of tissues found in the body.''

And ABC News pointed out that these stem cells can be taken from amniotic fluid with no harm to either the mother or her unborn child.

Earlier this week, I met with the Wake Forest University researcher, Dr. Anthony Atala, who led the team credited with this extraordinary study. Dr. Atala made it absolutely clear that these amniotic stem cells are pluripotent and that this research, along with numerous other remarkable initiatives in regenerative medicine, are progressing robustly.

Mr. Speaker, in April, the Journal of the American Medical Association reported that cord blood stem cells, not embryonic stem cells, were transplanted into 15 patients diagnosed with Type I diabetes and resulted in 13 becoming completely insulin-free.

We all know about the New York Times and the other news media carrying the surprise development that's in today's papers.

Finally, let me say, Mr. Speaker, recently Richard Doerflinger of the U.S. Catholic Conference compiled a comprehensive list of what he calls New Reasons for Hope, 111 recent developments published since Congress's stem cell votes of 2006. It is filled with one breakthrough after another, all attributed to adult stem cells, cord blood, amniotic fluid and the like. That's where the hope is, not in destroying embryos so as to derive their stem cells.

Vote ''no'' on this bill.

111 *New* REASONS TO RECONSIDER THE ALLEGED NEED FOR STEM CELL RESEARCH THAT DESTROYS HUMAN EMBRYOS

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Ms. DEGETTE. Mr. Speaker, I am now pleased to yield 3 minutes to the distinguished gentleman from Rhode Island (Mr. LANGEVIN), a true hero on this issue.

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

Mr. LANGEVIN. Mr. Speaker, I am proud to rise in support of the Stem Cell Research Enhancement Act and to be a part of a Congress that has made this a top priority.

I particularly want to recognize the great work of Congresswoman DEGETTE, the gentlewoman from Colorado, for her outstanding leadership in this issue, and the gentleman from Delaware (Mr. CASTLE) for his leadership as well.

This legislation, Mr. Speaker, has strong bipartisan support in both Chambers of Congress. It enjoys the support of up to 70 percent of the American people, and this legislation, stem cell research, offers hope and the promise of a cure to millions of people around the world who are struggling with some of life's most challenging chronic conditions and diseases and disabilities.

Mr. Speaker, I became paralyzed almost 27 years ago as a young police cadet, standing in a locker room when a police officer's gun accidentally discharged, the bullet going into my neck and severing my spinal cord.

It's been an incredible journey and, at times, a difficult one. I was told

back then that I would never walk again, but I have hope and faith, and I've always believed that somehow, through the miracle of science and research, that some day they would find a cure for spinal cord injuries. That day, that hope of a cure, has never been more real than it is today because of stem cell research.

Now, I recognize, though, this isn't just about JIM LANGEVIN or people suffering from spinal cord injuries. This is also about the millions of other people across America and throughout the world who are suffering from diseases, such as Parkinson's disease, Alzheimer's, juvenile diabetes, cancer and so many others, that could potentially be helped by stem cell research.

Now, I have to be the first to admit that my understanding of stem cell research has evolved and involved ongoing education, thought and prayer. In fact, unlike many of my colleagues who support the stem cell research bill before us, I'm opposed to abortion. The fact that my life hung by a thread, I'm reminded every day how precious a gift life truly is.

But I'm committed to the protection of life at all stages, and I've not taken my decision to support this legislation lightly.

Over the years, I had the good fortune to learn about stem cell research from some of America's renowned scientists, pro-life leaders like Senator ORRIN HATCH and also a dear friend who is certainly on my mind today, Christopher Reeve. So many people have helped me to come to the position to support this research, again because of the hope that it offers.

Now, in addition to all of these reasons, I believe that this legislation is vitally important because it provides appropriate safeguards for those that are in S. 5 so it can be done ethically and responsibly.

This offers great hope, and I urge my colleagues to support it.

Mr. BARTON of Texas. Mr. Speaker, I'd like to recognize the gentleman from Highland Park, Illinois (Mr. KIRK) for 2 minutes.

Mr. KIRK. Mr. Speaker, I rise in support of this stem cell research bill because, in my judgment, we should support several key principles: number one, that America should always lead with regard to medical research; number two, that doctors and scientists should guide medical cures; and number three, that hope for patients facing cancer or diabetes or Alzheimer's should be our top priority.

American leadership, doctors in charge, new hope for patients, oh, and bipartisan cooperation to make each of these ideals a reality, that's why we should support this bill.

In my home State of Illinois, our researchers and doctors are forging ahead like Dr. John Kessler, one of the leading researchers in the field of embryonic stem cell research at Northwestern University, who said ''stem cell biology promises to revolutionize the practice of medicine.''

I've also met with Dr. Daniel Peterson, an associate professor of neuroscience at Rosalind Franklin University of Medicine and Science in north Chicago, working on a project where stem cells are used for structural brain repair, a critical treatment for soldiers suffering from post-traumatic stress that offers new hope for veterans.

Or even a reference to today's Chicago Tribune, which talked about Dr. Richard Burt of Northwestern University and his work on stem cell research which could offer a cure for Type I diabetes.

Bringing hope to these patients and making sure the United States is in the lead and making sure that doctors are guiding this research and cures, not politicians, that's why we should pass this bill, and that's why I strongly support it.

Ms. DEGETTE. Mr. Speaker, I am now pleased to yield 2 minutes to the distinguished gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I thank my colleague on the Energy and Commerce Committee for yielding to me.

I want to associate myself with the remarks of my colleague from Illinois (Mr. KIRK). That's why I'm here today. We have another opportunity today, Mr. Speaker, to give real hope to millions of Americans suffering from incurable diseases.

These are our constituents, our family members and our friends who cannot afford to wait much longer while this administration stubbornly refuses to accept the people's will.

Poll after poll shows that between 60 and 70 percent of the American people support the expansion of embryonic stem cell research to discover more effective cures and treatment for the diseases that plague our times—juvenile diabetes, Alzheimer's and Parkinson's, just to name a few.

Every religion in the world teaches us to do all we can to ease the burden of human suffering.

The administration's current stem cell policy flies in the face of that shared goal and shuts the door of hope to too many Americans awaiting a cure.

I know a majority of my colleagues agree with me, and I hope the President hears us loud and clear and will finally respond to the Congress's, and the American people's, desire for expanded embryonic stem cell research.

Last week I saw what happens in research at the University of Texas Health Sciences Center. The private research is in one lab, and the NIH research is in a separate lab, duplicating facilities. What a waste of our scientific dollars, whether it comes from the taxpayers or from the individual and foundations. What a waste to have to do this, duplicate two labs, to be able to do this research.

And, Mr. Speaker, we know people, not just my colleague from Rhode Island, but I know a young lady 26 years old who had her spinal cord severed. Her only hope is embryonic stem cell research, and I'm glad to hear our colleague from Rhode Island talk about his experience. And he gives hope to this young lady who has no hope right now, except hopefully she'll be able to move her fingers.

Mr. BARTON of Texas. Mr. Speaker, I'd like to yield 2 minutes to the gentleman from the Golden State of California (Mr. DANIEL E. LUNGREN), the former Attorney General of California.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I thank the gentleman for yielding.

Let's understand some first principles. Human dignity is not reserved for adult human beings. The premise of human rights protections is that they are not contingent on arbitrary criteria such as size or location.

Ethical considerations must be weighed in light of the advances being made using adult stem cells, including those derived from cord blood. As has been mentioned, those advances are substantiated by peer review studies confirming improvement in many types of cancers, cerebral palsy, sickle cell anemia, paralyzing injuries, autoimmune diseases, metabolic disorders, neural degenerative diseases and heart damage.

This is consistent with the second principle of the Nuremberg Code, the directives for experimental human subject research, which are published at the Web site of NIH.

The principle reads simply, ''The experiment should be as to yield fruitful results for the good of society, unprocurable by other methods or means of study, and not random and unnecessary in nature.''

Or as President Clinton's National Bioethics Advisory Commission said, ''In our judgment, the derivation of stem cells from embryos remaining following infertility treatments is justifiable only if no less morally problematic alternatives are available for advancing research.''

Well, we know they are. We talked about, before the House debating the bill earlier this year, the study published in Nature Biotechnology Journal, finding that amniotic fluids contain cells that can be cloned to produce stem cells to behave like embryonic stem cells.

We had today's article referring to the Nature Journal, publishing a study, showing that normal skin cells can be reprogrammed into an embryonic state in mice.

Instead of embracing this, we hear from the gentlewoman from Colorado, her words, shockingly, another scientific result reported yesterday. They seem to always come up whenever we're debating the bill. They are because that's what science is doing.

Vote this bill down.

Ms. DEGETTE. Mr. Speaker, I reserve my time.

Mr. BARTON of Texas. Mr. Speaker, I'd like to recognize the gentleman

from Lubbock, Texas, home of the Texas Tech Red Raiders (Mr. NEUGEBAUER) for 1 minute.

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

Mr. NEUGEBAUER. Mr. Speaker, you're going to hear a lot of perspectives today, but I wanted to give you a perspective from my friend James Clark. James wrote me this letter about stem cell research.

''In October 2004, I was involved in a car crash which has left me paralyzed from the waist down . . . Given the current technology and my condition, there is no hope of full recovery.''

James goes on to say, ''I fully support ethical forms of stem cell research. I believe, based on news accounts, that stem cells could be the key to a full recovery for me. To walk again and regain complete independence,'' would be, ''a joyous day for me and my family. I can only imagine how many American people would also benefit.

''But, Congressman, I believe there is a very dark side to stem cell research. There are those who believe stem cells should be taken from living embryos. In my opinion, the killing of an embryo for the harvest of stem cells is exactly the same as killing another human being. Under no circumstances do I wish to benefit from the stem cells that result from the harming or killing of a human embryo. No thanks, I'll stay in this wheelchair.''

Clearly, James has a lot to gain from scientific breakthroughs in stem cell research. Let's spend our money where we can get breakthroughs. Let's continue adult stem cells.

So let's focus taxpayer dollars on research that has shown promise.

Adult stem cell research, and other research that doesn't lead to the destruction of human life, have produced more than 70 treatments.

On the other hand, stem cell research on embryos has produced ZERO treatments or cures that could help James walk again.

I urge my colleagues to defeat this bill so that we can focus our resources on ethical and promising adult stem cell research that could help my good friend James get rid of his wheelchair.

Vote ''no'' on this bill.

CONGRESSMAN NEUGEBAUER, Thank you for letting me share my concerns with you about a matter of great importance to millions of Americans. The Congress debates again the issue of stem cell research for which history, generations of Americans to come, and God himself will judge us. For so very many reasons it is important that we get this issue right.

In October 2004 I was involved a car crash, which has left me paralyzed from the waist down. Further complicating any hope of recovery, I suffer a rare form of spinal cord injury resulting from anoxia or loss of blood flow to the spinal cord. Given the current technology and my condition there is no hope of full recovery.

Other people suffer conditions far worse than mine but just to establish my background let me share with you the following: I cannot use my legs, nor can I feel them. I suffer DVT's (blood clots in the veins) from the lack of mobility, lack of circulation and fragility of my legs. A DVT can lead to stroke or death. I cannot go to the bathroom in the normal way. I must have the assistance of catheters and at least once a day the help of another person.

I suffer constant back pain. It's rather mild but it also never quits. About once every two months I suffer a serious infection of one sort or another. Sometimes it's an infection under a toenail or sometimes it's a urinary tract infection. One such infection was so bad and developed so quickly I was taken to the emergency room and then hospitalized for almost a week.

The single most painful aspect of my condition is the embarrassment and humiliation of not having bowel and bladder control when it leads to an accident in public. There are not words that can describe the sense of absolute shame when this happens and I have to be extraordinarily careful when going to public places. Even the best-laid plans for an accident-free public outing are not always successful.

On the whole I would have to say I'm pretty happy. I have a lovely wife, two beautiful children, parents and extended family who love me deeply. I have been blessed.

I fully support ethical forms of stem cell research. I believe based on news accounts that stem cells could be the key to a full recovery for me. To walk, to regain complete independence, to retake my former strength and good health; I can't tell you how joyous that would be for me and for my family. I can only imagine how many millions of Americans would also benefit.

But, Congressman, I believe there is a very dark side to stem cell research. There are those who believe stem cells should be taken from living embryos. In my opinion the killing of an embryo for the harvest of stem cells is exactly the same as killing another human being. Under no circumstances do I wish to benefit from the stem cells that result from the harming or killing of a human embryo. No thanks, I'll stay in this wheelchair.

There are those who believe stem cells should be taken from aborted embryos. After all they're just going to be discarded anyway. To me that's like saying, well the Nazis did experiments on some of the 6 million Jews. Can't we use their notes and their lab materials to advance scientific and medical knowledge? No, as a matter we cannot do so with a clear conscience.

Nor can we with a clear conscience use embryonic stem cells resulting from the harm or death of a human embryo.

I have no opposition to the use of embryonic stem cells, which are collected in such a way as to cause no harm to an unborn baby (which includes a human embryo or a human fetus). I also have no opposition to the use of adult stem cells.

I fully support ethical research and I know you do too. Thank you for this opportunity to be heard on the record, Congressman Neugebauer. You have been a great friend to the sanctity of human life and for that we all owe you a debt of gratitude.

JAMES CLARK.

□ 1230

Ms. DEGETTE. Mr. Speaker, the only thing shocking about these recent scientific discoveries is they seem to be always revealed right at the same week that we do our embryonic stem cell bill on the floor.

Mr. Speaker, with that, I will be pleased to yield 2 minutes to our distinguished caucus Chair, Mr. EMANUEL, from Illinois.

Mr. EMANUEL. I would like to thank my colleague from Colorado. It is interesting she said that. I would like to speak slightly out of order from my prepared text.

The last time we debated stem cell research back in November of 2006, exactly that time there was another discovery about human amniotic fluid basically giving us the fact that we don't need stem cell research.

Past that, and you go back to the period of time in 2005 when we voted on this, the South Korean example was discovered exactly that same day we had that vote.

I used to, growing up, I used to say paranoid people have enemies, too. It is ironic that every time we vote on this legislation, all of a sudden there is a major scientific discovery that basically says you don't have to do stem cell research. The truth is, you don't base your research on one report in a medical journal. You provide leadership.

If you go back to the 1950s, we had a polio epidemic in this country that was killing thousands of people, leaving people terminally paralyzed. With funding from Washington, we found a cure for polio. Politics did not lead the way, medical research led the way, and America led its leadership there. That type of leadership needs to be provided for illnesses of Alzheimer's, Parkinson's disease and other work where we should allow the scientific research and the promise of stem cell research to move forward, rather than allow politics to dictate what we do here.

This is one of those promising areas where, regardless of philosophy or ideology, rather, or party affiliation, when you look at diabetes, Parkinson's disease, Alzheimer's, it affects every family, every community, individuals across this country. There is a promise here, a right way to do it. We can provide the leadership here for our medical research, define illnesses and cures to disease that not only affect our budget, our country, but our capacity to lead in the scientific field in this area.

I would like to thank my colleague, and this Nation should support this legislation. I look forward to finally getting this on the President's desk.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the distinguished congresswoman from Cincinnati, Ohio, Congresswoman SCHMIDT.

Mrs. SCHMIDT. Mr. Speaker, I rise in opposition of Senate bill 5. This Nation is divided on this issue. Many people believe our tax dollars should not be used when the compromising of a human life is involved. Many people believe embryonic stem cells kill a human life.

The research on embryonic stem cells has not lived up to the hope and promise of its supporters. Other forms have, and these do not compromise a human life. They include cord blood and embryonic fluid, adult stem cells, and just as reported in today's Christian

Science Monitor, artificial stem cells from mice.

Let's use the public's tax dollars in a way that does not compromise our human values. Let's vote ''no'' on Senate bill 5.

Ms. DEGETTE. Mr. Speaker, I am now pleased to yield 2 minutes to the distinguished gentleman from Connecticut, another leader on this issue, both in the State House and Congress, Mr. MURPHY.

Mr. MURPHY of Connecticut. Mr. Speaker, I rise today in support of the Stem Cell Research Enhancement Act.

Two years ago, as Congresswoman DEGETTE noted, I was honored to write and pass one of the Nation's first stem cell investment acts, Connecticut's $100 million investment in stem cell research. But I decided to seek a seat in this body because our action in Connecticut was ultimately hamstrung by inaction here in Washington, despite public cries for our Federal Government to invest in stem cell research. We could not, in large part not because of the will of this House but because of the will of the President.

What should not be in doubt here today is the promise that this legislation holds. Although new discoveries occur every day, including just yesterday expanding the potential of stem cell research, make no mistake, political lines drawn by this political body about what kind of research will be allowed and will not be allowed will frustrate science and postpone cures. That's why every major medical, science and scientific professional association, as well as major research universities and institutions and affected patient advocacy organizations support the passage of this bill.

Senator ORRIN HATCH from Utah, who has always been a faithful ally of the pro-life community, said that being pro-life is more than just caring for the unborns. It's about caring for the living as well. I couldn't agree more, when we talk about the sanctity of human life, and we all believe that human life is sacred.

We too often neglect the things that we can do to protect and extend the lives of our friends and loved ones who suffer from terminal and debilitating diseases. This bill, perhaps more than anything, is about extending and preserving life. That's a value that we all share.

One hundred million Americans are affected by some kind of life-threatening disease. Somewhere in this vast universe, a cure for their disease exists. I know it. We all know it. Let's stop putting up man-made barriers to finding that cure, a cure for our loved ones.

I stand in strong support of this bill. I commend Ms. DEGETTE for her long-awaited advocacy for this issue.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to a member of the Energy and Commerce Committee from the Keystone State of Pennsylvania, Mr. JOE PITTS.

Mr. PITTS. I thank the gentleman for yielding.

Mr. Speaker, another day, another vote on legislation that has no chance of becoming law. Everyone on this floor understands that this bill is destined to be vetoed, and we will sustain that veto if and when the time comes.

But, if nothing else, today's debate is at least an opportunity to educate people on the truth about stem cell research. Supporters of embryo-destroying stem cell research would have you believe that embryonic stem cell research is the only way to go. That just is not true. Not only are there ethical alternatives using adult stem cells but these ethical alternatives are proving to be more effective than the embryo-destroying methods promoted by the bill.

Adult stem cells can be derived from numerous places, including nasal tissue, bone marrow, fatty tissue, umbilical cord blood, even amniotic fluid. These adult stem cells have already produced dozens of laboratory successes and even a handful of FDA-approved therapies for humans. Meanwhile, embryonic stem cell research has yet to produce a single treatment or cure in humans.

You will hear a lot of talk on the other side about how we oppose stem cell research. That's simply not true. I am a supporter of stem cell research. I support the research that actually works, the kind that treats human embryos properly, not like laboratory rats. I support the kind of respect for human life at all stages of development. The kind of stem cell research that I support is adult stem cell research.

There is another thing worth clarifying in the debate. The bill under consideration today is not about legalizing embryonic stem cell research. It's already legal. It can be performed in America by anyone who wants to.

The bill we vote on today is about who is going to pay for it. This bill would have millions of Americans pay for a destructive research that they have fundamental moral objections to.

This bill is flawed. It was flawed the last time we voted on it. It's still flawed today.

I urge all of my colleagues to oppose it.

Ms. DEGETTE. Mr. Speaker, I would inquire as to the time remaining on each side.

The SPEAKER pro tempore. Ten minutes.

Ms. DEGETTE. And on the other side, Mr. Speaker?

The SPEAKER pro tempore. Fifteen minutes.

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

Mr. BARTON of Texas. I yield 3½ minutes to the former Governor of the first State of our great Nation, the State of Delaware, to the Republican sponsor of this legislation, Mr. CASTLE.

Mr. CASTLE. I thank the gentleman from Texas for yielding and for all his work on the this issue. I also obviously thank my coauthor and good friend on this, DIANA DEGETTE, for her tremendous work on it.

Mr. Speaker, I rise, obviously, in strong support of the Stem Cell Research Enhancement Act, which ethically expands the current Federal embryonic stem cell research policy.

I think we should make a note, this is a Senate bill we are dealing with now. It's changed from our House bill. While we considered similar legislation before, and we have referred to it, this bill has since been expanded to develop methods of deriving stem cells without destroying a human embryo. That's an addition to what we have considered before.

With this bill we have a real opportunity to make history, to jump-start research, which may lead to treatments and cures for countless diseases, including diabetes, HIV/AIDS, Parkinson's disease, Alzheimer's, ALS, multiple sclerosis and cancer.

There are a number of things being stated here that I consider to be myths, and I would like to try to correct some of these in the brief time that I have.

First, this bill does not expand Federal funding and, in fact, does not contain any funds whatsoever. The expansion in the bill refers to the source of the embryos and the quality of stem cell lines. These stem cells would be developed from embryos that come from IVF clinics, which receive no Federal funding. There would be no Federal funding involved in that whatsoever.

Second, it is important to understand that we are only talking about research on embryos that would otherwise be thrown away as medical waste.

That is a decision which is made by those who created the embryo and whoever was running the IVF clinic before the subject of using them for research was ever brought up. So you are dealing solely with embryos on which the decision has been made to have them eliminated as medical waste, because, simply, they don't want to continue to pay for the storage of the embryo or whatever it may be. So anyone who refers to it as killing needs to understand that's going to happen anyhow. That's a decision that's been made. No stem cell would ever be taken from an embryo that was not destined to be destroyed in any event.

Third, the bill specifically states the embryos must be created for purposes of fertility treatment, and no money may have exchanged hands. We think there should be a greater ethical process in all of this, and all of that is spelled out very carefully in this particular legislation.

Fourth, as to the recent announcement of returning mature cells, perhaps, in the skin to an embryonic state which we have been reading about in the last day or two with respect to mice, we need to point out a couple of things: One, that's mice, not human beings; and there is a vast difference. Another interesting point is that these

would not be eligible for Federal research dollars because they were derived after August 9, 2001.

Fifth is this whole issue of pluripotency and what could be done here. There is the constant argument here that adult stem cells have actually been able to resolve some problems. I am all for that. I am 100 percent for all the medical research which goes on. That's what this is all about.

I believe the embryonic stem cells can extend beyond that. I believe the pluripotency of embryonic stem cells, which is supported by so many scientists in this country, is what can make a difference. You don't see that in the others. I would encourage everybody to follow the medical and scientific institutions who are in support of this.

Just finishing the point with respect to the pluripotency, nothing has been stated with respect to the embryonic and umbilical stem cells, that they do have the same pluripotency, as do to embryonic stem cells, which can develop into any cell as far as your body is concerned.

There are approximately 500 medical and scientific universities throughout the country, and various other individuals and groups, Michael J. Fox and others, who support the stem cell research and ask us to vote in favor of lifting restrictions on potentially life-saving medical research.

I would encourage a ''no'' vote on any motion to recommit to restructure the legislation and a ''yes'' vote on the underlying legislation.

Ms. DEGETTE. Mr. Speaker, I am now very pleased to yield 2 minutes to another distinguished leader on this issue, the distinguished gentleman from Missouri (Mr. CARNAHAN).

Mr. CARNAHAN. Mr. Speaker, I stand in strong support of S. 5, the stem cell research act that we have gotten from the Senate.

This bill, first, I want to say, sets strong ethical standards to be followed that don't exist today. As the gentleman from Delaware stated, these embryos can't be created just for the purposes of research. They can only be produced for the purpose of reproduction and that are unused, that would otherwise be discarded as medical waste. They can only be donated, not sold, and only by the written consent of those involved.

Those are strong ethical standards that don't exist today. We need them to continue this research in an ethical way.

This stem cell research holds real promise to cures of so many diseases. But to unlock the full potential of this research, we must remove the artificial barriers that President Bush put in place to this research and to support the hopes of millions of Americans who work every day to survive under the burden of a life-altering diagnosis.

Nearly every family in this country has been touched. My own family, I had a cousin, Betty, who suffered and succumbed to MS. My grandmother and sister have suffered from cancer. In my State of Missouri, we took the extraordinary step in 2006 to vote to amend our State constitution to include protections for research and add strong ethical standards for it.

I also became involved in this debate because of the extraordinary men and women from my State, such as advocates like Bernie Frank of St. Louis, attorney and coordinator for the Parkinson's Action Network. He was diagnosed with Parkinson's 13 years ago but has been a fearless advocate. Advocates like Dr. Thy Huskey, assistant professor at the Washington University School of Medicine, she lives with this disease; and we want to continue to support this.

Mr. BARTON of Texas. Mr. Speaker, could I inquire on the time remaining on each side?

The SPEAKER pro tempore. You have 12 minutes. Eight minutes to the gentlelady; twelve minutes to the gentleman from Texas.

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

Mr. BARTON of Texas. Mr. Speaker, I would like to yield 2 minutes to the distinguished Congressman from Melbourne, Florida, which is known as the Space Coast and home of Cape Kennedy, Mr. WELDON.

□ 1245

Mr. WELDON of Florida. Mr. Speaker, I rise to speak in opposition to the bill as a physician who practiced medicine for many years prior to coming to the House. And, indeed, I still see patients once a month at the VA clinic in my district.

I always considered it very, very important not only to help my patients with illness but as well to give them hope and to give them real hope and not false hope. And one of the things I've always been concerned about in this debate for the last 7 or 8 years since we've been conducting this debate is that the advocates for more funding, Federal funding, for embryonic stem cell research; and we are funding embryonic stem cell research, we're just not funding more research that involves destruction of human embryos; have been contending, the advocates of this have been contending for years that this has the greatest potential. And in reality, there are no phase 1 clinical trials with embryonic stem cell research. There are no phase 2 clinical trials. There are no phase 3 clinical trials. Embryonic stem cells have never moved beyond animal research because embryonic stem cells have never been shown to be safe.

Embryonic stem cells form tumors when you put them in animals, whereas adult stem cells, cord blood stem cells, not only have been shown to be safe, but they're in phase 1, phase 2 and phase 3 clinical trials. They are in clinical trials in heart disease, I think about 28 clinical trials, FDA-approved clinical trials. They're in clinical trials on treating a whole host of blood-borne diseases. And just very recently we saw published research, amazing research in phase 1 diabetes, juvenile diabetes research.

Indeed, I've been saying for years that medical science is going to move beyond this debate. And we saw a preview of that today published, that skin cells can be converted, possibly, back to forming embryonic-like cells. Science is going to move beyond this discussion. I don't think, being that millions of Americans believe in the sanctity of human life, that we should be funding research involving the destruction of human life.

Ms. DEGETTE. I'll continue to reserve, Mr. Speaker.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the distinguished Congressman from the Peach State of Georgia, Dr. GINGREY.

Mr. GINGREY. Mr. Speaker, I rise today in strong opposition to S. 5, the Stem Cell Research Enhancement Act. And I do so, not because I oppose embryonic stem cell research, but because, as an OB/GYN physician, I oppose federally funded embryonic stem cell research that destroys human life. And the truth of the matter is, I am not alone in this belief, Mr. Speaker. In fact, I'm joined by nearly half the American public. Let me say that again: Nearly half of the American public opposes using taxpayers' dollars to fund embryonic stem cell research when a human embryo is destroyed in the process.

Now, I know that the supporters of this bill claim an overwhelming majority of Americans wholeheartedly endorse their bill. However, when these same Americans are asked specifically whether or not they would like the Federal Government to fund research that destroys a human embryo, the survey results refute that claim. In fact, over 60 percent, Mr. Speaker, of Americans do not support their money going towards destructive embryonic stem cell research.

Mr. Speaker, it's not the job of Congress to force the American taxpayers to fund research that they morally oppose. Rather, this body is charged with the awesome responsibility of being good stewards of the taxpayer dollar by supporting research that upholds the values of our society. And I want to remind my colleagues and the American people, today that is the question we're debating. We are debating whether or not American taxpayers should be forced to pay for research that destroys human life. Contrary to what we're hearing today, we are not debating whether or not embryonic stem cell research is legal in this country; because not only is it completely legal, but it is also well funded in both the private and public sectors. In fact, Mr. Speaker, between State governments and private sector, nearly $4 billion has been committed to embryonic stem cell research over the next 10 years.

So, Mr. Speaker, as a society that has always valued and protected the

fragility of human life, we must reject this misguided attempt to force the American people into paying for something with which they fundamentally disagree. And I encourage my colleagues, oppose this bill.

Ms. DEGETTE. Mr. Speaker, if you did the math, 64 percent support embryonic stem cell research, so that's well in excess of a majority.

I am now pleased to recognize another leader, both at the State level and Federal level, in this, Mr. MITCHELL from Arizona, for 1½ minutes.

Mr. MITCHELL. Mr. Speaker, I want to thank Congresswoman DEGETTE for her leadership in this area.

Congress rarely gets an opportunity to do what it can do today, offer hope to millions of Americans who suffer from diseases such as Alzheimer's, Parkinson's, Lou Gehrig's and Huntington's disease.

As I have said many times, I believe the best way we can honor life is by investing in science and ethical research.

A growing majority of the American people, including my constituents in Arizona's Fifth Congressional District believe this is an investment that we should make, and they were proud when, last January, 253 Members of the House voted to support the Stem Cell Research Enhancement Act.

The American people support this research because they understand that we have a moral obligation to invest in embryonic stem cell research because it provides the best hope for a cure for these diseases and many others. They know we're already seeing progress in this field.

Just last month, scientists used embryonic stem cells to create insulin-producing cells that could one day lead to a cure for diabetes. Just imagine what we could do with a more serious commitment to stem cell research. The American people are watching us today, and the millions of Americans who could be helped by passing this legislation are depending on us today. Let us do the right thing and pass this legislation.

Mr. BARTON of Texas. Mr. Speaker, I want to yield 2 minutes to the distinguished gentleman from Lincoln, Nebraska, home of the world famous Nebraska Cornhuskers, Mr. FORTENBERRY.

Mr. FORTENBERRY. Mr. Speaker, I support stem cell research. I support stem cell research using umbilical cord blood cells, adult stem cell sources, amniotic fluid stem cells and now, as we have learned, a new source of stem cells, skin cells, all stem cell sources that are showing real medical process and avoid the ethically divisive issue of the destruction of unborn human embryos, unborn human persons.

Mr. Speaker, let's do what's right. Let's use our scarce resources for what makes sense and not force taxpayers to pay for questionable research that offends the sensibilities of so many Americans and has yet to show any real therapeutic productivity.

Research using adult stem cells, including umbilical cord blood and bone marrow sources has shown great promise and provided real clinical benefits to numerous patients suffering from approximately 72 diseases. Adult stem cells are providing genuine evidence-based hope for the potential cures for the ravages of Parkinson's, spinal cord injuries and even diabetes. We also know now that stem cells derived from amniotic fluid have allowed researchers in Europe to begin growing heart valves for pre-born infants diagnosed in utero with heart disease. Unlike embryonic stem cells, adult and amniotic sources have not been shown to form tumors in laboratory animals.

Mr. Speaker, all of these facts beg a central question: Why are we even considering expanding the use of Federal dollars to fund the ethically divisive and currently unproductive practice of embryonic stem cell research when so many viable and proven alternatives exist? It's not fair. It's not fair to those who are suffering from the ravages of disease. Why would we be willing in Congress to trade false hope for real hope?

We should oppose this measure. And I believe we should invest in proven stem cell research.

Ms. DEGETTE. Mr. Speaker, I am now pleased to yield to the very distinguished gentleman from Illinois (Mr. HARE) 1½ minutes.

Mr. HARE. Mr. Speaker, I'd like to thank my colleague and friend, Congresswoman DEGETTE, for introducing the Stem Cell Research Enhancement Act and for her leadership on this important issue.

As many of you know, I came to this Congress with a bittersweet victory. And although I'm deeply honored to be a new Member of this House and represent the 17th Congressional District of Illinois, part of me is sad that my friend and my mentor, Congressman Lane Evans, is not here in my place. Lane served as a distinguished Member of this body for over 24 years until Parkinson's forced him to retire at the end of the 109th Congress, cutting his exceptional service short. Lane is just one of millions of Americans struggling with chronic illnesses that are curable with the advancement of stem cell research.

Spencer House, the son of my very good friend, Doug House, suffers from juvenile diabetes and must take four insulin shots each and every day. But Doug is encouraged with the hope that embryonic stem cell research will some day offer his son a more normal life. And he's not alone. Poll after poll shows that a majority of Americans support ethical embryonic stem cell research as a way to prevent others from having to live with illnesses like Parkinson's disease, cancer, Alzheimer's and spinal cord injuries.

Mr. Speaker, today we decide whether to give the American people hope or to continue to prolong the suffering of those who struggle with curable chronic diseases. It's time to put the people above politics by providing millions of Americans with the hope of a better day, and we will do that this day by passing this important legislation.

Mr. BARTON of Texas. Mr. Speaker, I'd like to yield 1½ minutes to the distinguished gentleman from Texas, Mr. JEB HENSARLING, who is a graduate of that great university in our home State, Texas A&M, the fighting Texas Aggies.

Mr. HENSARLING. Mr. Speaker, I certainly understand the passion behind this debate, for I, too, have friends and loved ones who have been stricken with debilitating diseases who are longing for hope.

But in listening to the debate, Mr. Speaker, I fear not one in 100 understand what it is truly about. This is not a debate on whether stem cell research is legal in America. It is. It's not even a debate on whether or not embryonic stem cell research is legal in America. It is. It is not even a debate on whether the Federal Government will be permitted to fund embryonic stem cell research. It does, to the tune of roughly $40 million a year.

What this debate is about, Mr. Speaker, is whether or not, going forward, should taxpayer funds be used to destroy what many consider to be human life for research purposes. And this is especially, especially highlighted when we know that there are ethical alternatives and promising alternatives, such as adult stem cells, umbilical blood cord, amniotic fluid and, today, headlines, banner headlines all around the Nation about the promise now of skin cells. Let's fund stem cell research, but let's fund it ethically. And, Mr. Speaker, when this body takes on such profound issues, let's always err on the side of life.

Ms. DEGETTE. Mr. Speaker, I am now delighted to yield 1 minute to the distinguished majority leader, Mr. HOYER.

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

Mr. HOYER. Mr. Speaker, I thank the gentlelady, and I congratulate the gentlelady for the extraordinary work she has done, not just this year but throughout the years on this very, very important issue which offers hope for literally millions and millions of people, not just in America but throughout the world.

Mr. Speaker, again, today the new majority in this House demonstrates its commitment, its commitment to addressing the priorities of the American people. As we consider this legislation, the Stem Cell Research Enhancement Act of 2007, let us be clear: This bill, S. 5, has widespread bipartisan support in Congress and certainly among the American people. It passed the Senate in April by a vote of 63–34. And it's nearly identical to legislation the House passed in January by a bipartisan substantial margin of 253–174.

This legislation will pass again today. And thus the real question is will the President heed the will of the

American people as expressed by bipartisan majorities in both Houses of Congress and sign this bill.

□ 1300

Or will the President continue to undermine the will of the American people.

In short, Mr. Speaker, this legislation would increase the number of embryonic stem cell lines eligible for federally funded research. Current policy limits the use of Federal funds for research only to those stem cell lines that existed when President Bush issued an executive order of August 9, 2001, an executive order which accommodated the research we are talking about but limited it.

This policy severely restricts the potential for lifesaving breakthroughs because only 22 of those 78 stem cell lines are available for research today; and the vast majority of those 22 lines are aged, contaminated, or have been developed through obsolete methods.

It cannot be stressed enough: This legislation only authorizes Federal research funds for stem cell lines generated from the embryos that would otherwise be discarded by fertility clinics. Thus, this legislation does not seek nor does it certainly intend to destroy life. It seeks to preserve life.

Former Senate majority leader Dr. Bill Frist, who was once an opponent of efforts like this one but now supports them, stated: ''I strongly believe . . . that embryonic stem cells uniquely hold specific promise for some therapies and potential cures that adult stem cells cannot provide.'' That was Dr. Frist, the former Republican majority leader of the United States Senate.

Mr. Speaker, we have, I think, a moral obligation to provide our scientific community with the tools it needs to save lives, and this legislation accomplishes that objective.

Supporters of this bill understand that there is a difficult issue for many Americans and that it raises many questions that humanity has yet to adequately answer, and that is why this legislation also directs HHS and the National Institutes of Health to issue ethical guidelines that will ensure the highest standards of scientific investigation. Furthermore, Mr. Speaker, this bill directs the Secretary of Health and Human Services to conduct and support research on stem cells not derived from human embryos.

The truth is, as demonstrated by Gallup polls taken since 2001, the more Americans learn about the potential for stem cell research, the more they support it. Just last month, 65 percent of Americans reported that they supported expanding Federal funding for stem cell research. This legislation represents the hope of millions of Americans who are waiting for us to take action.

I strongly urge my colleagues to support this bill, as they have before. It is an opportunity. It is a chance. It is a hope for better health and life for those whom we represent.

I urge the President to reconsider his veto when this bipartisan piece of legislation reaches his desk, and I urge my colleagues to support it.

Mr. BARTON of Texas. Mr. Speaker, I yield for the purposes of making a unanimous consent request to the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Mr. Speaker, I rise in opposition to this bill.

Mr. Speaker, proponents of embryonic stem cells state the greatest advantage is the "pluripotency" of these cells, cells with the amazing ability to grow into any type of cell in the human body. It is this unique adaptability that they claim makes embryonic stem cells more promising than adult stem cells for treatment of human diseases. The truth however, is that embryonic stem cells have not produced a single viable human treatment for any disease; whereas, adult stem cells have produced numerous therapies that have been successfully administered.

Adult stem cells have provided human treatments, have a lower rate of immune rejection in patients, and show less likelihood of tumor formation. We should aggressively pursue this avenue of research. In seeking new treatments for the ills of humanity, let us also strive to protect the future of humanity. We too must uphold the first tenet of the Hippocratic oath—"First do no harm."

Proponents also claim that the U.S. is lagging behind the rest of the world in embryonic stem cell research and that increased Federal funding would close the gap. The fact is the United States leads the world in embryonic stem cell research. A recent Nature Journal publication states that U.S. scientists contributed 46 percent of all stem cell publications since 1998. Germany comes far second, representing 10 percent of studies, and the remaining 44 percent derive from between 16 other countries.

I want to remind my colleagues that the current ban on embryonic research does not prevent private funding for embryonic stem cell research. Microsoft Chairman Bill Gates and Newport Beach bond trader Bill Gross are among several private donors who have provided millions of dollars toward embryonic stem cell research. In fact the Federal Government has spent over $161 million on existing stem cell lines where the embryo had already been destroyed. The bill before us today advocates the further destruction of new life to expand human embryonic stem cell research. I urge my colleagues to vote against this legislation and do no harm.

Mr. BARTON of Texas. Mr. Speaker, I would like to yield 1½ minutes to another member of the Energy and Commerce Committee, from Williamson County, Tennessee, Congresswoman MARSHA BLACKBURN, a close personal friend of the Country Hall of Fame music legend Eddie Arnold.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Texas for yielding.

The distinguished majority leader just mentioned that it is a debate about life, and, indeed, this is a debate about substance, Mr. Speaker, and it is also a debate about life, clear and simple, and protecting life. Because this bill would divert funds from promising leads of adult stem cell research that have shown large benefits, even one of those of being a cure for Type I diabetes, something that we hear about and there has been tremendous research on. It has shown remarkable promise, and this is a great example, in using immature brain cells and eyelet cells from living donors to develop the insulin-producing eyelet cells that are found lacking in people with diabetes. And by using these from living donors or adult brain cells, instead of embryos, science now has the potential to cure diabetes. It is a great example and lesson for us as we talk about the research that is going on with cord blood, with adult stem cells, and now we are learning with skin cells, producing results.

Let's not stop funding this research in order to chase after something else. Let's continue to do productive, results-producing research on which we all agree. And, as we do this, let's protect the sanctity of human life and not cheapen our efforts by disrespecting that life.

I urge my colleagues to vote against Senate bill 5.

Ms. DEGETTE. Mr. Speaker, I am now very pleased to yield to 1 minute to my colleague from Colorado (Mr. PERLMUTTER), a real leader on this issue.

Mr. PERLMUTTER. Mr. Speaker, this is a bill that holds promise for millions and millions of people across the country. We have heard from some of our friends who oppose this, and they have been very clinical in their descriptions.

I am a father of a daughter with a chronic illness of epilepsy, and this is the kind of research that will help my daughter not to have any more seizures. It is a potential. It is a possibility. And every father, every brother, every mother, every sister, every friend in this room wants to have hope for their friends and their family.

I want to compliment Ms. DEGETTE from Colorado, Mr. CASTLE from Delaware for giving my family hope, for providing this kind of promise. This legislature, this Congress can make a difference in millions of people's lives.

I ask that you all vote for this bill. This is a great bill, and I call on the President to show that he is a compassionate conservative and that he sign this bill.

Ms. DEGETTE. Could I inquire of the Speaker how much time is left on both sides.

The SPEAKER pro tempore. The gentlewoman from Colorado has 3½ minutes and the gentleman from Texas has 3 minutes.

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

Ms. DEGETTE. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the first thing I want to do is I want to thank MIKE CASTLE, my

friend, my compadre, and my fellow journeyman on this journey. We will win this. We will win.

I also want to thank my friend JOE BARTON, who has helped so much not just in this session of Congress but in the past, and all of my leadership on my side who continue to fight for this bill.

Our constituents sent us down here to do the people's work, and they want us to do it in a bipartisan way. This is the best example I can think of in the 10 years that I have been in Congress.

I just want to talk about a few of the misconceptions that have been raised today. The first one is the allegation that the American people do not support stem cell research. This is patently untrue. A new Gallup poll this week shows an increase of 12 percent of Americans that support this research in the last 5 years to 64 percent. Another recent poll showed that when it was explained to them that these embryos are slated to be destroyed but they could be donated for hope that 51 percent of self-described pro-life Republicans support this research.

There is a national consensus. There is a strong majority in the House and the Senate, and there is one thing stopping that, and that is a stubborn President. President Bush needs to understand it is ethical and it is the right thing to do.

Our opponents try to muddle this issue by saying that adult stem cells will be a substitute. This is also patently false. It is amazing that there is new research every time that we come up with this bill, but we welcome that research. We welcome all research. But it is not a substitute for embryonic stem cell research.

In fact, this recent study this week with the mouse cells, the scientists said success with mouse cells does not guarantee quick success with human cells. They called on Congress to pass the bill which would give federally funded researchers access to embryos slated for destruction at fertility clinics. These types of research are years away. Embryonic stem cell research has only been in existence for 7 or 8 years. But 1,300 scientists are sending a letter to President Bush today telling him that this is the research that shows promise, and 80 Nobel Laureates have endorsed the bill. The scientists say that embryonic stem cell research has promise in and of itself and that adult stem cell research, including amniotic research, cord blood, mouse cells, all of these cells are not a substitute.

Mr. CASTLE and I and all of our allies support all of these types of research, but it is not a substitute. But that is also why S. 5 has a provision that supports these.

Vote for hope. Vote for research. Vote for this bill.

Mr. BARTON of Texas. Mr. Speaker, I yield myself the balance of my time.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, we have had this debate before, so I am going to refer people to the CONGRESSIONAL RECORD at the appropriate place for my basic remarks on the underlying issue. I simply want to clarify why we are having this particular debate today.

We passed this early in this Congress, this particular piece of legislation. It passed the Senate, and it went to the President, and the President vetoed the bill. Many of those who support embryonic stem cell research think that we ought to be able to find a little finer middle ground, that we might yet get the President to support a version of the bill. So the sponsors, Mr. CASTLE and Ms. DEGETTE, have added the Senate language from the last Congress that Mr. SPECTER and Mr. Santorum passed as a stand-alone bill that I think passed the other body 100–0, which is a very strong vote. It has been added to this bill.

I might add that, apparently, the motion to recommit is going to be something like that language that Mr. GINGREY has offered to the motion to recommit.

So what we are trying to do here today is slice the cheese a little bit finer so that those in the pro-life community like myself who have a 100 percent pro-life voting record, over 23 years except for this one vote, can vote for it, those that believe that we should fund a broader array of embryonic stem cell research can vote for it, and the President can accept it. That is what this particular bill is all about.

I plan to vote for it. I plan to vote against the motion to recommit not because I am opposed to the policy on the motion to recommit, but if we were to accept the motion to recommit, that would send the bill back to the Energy and Commerce Committee and require further consideration, which may or may not result in the bill's coming back to the floor.

So Members have voted on this in this body this year already once. Those of us that served in the last Congress got to vote on it in the last Congress. So there are not too many undecideds. But we are hoping the addition of this Specter-Santorum language, which is also sponsored in the House by Mr. BARTLETT and Mr. GINGREY, will result in a little bit finer slice of the cheese, that we will yet get a bill through the House and through the Senate that the President will accept. So that is what this is about.

I would urge a ''yes'' vote on the bill and a ''no'' vote on the motion to recommit.

Mr. Speaker, stem cell legislation has been well debated on this floor, and I support it. This bill has again been brought to the floor with no committee process. When I was chairman we handled this important issue with full consultation with our minority. That is the preferable way to legislate.

This bill is designed to create enough lines of embryonic stem cells to allow basic scientific research to move forward. Most of the scientific community has articulated that once we can identify a perfect, undifferentiated stem cell, it will lead to significant scientific breakthroughs and the discovery of cures for many diseases.

For numerous reasons, not all of the potential stem cell lines that were thought to be available for research when the President announced his policy in August 2001 are actually viable for research purposes. The number of stem cell lines available for scientific research is actually well below the estimated number of stem cell lines that were thought to exist in August of 2001.

We will also eventually need additional embryonic stem cell lines to make further scientific advances. In order to produce clinical therapies, it is likely that researchers will also need more embryonic stem cell lines, of different genetic variations, than are presently eligible to receive Federal support.

Understandably, this is not a simple vote for anyone on this floor. There is no ideological cloak under which we can take cover. This is a vote of conscience for all members. In the 109th Congress, similar legislation was agreed to by a vote of 238 to 194 in the House and later passed the Senate by a vote of 63 to 37.

S. 5 before us today is actually an improvement over previous iterations of legislation on this issue. I strongly support the additional language that will examine methods of obtaining stem cells from alternative sources. I believe in this area we should be looking at different options that can lead to the medical breakthroughs necessary to save lives.

My position as an ardent supporter of the need to defend human life has never wavered. As my record will dictate, I have been opposed to all forms of abortion. I extend this principle to respecting the need for scientific research to protect and improve existing human lives. My decision to support this legislation is the product of much personal contemplation.

I would urge my colleagues to understand the great thought that goes into a vote of this nature and ask that we respect one another and their beliefs.

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

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Ms. DEGETTE. Mr. Speaker, I am now honored to recognize the Speaker of the House for our remaining time.

Ms. PELOSI. Mr. Speaker, I thank the gentlelady from California for yielding time and for her exceptional leadership.

Every family in America who has concern about the health and well-being of moms and dads, grandparents and children, brothers and sisters owes a deep debt of gratitude to DIANA DEGETTE. With her stewardship of this bill, she has given us an opportunity to give hope to these many families across our country.

Every one of those families in America, every one of us is one telephone call or one diagnosis away from needing the benefits of stem cell research. I can't help but think that even those who are against this legislation today would want their family members, their child with diabetes, their husband with Parkinson's, their father with

Alzheimer's, their mother with breast cancer, to have the benefit of stem cell research.

Science is a gift of God to all of us. And science has taken us to a place that is Biblical in its power to cure, and that is the embryonic stem cell research.

Congresswoman DEGETTE not only worked on this legislation on its substance, she was generous with her personal experience to demonstrate the need for the bill. She understood that this legislation had to be bipartisan. And I commend Congressman MIKE CASTLE of Delaware for his exceptional and courageous leadership on this legislation as well.

Today, we continue the debate. As Mr. BARTON said, we've had this debate before. In fact, bipartisan majorities in both Houses of Congress have passed similar legislation before. Yet with his cruel veto pen, President Bush dashed the hopes of many for the healing potential of stem cell research. Today, we, along with millions of Americans, are hoping for a different outcome. Because every family in America, again, is just one diagnosis, one phone call or one accident away from needing the benefits of embryonic stem cell, we hope the President will consider his position.

Mr. Speaker, this week I am observing 20 years in the Congress of the United States. I am proud of that. But I mention it here because this is one of the most glorious days, in the top five for sure, that I have experienced here. With the introduction of this legislation again, with its passage, which I think will be clear and bipartisan, we are doing something that is relevant to the lives of the American people. And we are doing something that gives people hope. With this legislation, we have the opportunity to save lives, find cures and, again, give hope to those suffering. It is an opportunity that neither we nor the President should miss.

This legislation, as has been mentioned, would allow American scientists to pursue the science they believe has the most promise to cure. It would bring embryonic stem cell research under the strict controls and ethical guidelines of the National Institutes of Health. That doesn't exist now. Why would we reject that? And it would help ensure our Nation remains pre-eminent in science.

There is every compassionate reason and scientific reason to support stem cell research. But why would we send this promising science offshore? Why would we allow other countries to attract the best scientists with the best facilities and the best public support? If that excellence leaves us, we are not the best. That is completely unacceptable to Americans. I am so proud of my own State of California, where we have taken action on the ballot to establish the research in our own State, but it should be available to the entire country.

According to scientists, including many Nobel Laureates, embryonic stem cell research could unlock the doors to treatments and cures to cancer, diabetes, Alzheimer's disease, Parkinson's, multiple sclerosis and many, many more diseases. If we have a scientific opportunity to treat and cure disease, we have a moral responsibility to support it.

Through stem cell research, this bill has the potential to bring hope and health to millions. I hope the President will sign it. It has support in Congress, and in the country, 72 percent of Americans support this bipartisan bill. That is a remarkable number for a remarkable bill. Our Nation's scientists support this bill. Our finest research institutes support this bill. And many religious organizations support this bill. In fact, many religious leaders endorse this bill because of its respect of life, and they believe that science has the Biblical power to cure. As the Episcopal Church writes in its letter in support of this legislation, ''As stewards of creation, we are called to help men and renew the world in many ways. Medical research expands our knowledge of God's creation and empowers us to bring potential healing to those who suffer.''

Thank you, Congresswoman DEGETTE and Congressman CASTLE, for giving us the opportunity to support that science and honor that moral responsibility.

Mr. MORAN of Virginia. Mr. Speaker, I rise today in support of the Stem Cell Research Enhancement Act of 2007. This bill would give new hope to millions of Americans with debilitating illnesses such as Parkinson's, Alzheimer's, and cancer, and would do so under an ethically stringent framework. We owe it to our citizens living in pain to find cures for these terrible afflictions, and enable them to live out long, healthy lives. While I am aware of the ethical questions raised by stem cell research, I believe it represents one of the most promising medical opportunities in human history.

Unfortunately, research on embryonic cells is stagnating because it is currently restricted to the 78 stem cell lines that NIB held before August 9, 2001. Of those 78 lines, only 22 were in good enough condition to be used: Most lines were contaminated by mouse feeder cells and could have been deadly if transplanted into people. In order to make new progress in stem cell research, there is a dire need for researchers to have access to lines that are new and uncontaminated.

Mr. Speaker, I believe that the bill before us would be a strong step toward reclaiming our status as the world's scientific leader and finding cures for millions of Americans suffering from debilitating and often fatal diseases. We must support our medical and scientific communities in their efforts to extend and enhance human life. Doing anything less is a disservice to our country and our citizens.

Mr. PORTER. Mr. Speaker, I rise today in strong support of H.R. 3, Expanding Stem Cell Research.

During the recorded vote on this important bill, I was required to be back in my home district to assist my mother, who is having surgery.

I believe stem cell research holds enormous promise for easing human suffering. Embryonic stem cell research could lead to cures that could dramatically improve lives. However, it is important to note that while I disagree with the creation of human embryos for scientific purposes, I agree that embryos created as a by-product of in vitro fertilization, which would otherwise be destroyed, should be allowed to provide greater insight into the myriad afflictions that can potentially be alleviated through stem cell research.

As with all scientific endeavors, we must ensure that the limitless bounds of science do not infringe on the beliefs that we hold as ethical human beings. For this reason, I categorically oppose the harvesting of embryos for scientific research as well as any attempt to use our scientific knowledge to clone human beings.

I would like the RECORD to reflect that I have been and will continue to be supportive of Stem Cell Research and that I would have voted yea had I been present. Federal support is critical to its success which is why I will continue to support ethical Stem Cell Research.

Mr. STARK. Mr. Speaker, I rise in strong support of Federal funding for stem cell research. Gravely ill Americans are asking their government for help, but President Bush's so-called ''moral'' reservations could again stand in the way of advances in medical science and deny people potentially life-saving cures.

I find it ludicrous that the same administration that has submerged the country in a nonsensical and deadly war professes that to make use of stem cells to develop cures is ''morally troubling.'' The President's backwards approach to what he considers progress would be laughable were the consequences of his decisions not so spectacularly detrimental to our country's welfare.

What is morally troubling is that Americans who are suffering from Alzheimer's, Parkinson's, cancer, and other deadly diseases cannot place hope in what is becoming an increasingly important field of research. It is morally troubling that friends and family who have suffered the loss of loved ones to painful and drawn-out illnesses cannot depend on our country's leaders to pursue what could be an effective form of disease prevention.

Instead of throwing away some 400,000 frozen embryos left over from in vitro fertilization procedures, we should use stem cells from these embryos to better the lives of countless individuals.

I urge my colleagues to soundly reject this phony ''culture of life'' and instead support H.R. 3 which promotes and prolongs life. I hope the Stem Cell Research Enhancement Act passes with enough support to overcome a likely presidential veto.

Mr. KIND. Mr. Speaker, I rise today in strong support of S. 5, the Stem Cell Research Enhancement Act of 2007. This bill would expand the current Federal policy on embryonic stem cell research by allowing federally funded research on stem cell lines derived after August 9, 2001, while implementing strong ethical guidelines to ensure Federal oversight of the research. I am pleased the 110th Congress has taken immediate steps to address this important issue, and it is my hope that members will once again unite in support of this bill.

Biologists, medical experts, and the vast majority of Americans agree there is a reservoir of discovery in embryonic stem cell research that offers hope for over 100 million

Americans afflicted with life-threatening and debilitating diseases. The Stem Cell Research Enhancement Act allows this critical research to move forward in an ethical way by expanding the number of stem cell lines readily available to scientists, while implementing strong ethical guidelines to ensure federal oversight of the research. According to the National Institutes of Health (NIH), of the 78 stem cell lines that were declared eligible for federal funding in 2001, only about 22 lines are actually available for study by researchers.

We are already at risk of losing our scientific and technological edge because of increasing competition around the world. As a Nation of opportunity and innovation, we have a responsibility to embrace policies that create breakthroughs in both medicine and technology for the benefit of our citizens.

From its earliest days, The University of Wisconsin-Madison has been one of the leading facilities for stem cell research, and I believe with continued study, the possible medical benefits of stem cell research are limitless; lives affected by diseases, damaged tissue, and faulty organs would be greatly improved. Additionally, this legislation would ensure the important work of our scientists is not unnecessarily sidetracked by politics.

The significance of this legislation extends beyond the potential for advances in science and technology. More importantly, embryonic stem cell research could lead to new treatments and cures for the over 100 million Americans afflicted with life-threatening and debilitating diseases. Scientist believe these cells could be used to treat many diseases, including Alzheimer's, Parkinson's, diabetes, and spinal cord injuries. However, the promise of this research may not be reached if the Federal policy is not expanded.

Mr. Speaker, it has become increasingly clear that the American public supports expanding the Federal stem cell policy. From the study of human development to the discovery of life-saving cures,there are just too many potential benefits to allow Federal policy to roadblock the continuation of this groundbreaking research that holds promise and hope for so many lives. Thus, I strongly urge my colleagues to respond to the interests and needs of our Nation's citizens. Please join me in supporting this important legislation that will reinvigorate embryonic stem cell research in this country and allow science to move forward unimpeded, revolutionize the practice of medicine, and offer hope to the millions of Americans suffering from debilitating diseases.

Mrs. MALONEY of New York. Mr. Speaker, I rise in strong support of S. 5, the Stem Cell Research Enhancement Act which is the latest endeavor by this Congress to pass meaningful legislation that will impact the lives of millions of people suffering from a myriad of diseases.

S. 5 would expand the Federal funding of embryonic stem cell research by lifting the restrictions on the embryonic stem cell lines that can be used for Federally-funded research—restrictions that were imposed by President Bush in 2001. Most of the stem cell lines authorized for Federally-funded research under the President's policy are now no longer useful for research. However, the bill only authorizes Federal research funds for stem cell lines generated from embryos that would otherwise be discarded by fertility clinics. S. 5 also creates an ethical framework that must be followed in conducting this research under the guidance of the National Institutes of Health.

This body has voted in favor of expanding the number of stem cell lines eligible for Federal funding with strict ethical guidelines twice in the past year. I believe it is time for the president to listen to the overwhelming support from Congress and more importantly, from the majority of Americans, who want science to prevail and cures to be found with the promise of embryonic stem cell research.

If Federally funded, this research could help nearly 100 million Americans suffering from cancer, Alzheimer's disease, diabetes, Parkinson's disease, spinal cord injuries, heart disease, ALS, and other devastating conditions. Put simply, embryonic stem cell research offers the greatest promise for developing treatments and cures.

Today, there are only 21 embryonic stem cell lines that are available to Federally funded scientists. This is a number that scientists confirm is insufficient and is negatively impacting medical advances in this country.

Mr. Speaker, I must repeat myself on this issue because it cannot be said enough times: this bill is about saving lives and preventing devastating diseases from ravaging and ending people's lives. As a founder and current co-chair of the Bicameral Congressional Caucus on Parkinson's Disease and as someone who lost my father to Parkinson's disease, I know firsthand just how important this legislation is and how important it is to open up the stem cell lines.

I stand with a bipartisan majority of Congress and urge my colleagues to vote in favor of this critical legislation.

Mr. BLUMENAUER. Mr. Speaker, I support S. 5, the Stem Cell Research Enhancement Act, because it is a critical advancement in scientific research. The medical possibilities from stem cells continue to excite the scientific community, holding great promise for therapies to alleviate human suffering from diseases such as diabetes, Parkinson's, Alzheimer's, multiple sclerosis, and cancer. Perhaps no area provides more potential to revolutionize the lives of Americans than the ability to avoid or cure debilitating diseases. It is time for the Federal government to be a full partner in the critical advancement of stem cell research.

This legislation enables scientists to pursue research in a responsible, ethical manner, through the utilization of the 400,000 surplus embryos currently frozen in storage at fertilization clinics across the U.S. The strict confines of this legislation present no threat to the sanctity of human life. I strongly concur with the National Institute for Health Director's statement that it is in the best interests of our scientists, our science, and our country to pursue all aspects of stem cell research—both adult and embryonic—to the fullest extent.

Mrs. CHRISTENSEN. Mr. Speaker, I rise today in strong support of the Stem Cell Research Enhancement Act—a smart, thoughtful and, more important, ethical piece of legislation that already has passed in the House. This bill will expand needed Federal funding to ensure that the promises of embryonic stem cell research finally become reality in this nation.

For the millions of Americans who suffer from the very conditions for which stem cell research could hold a cure, the time has come for us to do more than just offer hope. The time is now for us to find and offer cures to some of the most devastating conditions and diseases that detrimentally affect more than 100 million Americans and their families.

Mr. Speaker, this bill also will send a long overdue message to our friends in the global community: that we are re-assuming our place at the helm of the world's forward-thinking, inspirational and smart health lawmakers.

As a physician, I have seen what happens to people afflicted with diseases and conditions, like Alzheimer's, sickle cell anemia and Parkinson's, and I have seen the impact it has on their families, friends and loved ones. And, it sickens me to know that a promising public health advancement is being tainted by some of my colleagues who wrongfully and unethically applying a theological argument to this issue. Mr. Speaker, this is not a faith issue; this should not be a partisan issue; it's a public health issue and an American issue.

Imagine an America free of Parkinson's disease, Alzheimer's, sickle cell anemia and multiple sclerosis; spinal cord injuries, cancer and diabetes. I call on the President to sign the bill into law and to be a part of the solution—and not the problem. The time simply is now.

Mr. SHAY. Mr. Speaker, the gentlewoman from Colorado and the gentleman from Delaware deserve our thanks for sponsoring the Stem Cell Research Enhancement Act and working with so many families who have been impacted by diseases that may find cures as a result of this vital research. Their work and dedication on this legislation has been tremendous and praiseworthy. I also thank them for giving me the opportunity to cast one of the most important votes I will ever make in Congress.

Almost everyone has lost some family member prematurely. I think of the grandmother, whom I never met, who died when her daughter, my mother, was only 16. I think of my mother-in-law who never had the opportunity to know her grandchild who is now 27. I think of my cousin, who was brilliant and never got to realize his full potential.

Embryonic stem cell research has the potential to cure disease and save lives, and it is only 8 years old. These are discarded embryos that were never in the womb that can help save lives.

This is not a matter of pro-life versus pro-choice, but rather, it is a matter of man and womankind versus disease. I am happy this legislation has once again passed the House and Senate and will head to the President, and I pray the President reconsiders his position on this vital issue and signs this bill into law.

Sometimes ideology can box you in and cause you to make wrong and harmful decisions. I think it is time we recognize the Dark Ages are over. Galileo and Copernicus have been proven right. The world is in fact round. The earth does revolve around the sun. I believe God gave us intellect to differentiate between imprisoning dogma and sound ethical science, which is what we must do here today.

I want history to look back at this Congress and say that in the face of the age-old tension between religion and science, the Members here allowed critical scientific research to advance while respecting important ethical questions that surrounded it.

We know that by allowing embryonic stem cell research to go forward, treatments and prevention for diseases will not come to us overnight. But we also know embryonic stem

cell research has the potential to yield significant scientific advances to heal and prevent so many diseases throughout the world.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise to offer my support for passage of S. 5, the Stem Cell Research Enhancement Act of 2007. The scientific community has demonstrated the great potential for stem cell research. Advancements are being made through the National Institute of Health, private sector biotechnology, and research universities.

Some of that progress has been made with stem cells from other than embryonic sources, but the Congress should not be in the business of shackling scientific discovery and should pass this legislation to open up the potential that embryonic stem cell research has to offer. In Orange County, California, the University of California at Irvine, Reeve Research Center is home to spectacular research that is utilizing embryonic stem cells to develop treatments for spinal-cord injuries and neurological disorders.

California has already led the way for responsible government support of stem cell research. Now is the time for the Federal government to do so as well. I urge my colleagues to support the Stem Cell Research Enhancement Act.

Mr. JORDAN of Ohio. Mr. Speaker, I rise today to express my opposition to S. 5, the Stem Cell Research Enhancement Act. Like H.R. 3, which we considered earlier this year, and H.R. 810, S. 5 would use taxpayer funds to destroy human life.

Some of my colleagues claim that embryonic stem cell research is essential to finding cures to a range of diseases. This could not be further from the truth. On top of the fact that embryo-derived treatments have been fraught with problems, including the widespread occurrence of tumor formation, there is now a host of increasingly more successful alternative treatments that offer tangible results to suffering Americans and their families.

Research has demonstrated that various forms of adult stem cell materials, umbilical cord blood and amniotic fluid are an excellent source of pluripotent stem cells. These materials have yielded highly successful, groundbreaking treatments for Brain Cancer, Breast Cancer, various forms of Lymphoma and Leukemia, Multiple Sclerosis, Parkinson's Disease, spinal cord injury, Sickle Cell Anemia and Krabbe Disease. Treatments employing umbilical cord blood have been particularly successful and the list goes on and on. Just recently, a new study by American and Brazilian researchers published in the Journal of the American Medical Association (JAMA) demonstrated the use of stem cells taken from 13 patient's own bodies to reverse the symptoms of Juvenile Diabetes. These patients have been able to live so far without insulin-some as long as three years. Just this morning, the Associated Press reported a new report from three independent teams of scientists that have been able to produce the practical equivalent of embryonic stem cells in mice without destroying any embryos. Thus far, ethical forms of stem cell research have yielded treatments for over 73 different diseases while well-funded embryonic research has thus far only yielded tumors.

Mr. Speaker, every time my colleagues in the house trumpet the necessity of destroying embryos, scientific studies come along to prove them wrong on point after point. Rather than forcing taxpayers to fund the destruction of human life, we should be putting our resources into the types of ethical research that are rapidly providing the treatments that Americans so greatly desire.

Mr. HOLT. Mr. Speaker, today, the House will again pass legislation to support humane and potentially life-saving embryonic stem cell research. I am a cosponsor of this essential legislation to increase the number of embryonic stem cell lines that can be used to conduct federally funded research to search for cures for a number of diseases such as diabetes, Parkinson's disease, Alzheimer's, ALS, multiple sclerosis, and cancer.

The opponents of this legislation say that we should pursue alternative avenues for research, such as adult stem cells, cord blood cells, and amniotic fluid cells. And they are correct; we should investigate each one of them. Yet, that is not a compelling reason to block researchers from pursuing embryonic stem cell research, which experts agree holds the greatest potential because of the pluripotent nature of the cells.

As a research scientist, I understand that we will only understand the true value of each of these cell types when the research is done. That is why it is essential that we pass this bill and make more embryonic stem cell lines available for exploration.

My home state of New Jersey has demonstrated real national leadership on stem cell research. In 2005, New Jersey became the first state in the nation to award public funds for research on human embryonic stem cells. Just last month, Governor Corzine pledged an additional $10 million in public funds for stem cell research. And the state legislature recently approved $270 million for new stem cell research centers. New Jersey is taking the lead on this ground breaking research, but that can not be an excuse for inaction on the federal level.

It would be immoral for the federal government not to pursue this promising avenue of research, which holds the potential to revolutionize medical care for those afflicted with tragic diseases and conditions.

I implore President Bush to put his veto pen away—he must stop standing in the way of scientific progress that could benefit all Americans.

Mr. LEVIN. Mr. Speaker, I rise in strong support of the Stem Cell Research Enhancement Act of 2007. We can never guarantee the results of scientific research, but without it we can guarantee that there will be no results.

From juvenile diabetes, Alzheimer's and Parkinson's disease to Multiple Sclerosis and cancer, stem cell research has the potential to begin to uncover cures for the diseases that affect our constituents and our families. In the debate over fixing our broken health care system in America, we cannot afford to ignore the medical breakthroughs in disease management that stem cell research has the potential to uncover.

Some opponents of this legislation argue that the federal government already significantly funds stem cell research or that private entities will step in to take up the slack. The reality is that stem cell research is practically at a standstill in this country today. Of the 78 stem cell lines currently permitted under federally funded research, 57 are contaminated and are thus incapable of producing such breakthroughs. Research has been stifled under the Administration's stem cell policy.

This morning's news highlights a recent scientific paper written by scientists that have manipulated an ordinary mouse skin cell into what may be effectively an embryonic stem cell. More research must be done to see if scientists can coax human skin cells to have the same qualities as embryonic stem cells; however, as advocate Sean Tipton told the Washington Post this morning, "You cannot make good policy one scientific paper at a time." The bill before us today encourages further research on isolating and testing non-embryonic cells and at the same time lifts the ban on federal support of embryonic stem cell research.

The Stem Cell Research Enhancement Act is a well-crafted, bipartisan approach. The bill only allows the use of stem cell lines generated from embryos that would otherwise be discarded by fertility clinics. The legislation contains strict ethical guidelines, including the requirement that embryos can be used only if the donor give their written consent and receive no money or other inducement in exchange.

The President vetoed very similar legislation last year, and there is little doubt that he will veto it again. The medical research that embryonic stem cell lines offer is crucial for millions of people dealing with incurable and debilitating diseases. It is an insufficient response for Congress to simply accept the Bush Administration's intransigence on this issue. The legislation before us is a bipartisan bill that strong majorities of the House and Senate support. Further, it is clear that a broad majority of Americans support responsible embryonic stem cell research. The real question today is whether enough Members of the House now recognize that the current stem cell policy is not working and are willing to vote for a better way forward. I urge all of my colleagues to join me in supporting this vital legislation.

Mr. VAN HOLLEN. Mr. Speaker, as an original cosponsor of the House version of the Stem Cell Research Act of 2007, I rise in strong support for S. 5.

I firmly believe that stem cell research holds the promise of scientific breakthroughs and finding cures for life-threatening diseases that could improve the lives of millions of Americans. We should allow the expansion of federally funded research of human embryonic stem cell lines. This bipartisan legislation would accomplish that while establishing ethical guidelines.

This is an issue that affects every family in America. A majority of the American people support stem cell research. I was disappointed that the President exercised his first veto last year on a piece of similar legislation that has bipartisan support. The Stem Cell Research Enhancement Act of 2007 will be soon on the President's desk for his signature. I hope this time the President will listen to Congress and the American people rather than to the extreme right of his own political party and not wield his veto pen on such promising legislation. We cannot put politics over the health of the American people.

Mr. Speaker, I strongly urge my House colleagues to support this bipartisan legislation.

Mr. CONYERS. Mr. Speaker, I rise today to applaud the passage of S. 5, the "Stem Cell Research Enhancement Act of 2007." This legislation will give hope to 100,000,000 Americans, by greatly expanding scientists' access

to embryonic stem cell lines and will create opportunities for medical and biological scientists to continue further investigation for additional stem cell lines. Moreover, this legislation will impact greatly the future of treatment of serious diseases.

During the last decade of research, significant scientific advancements have been made that allow scientists to research genetically stable and long lived human stem cells, by methods that would not destroy or endanger human embryos. The discovery of the new lines of stem cells has greatly enhanced the probability of additional discoveries in various treatment and cures. The support of continued research into this kind of scientific discovery gives great hope to many Americans and others around the world who depend on the scientific advancements that this country has been known for in decades past.

It is time that this groundbreaking research moves forward. I optimistically look forward to the many advances that will be made in the future.

The SPEAKER pro tempore. Pursuant to House Resolution 464, the Senate bill is considered read and the previous question is ordered.

The question is on the third reading of the Senate bill.

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

MOTION TO COMMIT OFFERED BY MR. GINGREY

Mr. GINGREY. Mr. Speaker, I offer a motion to commit.

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

Mr. GINGREY. I am in its present form.

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

The Clerk read as follows:

Mr. Gingrey moves to commit the bill (S. 5) to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Alternative Pluripotent Stem Cell Therapies Enhancement Act of 2007''.

SEC. 2. PURPOSES.

It is the purpose of this Act to—

(1) intensify research that may result in improved understanding of or treatments for diseases and other adverse health conditions; and

(2) promote the derivation of pluripotent stem cell lines, including from postnatal sources, without creating human embryos for research purposes or discarding, destroying, or harming a human embryo or fetus.

SEC. 3. ALTERNATIVE HUMAN PLURIPOTENT STEM CELL RESEARCH.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by inserting after section 409I the following:

''SEC. 409J. ALTERNATIVE HUMAN PLURIPOTENT STEM CELL RESEARCH.

''(a) IN GENERAL.—In accordance with section 492, the Secretary shall conduct and support basic and applied research to develop techniques for the isolation, derivation, production, or testing of stem cells that, like embryonic stem cells, are capable of producing all or almost all of the cell types of the developing body and may result in improved understanding of or treatments for diseases and other adverse health conditions, but are not derived from a human embryo.

''(b) GUIDELINES.—Not later than 90 days after the date of the enactment of this section, the Secretary, after consultation with the Director of the National Institutes of Health, shall issue final guidelines to implement subsection (a), that—

''(1) provide guidance concerning the next steps required for additional research, which shall include a determination of the extent to which specific techniques may require additional basic or animal research to ensure that any research involving human cells using these techniques would clearly be consistent with the standards established under this section;

''(2) prioritize research with the greatest potential for near-term clinical benefit; and

''(3) consistent with subsection (a), take into account techniques outlined by the President's Council on Bioethics and any other appropriate techniques and research.

''(c) REPORTING REQUIREMENTS.—Not later than January 1 of each year, the Secretary shall prepare and submit to the appropriate committees of the Congress a report describing the activities carried out under this section during the fiscal year, including a description of the research conducted under this section.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect any policy, guideline, or regulation regarding embryonic stem cell research, human cloning by somatic cell nuclear transfer, or any other research not specifically authorized by this section.

''(e) DEFINITION.—In this section, the term 'human embryo' includes any organism, not protected as a human subject under part 46 of title 45, Code of Federal Regulations, as of the date of the enactment of the Alternative Pluripotent Stem Cell Therapies Enhancement Act of 2007, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2008 through 2010, to carry out this section.''.

Mr. GINGREY (during the reading). Mr. Speaker, I ask unanimous consent that the motion to commit be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. GINGREY. Mr. Speaker, over the past 3 years, we have repeatedly stood on the floor of this House debating whether or not to expand the Federal Government's role in funding embryonic stem cell research. Today I implore my colleagues that, for once in this debate, let the facts speak louder than fiction. Let us all put aside political posturing and debate the impact of this legislation. Let us ensure that the American people hear the truth. We do not have to sacrifice human life to further stem cell research.

Once again, we find ourselves debating the same stem cell legislation without any input from the Members of this House. Essentially the Democratic majority and their leadership is saying to the American people: This issue has not changed since we debated it in January, since we debated it last summer; in fact, since we debated it back in August of 2001. But that assumption is fundamentally wrong. The reality is that this issue has changed. Science has moved past bureaucracy and, in fact, past politics, to which it owes no allegiance.

There have been multiple scientific breakthroughs which show that there are other ways to achieve medical miracles without the collateral damage mandated by S. 5. The American people deserve a full and a comprehensive debate on these very, very successful alternatives. That is the reason that I am offering this motion to commit, which would replace S. 5 with a bill that was originally introduced by the other gentleman from Maryland, Mr. ROSCOE BARTLETT, and myself, called the Alternative Pluripotent Stem Cell Research Therapies Enhancement Act.

This act would authorize the use of Federal funds to research alternative and ethical ways to extract embryonic-like, or pluripotent, stem cells. That is what we should be debating on the floor of this esteemed body today, legislation that mitigates the gut-wrenching ethical questions of embryonic stem cell research that damages or, more likely, destroys human life.

Mr. Speaker, the fact of the matter is the hope of embryonic stem cell research is not grounded solely in the fact that these cells are embryonic; rather, researchers are interested in embryonic stem cells because they are flexible, and they can specialize into any type of human tissue. Indeed, I doubt that the scientists care where these cells come from.

Pluripotent stem cells can be obtained in a variety of ethical and scientifically promising ways. They do ''not'' have to come from a living embryo which some call medical waste but others embrace as ''snowflake'' babies with priceless lives.

Mr. Speaker, this point cannot be illustrated any more clearly than in the ground-breaking research published in several scientific journals since the beginning of this year. In fact, just yesterday, Nature Journal published a study that shows research's ability to literally reprogram an adult cell taken from skin to achieve one of these pluripotent, or embryonic-like, stem cell states. This research offers the promise of generating embryonic stem cells without the collateral damage of harming human embryos.

Let me read to you a fascinating quote from this article: ''The race is now on to apply the surprisingly straightforward procedure to human cells. If researchers succeed, it will make it relatively easy to produce cells that seem indistinguishable from embryonic stem cells and that are genetically matched to individual patients.'' Mr. Speaker, that equates, my colleagues, to no rejection and no tumors. Hallelujah. Science has found a

way to support human life in terms of medical cures. The way we derive those cures is so important.

Earlier this year, researchers at Wake Forest University and Harvard published a study that showed the capability to obtain pluripotent stem cells again from amniotic fluid, which have the necessary characteristics of being fast-growing and flexible, and can be harvested, get this, Mr. Speaker, as early as 9 weeks into a pregnancy with no damage.

These are just two examples of new cutting-edge research which has fundamentally changed this stem cell debate. We no longer need to engage in an issue that divides this Congress, and indeed our country, in half. We no longer need to contemplate a unilateral decision to spend taxpayer dollars on research methods that half of the public morally opposes.

I ask my colleagues to vote ''yes'' on this motion to commit.

Ms. DEGETTE. Mr. Speaker, I rise in opposition to the motion to commit.

The SPEAKER pro tempore. The gentlewoman from Colorado is recognized for 5 minutes.

Ms. DEGETTE. Mr. Speaker, I want to be very clear. This motion to commit guts S. 5, pure and simple. What it does, it strips out the embryonic stem cell research portion of the bill, which of course is the bill. Instead, it simply leaves the section that also encourages alternative forms of research. So any Member of this House who supports embryonic stem cell research and who has voted for it in the past must oppose this motion to commit. Let me say it again: What this motion to commit does, it strips the embryonic stem cell research out of the bill.

Now, when I was a high school and college debater, one of the things that used to drive me crazy was inconsistency in my opponent's position. We have seen that in spades today. Mr. GINGREY just said, for example, that he supports adult stem cell research because it doesn't have the same kinds of problems that some embryonic stem cell research in mice have shown. In fact, though, the new study, which coincidentally just came out this week, just as a new study comes out every time we vote on embryonic stem cell research, the study on mice specifically says that these mouse cells, that the approach would have to be changed somewhat for use with human cells because it could cause cancer, just the criticism our opponents make of embryonic stem cell research. It's true that embryonic stem cell research is relatively new. However, these other sources that our opponents tout are even newer and have provided no evidence and no hope for cures. That is why 80 Nobel Laureates and 1,300 scientists have endorsed embryonic stem cell research as well as research into adult stem cells and other types of research.

What our bill does is, it says, let's do everything in an ethical way. Let's have ethically conducted embryonic stem cells, but only on embryos that are scheduled to be discarded as medical waste. Let's not throw them out. Let's use them to give hope to the millions of Americans who suffer from diseases for which adult stem cell research has shown no promise at all. That is why all of these researchers say we have to support both embryonic stem cell and adult stem cell and other types of alternatives.

□ 1330

They say there have been no cures found, but, again, just last week, researchers in Great Britain, because this research is going overseas, have found evidence that embryonic stem cell research may cure macular degeneration, which causes blindness in humans. Our friends, many of them formerly from U.S. universities who are in Great Britain, think that we will have a clinical application of this embryonic stem cell research within 5 years.

I want to conclude by saying, it is not either/or. It is both, so long as they are done ethically. Alan Leshner, Ph.D., with the American Association for the Advancement of Science, said, ''It is only through Federal support of research on both adult and embryonic stem cells that we may better understand the potential value and limitations of each type. We owe all those who may be helped by such research in the future to pursue all avenues of potential treatments and cures for serious diseases.''

Mr. Speaker, this motion to commit will kill the bill. Anyone who supports hope for the 110 million Americans who suffer from these terrible diseases must vote ''no'' on the motion to commit and ''yes'' on final passage.

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

There was no objection.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 180, nays 242, not voting 10, as follows:

[Roll No. 442]

YEAS—180

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Carter
Chabot
Cole (OK)
Conaway
Costello
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
English (PA)
Everett
Fallin
Feeney
Ferguson
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Oberstar
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Poe
Price (GA)
Putnam
Radanovich
Rahall
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walberg
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—242

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mack

Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Platts
Price (NC)
Pryce (OH)
Ramstad
Rangel
Regula
Reichert
Reyes
Rodriguez
Rohrabacher
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—10

Cantor
Hastings (FL)
Holden
Jefferson
Kagen
Pickering
Pomeroy
Porter
Ryan (OH)
Tancredo

□ 1357

Mrs. JONES of Ohio, Messrs. OLVER, ABERCROMBIE, GENE GREEN of Texas, Mrs. GILLIBRAND, and Ms. SLAUGHTER changed their vote from ''yea'' to ''nay.''

Messrs. ROGERS of Alabama, SAXTON, WELDON of Florida, TURNER, CALVERT, BARRETT of South Carolina, DONNELLY, KING of New York, SAM JOHNSON of Texas, and KING of Iowa changed their vote from ''nay'' to ''yea.''

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 247, nays 176, not voting 10, as follows:

[Roll No. 443]

YEAS—247

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Dreier
Edwards
Ellison
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Platts
Price (NC)
Pryce (OH)
Ramstad
Rangel
Regula
Reichert
Reyes
Rodriguez
Rohrabacher
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—176

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Carter
Chabot
Cole (OK)
Conaway
Costello
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Duncan
Ehlers
Ellsworth
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kaptur
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Oberstar
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Poe
Price (GA)
Putnam
Radanovich
Rahall
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walberg
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (OH)
Wilson (SC)
Wolf

NOT VOTING—10

Cantor
Hastings (FL)
Holden
Jefferson
Kagen
Pickering
Pomeroy
Porter
Ryan (OH)
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1404

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1756

Mr. HUNTER. Madam Speaker, I ask unanimous consent to have the gentleman from Florida (Mr. BOYD) removed as a cosponsor to H.R. 1756.

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

There was no objection.

LUMBEE RECOGNITION ACT

Mr. ARCURI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 465 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 465

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 65) to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, modified by the amendment printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order

against the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 65 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.

The SPEAKER pro tempore. The gentleman from New York (Mr. ARCURI) is recognized for 1 hour.

Mr. ARCURI. Thank you, Madam Speaker.

For purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of this rule is for debate purposes only. I yield myself such time as I may consume.

GENERAL LEAVE

Mr. ARCURI. Madam Speaker, I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 465.

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

There was no objection.

Mr. ARCURI. Madam Speaker, House Resolution 465 provides for consideration of H.R. 65, the Lumbee Recognition Act. For over 100 years, the Lumbees have been in Federal recognition limbo. This legislation, which maintains the strong bipartisan support of 215 Members, aims to bring closure to the issue of full Federal recognition for Lumbee Indians of North Carolina, which has lingered in question for far too long.

There's absolutely no question that the Lumbee Indians constitute an Indian tribe. The Lumbee were first recognized as a tribe in 1885 by their home State of North Carolina. After initially seeking Federal recognition in 1888, the Congress acknowledged the Lumbee Indians as an Indian tribe via the Lumbee Act of 1956 but denied them any benefits and privileges of such status. This rare form of recognition is nothing more than an unjust half measure that must be corrected by Congress.

Those opposed to the underlying bill will argue that it is the duty of the Department of the Interior to recognize the status of an Indian tribe. However, because of the action taken by Congress in 1956, creating half-measure recognition, the Department of the Interior has ruled that the Lumbee tribe is not eligible for the tribal recognition process which it administers. That's a very important point that should command the attention of every Member of this body. Simply put, the Department of the Interior is saying to Congress, your legislation in 1956 created this recognition problem and now you are the appropriate branch of the Federal Government to rectify it, that is, Congress.

The recognition of an Indian tribe by the United States has always ultimately been the responsibility of Congress. Even though the Department of the Interior established an administrative process for recognition of the tribes in 1978, Congress has since recognized nine tribes by special legislation where there were special circumstances. Further, because Congress tasks the administration with the authority to establish an administration recognition process in no way means that Congress completely abdicates its authority over such matters.

Madam Speaker, numerous bills have been introduced regarding Federal recognition of the Lumbee starting way back in 1899. And during that time, numerous hearings were held and reports were filed. Most recently, the Natural Resources Committee held a hearing in April of this year where the underlying bill was debated and amendments were offered. Further, the Department of the Interior has researched and studied the Lumbee history 11 times.

Madam Speaker, we owe it to the Lumbee Indians and the State of North Carolina to write the final chapter and close the book on the issue of full Federal recognition.

Madam Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. I thank my good friend from New York for the time.

Madam Speaker, the State of North Carolina formally recognized the Lumbee tribe in 1885. Since 1888, the Lumbee tribe has been waiting for full Federal recognition.

Over the years, many bills were introduced in Congress to provide the Lumbees with Federal recognition, but these bills never reached the President's desk for signature. Finally, the Lumbee Act of 1956 recognized the Lumbee as a Native American tribe but denied them the Federal aid that comes with full status as a federally recognized tribe.

The Bureau of Indian Affairs' recognition process is reserved for tribes whose legitimacy must be established. This, however, is not the case with the Lumbees.

The Department of the Interior since 1913 has studied the identity of the Lumbee Indians 11 times, and each report has concluded that the Lumbees are a Native American tribe descended from the Cheraw Indians.

Furthermore, the Lumbee Act of 1956 actually prohibited the tribe from going through the Bureau of Indian Affairs' recognition process. Congressional action is thus needed for Federal recognition so the Lumbee tribe can be eligible for the full benefits that they are entitled to.

I wish to express my thanks to Mr. MCINTYRE for his strong leadership really on many issues affecting Native Americans as well as other important issues before this Congress and specifically for his perseverance and the brilliance that he has shown in bringing this bill to the floor today.

Even though I support the underlying legislation, Madam Speaker, I must oppose the closed rule under which the majority brings forth this bill. One of the central tenets of our friends in the majority of their campaign in 2006 was that they would run Congress in a more open and bipartisan manner.

□ 1415

On December 6, 2006, the distinguished Speaker reiterated her campaign promise. She said, ''We promised the American people that we would have the most honest and open government and we will.''

Here we are 6 months later, 6 months later, considering the second closed rule of the day. It seems that the campaign promise was just that, a hollow promise. But this closed rule, the second of the day, is not an isolated incident, obviously. So far in the 110th Congress, we have considered a total of 25 closed rules, 25 closed rules in about 5 months. Compare that to the 109th Congress where at this point we had considered six closed rules.

Now, my friends on the other side of the aisle like to refute this fact by claiming that they have offered a number of open rules, but that's not the case. The former very distinguished chairman of the committee, Mr. Moakley, a Democrat, said, and I quote, ''Open rules are silent on the amendment structure.''

By that definition, the Democrats have offered only one open rule this Congress. The majority on the Rules Committee had the opportunity to increase the number of open rules to two yesterday. However, they denied a motion that I made to amend this rule and allow an open rule. Not only did they deny our proposal for an open rule, they even denied an attempt to allow a bipartisan amendment offered by Representative SHULER, that even though I opposed that amendment on the merits, it came to the Rules Committee where Mr. SHULER and Mr. SHAYS sat for a long, long period of time, and then they very diligently and respectfully explained their amendment.

I happened to disagree with it, but as I stated in the Rules Committee, as strongly as I disagree with their amendment, I think they should have the right to present it. Yet not only did our friends, the majority in the Rules Committee, decide to close the rule absolutely, they even disallowed the bipartisan amendment by Mr. SHULER and Mr. SHAYS from being considered today by the full House. I think the Democrats should live up to their campaign promises and offer a more open process.

I urge my colleagues to defeat this closed rule, while, again, on the underlying substance of legislation, expressing my support for it.

Madam Speaker, I reserve the balance of my time.

Mr. ARCURI. Madam Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. SHULER).

Mr. SHULER. Madam Speaker, I rise in opposition to this rule.

The Bureau of Indian Affairs have established a process for recognizing Indian tribes. Recognition of tribes is a job for experts and requires facts. This decision should not be made by politicians relying upon a motion.

Every time a legislature has gotten involved in this case, they have gotten it wrong. The North Carolina State House mislabeled the group four different times. The U.S. Congress made the decision worse in 1955 by blocking them from going through the standard process.

I offered an amendment which would have taken the emotion and politics out of this process. It would have allowed the experts of the Bureau of Indian Affairs to establish the facts of this case, but this rule blocks that amendment.

Today, we have missed an opportunity to settle this case. Instead, once again, we will leave it up to politicians.

I am not an expert on Indian tribes. My colleagues are not experts on Indian tribes. None of us are qualified to make this decision.

I urge my colleagues to reject this rule and let the Bureau of Indian Affairs do its job.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, it's my pleasure at this time to yield as much time as he may consume to the ranking member of the Committee on Rules, Mr. DREIER.

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

Mr. DREIER. Madam Speaker, I rise to join my very distinguished colleague from Miami, Mr. DIAZ-BALART, in not only opposing this rule but opposing the previous question on this. I am going to explain that in just a moment.

Mr. DIAZ-BALART went through and gave a very, very good summation of where we stand on this issue of openness, transparency and disclosure; and his reference to the December 6, 2006, quote from our distinguished Speaker, my fellow Californian, underscores the fact that everyone can talk about the issue of openness, transparency and disclosure. But when it comes to granting it, it's very sad and really a very sad day for this institution.

Now I know that there has regularly been a lot of criticism over the way we as Republicans managed this institution for the 12 years leading up to last November's election, but I like to remind our colleagues that, whatever criticism they want to level at us, it's not about what we did, it's about what they promised they were going to do. That's really the sad thing here, the promises that were made, in fact, have not been kept. I think that's evidenced, as Mr. DIAZ-BALART said, by virtue of the fact that we were going to have all of these open rules, and at this moment we are considering the second totally closed rule of the day, meaning that no Member will have the opportunity to offer any amendment whatsoever as we consider this measure.

In the last Congress, we were proud of the fact that we were able to take on what was a bipartisan concern, that being the abuse that we saw of earmarks. We all know what that consists of. It has been reported very, very widely, the abuse of earmarks; and that played a role in leading us, in the last Congress, to respond.

I am very proud in the 109th Congress we were able to pass major earmark reform that got at the issue of transparency and disclosure and, most important, enforceability, making sure that Members of this House, Democrat or Republican, stand up on the floor and raise a question and bring to the attention of this House an earmark that should be brought to the light of day.

We heard that the reforms that were passed at the beginning of this Congress were going to build on what we did in the last Congress and ''improve'' on the earmark reform that we passed in the 109th Congress.

Let me say again, as I did when we considered the last rule, every Member of this House, Democrat and Republican alike, will in just a few minutes have an opportunity to vote on whether or not we believe the earmark reform that has been touted very widely is going to be enforced. That's the vote we are going to face.

What it consists of is Mr. DIAZ-BALART will move to defeat the previous question so that we will simply have an opportunity to make it in order to consider an amendment that will allow us to enforce this much-ballyhooed earmark reform process.

Now, in the last rules debate, I quoted Ronald Reagan, and I quoted Ronald Reagan because during the discussion of the arms buildup and our negotiations with the former Soviet Union, Ronald Reagan used a Russian expression, and that Russian expression is ''doveryai, no proveryai.''

I have to say that my Russian has improved between the debate on the last rule and the debate that we are holding right now, because I got it a little turned around. But thanks to our first-rate staff here we went on to the Internet and found the exact Russian expression: ''doveryai, no proveryai.'' Now, what that means is trust, but verify.

Everyone here has talked about the need for us to again have greater transparency, disclosure, accountability and enforcement on the issue of earmarks. Unfortunately, the rule that was passed in this 110th Congress, which was designed to improve on what we did in the 109th Congress, not only doesn't improve, it denies, it denies every Republican and every Democrat in this House an opportunity to come forward and, in fact, let the institution have the chance to determine whether or not this is a justifiable earmark.

A couple of examples most recently, we saw the clash that took place between the chairman of the Defense Appropriations Subcommittee, our friend, Mr. MURTHA of Pennsylvania, and the gentleman from Michigan (Mr. ROGERS). That was a very unfortunate part of the consideration of the intelligence authorization bill.

Then we saw the quote, the statement that was made by the distinguished chairman of the Committee on Appropriations, Mr. OBEY, who has announced that we are not going to be considering earmarks in the appropriations process itself, earmarks are only allowed to be airdropped into the appropriations conference reports, again, again further blurring the opportunity for Members to have, in full view, these earmarks.

Let me say once again we are going to give every Member of this House, in just a few minutes, the chance to vote on whether or not you believe there should be an opportunity for greater enforceability, transparency and disclosure of these earmarks that have been put into place. That promise was made early on; and, unfortunately, it has not been kept. We are going to give Members a chance to decide whether or not that promise should be kept.

So I urge my colleagues to vote ''no'' on the previous question, and that ''no'' vote on the previous question will again allow Mr. DIAZ-BALART the opportunity to offer this very thoughtful amendment that should enjoy very strong bipartisan support.

I thank again my friend from Miami for yielding.

Mr. ARCURI. Madam Speaker, my colleague from the Rules Committee, Mr. DREIER, may want this to be about earmark reform, and he may want this to be about other things, but, frankly, this is a rule about the Lumbee Indians.

Madam Speaker, I am now pleased to yield 5½ minutes to the gentleman from North Carolina (Mr. MCINTYRE) who can talk to us about the rule on the Lumbee Indians.

Mr. MCINTYRE. Madam Speaker, I rise in strong support of the rule for H.R. 65, legislation to grant the Lumbee Indians Federal recognition.

In the late 1500s, when English ships landed on the shores of Roanoke Island off the coast of North Carolina, the English discovered native Americans. Included among those native Americans were both the Cheraw and Pee Dee Indians, who were direct ancestors of the Lumbee Indians.

Later, in 1888, the Lumbees made their first effort at gaining Federal recognition. For at least 500 years, the Lumbee Indians have been inhabitants of this land; and for over half of that time that our country has been in existence, 119 of the 231 years of our country's history, the Lumbee Indians have been seeking the recognition and respect that they deserve.

As the largest tribe east of the Mississippi and the largest nonrecognized tribe in America, it is unfathomable that this tribe of 55,000 people has never been fully recognized by our government. H.R. 65 would provide equal treatment to the Lumbee tribe by correcting a half-measure that was adopted by this Congress in 1956, 51 years ago on this very day.

The 1956 half-measure acknowledged the Lumbees as Indians but cut off the tribe from the Federal statutes that apply to all other Federally recognized tribes. Every other tribe subjected by Congress to such a half-measure has since been fully recognized by a special act of Congress.

This would only apply to the Lumbees. It will not apply to the other tribes. You may hear arguments to the contrary, but this refers to correcting an injustice done by the Lumbee Act of 1956. So it is applicable only to this tribe.

H.R. 65 would do the same thing for the Lumbee tribe as it has done for two other tribes that were put in a similar circumstance. Thus, H.R. 65 is a long-overdue act of justice that would treat this tribe just like every other tribe in the same position has been treated. There is no question that the Lumbee Indians constitute an Indian tribe.

The State of North Carolina has consistently recognized that since 1885 under a series of State statutes, using different names for the tribe, until 1952, when the tribe held a referendum to decide upon its own name and not take a name imposed on it. They adopted the name Lumbee, drawn from the name of the river that the tribe was found at the time of the first white contact with these Indians in the 1730s.

The State amended its law to recognize the tribe under the name Lumbee in 1953, and that same bill was introduced in Congress to obtain Federal recognition under that same name. Before the Federal bill was enacted, though, Congress amended the bill to include termination language; and, as a result, Congress recognized the tribe in name only at the same time in 1956.

□ 1430

Because of this 1956 half-measure, the Solicitor General of the United States has ruled that the Lumbee tribe is not eligible for the tribal recognition process currently administered by the Department of the Interior and the Bureau of Indian Affairs. The Solicitor General has already ruled that the tribe has to come back to Congress to correct this injustice. Congress did it; Congress needs to correct it.

In any case, there's no need to send this back to the BIA. Why? Because the Department of Interior has already studied this tribe 11 separate times and each time has concluded that the Lumbees are indeed Indian, and they are descended principally from the Aboriginal Cheraw Tribe. The Department's own records also show that the modern day Lumbees are the same Indians first recognized by the State of North Carolina back in 1885 and by Congress by name in 1956. So Congress itself has put the Lumbee tribe in the Indian ''No Man's Land'' with the enactment of the 1956 half measure.

Congress has done this in the past to two other tribes, the Tiwas of Texas and the Pascua Yaqui of Arizona. In both cases, Congress has since gone back, passed special statutes extending full recognition to those tribes. So there is direct precedent for this action today, and it only is applicable to the Lumbees, and in all fairness, Congress should do the same for the Lumbees that they've done for other tribes that were in this unique position. This is all that we're asking, for the Lumbee tribe to be treated equally and fairly like every other tribe in this situation has been treated. If this is not done, the Lumbees will continue to be the only tribe in America left in this legal limbo, and that's fundamentally unfair to the Lumbee tribe. The recognition of an Indian tribe has always been done by the United States. Ultimately it's Congress's responsibility. More than half of the 565 tribes now federally recognized were recognized by Congress. And even after the Department of Interior established a separate procedure in 1978, Congress itself has still taken the effort to recognize nine tribes by special legislation when there were special circumstances, which is what we have here, special circumstances.

In 1935, D'Arcy McNickle, the Special Indian Agent of the Bureau of Indian Affairs, reported to Congress; this Special Indian Agent of the Bureau of Indian Affairs back in 1935 concluded, ''that they are Indians cannot be doubted,'' and I quote.

So now, in 2007, I trust that you and my colleagues will agree it is time for discrimination to end and recognition to begin. Join me in finally rectifying this wrong. Vote for the rule and vote for recognition for the Lumbee tribe.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, in a few minutes I will be asking for a ''no'' vote on the previous question so that we can amend this rule to allow the House to consider a change to the Rules of the House to restore accountability and enforceability to the earmark rule.

Now, by defeating the previous question, we wouldn't be derailing consideration of this important legislation today. But we would be fixing an unfairness, rectifying an unfairness in the House Rules. And we believe very strongly in this.

At this time, Madam Speaker, and I had an opportunity in the Rules Committee yesterday to point out to Mr. SHULER and Mr. SHAYS that, as I've stated before, on the floor of this House today, I oppose the substance of the amendment that they brought before us, but I certainly support it and support, at this time, their right to be heard.

It's unfortunate that the rule, the closed rule bringing the legislation to the floor today, has closed out all of the Members of the House, including Mr. SHULER and Mr. SHAYS.

Madam Speaker, at this time I'd like to yield 3 minutes to the distinguished gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Madam Speaker, I do want to commend Congressman MCINTYRE for his labors of love and his efforts to bring this to the floor and his support for this.

I happen to oppose him on this for several reasons, and I want to say that I'm from North Carolina, as well as Mr. MCINTYRE. This has been an ongoing issue, as he made reference to in his comments, for years and years. But this issue of the Lumbee should be allowed to go through the existing Federal process. And I believe sincerely that Representatives SHULER and SHAYS offered an amendment in the Rules Committee to allow this to happen, but sadly, it was rejected.

The BIA process allows non-biased experts to objectively examine historical evidence and make decisions based on seven strict criteria. If there are problems with the process, then we should fix the process; ''we'' meaning the Congress. But Congress should not start down this slippery slope of hijacking the objective BIA process and start recognizing tribes on its own. This is and would be a serious mistake.

Madam Speaker, roughly 250 native groups have applications pending at BIA, Bureau of Indian Affairs. If we pass this bill, all of these groups will come knocking at the door of Congress seeking Federal recognition, and it will be impossible for those of us in Congress to say no.

Lumbees' tribal origins are suspect, at best. Over time, they have self-identified themselves as four different tribes: Cherokee in 1924; Cheraw in 1933; Siouan in 1934; and now they are Lumbees. This makes it all the more important for experts to determine their eligibility, not subjective Members of Congress.

Madam Speaker, the CBO says Federal recognition of Lumbees would cost $489 million in the first 5 years; $489 million in the first 5 years. I hope that my colleagues on both sides of the aisle, who maybe support this legislation, would allow this Congress, on such an important issue, to debate it, to debate amendments, and let's see how we can at least let the American people know that this is an open process and not a closed process.

And, Madam Speaker, I will tell you again, in closing, that many people in North Carolina are familiar with this issue and the history of the Lumbees. And their heritage is in question.

With that, Madam Speaker, I hope that my colleagues will vote against the rule and the legislation.

Mr. ARCURI. Madam Speaker, in response to my colleague from North Carolina, I would have to say that

while it is the role of the Bureau of Indian Affairs to certainly deal with Indian tribes, we have delegated that responsibility to them as Congress, to that agency. We have not abdicated our responsibility. That is our responsibility as Congress. We should not give over our responsibility in any particular area completely to an agency. We have delegated that responsibility to them, and I think it is the responsibility and the duty of people in Congress to bring forth recognition in cases such as this.

With that, I would like to yield 4 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Madam Speaker, I rise to support the proposed rule to bring this bill, H.R. 65, for consideration. And I certainly would like to commend my good friend, the gentleman from New York, who's managing this legislation, and my good friend from Florida, the opposition, for their being here and to deliberate on the importance of this bill.

Madam Speaker, this is not a Republican or a Democratic piece of legislation. I say this because this bill has the absolute support of the chairman of the Committee on Natural Resources, Mr. RAHALL, and also the senior ranking member, the distinguished gentleman from Alaska, Mr. DON YOUNG. So we have bipartisan support to this proposed bill. In fact, over 215 Members have already sponsored this proposed legislation.

And I would be remiss if I did not give special commendation for the outstanding job that the gentleman from North Carolina has put in trying to bring this legislation for the last 6 years I believe, the gentleman from North Carolina, Mr. MCINTYRE. And I do commend him very much for his leadership and for his sensitivity in bringing this legislation out to the floor.

Madam Speaker, H.R. 65 would extend Federal recognition status to the Lumbee tribe of North Carolina. Several studies undertaken by the Department of the Interior have consistently concluded that the Lumbees are a distinct self-governing Indian community historically located on the Lumbee River in North Carolina.

This legislation is long overdue. Indeed, Congress passed the Lumbee Act of 1956. On its surface, one would deduce that this law was to provide Federal recognition to the Lumbee people. Instead, Congress perversely added a provision making the Lumbee Indian people ineligible for the services provided by the United States to other federally recognized tribes.

Today, we are simply here to rectify this injustice. This bill was reported by the Natural Resources Committee by a vote of 24–7. The tribe agreed to the provision that no gaming operation is ever to be part of their operations if they are ever to be recognized.

Madam Speaker, finally, I would note that the tribe has sought recognition through the current administrative procedure which was developed by the Bureau of Indian Affairs, which, by the way, was done through Federal regulation. It was not done by statutory mandate by the Congress. But this is not an option for them.

In 1989, the Associate Solicitor for Indian Affairs at the Department of Interior made the determination that the Lumbee Indian people are not eligible for the current process, and the fact that we have to go back to the provisions of the Lumbee Act of 1956. So there is no other option to obtain justice for these people, Madam Speaker.

And let me note that Congress is empowered to recognize Indian tribes, just as we have recently done for the Virginia Indian tribes. There are some 560 federally recognized Indian tribes in our country, and of those, Congress recognized 530 of them.

Madam Speaker, the times that I've met with the many members of this distinguished tribe, they noted to me, they say that many of them have fought, members of that tribe have fought in the defense of our Nation. And for a population of 53,000, and I believe six members of this tribe have already died from this terrible conflict that we're faced with now in Iraq. And to me, that is a way to show the patriotism, and we owe the people this recognition, I submit, Madam Speaker.

I urge my colleagues to support the proposed rule and pass this proposed bill, H.R. 65.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield 7 minutes to the distinguished gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Madam Speaker, I wish I had just come to Congress, because then I could believe what I'm hearing from the other side of the aisle. I could have total ignorance about the past and feel comfortable with what we're doing. The problem is I've been here 20 years, and I know what we're doing. We are returning to the old ways under the Democratic Party that bypassed the Bureau of Indian Affairs, and lots of people made lots of money in the process.

This is not an open rule. This is not a restricted rule. This is a closed rule. And for a freshman Member of Congress to stand up and justify a closed rule and not even allow a debate on whether the Bureau of Indian Affairs should be involved blows me away.

The Bureau of Indian Affairs, if it needs to be fixed, how are you going to know about it unless you have a debate?

But you don't want a debate. You want a closed rule. You do not want a debate about this issue. And why? It's pretty obvious.

If you look at the record, it's very different than what was described. If you talk about what happened, it's very different than what was described.

When it came before the committee in the 1950s, the Member bringing it out, Mr. Carlyle, said, ''Now, I should like for you to recall that there's nothing in this bill that requests one penny of appropriation of any kind. There is nothing in this bill that would call for any upkeep or expenditure. It just simply relates to the name of these people of that county.''

And then we go on.

□ 1445

The first question that was asked by Mr. Aspinall: ''What are the tribal origins of these Indians?''

And then he asks: ''I can understand that they may have some Indian blood to that effect, but surely they have some Indian blood in their veins from other acknowledged tribes of the day.''

''Mr. Carlyle: 'I think perhaps I have a member of that race here who would be able to answer that question.'

''Mr. Aspinall: 'The next question would be: What benefit would they expect to get from this? Just purely the name Lumbee Indian Tribe does not appear to me to give too much importance to it, unless they expect to get some recognition later on as members of some authorized tribe and then come before Congress asking for the benefits that naturally go to recognized tribes.'

''Mr. Carlyle: 'No one has ever mentioned to me any interest in that, that they had any interest in becoming a part of a reservation or asking the Federal Government for anything. Their purpose in this legislation is to have a name that they think is appropriate for their group. I do not know that they refer to themselves as a tribe. They are citizens who belong to the Indian race, and they were interested in having a name that would have, they think, some significance.' ''

And then he goes on to say: ''Well, I just do not know of any particular tribe of Indians in this country that they claim to be associated with.''

That is the history of the debate.

And then we go to the floor of the House:

''Mr. Ford: 'Mr. Speaker, reserving the right to object, I should like to ask the author of the bill, the gentleman from North Carolina, whether or not the bill, if enacted, would in any way whatsoever commit the Federal Government in the future to the furnishing of services or monetary sums.'

''Mr. Carlyle: 'Mr. Speaker, I am happy to say that the bill does not provide for that, nor is it expected that it will cost the government one penny.'

''Mr. Ford: 'There is no obligation involved, as far as the Federal Government is concerned, if this proposed legislation is approved?'

''Mr. Carlyle: 'None whatsoever.'

''Mr. Ford: 'It simply provides for the change of the name?' ''

That is all the bill did. It wasn't intended to do something else. It wasn't intended to make them a tribe with all the benefits. It was simply to give them a name. And to come before this Chamber and suggest that somehow this bill was to do more is an outrage.

Now, what we are doing today is to bypass the Bureau of Indian Affairs. The Bureau of Indian Affairs has to see that there was a political, social, and economic association. That is what this tribe has to prove. But they don't want them to go before the Bureau of Indian Affairs because this is a tribe that had no name. It had no reservation. It had no language.

Now, if I am wrong, then the Bureau of Indian Affairs should be the one to decide. But I would say as strongly as I can say—no one here has the capability to know if this is truly a tribe.

Now, why would we want the Bureau of Indian Affairs to decide whether it is a tribe? Because they study it. They do the research on it. They determine that there is some legitimacy. If you create an Indian tribe that is truly not meeting the Federal standard, you make a mockery of every Indian tribe that exists today that can prove it.

I would just like to close by saying that you are opening up a Pandora's box. You are letting the floodgate in. And the best proof is my colleague from American Samoa who said we just did it a few months ago or weeks ago for someone else. It's no different. Now we do this. And then the next Member is going to come in and say, You did it for them and you did it for them. How come not us?

I know that former Representative Simmons, former Representative Johnson, and I have opposed tribes in our State of Connecticut bypassing the process. If they meet the standard, they should become a tribe. If they don't, they shouldn't. And I would just say to any of my colleagues who may have gotten elected in the meantime that if you allow this to happen you are going to allow a floodgate, and if you have a State-recognized tribe, they are going to come and say, I am a State-recognized tribe. Make me a Federal-recognized tribe. Make me a sovereign nation. Give me all the benefits that true tribes that are federally recognized have.

I encourage my colleagues to vote down this rule, allow an honest debate about the Bureau of Indian Affairs. What are you afraid of? To have a debate about the need to have the Bureau of Indian Affairs look at it? What are you so concerned about? What don't you want the public to know?

This is a closed rule. It is totally restricted, and it is an outrage.

Mr. ARCURI. Madam Speaker, I yield 3 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA) to respond.

Mr. FALEOMAVAEGA. Madam Speaker, I do want to say I do have the highest respect for my good friend and colleague who has just taken the floor. In fact, I do want to commend him as a former Peace Corps volunteer for the islands of Fiji. And, as I said, I don't question some of the dialogue or the conversations or part of the CONGRESSIONAL RECORD that was taken from previous Congresses and other Members of Congress in the previous years in dealing with the issue. But let me share with my colleagues the situation of how we have dealt with the American Indians.

Madam Speaker, I submit our first policy, our first national policy, was to kill the Indians. Get rid of them.

Following that, our next policy was let's assimilate the Indians, make them all part of America.

And then, guess what? The next policy was to terminate the Indians. Don't give them any sense of recognition as a people.

These are our national policies in eras and periods of how we have dealt with Native Americans. So now the fourth policy that we now enunciated is let's find a system or procedure of how we can recognize them as Indian tribes.

Let me share with my colleagues what happened on that specific day when we held a hearing on the Lumbee Indians. This was years ago. One of the tribal chiefs of the Lumbee Indians testified before our committee and said they had to examine their teeth, their teeth, to see if they looked like Indians and having a certain structure of their facial features to make them look like Indians.

I must submit, Madam Speaker, the process that my good friend talks about was not developed until 1975 and thereafter. And the very person who wrote the regulation where these Indian tribes had to meet seven criteria in order for this Indian process to be completed and they would say now you are federally recognized, well, the person who wrote that regulation made a submission before our committee and said, even I would not have been able to submit an application if this is what we have to go through as the process. It is the most expensive process that we have had to burden Indian tribes to come up with.

And I must say, Madam Speaker, with all due respect to my good friend from Connecticut, I don't doubt his sincerity in terms of what he said. The process has failed. There is no question. But we have just recognized four or five Indian tribes from the State of Virginia. So how does that make it different in the State of North Carolina for this tribe, the Lumbee Indians? Over 100 years these people have been fighting for recognition, and they deserve that recognition, Madam Speaker.

Let me give a bit of history to my colleagues. We held 389 treaties with the American Indians, and guess what? We broke every one of them. That is the kind of history that we have had in dealing with Native Americans. They deserve better, Madam Speaker.

Again, I urge my colleagues to support this rule. Support this legislation.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, before closing, I would like to yield 2 minutes to the distinguished gentleman from Connecticut, who would like to make some other remarks.

Mr. SHAYS. Madam Speaker, I thank my colleague for yielding.

The arguments we just heard, though, are what frightens me the most. Because my colleague has said the Bureau of Indian Affairs is broken; therefore, Congress should be the ones to decide.

So will you tell me how Congressman MURPHY opposes the Schaghticokes when they come and make that argument? Just come to Congress, and if he has the political clout, they become a federally recognized tribe.

What do we say to my colleague, JOE COURTNEY, who has taken Mr. Simmons place, about the Eastern Pequots? We are saying, go before the Bureau of Indian Affairs. Now they are just going to come to him and say, you did it twice.

What do they say to me with the Golden Hill Paugussetts, who want to build a casino in Bridgeport and want to be recognized as a federally recognized tribe because all three of these tribes have State recognition?

We want to make sure they meet the standard. If they meet the standard, that is fine. But what you have done by your argument is just simply say, don't go through that process. It's broken. We are not going to fix the process. Just come to your Member of Congress and if they have the political clout, get it through. And that is what scares me more than I can express.

Mr. FALEOMAVAEGA. Madam Speaker, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman.

Mr. FALEOMAVAEGA. Madam Speaker, I just want to say to my good friend that I did submit proposed legislation to rectify the process that has failed. But, unfortunately, we have still not taken up the legislation, so I want to try it again.

Mr. SHAYS. Madam Speaker, reclaiming my time, why don't we take that up first before we go through this process?

Mr. FALEOMAVAEGA. I will submit to my good friend, Madam Speaker, the situation that, dealing with the Lumbee Indians, the Congress did formally recognize them in 1956 and there was no process in place.

Mr. SHAYS. Reclaiming my time, they recognized name only. That is all the tribe asked for. They wanted nothing else. And it wasn't Congress that did it against their objection. They did exactly what they asked for.

Mr. ARCURI. Madam Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. MCINTYRE).

Mr. MCINTYRE. Madam Speaker, in answer quickly to the questions raised by my colleague from Connecticut when he says they don't want to go before the BIA because they do the research, that is absolutely incorrect. We have records of 11 studies that the BIA has done and every time concluded this was an Indian tribe.

Secondly, he says this is opening a Pandora's box; what do we say to the other tribes? This deals with one tribe

with a specific statute that the Congress of the United States passed 51 years ago today called the Lumbee Act of 1956. That is what we answer. We are dealing with that specific law dealing with this specific tribe, and we have a specific bill today to answer the injustice Congress has done to this specific tribe that only deals with the Lumbee Tribe.

Third, there must be something, I guess, magical about going to the BIA. He asks, what are we afraid of? The answer is nothing. Not only have 11 studies already been done by the BIA, but the General Accounting Office itself says in conclusion in their own regulations under the law that authorized the BIA, the BIA's recognition process was never intended to be the only way groups could receive Federal recognition, and that is in statutory language itself.

So what are we afraid of? Nothing. They have been through 11 examinations. We are ready to rectify an injustice that occurred 51 years ago today. I believe it is long overdue that Congress do the right thing.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I will be asking for a ''no'' vote on the previous question so that we can amend this rule and allow the House to consider a change to the rules of the House to restore accountability and enforceability to the earmark rule.

Under the current rule, so long as the chairman or sponsor of a bill, joint resolution, conference report, or manager's amendment includes either a list of earmarks contained in the bill or report or a statement that there are no earmarks, no point of order lies against the bill. This is the same as the rule in the last Congress.

However, under the rule as it functioned under the Republican majority in the 109th Congress, even if the point of order was not available on the bill, it was always available on the rule as a question of consideration. But because the Democratic majority Rules Committee specifically exempts earmarks from the waiver of all points of order, they deprive Members of the ability to raise the question of earmarks on the rule. This was most recently discovered on the question of the Murtha earmark on the Intelligence authorization bill.

This amendment will restore the accountability and enforceability of the earmark rule to where it was at the end of the 109th Congress and provide Members with an opportunity to bring the question of earmarks before the House for a vote. Without these changes, the new earmark rule is nothing more than a fig leaf.

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. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, at this time, while reiterating my support for the underlying legislation, which I think is worthy legislation and has been thoroughly studied, I think it is most unfortunate that it has been brought forth with a totally closed rule.

□ 1500

I ask my colleagues to join me in defeating the previous question so that we can amend this rule and allow the House to consider a change to the rules of the House to restore accountability and enforceability to the earmark rule.

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

Mr. ARCURI. Madam Speaker, for over 100 years the Lumbee Indians have been recognized by their home State of North Carolina.

The Department of the Interior has researched the Lumbee history on 11 separate occasions. Numerous bills have been introduced, many congressional hearings have been held, and the Department of the Interior has stated that the Lumbee are not eligible for the Department's recognition process because of Congress' action in 1956.

The gentleman from Connecticut has asked the question, what are we trying to hide? That's insulting. There is nothing that anyone is trying to hide. What we are trying to do is recognize a long-overdue injustice and recognize the Lumbee Tribe. That is what this bill is about, that is what all the hard work from the gentleman from North Carolina is about, is to rectify a long-overdue injustice.

Clearly, the time for half-measures is over. We have a responsibility to address the issue and write the final chapter of the unfortunate Lumbee Indian Federal recognition saga, which has gone on far too long.

Madam Speaker, I urge a ''yes'' vote on the previous question and on the rule.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 465 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

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

SEC. 3. Clause 9(c) of Rule XXI is amended to read as follows:

''(c) As disposition of a point of order under paragraph (a), the Chair shall put the question of consideration with respect to the bill, joint resolution, or conference report, or amendment described in paragraph (a)(3). The question of consideration shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent, but shall otherwise be decided without intervening motion except one that the House adjourn.''.

(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 form 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.

Mr. ARCURI. 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 noes appeared to have it.

Mr. ARCURI. 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 electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 217, nays 192, not voting 23, as follows:

[Roll No. 444]

YEAS—217

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
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Edwards
Ellison
Ellsworth
Emanuel
Engel
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones (OH)
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
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
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)
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—192

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Courtney
Crenshaw
Cubin
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)
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
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
Pitts
Platts
Poe
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
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—23

Alexander
Blackburn
Cantor
Davis, Jo Ann
Doyle
Eshoo
Gerlach
Hastert
Hastings (FL)
Holden
Jefferson
Kagen
LaHood
McNulty
Miller (NC)
Pickering
Pomeroy
Porter
Shadegg
Slaughter
Smith (NJ)
Tancredo
Watson

□ 1527

Mrs. CUBIN, Mrs. MCMORRIS RODGERS and Mr. MARCHANT changed their vote from ''yea'' to ''nay.''

Ms. MOORE of Wisconsin and Ms. DELAURO changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Ms. SLAUGHTER. Madam Speaker, on rollcall No. 444, had I been present, I would have voted "yea."

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

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

RECORDED VOTE

Mr. ARCURI. 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 214, noes 193, not voting 25, as follows:

[Roll No. 445]

AYES—214

Abercrombie
Ackerman
Aderholt
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
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
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Edwards
Ellison
Ellsworth
Emanuel
Engel
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller, George
Mitchell
Mollohan
Moore (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stupak
Sutton
Tanner
Tauscher
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

NOES—193

Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Courtney
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
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)
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
Kennedy
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
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
Moore (WI)
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—25

Alexander
Bishop (GA)
Blackburn
Cantor
Davis, Jo Ann
Deal (GA)
Doyle
Eshoo
Gerlach
Hastings (FL)
Holden
Jefferson
Kagen
LaHood
Lewis (GA)
Lynch
McNulty
Miller (NC)
Pickering
Pomeroy
Porter
Shadegg
Smith (NJ)
Stark
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1535

Mr. ROSS 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.

Stated for:

Mr. LEWIS of Georgia. Madam Speaker, on rollcall No. 445, had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. PETERSON of Pennsylvania. Madam Speaker, on rollcall No. 445 to H. Res. 465, I was mistakenly recorded as an "aye". My intended vote was "no".

Mr. RAHALL. Madam Speaker, pursuant to House Resolution 465, I call up the bill (H.R. 65) to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 65

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 ''Lumbee Recognition Act''.

SEC. 2. PREAMBLE.

The preamble to the Act of June 7, 1956 (70 Stat. 254), is amended as follows:

(1) By striking ''and'' at the end of each clause.

(2) By striking '': Now, therefore,'' at the end of the last clause and inserting a semicolon.

(3) By adding at the end the following new clauses:

''Whereas the Lumbee Indians of Robeson and adjoining counties in North Carolina are descendants of coastal North Carolina Indian tribes, principally Cheraw, and have remained a distinct Indian community since the time of contact with white settlers;

''Whereas since 1885 the State of North Carolina has recognized the Lumbee Indians as an Indian tribe;

''Whereas in 1956 the Congress of the United States acknowledged the Lumbee Indians as an Indian tribe, but withheld from the Lumbee Tribe the benefits, privileges and immunities to which the Tribe and its members otherwise would have been entitled by virtue of the Tribe's status as a federally recognized tribe; and

''Whereas the Congress finds that the Lumbee Indians should now be entitled to full Federal recognition of their status as an Indian tribe and that the benefits, privileges and immunities that accompany such status should be accorded to the Lumbee Tribe: Now, therefore,''.

SEC. 3. FEDERAL RECOGNITION.

The Act of June 7, 1956 (70 Stat. 254), is amended as follows:

(1) By striking the last sentence of the first section.

(2) By striking section 2 and inserting the following new sections:

''SEC. 2. (a) Federal recognition is hereby extended to the Lumbee Tribe of North Carolina. All laws and regulations of the United States of general application to Indians and Indian tribes shall apply to the Lumbee Tribe of North Carolina and its members.

''(b) Notwithstanding the first section, any group of Indians in Robeson and adjoining counties, North Carolina, whose members are not enrolled in the Lumbee Tribe of North Carolina as determined under section 3(c), may petition under part 83 of title 25 of the Code of Federal Regulations for acknowledgement of tribal existence.

''SEC. 3. (a) The Lumbee Tribe of North Carolina and its members shall be eligible for all services and benefits provided to Indians because of their status as members of a federally recognized tribe. For the purposes of the delivery of such services, those members of the Tribe residing in Robeson, Cumberland, Hoke, and Scotland counties in North Carolina shall be deemed to be residing on or near an Indian reservation.

''(b) Upon verification by the Secretary of the Interior of a tribal roll under subsection (c), the Secretary of the Interior and the Secretary of Health and Human Services shall develop, in consultation with the Lumbee Tribe of North Carolina, a determination of needs and budget to provide the services to which members of the Tribe are eligible. The Secretary of the Interior and the Secretary of Health and Human Services shall each submit a written statement of such needs and budget with the first budget request submitted to Congress after the fiscal year in which the tribal roll is verified.

''(c) For purposes of the delivery of Federal services, the tribal roll in effect on the date of the enactment of this section shall, subject to verification by the Secretary of the Interior, define the service population of the Tribe. The Secretary's verification shall be limited to confirming compliance with the membership criteria set out in the Tribe's constitution adopted on November 11, 2000, which verification shall be completed not less than 1 year after the date of the enactment of this section.

''SEC. 4. Fee lands which the Tribe seeks to convey to the United States to be held in trust shall be treated by the Secretary of the Interior as 'on-reservation' trust acquisitions under part 151 of title 25 of the Code of Federal Regulations (or a successor regulation) if such lands are located within Robeson County, North Carolina.

''SEC. 5. (a) The State of North Carolina shall exercise jurisdiction over—

''(1) all criminal offenses that are committed on; and

''(2) all civil actions that arise on, lands located within the State of North Carolina that are owned by, or held in trust by the United States for, the Lumbee Tribe of North Carolina, or any dependent Indian community of the Lumbee Tribe of North Carolina.

''(b) The Secretary of the Interior is authorized to accept on behalf of the United States, after consulting with the Attorney General of the United States any transfer by the State of North Carolina to the United States of any portion of the jurisdiction of the State of North Carolina described in paragraph (1) pursuant to an agreement between the Lumbee Tribe and the State of North Carolina. Such transfer of jurisdiction may not take effect until 2 years after the effective date of the agreement.

''(c) The provisions of this subsection shall not affect the application of section 109 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1919).

''SEC. 6. There are authorized to be appropriated such sums as are necessary to carry out this Act.''.

The SPEAKER pro tempore. Pursuant to House Resolution 465, the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in House Report 110–180, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 65

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 ''Lumbee Recognition Act''.

SEC. 2. PREAMBLE.

The preamble to the Act of June 7, 1956 (70 Stat. 254), is amended as follows:

(1) By striking ''and'' at the end of each clause.

(2) By striking '': Now, therefore,'' at the end of the last clause and inserting a semicolon.

(3) By adding at the end the following new clauses:

''*Whereas the Lumbee Indians of Robeson and adjoining counties in North Carolina are descendants of coastal North Carolina Indian tribes, principally Cheraw, and have remained a distinct Indian community since the time of contact with white settlers;*

''*Whereas since 1885 the State of North Carolina has recognized the Lumbee Indians as an Indian tribe;*

''*Whereas in 1956 the Congress of the United States acknowledged the Lumbee Indians as an*

Indian tribe, but withheld from the Lumbee Tribe the benefits, privileges and immunities to which the Tribe and its members otherwise would have been entitled by virtue of the Tribe's status as a federally recognized tribe; and

''Whereas the Congress finds that the Lumbee Indians should now be entitled to full Federal recognition of their status as an Indian tribe and that the benefits, privileges and immunities that accompany such status should be accorded to the Lumbee Tribe: Now, therefore,''.

SEC. 3. FEDERAL RECOGNITION.

The Act of June 7, 1956 (70 Stat. 254), is amended as follows:

(1) By striking the last sentence of the first section.

(2) By striking section 2 and inserting the following new sections:

''SEC. 2. (a) Federal recognition is hereby extended to the Lumbee Tribe of North Carolina, as designated as petitioner number 65 by the Office of Federal Acknowledgement. All laws and regulations of the United States of general application to Indians and Indian tribes shall apply to the Lumbee Tribe of North Carolina and its members.

''(b) Notwithstanding the first section, any group of Indians in Robeson and adjoining counties, North Carolina, whose members are not enrolled in the Lumbee Tribe of North Carolina as determined under section 3(c), may petition under part 83 of title 25 of the Code of Federal Regulations for acknowledgement of tribal existence.

''SEC. 3. (a) The Lumbee Tribe of North Carolina and its members shall be eligible for all services and benefits provided to Indians because of their status as members of a federally recognized tribe. For the purposes of the delivery of such services, those members of the Tribe residing in Robeson, Cumberland, Hoke, and Scotland counties in North Carolina shall be deemed to be residing on or near an Indian reservation.

''(b) Upon verification by the Secretary of the Interior of a tribal roll under subsection (c), the Secretary of the Interior and the Secretary of Health and Human Services shall develop, in consultation with the Lumbee Tribe of North Carolina, a determination of needs and budget to provide the services to which members of the Tribe are eligible. The Secretary of the Interior and the Secretary of Health and Human Services shall each submit a written statement of such needs and budget to Congress after the tribal roll is verified.

''(c) For purposes of the delivery of Federal services, the tribal roll in effect on the date of the enactment of this section shall, subject to verification by the Secretary of the Interior, define the service population of the Tribe. The Secretary's verification shall be limited to confirming compliance with the membership criteria set out in the Tribe's constitution adopted on November 16, 2001, which verification shall be completed within 2 years after the date of the enactment of this section.

''SEC. 4. (a) Fee lands which the Tribe seeks to convey to the United States to be held in trust shall be treated by the Secretary of the Interior as 'on-reservation' trust acquisitions under part 151 of title 25 of the Code of Federal Regulations (or a successor regulation) if such lands are located within Robeson County, North Carolina.

''(b) The tribe may not conduct gaming activities as a matter of claimed inherent authority or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

''SEC. 5. (a) The State of North Carolina shall exercise jurisdiction over—

''(1) all criminal offenses that are committed on; and

''(2) all civil actions that arise on, lands located within the State of North Carolina that are owned by, or held in trust by the United States for, the Lumbee Tribe of North Carolina, or any dependent Indian community of the Lumbee Tribe of North Carolina.

''(b) The Secretary of the Interior is authorized to accept on behalf of the United States, after consulting with the Attorney General of the United States any transfer by the State of North Carolina to the United States of any portion of the jurisdiction of the State of North Carolina described in paragraph (1) pursuant to an agreement between the Lumbee Tribe and the State of North Carolina. Such transfer of jurisdiction may not take effect until 2 years after the effective date of the agreement.

''(c) The provisions of this subsection shall not affect the application of section 109 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1919).

''SEC. 6. There are authorized to be appropriated such sums as are necessary to carry out this Act.''.

The SPEAKER pro tempore. The gentleman from West Virginia (Mr. RAHALL) and the gentleman from Alaska (Mr. YOUNG) each will control 30 minutes.

The Chair recognizes the gentleman from West Virginia.

GENERAL LEAVE

Mr. RAHALL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 65.

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

There was no objection.

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

To my colleagues on both sides of the aisle, this measure, which would extend Federal recognition to the Lumbee Tribe of North Carolina, is long overdue. For over 115 years, this tribe has sought Federal recognition only. When Congress finally stepped in to take action on this matter, it was in the midst of the termination era, an era in which the Federal Government was in the process of terminating its relationship with existing federally recognized tribes. As a result, Congress recognized the Lumbee Tribe in 1956, but in the same breath it terminated its relationship with the tribe.

At no time has the Department of the Interior ever opposed Federal recognition for this tribe based on a belief that the Lumbees are not entitled to such status. Indeed, several studies undertaken by the Department of the Interior have consistently concluded that the Lumbees are a distinct, self-governing Indian community historically located on Drowning Creek, now the Lumber River, in North Carolina.

Although the State of North Carolina has recognized the tribe for over 100 years, it has done so under various names. The State of North Carolina, not the Lumbees, is responsible for the various names imposed upon the tribe.

It was not until the tribe pressured the State that the tribe was authorized to conduct a referendum to choose its own name. When it did so in 1951, it chose the name ''Lumbee Indians of North Carolina.'' This is the only name ever selected by the tribe, and it is this name by which Congress, in 1956, recognized the Lumbees.

Some have expressed a concern about the cost of this bill. I want to note that the cost of this bill is for discretionary programs only. There is no mandatory spending. Any actual cost of this bill is subject to appropriations.

Others have expressed concern that the size of the Lumbee Tribe will unduly impact the tribes in their districts. This is not a reason to single out the Lumbees.

The Lumbees are Indians organized as a tribe, and they deserve Federal recognition and access to the benefits and services in the same manner as other federally recognized tribes. Congress should not determine whether or not to honor its responsibilities to Indian tribes based on cost.

To address claims that the tribe is only interested in Federal recognition so they may conduct gaming, the tribe supported an outright gaming prohibition which has been included in this bill. The gaming prohibition precludes the Lumbee Tribe from engaging in, licensing, or regulating gaming pursuant to the Indian Gaming Regulatory Act or any other Federal law.

Extending Federal recognition to the tribe at this time is not something new nor does it bypass the administrative process established by the Bureau of Indian Affairs.

Congress first recognized the tribe in 1956. But because of our actions at that time, the tribe is not eligible for the administrative process. Congress is solely responsible for the injustice committed on this tribe. Now, after over 50 years, it is up to us to correct the wrong that Congress imposed so many years ago.

This legislation is sponsored by our colleague, Representative Mike McIntyre of North Carolina, and enjoys bipartisan support, including North Carolina Representatives BUTTERFIELD, ETHERIDGE, PRICE, COBLE, HAYES, MILLER and WATT.

I certainly commend Representative MIKE MCINTYRE of North Carolina for his dedication, his persistence, and his devotion to the Lumbee Indian Tribe. They have no better friend in the Congress of the United States.

I, too, am a cosponsor of H.R. 65; and I am pleased that Natural Resources ranking member, Mr. DON YOUNG, is also a strong supporter.

Importantly, the Governor of North Carolina, Mike Easley, supports this measure, as do two former Governors, former Republican Governor Martin and former Democratic Governor Hunt.

The pending measure was reported by the Natural Resources Committee by a roll call vote of 24–7.

In closing, I again commend the gentleman from North Carolina (Mr. MCINTYRE) for his dedication to this issue. Through his tireless efforts, the bill before us today has 215 cosponsors.

So let us join in this effort to grant the Lumbee Tribe the recognition they

have long deserved. As Coach Kelvin Sampson, basketball coach at Indiana University noted in his testimony at our hearing, the Lumbees do not need our permission to call themselves Native American, but, unfortunately in today's world, they need our validation. It is up to us to do the right thing by extending Federal recognition to the tribe.

I urge all of my colleagues to join me in supporting the pending measure.

Madam Speaker, I reserve the balance of my time.

Mr. YOUNG of Alaska. Madam Speaker, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Madam Speaker, I compliment the chairman of the committee, Mr. RAHALL. As many of my colleagues know, I have long supported the efforts of the Lumbee Tribe to be federally recognized.

I have had discussions with the sponsor of the bill who represents them, the gentleman from North Carolina (Mr. MCINTYRE). I have studied their case for many years when I served as ranking member and chairman of the Committee on Resources.

The Lumbee's quest for recognition has been going for more than 100 years, which seems to be longer than almost any other tribe currently in the recognition process. During this time, the Lumbees have been put under a microscope and subjected to intensive debate by the State of North Carolina, the Bureau of Indian Affairs, the Congress, historians, and other Indian tribes.

In my judgment and that of the committee, this is clearly a distinct community of Indian people who meet the definition of ''tribe'' under article I, section 8 of Constitution; and the fact that more than 200 Members of this body have cosponsored H.R. 65 attests to the tribe's legitimacy.

□ 1545

Here are some of the facts about the Lumbee tribe. It is a State-recognized tribe. It has submitted huge amounts of documentation to prove that it is an autonomous Indian community that can trace links to a historic tribe. Even the Act of 1956, which terminated the tribe, helps to prove their case.

The reason for this is that, in order to be terminated by Congress, you first must be recognized. The fact that Congress had to identify the Lumbees before terminating them is a clear indication that Congress considered them to be a distinct Indian community within the meaning of the Constitution. Why else would Congress feel a need to prohibit benefits for this community if, as the opposition alleges, they were not eligible for the benefits in the first place?

Ask anyone who has traveled to Robeson County, and they will report that the county is largely governed by the Lumbee people already. In one sense, this bill merely puts a Federal endorsement on the fact that an independent, self-governing tribe exists in North Carolina.

But this is a tribe that still lacks the status of all the other federally recognized tribes. And in lacking the benefits, immunities and the responsibilities accorded to other tribes, the Lumbees are second-class citizens within the Indian world. This is not right.

H.R. 65 corrects this historic injustice, and I urge my colleagues to pass this bill as soon as possible.

Madam Speaker, I reserve the balance of my time.

Mr. RAHALL. Madam Speaker, I yield 8 minutes to the gentleman from North Carolina (Mr. MCINTYRE), who is responsible for this legislation.

Mr. MCINTYRE. Madam Speaker, I would like to place in the RECORD at this point three letters which Mr. RAHALL referred to from North Carolina's three governors over the last 31 years, both Democrat and Republican, including a former Member of this body, Congressman Jim Martin, who later became governor, as well as Governors Jim Hunt and Mike Easley, who support this effort for the Lumbees.

STATE OF NORTH CAROLINA,
April 18, 2007.

Hon. NICK J. RAHALL, II,
Chair, Natural Resources Committee, House of Representatives, Washington, DC.
Hon. DON YOUNG,
Ranking Member, Natural Resources Committee, House of Representatives, Washington, DC.

DEAR CONGRESSMAN RAHALL AND CONGRESSMAN YOUNG: Thank you for the opportunity to submit written comments about pending legislation for federal recognition of the Lumbee Tribe of North Carolina by the Congress of the United States of America. I believe full federal recognition of the Lumbee Tribe by Congress is long overdue.

Recognition of and interaction with the Lumbee people as a unique, distinct Indian tribe began when settlers from Virginia, South Carolina and Europe first arrived in the Cape Fear and Pee Dee River Basins after the Tuscarora War (1711–1715). There, the settlers encountered a well-populated, cohesive American Indian tribal group situated mostly along and to the west of what is now known as the Lumber River in Robeson County. As early as 1890, the U.S. Department of Interior acknowledged this fact among others as evidence that the Lumbee people are American Indians.

A proclamation by colonial Governor Matthew Rowan on May 10, 1753 stated that Drowning Creek (Lumber River in Robeson County) was ''the Indian Frontier.'' Other historical records of the eighteenth and early nineteenth centuries, including Revolutionary War pensions for Lumbees who fought for American independence, attest to the Lumbees as American Indians.

In 1885, North Carolina's General Assembly passed a bill recognizing and naming the Lumbee tribe ''Croatan.'' In 1911 the General Assembly changed their name to the ''Indians of Robeson County'' and in 1913 to ''Cherokee Indians of Robeson County.'' None of these names was chosen by the tribe. In 1953, the State officially changed the tribe's name to ''Lumbee Tribe of North Carolina'' following a 1952 tribal referendum requested by the Lumbees and paid for by the State in which this name was overwhelmingly chosen. These names all apply to the same American Indian tribe.

For more than a century, North Carolina's Governors, various state legislators and Members of the North Carolina Congressional delegation have supported the effort by the Lumbee Tribe to obtain federal recognition, beginning with a petition to Congress in 1888. Enclosed are copies of letters by former Governors James G. Martin (R) and James B. Hunt, Jr. (D)—my immediate predecessors—attesting to the strong bipartisan support for federal recognition that the Lumbee Tribe has enjoyed during the last generation.

In the past, federal recognition has been denied because of opposition by the Bureau of Indian Affairs and Department of Interior on budgetary grounds. Each of several federal investigations into the Lumbees' history, genealogy and ethnicity has concluded that the Lumbees are in fact American Indians. It follows that federal recognition should be authorized for this long-standing American Indian Tribe.

Personally and on behalf of North Carolina, I offer to our fellow Lumbee citizens and to the Congress our full, unqualified support for Congressional recognition of the Lumbee Tribe. I encourage your support for the Lumbee Tribe and for the adoption of this bill.

I thank the House and the Natural Resources Committee for holding this hearing and for allowing me to offer written comments about the Lumbee Tribe recognition bill.

With warm personal regards, I remain
Very truly yours,

MICHAEL F. EASLEY,
Governor.

STATE OF NORTH CAROLINA,
OFFICE OF THE GOVERNOR,
Raleigh, NC, July 30, 1991.

Hon. DANIEL K. INOUYE,
Chairman, Senate Select Committee on Indian Affairs, Washington, DC.

DEAR SENATOR INOUYE: I have asked James S. Lofton, Secretary of the North Carolina Department of Administration to represent me at the Joint Hearing regarding S. 1036, the Lumbee Recognition Bill, which will be held on August 1. Secretary Lofton will be accompanied by Henry McKoy, Deputy Secretary of the Department of Administration, Patrick O. Clark, Chairman of the North Carolina Commission of Indian Affairs, and A. Bruce Jones, the commission's executive director.

I fully support the passage of S. 1036 and am requesting the support of the Senate Select Committee on Indian Affairs. The State of North Carolina has recognized the Lumbee Tribe as a separate and viable Indian entity since 1885. The passage of S. 1036 will entitle the Lumbee to enjoy the same rights, privileges and services enjoyed by other federally recognized tribes in the nation and will, further, be a major step toward rectifying the inequities suffered by the Lumbee people for centuries.

I thank you for your attention to this matter and will appreciate your favorable consideration of my request.

Sincerely,

JAMES G. MARTIN.

STATE OF NORTH CAROLINA,
OFFICE OF THE GOVERNOR,
October 18, 1991.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: The United States House of Representatives recently passed H.R. 1426 which provides for full federal recognition of the Lumbee Tribe of Cheraw Indians of North Carolina.

I am in support of this legislation as evidenced by the enclosed testimony given on my behalf by Secretary James S. Lofton of the North Carolina Department of Administration at a joint hearing of the Senate Select Committee on Indian Affairs and the House Interior and Insular Affairs Committee held August 1, 1991. H.R. 1426 is now before the United States Senate, as is its companion bill, S. 1036.

I am requesting your support of the passage of this legislation and its subsequent signing into law following its successful passage.

Sincerely,

JAMES G. MARTIN,
Governor.

STATE OF NORTH CAROLINA,
OFFICE OF THE GOVERNOR,
March 11, 1993.

Hon. BRUCE BABBITT,
Secretary Department of Interior,
Washington, DC.

DEAR BRUCE: I am pleased that you were able to be in our state recently and I appreciated the opportunity to meet with you.

There are approximately 40,000 Lumbee Indians living in North Carolina and they have been officially recognized by the State of North Carolina since 1885. The Lumbees have been seeking federal recognition since 1888. Seven studies have shown them to be an independent Indian community.

I would like to reiterate my strong support for the Congressional process for federal recognition of the Lumbee Indian tribe in North Carolina. As you know H.R. 334, introduced by Congressman Charlie Rose of North Carolina, would provide such recognition. We support that legislation as stated in my letter of January 28, 1993.

Federal recognition of the tribe has been endorsed by the N.C. Commission of Indian Affairs, the Governors' Interstate Indian Council, and the National Congress of American Indians, which is the oldest and largest Indian organization in the country.

In 1956 a bill was passed by the Congress to recognize the Lumbee tribe, but it denied the tribe the benefits or protections afforded to Indians by the U.S. of America.

For over 100 years the Lumbees have tried to obtain federal recognition, but to no avail. It is my opinion that the administrative recognition process that was proposed by the previous administration simply is too cumbersome, time-consuming, costly and has not worked effectively. Therefore, I would urge you to support the Congressional recognition process as proposed by Congressman Rose.

I want to work with you and the President in any way possible to help the Lumbee Tribe receive Congressional recognition. I am confident that this recognition is not only in our state's and the tribe's best interest, but in the interest of the United States as well.

Sincerely,

JAMES B. HUNT, Jr.
Governor.

STATE OF NORTH CAROLINA,
OFFICE OF THE GOVERNOR,
January 28, 1993.

Re Federal Recognition of the Lumbee Indians.

Hon. BRUCE BABBITT,
Secretary, U.S. Department of Interior,
Washington, DC.

DEAR BRUCE: This letter is to ask your assistance in obtaining federal recognition for the Lumbee Indian tribe, which has many members in North Carolina. Congressman Charlie Rose (D–N.C.) has introduced a bill (H.R. 334) that would provide such recognition.

Before the House Subcommittee on Indian Affairs considers H.R. 334, I understand that the Clinton Administration will release its position on the bill. I ask that you and the President support the bill.

The Lumbee have 40,000 enrolled members in the United States and should be recognized. In fact, seven studies in this century have shown them to be an independent Indian community.

I appreciate your consideration of this letter. Please contact Congressman Rose or me if we can assist you in any way this matter.

My warmed personal regards.

Sincerely,

JAMES B. HUNT, Jr.
Governor.

Madam Speaker, 51 years ago today, Congress committed an injustice against the Lumbee tribe, and today, on this 51st anniversary, we have the opportunity to correct this injustice. And that ought to be thrilling for us here to know that, by our action, before we leave to go home this weekend, Congress can affirmatively do something right for 55,000 people who have been overlooked and who have been suffering from the indignity of only being half-recognized in name but never fully recognized as an Indian tribe, the only tribe in America put in this position by the Congress itself by a specific Act Congress passed in 1956.

Madam Speaker, I was born and reared in Robeson County, North Carolina, the primary home of the Lumbee people. I go home there virtually every weekend, and I have the high honor of representing approximately 40,000 of the 55,000 Lumbees who live in my home county. I'm a minority in my home county.

In fact, there are more Lumbees in Robeson County than any other racial or ethnic group. The Lumbee Indians are my friends, many of whom I've known all my life. They're important to the success of everyday life in southeastern North Carolina, and their contributions to our society are numerous and endless.

From medicine and law to business and banking, from the farms and factories to the schools and churches, from government, military and community service to entertainment and athletic accomplishments, the Lumbees have made tremendous contributions to our county, State and Nation.

In fact, in my home county, the former sheriff, the current clerk of court, the register of deeds, the school superintendent, several county commissioners, including the chairman, several school board members and the representative in the State legislature of the area where I live, as well as two of the district court judges and one of the superior court judges are all Lumbee Indians.

Lumbee contributions are also being recognized at home by both the public and private sector. From city councils to county commissioners, from the Chamber of Commerce to the Southeastern Regional Medical Center, all have endorsed the effort to grant the Lumbees Federal recognition.

The Lumbee Indians do not live on a reservation. They are fully integrated in society and have been successful in all phases of society. This is not about gambling. In fact, gaming is specifically prohibited in this legislation.

This issue of Federal recognition for the Lumbee Indians is one that primarily affects two congressional districts, the one that I represent and the adjoining district represented by my friend and colleague, Congressman ROBIN HAYES.

The Lumbees have no lobbyist. They have no national organization that's been hired to come up here and help them. They themselves have set their own record that we admire and respect.

As most of my colleagues here know, I have personally visited with over 300 of you on both sides of the aisle and talked to all of you that I could in one-on-one conversations, explaining the importance of this bill and Congress correcting an injustice that occurred in 1956 under a specific act that Congress passed.

In one aspect or another, the U.S. Congress has deliberated on the issue of Federal recognition for this tribe for over 100 years, 119 years to be exact. Since the Lumbees first came to Congress for recognition, Congress has directed the Department of the Interior to examine the tribe's history. Please listen carefully: Eleven different times the Bureau of Indian Affairs has studied this tribe and has positively concluded that the tribe has strong Indian identity and community.

Some of you may ask, well, why are we even here debating this then? The answer is simple. That answer is that Congress has not rectified the wrong that it perpetrated on the Lumbees in 1956.

At the height of Federal Indian termination policy, an unfortunate time in our country's history, by an act of Congress, Congress enacted a half measure in 1956 that recognized the Lumbees in name only and made them ineligible for Federal benefits. Many years later, in 1989, after going through the process, the Solicitor General of the United States said the Lumbees were ineligible because of that 1956 Act and the Lumbees would have to come back to Congress to get this corrected.

Congress, since 1956, thankfully, has repudiated the Federal Indian termination policy it was implementing back at that time, but the Lumbee tribe still continues to labor under the vestiges of an outdated, outmoded and unfair law. There are only two other tribes in America that were put in this position, the Tiwas of Texas and the Pascua Yaquis of Arizona, where they were recognized specifically by Congress in name only, and in both cases, Congress went back and rectified the situation fully recognizing those tribes.

So what does that mean? Today, this day, the Lumbees are the only tribe in America in this situation, and there is direct legal precedent of congressional

action for what we hope to correct this afternoon.

Therefore, Congress is the only legal entity available for the Lumbees to achieve Federal recognition. This House has passed legislation twice to do that for the Lumbees only to see it not move forward in the Senate.

Today, though, I'm pleased to say that both U.S. senators from North Carolina, ELIZABETH DOLE and RICHARD BURR, a former Member of this body, do support Federal recognition for the Lumbee tribe. Today, there are 215 of my colleagues who have cosponsored this bill. Today can be the first step toward rectifying this wrong of 51 years ago. On this day, June 7, 1956, Congress put the Lumbee tribe in legal limbo, and today, 51 years later, we can finally correct this injustice.

Madam Speaker, in conclusion, let me urge this House not to delay anymore on this issue. Fifty-one years has been long enough; 119 years has been far long enough. Eleven studies already done by the BIA have concluded that these folks deserve being understood as an Indian community, and now we're in the position to move to recognition.

The evidence is clear, cogent and convincing. It's time to say ''yes'' to dignity, ''yes'' to respect, ''yes'' to fundamental fairness, ''yes'' to honor, ''yes'' to Federal recognition. Indeed, it is time for the discrimination to end and recognition to begin.

May God grant us the courage and the will to do the right thing.

Mr. YOUNG of Alaska. Madam Speaker, at this time I yield 5 minutes to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. I thank my colleague from Alaska for yielding.

Madam Speaker, I rise in strong opposition to my friend and colleague from North Carolina's bill, the Lumbee Recognition Act.

My position on this bill is very straightforward and fair. All groups seeking Federal acknowledgment as Indian tribes should go through the administrative process of the Department of the Interior's Office of Federal Acknowledgment.

This office is staffed with expert historians, anthropologists and genealogists. Their focus is to evaluate data provided by petitioning groups and determine the merits of a group's claim that it is an Indian tribe. This includes whether the group existed since historical times as a distinct political entity.

In this case, the Department of the Interior said the 1956 Lumbee Act prevents the Lumbee from going through this process. Congress should act and lift that restriction. Like other groups, the Lumbees should have the opportunity to attain Federal recognition as a tribe. I agree with that.

However, I cannot support this legislation which will allow the Lumbee or any other group for that matter to circumvent the process. This would be unfair to already existing tribes like the Eastern Band of Cherokee Indians in western North Carolina who have a significant historical and cultural impact on my region of the State. They don't want to see their cultural identity undermined by legislation such as this.

Prominent genealogists have also raised serious questions about the tribal identity of the Lumbee.

Paul Heinegg, award-winning genealogist and author, whose work is recognized by the American Society of Genealogists, has concluded that the Lumbee are ''an invented North Carolina Indian tribe.''

Dr. Virginia DeMarce, former chair of the National Genealogical Society, has published her research on the history of the Lumbee, with findings that contradict H.R. 65, the bill we're debating today. Her research finds that many Lumbee families migrated to Robeson County, North Carolina, from other areas prior to 1,800.

Her research has been corroborated by other notable genealogists who refer to other self-identified Lumbee families as residing in other areas prior to any colonial settlement in Robeson County.

In fact, the name Lumbee is based, as the chairman mentioned earlier, on this group's proximity to the Lumbee River and is a modern creation that the group selected as its name in 1952. In fact, this Lumbee group has petitioned Congress numerous times under the names Cherokee, Siouan, Croatan and Cheraw, among others.

I, along with members of the North Carolina delegation, in bipartisan fashion, have sponsored legislation in this Congress and sponsored legislation in the last Congress that would fix this problem. They could actually have the Lumbee go through the normal process.

In fact, my colleague, Mr. SHULER, has authored legislation this time, which I'm a cosponsor of, that his predecessor sponsored as well, that would clear the way for the Lumbee to go through the normal process. I think we should accept that. In fact, Mr. SHULER, Mr. WALTER JONES, as well as Mr. SHAYS and I offered the amendment that was ruled out of order by the Rules Committee. In fact, the Rules Committee would not let us offer that as an amendment here on the floor today. In fact, that's a responsible way to deal with the Lumbee issue.

Federal recognition matters get caught up in emotion, and let's face it, politics. So, rather than going through this legislative body, I think we should go through the regulatory process for the longstanding government-to-government relationships the United States has established with tribes.

We should take the politics out of Federal recognition and allow the experts at the Office of Federal Acknowledgment to do their jobs. I think that's a responsible way to deal with this issue.

And I would ask my colleagues to vote ''no'' on this bill so we can deal with this in a responsible and reasonable manner, going through the longstanding process that we have established as a Congress.

Mr. RAHALL. Madam Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. SHULER), a very valued member of our Natural Resources Committee.

Mr. SHULER. I thank the chairman.

Madam Speaker, I rise in strong opposition to H.R. 65. I grew up in North Carolina near the Eastern Band Cherokee Indian reservation. I conducted youth camps on the Eastern Band Reservation for young men and women who attended the reservation schools.

The Cherokee people have a distinct, living culture that makes them different from many other people in the world. I'm embarrassed to say that efforts were made right here on this floor to take their language and their culture away from them. Congress has arbitrarily voted on the identity of Indian tribes many times and have gotten it wrong. Today, it will again get it wrong.

There is no historical tribe with the name Lumbee. That name wasn't used until 1952. Over the years, the Lumbee identified themselves as four different tribes, meanwhile they claim the Tuscarora people as part of their group, even though the Tuscarora angrily dispute this.

There is no Lumbee language. There is no reservation. There is no record of any Lumbee being forced out by Andrew Jackson's troops with the Cherokee on the Trail of Tears. Yet, the Congress is being asked to recognize them as the third largest tribe in the U.S.

□ 1600

The Department of Interior testified that there are serious doubts about the identity of the Lumbee. The Congressional Budget Office says recognizing this group would cost nearly $1 billion. Shouldn't we try to get the facts straight before making such a commitment?

The Bureau of Indian Affairs process requires that any petition group meet seven mandatory criteria in order to become Federally recognized. This process involves qualified experts in the field of genealogy, anthropology and Indian history. I strongly oppose any attempts to circumvent this established process by any group.

My great friend, Mr. MIKE MCINTYRE, has pointed out that the Lumbees are not allowed to go through the process. He is right. That's why I have introduced an amendment to this bill which would have allowed the Lumbee to go through the process. That amendment was rejected.

Members of the Congress should not arbitrarily rule on the identity of a people without establishing the facts, and the best way to establish those facts is to let the system work and let the experts do their jobs. Reject this bill and protect the integrity of the process.

I urge my colleagues to vote ''no.''

Mr. YOUNG of Alaska. Mr. Speaker, I yield to the gentleman from Connecticut (Mr. SHAYS) for 5 minutes.

Mr. SHAYS. I want to thank the gentleman for yielding, particularly since he supports the bill. I appreciate the courtesy.

Mr. Speaker, I don't speak on this House floor often, and usually it's about things that I can be a little less passionate about. But I feel this passion because I think the House of Representatives is doing something it will deeply regret.

What it's doing is it's bypassing the Bureau of Indian Affairs process in the name of fairness when there is nothing fair about what we are doing. My colleague stood up and said, may God grant us the courage and will to do the right thing. I would like to say the same thing, may God grant us the courage and will to do the right thing.

The right thing sometimes is standing up to your constituents and saying you may be a large group of people, but there is a process. If I bypass the process, then I open up every congressional district to this same political effort.

Now, there are things that are said that are misleading, I won't say untrue, but very misleading. It's true that there were 11 reports or investigations. The problem was, they were never able to pinpoint that there was an historic Indian tribe called the Lumbee or anything else. They were never able to determine that. Now, this group of Indians, not a tribe, but a group, have basically backed off making requests to go through the process.

What they did, in 1956, was they came and requested one thing and one thing only, and we established that in the rules debate. What they requested was to have a name, because they didn't have a name. They don't have a reservation, they don't have a language, they don't have a name.

So Congress gave them a name that they wanted. That's what Congress did. They said, we don't want anything else. There was nothing unfair about what Congress did. Congress did something that they haven't done for other tribes. They gave a name to a tribe that was requesting a name. Indian tribes don't need to have a name. They have a name, they have a history.

Now, we set up the process of the Bureau of Indian Affairs for a reason, because we are creating a sovereign Nation. I just made reference to the fact that there was testimony from the Assistant Secretary of Indian Affairs, the United States Department of Interior, on April 18, and he basically said, please follow the process. You, Congress, established this process. Now, they didn't say this part. They just said, follow the process, and they pointed out that there are seven criteria.

Now, if they follow the process and they don't meet the seven criteria, then they don't become a federally recognized tribe unless Congress then says, you know what, they met six of them, and we think the one they didn't meet would have been hard for them to determine.

But the amendment that we offered, because this is not an open rule, it's not even a restricted rule, it's a closed rule, we can't have this debate. There's a reason why we don't want to have this debate, I guess, and that is that it's uncomfortable to have and deal with the facts. The facts are, no tribe, no reservation, no language, no name.

But Congress, because there are 50,000 people involved, is going to pass legislation creating a tribe. What my colleague has said in the past is, well, we just did it a few weeks ago. What's the big deal? Well, the big deal is, under the Republicans, we didn't do this, because we knew this is a corrupting process.

I would like to know why there aren't more Democrats who are speaking out against this because they oppose their tribes not going through the process. How are we going to say to the Schaghticokes, how are we going to say to the Eastern Pequots, how am I going to say to the Golden Hill Paugusetts, go through the process. But if you are fortunate and you have someone who is articulate about making an argument and has visited 300 Members, and we all like, you know, that's what it takes.

I know, I will say something I am not comfortable saying. I was asked, did the Republicans earn the right to regain Congress? I said, you know what? We didn't earn the right. I, frankly, thought that a new Congress would maybe be a cleansing process and we would get our act together. I just hope and pray that this new Congress does the right thing.

Mr. RAHALL. Mr. Speaker, I yield 6 minutes to the distinguished member of our Committee on Natural Resources, the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. I want to thank the distinguished chairman of our committee and also the distinguished senior member, senior ranking member of our committee, the gentleman from Alaska, for their bipartisan support of this legislation.

Mr. Speaker, I rise in strong support of H.R. 65, the proposed legislation to federally recognize the Lumbee Indian tribe of North Carolina. I commend my good friends and colleagues from North Carolina, especially my good friend, Mr. MCINTYRE, for his perseverance, his leadership and his determination to provide this long-overdue Federal recognition to the Lumbee Tribe. This is a bipartisanship bill. This is not a Republican or a Democratic bill.

Specifically, H.R. 65 extends Federal recognition to the Lumbee Tribe and specifies that tribal members will be eligible for Federal benefits. The bill expressly prohibits the Lumbee Tribe from conducting gaming under the Indian Gaming Regulatory Act or any Federal law. The bill also provides the State of North Carolina with jurisdiction over all civil and criminal matters on land owned by or held in trust for the Lumbee Tribe.

Mr. Speaker, this legislation is long overdue. The existence of the Lumbee Tribe as a distinct Indian community is beyond question. They are descended from the Cheraw and related tribes in North Carolina, and they have lived along the Lumber River since the first white settlers lived in the area. Even today, the tribal members live in a tightly knit community, mostly in Robeson County, North Carolina. Lumbees have been recognized by the State of North Carolina since 1885, and the tribe has been seeking Federal recognition for nearly 120 years.

This legislation is necessary to remedy the inequity created by this very institution. The Congress of the United States of America passed a law in 1956 which federally recognized the Lumbee Tribe but at the same time prohibited the application of Federal programs available like it has done for other American Indian tribes. This act has been interpreted in the courts as conveying Federal recognition and termination of the tribe at the same time but has prevented the Department of Interior from providing Federal recognition to the Lumbee Tribe through the administrative process. As a result, the only recourse available for this tribe is to seek relief from the Congress.

Mr. Speaker, I need not remind my colleagues that the authority to deal with all matters affecting the welfare and needs of the first Americans or American Indians is expressly stated under provisions of clause 3, section 8, article 1 of the Constitution of the United States.

I want to share with my colleagues some questions, perhaps, that may have been raised concerning the proposed legislation.

''Question: Is this the first time the Lumbee Tribe has sought Federal recognition?

''Answer: No. This tribe first sought Federal recognition through a petition submitted to Congress in 1899 and in 1956. Congress formally recognized the Lumbee Tribe. However, it effectively terminated its relationship with the tribe at the same time by denying them access to the benefits and privileges that accompany Federal recognition. Since that time, the tribe has had substantial interaction with the Congress. The tribe has also petitioned the Bureau of Indian Affairs for recognition through its administrative process. The Bureau denied this petition, indicating that the tribe is not eligible for the process because of Congress' prior action.

''Question: Why is the tribe not going through the administrative process,'' as it was argued earlier by some of our colleagues?

''Answer: The administrative process is for those groups where it needs to be determined whether or not the group is an Indian tribe.''

I submit to my colleagues, we have not done a very good job in dealing with the first Americans, and I sincerely hope that this proposed legislation will rectify the situation that this tribe has been seeking for over 100 years.

I want to share this proposed bill, which will provide us with an opportunity to address this long-standing injustice that has been done to the Lumbee Indians. I support the Lumbee recognition bill because I believe it is consistent with our responsibility as Members of this great institution to give the members of the Lumbee Tribe their right to be recognized as truly an American Indian tribe.

Let's correct this inequity that has existed now for over 100 years and as a tribute to the six Lumbee Indian soldiers who died recently in the war in Iraq, for which they made the ultimate sacrifice and have given their lives in defense of our Nation. After 100 years, these people have been tortured enough.

I am reminded of the words echoed by a retired Marine general and former colleague from this body, the former gentleman from Guam, Congressman Ben Blaz, a good Republican and a very dear friend of mine. He said, also, this is a statement this gentleman made, his observation also of the unfair treatment of his people in some past history, and this is about sending all the tribes that we have here in America and I know are great warriors, because that's the inherent character of the first Americans. They are warriors.

This is what Congressman Ben Blaz says. ''We are equal in war, but not in peace.''

Give the Lumbee Indians what they deserve, recognition as they should get from this great institution.

Mr. YOUNG of Alaska. Mr. Speaker, I yield whatever time he may consume to Mr. HAYES from North Carolina.

Mr. HAYES. I want to thank the distinguished chairman of the committee and distinguished ranking member. I want to particularly commend my friend and colleague, MIKE MCINTYRE, for his tireless effort in outlining in great and accurate detail the essence of the issues being presented here today.

I want to thank my friend, ENI, again, for his effort and accurate description of the situation that we find ourselves in.

Mr. Speaker, I rise in strong support of H.R. 65, the Lumbee Recognition Act. Since I have been a Member of Congress, I have worked hard to see that the Lumbee Tribe receives full Federal recognition, and I am very pleased that the House is considering this bill on the floor today.

As you know, I am a proud original cosponsor of H.R. 65, which was sponsored by my friend and colleague, Congressman MIKE MCINTYRE. MIKE has been a strong and tireless advocate of the Lumbee Tribe for years, and it has been an honor and a pleasure, as always, to work with him on this and other issues as well.

I know Senator DOLE and Senator BURR are working hard to garner support for the Lumbee Recognition Act in the Senate, and I appreciate their leadership on the issue as well. The Lumbee Indian tribe has an extensive history in North Carolina, ranging back to 1724 on Drowning Creek, which is now referred to as the Lumber River. The Lumbee Tribe has been recognized by the State of North Carolina since 1885. The Lumbee Tribe has over 55,000 members and is the largest tribe in the State of North Carolina and the largest nonrecognized tribe in America.

□ 1615

The Eighth District, which I serve, is home to many of the Lumbees who reside in North Carolina, primarily in Hoke, Scotland and Cumberland Counties. These important members of my constituency should be federally recognized so they are able to receive various Bureau of Indian Affairs and other Federal Government services and programs they rightly deserve.

The heritage of the Lumbee tribe is as strong today as when first recognized by North Carolina. The tribe has every reason to be proud of the rich and valued cultural contribution they have given to our community. Today, the House is doing what the Federal Government should have done 51 years ago. We should pass this vital piece of legislation and give the Lumbee tribe the distinction of a federally recognized tribe. It's a very important step forward in the process, and I am hopeful that we will see the other body act favorably on this bill in the near future.

I urge all of my colleagues to vote in strong support of the Lumbee Recognition Act.

Mr. RAHALL. Mr. Speaker, I am happy to yield an additional 3 minutes to the gentleman from North Carolina (Mr. MCINTYRE).

Mr. MCINTYRE. Mr. Speaker, just in reference to some of the comments that have been made by those who are hindering the efforts to move forward with recognition of the tribe, let me answer those, because I think it's only in fairness that all of our colleagues who are listening to this debate understand this.

Number one, there is an accusation of bypassing the process. This is not bypassing the process. There have been 11 investigations done, ordered through the Department of Interior, Bureau of Indian Affairs. The tribe itself was ordered not to go any further with this process by the Solicitor General of the United States. The Solicitor General said to the Lumbees, because of the 1956 Lumbee Act, that specific act of Congress, you have got to specifically go back to Congress and get this situation corrected.

Secondly, there's been some comments about the name of the Lumbees. The name was chosen by the tribe prior to ever coming to Congress. The name was ratified by the State of North Carolina, after other names had been imposed upon the tribe. The tribe chose its own name, and when it came to Congress, it was the Lumbee, and that name was acknowledged by virtue of the very title, the Lumbee Act of 1956. So we're not hear today debating the name.

Third, in making any comment that the tribe is uncomfortable with going through the process and then there were comments about no reservation, no language. Well, those are not requirements, even under the BIA process. Those are not criteria. I mean, that's why the Lumbees have made such great contributions to our society. They have been fully integrated, as I outlined in my opening remarks. Medicine and law, banks and business, farms and factories, military, entertainment, athletic accomplishments, like the great Kelvin Samson, coach of the Indiana Hoosiers, who testified in a hearing about this.

And then, fourth, again, the accusation was made, as it was during the Rules debate, that this would open up problems with other tribes. Well, no, my friends, it won't. And please hear this clearly to all those who are listening.

This is dealing with a specific act, the Lumbee Act of 1956. That's why other tribes will not come in here and open the flood gates and demand that we do for them. The Lumbees are the only tribe in America in this situation created because of the 1956 act which the Solicitor General has told them to go back to Congress to correct.

There were two other tribes in this situation, the Tiwas of Texas and the Pascua Yaqui of Arizona. They were in the same situation. They came back to Congress; Congress rectified it.

So what does that mean? Quite simply, the only tribe in America in this situation are the Lumbee tribe. It is high time for us to let this discrimination and injustice end. They've waited 51 years. Today is our opportunity to correct the injustice and proceed with recognition.

Mr. RAHALL. Mr. Speaker, I yield 2 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Mr. Speaker, I'd like to do a dialogue here.

I'm quite sure that our good friend, the senior ranking member from Alaska, as well as our chairman, previously, this House has passed recognition of the Lumbee people, the Indians, I think twice already in the time when even former Congressman Charlie Rose was a Member of this great institution. And if I recall, I would like to ask the gentleman, it did pass the House of Representatives. But what happened afterwards? Twice. And then it was referred to the Senate. Maybe my colleagues, our colleagues need to know, to

find out what happened when it went to the Senate. Twice we've passed this legislation and when it was referred to the Senate, what happened?

Mr. MCINTYRE. If the gentleman would yield.

Mr. FALEOMAVAEGA. Absolutely, I yield.

Mr. MCINTYRE. Twice it passed the House, H.R. 334 on October 28, 1993; prior to that, H.R. 1426 on September 26, 1991. No action was taken in the Senate at that time. Senator Jesse Helms decided to block any passage. Senator DOLE, to her credit, when she was elected, the first bill Senator DOLE dropped as a U.S. Senator was to recognize this tribe, because she realized this bill had been held up for those 32 years over in the Senate, even though the U.S. House had passed it twice.

So that is why this is a bipartisan, bicameral effort. Senator DOLE's bill tracks the same language that we have here in the House. This is an effort we all recognize to correct an injustice that should have never happened.

Mr. FALEOMAVAEGA. I thank the gentleman.

Mr. YOUNG of Alaska. Mr. Speaker, I'd like to compliment Mr. MCINTYRE. He was very concise in his presentation about why we should act on this legislation.

And ENI, I'm glad you brought up the fact that it has passed the House twice, died in the Senate. Congressman Rose came to me, and that's when I got interested in this legislation. And it's long overdue.

Now, I know there will be a motion to recommit which I will not offer and will not support. But I want to remind people that motion is a motion to actually have them go through, the Lumbee, the process. And I heard much about the process.

Now, I've been involved in this business now 34 years, and the process of recognition is at the will and the whim of a bureau that, in fact, supported, and the Solicitor General said, no, you have to go back to Congress, and, in fact, we will not recognize you. If you go through the process, just forget it.

We've already gone through the process, in reality. In fact, we had a hearing a while back, including the assistant secretary of the BIA, and I asked him, when was the last time the process worked? When was the last tribe recognized through the process? And he stuttered and stammered, and I think he had one in the last 10 years. That's the process?

And we've been waiting 51 years for this recognition, 51 years. The Congress did act, twice. The Congress set up the original act, and now we're being asked, through a motion to recommit, to use the process? And I'm saying, nonsense.

Let's do what is right today. Let's recognize this tribe as they should. Let's make sure that, in fact, they can go forth.

And those that oppose this, let's not kid yourself. It's not about policy. It's really about cutting the pie up. We have been told by a study, this is going to cost $400 million more. And then the other side says, no, it's to come out of the pot. This is not about the money because the money is in the formula. If we don't appropriate any more dollars, then it doesn't cost any more money. But if they're recognized, they do have a right to participate in those programs as they should, as a recognized tribe.

And so I'm suggesting that this is long overdue. Again, congratulations to the chairman and to the Congressman who represents that district. And I hope he remembers that, when I have an issue on Alaska, that Members that represent the districts ought to be listened to. And I do respect that representation.

Mr. BACA. Mr. Speaker, I will vote against H.R. 65, the Lumbee Recognition Act.

This was a very difficult decision. I have only had to vote on a few issues that have caused me so much difficulty. One being my vote against the war in Iraq. The same difficulty is here today.

Today's votes will decide the future for the Lumbee tribe.

However, H.R. 65 determines the future of many more individuals, such as the entire Native American Community and our Nation as a whole.

There is too much information arguing both for and against giving Federal recognition through the legislative process to this tribe.

As a Hispanic, I understand what it is like to have to fight for equality.

As an American, I treasure and understand the importance of sovereignty, of liberty, independence, autonomy and freedom.

I believe that the best method to decide whether to develop a new sovereign relationship is to have the Lumbee directly apply to the BIA. The Lumbee tribe should apply for recognition via the administrative process and I support allowing this to occur.

My vote today will follow that decision because of the many questions regarding their name, the criteria to be Lumbee, and their bloodline.

I want the Lumbee tribe to know that I respect the individuals whose strength, courage and determination have allowed them to fight for their people and to continue the struggle.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 65, a bill which extends Federal recognition to the Lumbee tribe of North Carolina. This bipartisan legislation, which has more than 215 cosponsors, including Natural Resources Committee Chairman RAHALL and Ranking Member YOUNG, corrects a 50-year injustice and gives long overdue Federal recognition to one of the oldest Indian tribes in the United States.

Mr. Speaker, the Lumbee tribe has made repeated requests to Congress for recognition since 1888, and the voluminous record compiled by Congress shows that Federal recognition has been unfairly delayed. H.R. 65 simply provides equal treatment to the Lumbee tribe by correcting a half-measure adopted by Congress in 1956 regarding the tribe. The 1956 half-measure acknowledged the Lumbees as Indians but cut off the tribe from the Federal statutes that apply to federally recognized tribes. This injustice was done at the height of Indian Federal termination policy.

Every other tribe subjected by Congress to such a half-measure has since been fully recognized by a special act of Congress. H.R. 65 would do the same thing for the Lumbee tribe. Thus, H.R. 65 is a long overdue act of justice that treats the Lumbee tribe just like every other tribe in its position.

There is no question that the Lumbee Indians constitute an Indian tribe. The State of North Carolina has consistently recognized the tribe since 1885 under a series of State statutes using different names to refer to the tribe. In 1952, the tribe held a referendum to decide upon its own name under State law and adopted the name Lumbee, drawn from the name of river where the tribe was found at the time of first White contact in the 1730s. North Carolina amended its law to recognize the tribe under the name Lumbee in 1953, and the same bill was introduced in Congress to obtain Federal recognition under the same name. Before the Federal bill was enacted, though, Congress amended the bill to include termination language. As a result, Congress recognized and terminated the tribe at the same time in 1956. Because of the 1956 half-measure, the Solicitor General has ruled that the Lumbee tribe is not eligible for the tribal recognition process administered by the Department of the Interior.

Mr. Speaker, in any case, there is no need to study the tribe's history; the Department of the Interior has already done so 11 times in response to numerous bills to recognize the tribe and has always concluded that the Lumbees are Indian, descended principally from the aboriginal Cheraw tribe. And the Department's own records show that the modern-day Lumbees are the same Indians first recognized by the State of North Carolina in 1885.

Congress itself put the Lumbee tribe in the Indian "No Man's Land" with the enactment of the 1956 half-measure. In the past, Congress has done this to two other tribes: the Tiwas of Texas and the Pascua Yaqui of Arizona. In both cases, Congress rectified the injustice by enacting special statutes extending full Federal recognition to the tribes. Congress should perform a similar act of simple justice for the Lumbee tribe by enacting H.R. 65.

The recognition of an Indian tribe by the United States has always ultimately been congressional responsibility. Even though the Department of the Interior established an administrative process for recognition of tribes in 1978, over the past 30 years Congress has recognized nine tribes by special legislation where there were special circumstances. Insofar as the Lumbee tribe is concerned, the 1956 half-measure represents a special circumstance. H.R. 65 is long-overdue legislative remedy for the injustice inflicted on the Lumbee tribe 50 years ago by Congress.

For these reasons, I support H.R. 65 and urge my colleagues to join me in voting for this remedial legislation.

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

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

The SPEAKER pro tempore (Mr. SNYDER). All time for debate has expired.

Pursuant to House Resolution 465, the previous question is ordered on the bill, as amended.

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

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

MOTION TO RECOMMIT OFFERED BY MR. MCHENRY

Mr. MCHENRY. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. MCHENRY. Yes, in its current form.

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

The Clerk read as follows:

Mr. McHenry moves to recommit the bill H.R. 65 to the Committee on Natural Resources with instructions to report the same back to the House promptly with the following amendment:

At the end of the bill, add the following:

SEC. 4. NO BAR TO ADMINISTRATIVE RECOGNITION.

The Act of June 7, 1956 (70 Stat. 254), shall not be construed to constitute a bar to the consideration by the Assistant Secretary of the Interior for Indian Affairs of a petition of any group of Indians described in sections 2(a) and 2(b) of the Act of June 17, 1956 (70 Stat. 254), as amended by this Act, for recognition as an Indian Tribe.

SEC. 5. EFFECTIVE DATE.

The amendments made by this Act shall take effect on the date that the Assistant Secretary of the Interior for Indian Affairs approves the petition for Federal recognition as an Indian tribe by the Secretary of the Interior pursuant to part 83 of title 25, Code of Federal Regulations, submitted by the Lumbee Regional Development Association on December 17, 1987, and subsequently supplemented.

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

Mr. MCHENRY. Mr. Speaker, this is a very fair and simple motion to recommit. This takes the emotion of politics out of the Federal recognition process and allows the experts at the Office of Federal Acknowledgment to do their jobs.

This amendment, Mr. Speaker, is something very familiar to the chairman as well as all of the members of the Interior Committee. They've seen it before. It's very familiar to the members of the Rules Committee as well because they've seen it as well. It's the very same form and shape that my colleague, Mr. SHULER, has filed, along with myself as a cosponsor, with me as a cosponsor I should say, and a number of our colleagues from North Carolina. It's a bipartisan bill as originally constructed.

And what this motion to recommit does is allow us to have a vote on this issue here on the House floor. It's the very same text as the amendment, I said that Mr. SHULER offered, as well as Mr. JONES and Mr. SHAYS, that we offered through the Rules Committee, and it was not allowed by the majority party through the Rules Committee process. In fact, there was a partisan vote on that issue, eight Democrats voting ''no,'' two Republicans voting ''yes,'' even though it was a bipartisan amendment to the bill.

In simple terms, this motion will put the Lumbees in the front of the Federal recognition process, in the front of that line, and it removes the bar on the Lumbees and other groups described in the 1956 Lumbee Act from petitioning for recognition through the administrative process.

It extends recognition to the Lumbees under the terms and restrictions of H.R. 65, this bill, only when the Secretary makes a final positive determination on the Lumbee petition. It's a very fair and balanced way to allow the Lumbees to be recognized as a tribe.

The Lumbees oppose the motion because it does not allow them to circumvent the process. But it is fair to the other 561 federally recognized tribes, including the Eastern Band of Cherokee in western North Carolina; all of whom went through the proper rigors of the recognition process.

Now, what is important about this is that we have a vote on it. My colleague from North Carolina, Mr. TAYLOR, originally wrote this bill that my colleague, Mr. SHULER, has refiled again in this Congress.

This bill is bipartisan, as I said. And this motion to recommit is the very same language of that bipartisan bill.

Now, what was wonderful is that, over the last 10 years, Congressman TAYLOR, my friend and former colleague here in this body, was able to prevent this Lumbee recognition bill from being put forth and, in essence, made sure that the Lumbees went through the Federal process.

It's unfortunate this bill has come to the floor today. It's even more unfortunate that this motion to recommit was not allowed as an amendment to this bill. And so what this bill does is allow it to go back to committee so that the committee can actually go through the normal process of marking up this bill and to hear from outside groups as well but ensures that we go through the normal process that my colleagues from North Carolina, many of my colleagues from North Carolina, on a bipartisan basis, seek.

And I think, Mr. Speaker, I think it's important that my colleagues vote for this motion to recommit because it is fair. It will be a bipartisan vote, I believe, and I'm very hopeful that it will be. And I think it's going to be the best thing for the Lumbees and the best thing for this process of Federal recognition of Native American tribes.

And I urge my colleagues to support this motion to recommit because it's the right thing to do. And it's the right thing to do on a bipartisan basis.

Mr. RAHALL. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. RAHALL. Mr. Speaker, during general debate, I addressed the issue that is the subject of this motion, as did the ranking member, Mr. YOUNG; as did the gentleman from North Carolina (Mr. MCINTYRE). The administrative process is for those groups where it needs to be determined whether or not they are an Indian tribe. That is not the case here.

□ 1630

Congress passed the Lumbee Recognition Act in 1956, 51 years ago, but in recognizing the tribe, Congress also made them ineligible for Federal services that are normally accorded to recognized tribes. Indeed, the 1956 Act also barred the Lumbee Tribe from going through the Federal acknowledgment process. And let me note that this tribe first sought Federal recognition in 1899, 108 years ago. To now subject them to a process that may take 20 more years is simply an injustice.

I urge rejection of this motion.

Mr. YOUNG of Alaska. Mr. Speaker, will the gentleman yield?

Mr. RAHALL. I yield to the gentleman.

Mr. YOUNG of Alaska. Just a little history, Mr. Speaker. There are 561 total recognized tribes. We have recognized 16 of those through action of Congress, and 31 were recognized by the Department of the Interior.

And about the motion to recommit saying go back and follow the process, in the last 10 years, and the fact is longer than 10 years, I think 15 years or longer than that, 1978 was the last one, the so-called system worked and with a Bureau that, in fact, has suggested that they are not recognized. Well, what chance would the Lumbees ever have of being recognized? It wouldn't happen. So what this motion to recommit does is say, all right, we are just not recognizing them. It is really not a motion that says they have to follow the process.

And we do have the authority. The Congress has the ultimate authority. Like I said, we have already done 16 these, and it says right here that the Supreme Court ruled in the United States v. Sandoval that the Congress cannot arbitrarily recognize a group of Indians as a tribe, but its powers are very broad. All Congress has to do is determine that, one, the group has ancestors who lived in what is now the USA by the time of European discovery and, two, the group be a ''people distinct from others.'' And that is what the Lumbees are.

So this is a motion to really stop the recognition, let's not kid ourselves, because they will never be recognized through the process.

I thank the gentleman for yielding.

Mr. RAHALL. Mr. Speaker, the gentleman from Alaska is entirely correct, and I associate myself with his comments.

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 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 152, nays 237, not voting 43, as follows:

[Roll No. 446]

YEAS—152

Akin
Altmire
Baca
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (NY)
Blunt
Boehner
Bono
Boozman
Boren
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Courtney
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeLauro
Dent
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Fallin
Farr
Feeney
Ferguson
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gingrey
Goode
Goodlatte
Granger
Graves
Hastert
Hensarling
Herger
Herseth Sandlin
Hobson
Hoekstra
Hulshof
Inglis (SC)
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
Kennedy
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lewis (CA)
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
McCarthy (CA)
McCaul (TX)
McHenry
McKeon
McNerney
Mica
Miller (FL)
Murphy (CT)
Murphy, Tim
Myrick
Neugebauer
Nunes
Paul
Pence
Petri
Pitts
Price (GA)
Putnam
Radanovich
Ramstad
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Roskam
Ross
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shays
Shimkus
Shuler
Shuster
Sires
Smith (NE)
Smith (TX)
Stearns
Tanner
Terry
Tiahrt
Turner
Upton
Walberg
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (FL)

NAYS—237

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Arcuri
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Biggert
Bishop (GA)
Bishop (UT)
Blumenauer
Bonner
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Delahunt
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
Etheridge
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gohmert
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hayes
Heller
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Loebsack
Lowey
Lynch
Maloney (NY)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Musgrave
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Platts
Poe
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reyes
Rodriguez
Ros-Lehtinen
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
Simpson
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tauscher
Taylor
Thompson (MS)
Thornberry
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—43

Baker
Berman
Blackburn
Calvert
Campbell (CA)
Cantor
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Doyle
Eshoo
Fossella
Gallegly
Gerlach
Gillmor
Hastings (FL)
Hastings (WA)
Holden
Hooley
Issa
Jefferson
Kagen
LaHood
Lofgren, Zoe
McMorris Rodgers
McNulty
Miller, Gary
Moran (KS)
Murphy, Patrick
Nadler
Ortiz
Pickering
Pomeroy
Porter
Rohrabacher
Shadegg
Smith (NJ)
Sullivan
Tancredo
Thompson (CA)
Tiberi
Walden (OR)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1700

Messrs. ETHERIDGE, ROTHMAN, GRIJALVA, BISHOP of Utah, MCCRERY, HELLER of Nevada, LYNCH, MARSHALL, MCCOTTER, CARDOZA, POE and MCDERMOTT, Ms. MOORE of Wisconsin and Mrs. MUSGRAVE changed their vote from ''yea'' to ''nay.''

Messrs. MCCARTHY of California, TERRY, TIAHRT, SHUSTER, NEUGEBAUER and HASTERT changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 256, nays 128, not voting 48, as follows:

[Roll No. 447]

YEAS—256

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berry
Biggert
Bishop (GA)
Bishop (UT)
Blumenauer
Bonner
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Butterfield
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Delahunt
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly
Doolittle
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Etheridge
Farr
Fattah
Fortenberry
Frank (MA)
Garrett (NJ)
Giffords
Gilchrest
Gillibrand
Gohmert
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (TX)
Hare
Harman
Hayes
Heller
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Knollenberg
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Loebsack
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCrery
McDermott
McGovern
McHugh
McIntyre
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moran (VA)
Murtha
Musgrave
Neal (MA)
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Platts
Price (NC)
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Skelton
Slaughter
Smith (TX)
Smith (WA)
Snyder
Solis
Souder

Space
Spratt
Stark
Stupak
Sutton
Tauscher
Taylor
Thompson (MS)
Thornberry
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Wexler
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NAYS—128

Akin
Baca
Bachmann
Barrett (SC)
Barton (TX)
Bilbray
Bilirakis
Bishop (NY)
Blunt
Bono
Boozman
Boren
Boustany
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Carter
Castle
Cole (OK)
Conaway
Courtney
Crenshaw
Culberson
Davis, David
Davis, Tom
DeLauro
Dent
Dingell
Drake
Dreier
Duncan
Ehlers
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (NY)
Hastert
Hensarling
Herger
Herseth Sandlin
Hoekstra
Hulshof
Inglis (SC)
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
Kennedy
King (IA)
Kingston
Kirk
Kline (MN)
Kuhl (NY)
Lamborn
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McKeon
Mica
Miller (FL)
Murphy (CT)
Murphy, Tim
Myrick
Neugebauer
Paul
Pence
Petri
Pitts
Poe
Price (GA)
Putnam
Radanovich
Ramstad
Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shays
Shuler
Sires
Smith (NE)
Stearns
Tanner
Terry
Tiahrt
Turner
Upton
Walberg
Walsh (NY)
Wamp
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—48

Baker
Berman
Blackburn
Boehner
Calvert
Campbell (CA)
Cantor
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Doyle
Eshoo
Filner
Fossella
Gallegly
Gerlach
Gillmor
Hastings (FL)
Hastings (WA)
Holden
Hooley
Issa
Jefferson
Kagen
LaHood
Lofgren, Zoe
McMorris Rodgers
McNulty
Miller, Gary
Moore (WI)
Moran (KS)
Murphy, Patrick
Nadler
Napolitano
Ortiz
Pickering
Pomeroy
Porter
Pryce (OH)
Rohrabacher
Shadegg
Smith (NJ)
Sullivan
Tancredo
Thompson (CA)
Tiberi
Walden (OR)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining to vote.

□ 1708

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. NAPOLITANO. Mr. Speaker, on rollcall No. 447, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. GALLEGLY. Mr. Speaker, I was unable to make the following rollcall votes on June 7, 2007:

H.R. 65, The Lumbee Recognition Act. On the Motion to Recommit with Instructions, I would have voted "yea."

H.R. 65, The Lumbee Recognition Act. On passage, I would have voted "nay."

PERSONAL EXPLANATION

Mr. ISSA. Mr. Speaker, had I been present for votes on the evening of Thursday, June 07, 2007, I would have voted in favor of the Republican Motion to Recommit H.R. 65, and against final passage of H.R. 65, the Lumbee Recognition Act.

LEGISLATIVE PROGRAM

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

Mr. BLUNT. Mr. Speaker, I take this time for the purpose of inquiring about next week's schedule.

I yield to the gentleman from Maryland for an update on next week's schedule.

Mr. HOYER. Mr. Speaker, I appreciate the gentleman yielding and appreciate his question.

On Monday, the House will meet at 12:30 p.m. for morning hour business and 2 p.m. for legislative business. We will consider several bills under suspension of the rules.

On Tuesday, the House will meet at 9 a.m. for morning hour business and 10 a.m. for legislative business. We will consider additional bills under suspension of the rules. A complete list of those bills will be announced by the close of business tomorrow.

On Wednesday and Thursday, the House will meet at 10 a.m., and on Friday, the House will meet at 9 a.m.

We will consider the following fiscal year 2008 appropriation bills: Homeland Security, Military Construction-Veterans' Affairs, Energy and Water Development, and Interior and Environment.

Members should be advised that the official photo of the 110th Congress will be taken on Tuesday.

In concluding my comments, the appropriation bills that I read, Homeland Security, Military Construction-Veterans' Affairs, Energy and Water Development, and Interior and Environment, will be completed next week.

Let me reiterate that. They will be completed next week. I am hopeful we can complete them by the close of business on Friday, but they will be completed next week.

Mr. BLUNT. Mr. Speaker, I thank my friend for the time and his response. Just in response to that, I do know that the Appropriations chairman today said that Members would expect to be here on Saturday if those four bills are not done prior to Saturday. Is that the leader's view as well?

Mr. HOYER. What the chairman and I have discussed is that we are going to complete these four bills next week. As the gentleman knows, as a result of the supplemental taking up a substantial amount of time of the committee and of the committee's chairman and the committee staff, we are behind in our schedule. It is our intention, as the gentleman knows from my previous statements privately and publicly to him and in the colloquy, that we will complete 11 of the 12 appropriation bills prior to June 29 when we are scheduled to take the July 4 work period break. The Defense bill has been decided to be done mid-July. Other than that, these bills will be done.

In order to accomplish that objective, our schedule will be directed not so much at time as work. And we will complete the work. So I say to my friend, Saturday is a possibility. The chairman has said Saturday is a possibility. I am hopeful that will not be necessary. I am hopeful that the subcommittee chairs and the ranking members will be able to work together, as was done last year in terms of schedule and time, so that we can complete our work by Friday at a relatively early hour. I am hopeful we can do that.

Mr. BLUNT. Is it the gentleman's view, I guess I am repeating what you are saying, I want to be sure I have this right, that you still intend to have 11 bills done by 3 weeks from tomorrow?

Mr. HOYER. Yes, sir.

Mr. BLUNT. June 29. And however many days it takes to get that done, that is your intention?

Mr. HOYER. That obviously is an average of a little less than four bills per week the 3 weeks that are available to us. We have four bills scheduled next week. We will not have the Defense bill scheduled. Labor and Health may be the biggest bill thereafter that we will consider prior to June 30.

Mr. BLUNT. I thank my friend for that. The calendar is one thing. I hope that the calendar doesn't suggest that we are rushing through these bills in any way. Of course, for the time I have been in the House, and I believe the time my good friend from Maryland has been in the House, the appropriations bills have come to the floor under an open rule. The general exception for that has been, again, under both sides of the leadership, the Legislative Branch bill, which, for its own reasons, often has a structured rule.

Does the gentleman anticipate that we will still have the open rules that have been the tradition of the House on these bills?

Mr. HOYER. I do anticipate that, and I would look forward to having discussions with the gentleman at the end of next week, Thursday or Friday. Hopefully that is feasible. We hope it will be feasible.

As you know, last year, as I reiterated, there were time agreements between the chairman and the ranking member that allowed us to effect reasonably efficient consideration under the open rules that were then in place.

We anticipate that, and I hope that is the case.

□ 1715

But I want to reiterate what is self-evident. Our commitment has been to pass 11 bills by the end of this month. That gives us three full weeks to do that. We think that is doable.

Again, the defense bill is not in that mix. The defense bill arguably could have taken substantial time, and that will be done in July.

I say to my friend that I contemplate proceeding as we have done in the past and look forward to discussing that with him as we proceed.

Mr. BLUNT. The open rule we have used in the past has been truly an open rule where Members would come to the floor and, as long as they were, under the appropriations process, finding a way to pay for their proposal, would offer that proposal on the floor. There was no pre-printing requirement. I hope that continues to be the same.

I yield to the majority leader.

Mr. HOYER. I thank my friend for yielding. It gives me an opportunity to respond to two things.

First of all to his specific question, and that is what I contemplate at this point in time. I have not fully discussed it with the chairman, but that is what we contemplate. As far as I know, that is what the rules will provide for next week.

When I said it gave me an opportunity to comment on the general, I know there has been some consternation on your side of the aisle, Mr. Whip, with the pre-printing requirement.

As you know, one of the things we were concerned about was that matters would come to the floor with little notice. My view is an open rule allows somebody to present whatever amendment they choose to present. But requiring that it be preprinted so it gives notice to Members it seems to me not to be contrary to the concept of an open rule. It simply means within the concept of an open rule Members will have notice as to what amendments people intend to offer.

We think that is not undermining of anybody's right to offer any amendment they choose to, while at the same time giving the body notice of what they can contemplate and consider what they might want to do.

Mr. BLUNT. I would say to my friend that I am sure we do think that undermines a right, and that would be a major problem as we look at this. Let me give you an example why it undermines a right.

First of all, this has been the procedure of the House for a long time. In the 12 years of the leadership by my side, we allowed this process to happen for 12 years on virtually all of the bills. One reason you want to do that is in this process where, first of all, the Member is obligated to present a way to, within the structure of that appropriation bill, shift money around, if that Member is successful, you don't know that in advance.

I am pausing here because I think it is a very important point. You don't know that in advance.

And on the floor under the rules we have used for well over a decade, probably into two decades, another Member could then stand up and say, the cut just made, the adjustment just made, I would like to propose that we restore part of that by taking money from somewhere else previously unmentioned in that debate. And you don't know that as part of a pre-printing requirement. It is a substantial limiting of the minority or the majority, and I suspect that a number of these amendments will come from both sides of the aisle. It is a substantial limiting of the Members' ability to react to what happens during the response to these amendments.

I am sure that we want to talk about this in more detail and in more length. Because I believe the Members on our side of the aisle and, frankly, I think the Members on your side of the aisle who have used this process in the past, some with the same amendment every single year, some with the same positive result every single year, will see this as a substantial change if that pre-printing requirement was a requirement.

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

Mr. BLUNT. I yield to the gentleman from Maryland.

Mr. HOYER. I would reiterate, as I told my friend, my contemplation is we will proceed in the regular order next week. We hope that will go in the regular order.

I further said to my friend that we will discuss that as we go forward during the latter part of the week. We hope, as occurred last year, there was cooperation between both sides to accomplish the work of the Appropriations Committee.

We know we have had a problem. Nine of the appropriations bills, as you know, weren't passed last year. They were passed this year, and they were passed after the fiscal year not only had started but after the Congress in which they were supposed to be passed expired and the new Congress was under way.

But I want to assure the gentleman, as I have said, we contemplate the regular order. What I was referring to in the second part of my response was the issue that has been raised not with respect to appropriations bills over the last 3 or 4 months but with respect to bills that we perceive to be open rules but with a pre-printing requirement. We do not think, and we will be glad to discuss that, that giving Members notice of amendments they may have to be prepared for and to contemplate and to have information about and find out what people might think about that undermines the open-rule concept. The open-rule concept, from my perspective, is that any Member who wants to offer an amendment that is germane can do so. And that requiring them to tell people ahead of time what that amendment is is not undermining of that right.

However, as I said, I understand the gentleman's position with respect to an appropriation bill where moneys may be cut. There may be opportunities to add back in other places or to shift from one object to another. I think you are correct. It may be a more fluid situation that the Members confront at that point in time, and they may not be able to have the ability to pre-print an amendment which they can themselves not contemplate.

I want to explain that I was referring more to the questions that you have raised, not you specifically, but that have been raised with reference to the differences that we have on the fact that we believe we have provided a number of open rules, notwithstanding the pre-printing requirement.

Mr. BLUNT. I thank the gentleman for his views on that.

We do see the pre-printing requirement as not as open as the open rule that we used to describe and use with some frequency, but I am pleased also that the gentleman appears to see my point in terms of the appropriations bill itself. It is a much more fluid process. It involves proposing that money be taken from one place to place in another place, and so if a pre-printing requirement is on a document that you have no idea, frankly, what it looks like, even by the time the amendment you had in mind might be offered, that amendment may no longer be appropriate or valid.

If, for instance, all of the money you were hoping to use for your so-called ''paid for'' is gone, your pre-printing requirement meant nothing because your source on how to pay for your better idea is gone.

I think we are hearing each other. I hope we continue to discuss this.

I would also suggest to my friend who often, and I understand how hard it is to resist this, has pointed out last year's work wasn't done and all that stuff. I will tell my friend that last year the House, under our leadership, passed 11 bills by the 4th of July.

Now if at the end of this process, if our friends on the other side of this building, you are as challenged as we were to get it all done, I hope you are prepared to hear for months and months and months how the work was not done. We met the standard that you are setting for yourself.

The previous year of that Congress, the first half of that Congress, we passed all 12 bills by the 4th of July. I assume your sensitivity on this issue will only grow if you run into a similar situation, and I am sure we will be glad to remind you of it. But the work of the House was done.

Let me tell you one other thing that we did last year that we are developing great concern about and that is on this topic of where the Member-directed

projects, the so-called earmarks, go into the process.

Our process, more often than not, included that work being done in the bill with, obviously, a lack of control over the final negotiation with our friends on the other side of the building. But, last year, we had a point of order against a list that wasn't complete. Maybe there is some problem if there is no list, your list doesn't have to be complete, but a bigger problem is this idea that we are at least starting with the first four bills, if it is appropriate for them to have these projects, that the project could not possibly occur until you go to conference.

I would say to my good friend that I believe our Members and some of yours share real concern that this removes almost all of the transparency from the process, and I hope we can work together to find a better solution than to put all of these earmarks in at the last possible minute so they can't possibly be looked at to any extent.

You want a pre-printing requirement for every amendment and would expect the highly volatile topic of earmarks to be handled in a conference that the Members possibly barely have time to look at and the media has even less time to look at it. It is a huge problem, and I hope we can continue to talk about it.

Mr. Speaker, I yield to the gentleman from California (Mr. DREIER).

Mr. DREIER. I thank the gentleman for yielding.

I appreciate what the distinguished Republican whip was raising on this whole issue of the pre-printing requirement. I heard the gentleman from Maryland talk about consternation on our side about the so-called pre-printing requirement, and I heard him just say from his perspective he believes that if an amendment is printed in the RECORD that in no way undermines the right of a Member to offer an amendment. The gentleman is correct, if there is in fact a pre-printing requirement and a Member is entitled to offer that amendment. But the gentleman has just said in his statement that, from his perspective, this does not alter that right.

But I think the distinguished Republican whip was right on target when he pointed to the fact that the legislative process, through a long history which extends not just decades, I would say to my whip, but the 200-year history of this institution, is one that says that an open rule is one that allows any Member through that process to stand up. If an idea comes to that Member that should be addressed, that Member has the right to do that. This new definition of what an open rule is is something that to me is beyond the pale and is undermining the deliberative nature of this institution.

I would say to both of my friends, the majority leader and the distinguished Republican whip, that here we are in a position where we have tried our doggonedness to make sure that we have a more open body. That was the argument that was propounded by the Speaker on December 6, 2006, in her great statement; and we have in fact taken a retrograde step on that by preventing Members from being able to have the chance as the legislative process proceeds to do that.

And the notion that we would, as we begin the very important appropriations process, in any way impinge on the rights of Members to participate in this process is to me absolutely abhorrent.

And I will say also on this issue which the distinguished Republican whip has just raised of earmarks, we in our reform package which we passed last October made sure that every Democrat and every Republican would have a right to stand up and bring to light any earmark that has been included in a bill, and it allows either through that bill and if not through the bill through the rule to do so. We today have had two votes in this House, two votes in this House; and, unfortunately, most Members on the majority side chose to cast votes that prevented us from being able to get back to just the standard that we provided in the 109th Congress for this supposedly new and open 110th Congress.

I would like to say to my friends that I am very troubled with the discussion that I am hearing as the ranking member on the Rules Committee; and as we proceed with consideration of these appropriations bills, I will assure you, Mr. Speaker, I plan to do everything that I possibly can to ensure that we have a complete, open amendment process which, as the distinguished Republican whip has said, with the exception of one and on occasion two appropriations bills has been provided as a right to both Democrats and Republicans.

□ 1730

Mr. BLUNT. I thank the gentleman. I yield to my good friend, the gentleman from Maryland, if he wants to respond in any way.

Mr. HOYER. Well, I don't know that the response is necessary. I will say to my friend, I heard him speak a lot in 1991 and 1992 and 1993 about open rules, about openness, and I'm speaking now of Mr. DREIER, and he subsequently became the chair of the Rules Committee. And his response was, when I raised one of his quotes, was, look, we're in authority now and we've found out that we can't get done the work that we need to get done without, in effect, shutting down the rules.

It is very difficult now to hear him tell me that he's going to do everything possible to make sure that the rules are open. He had an opportunity as chairman of the Rules Committee, of course, to do that, and from our perspective, as he well knows, he didn't do that.

As I have said before, we are going to proceed with these four bills in the regular order, and my friend the distinguished whip and I will discuss, along with Mr. BOEHNER and I, will discuss trying to get our work done within the time frame allotted to us and that is available to us.

He made the observation correctly that 11 of the 12 appropriation bills last year were passed through this House, in the previous year the 12 out of 12. Or 11 out of 11. I guess 10 out of 11 the last year. We've added an appropriations committee. They were passed. However, I would remind and say once again, with the cooperation of Mr. OBEY and with time constraints so that they could be done in a timely fashion. I am hopeful that we proceed that way again, and we will look forward to discussing it.

Mr. BLUNT. I thank my friend for that response, and I would also say, as I recall how that process has always worked, it's usually negotiated between both sides at some point during that open-rule process, when both sides feel that there's been adequate time given for Members' views to be heard. I think that was the appropriate way to handle that then. I believe it's the appropriate way to handle that now. I hope we're able to continue on that unanimous-consent view of this where both sides are able to achieve a sense that their Members have been heard.

Mr. HOYER. Will my friend yield?

Mr. BLUNT. I would.

Mr. HOYER. I am confident that you and I can do that.

Mr. BLUNT. I hear my friend, and we look forward to this process next week.

I would ask, also, it has occurred to me that we've only got four of these bills, I believe, through the markup process. We're going to be asking the appropriators to mark up bills on the other topics while we've got appropriations bills on the floor?

Mr. HOYER. As someone who served on the Appropriations Committee for a quarter of a century, I can tell you this has been done on a regular basis in the last Congress, the Congress before that and every Congress in which I've served. In every Congress in which I've served.

Mr. BLUNT. I would tell my friend that I believe in the last five Congresses, the only Congresses I really have that kind of sense of, it was seldom done, if ever, and both in scheduling the floor and trying to do the job of the whip for the floor, both of which I did some of, that our appropriators were almost totally unwilling to have an appropriations bill on the floor while the Appropriations Committee members were tied up dealing with difficult and complicated bills, which all of these bills are.

I don't think that's regular at all, though you were on the Appropriations Committee. I just suggest to my friend, maybe your memory of that is stronger from the previous decade than the last decade, because our appropriators were very resistant to doing that, and I'm

sure our appropriators still will be resistant, though they don't call the meeting or schedule the markup.

I would yield for whatever information my friend has on that.

Mr. HOYER. It's my understanding, staff has just told me, that we have an agreement, I presume Mr. OBEY and Mr. LEWIS and other leadership have agreed, to coordinate the floor and committee work so as to not have conflicts. So that apparently has been contemplated.

I want to agree with you that, generally speaking, you are absolutely correct. The Appropriations Committee does not like to be marking up bills when appropriation bills are on the floor. I agree with that 100 percent. Mr. OBEY in particular does not like that because Mr. OBEY, either as the ranking member or now the chairman, was very engaged, as we all know, in the floor debates. So he was particularly not happy with that process, and as an appropriator, I can tell you that no appropriator likes to have that happen.

Again, we understand that there has been some work on this so that we can try to accommodate both doing the work on the floor and doing the work in the committee.

Mr. BLUNT. I am glad to have that information.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

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

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

There was no objection.

HOUR OF MEETING ON TOMORROW AND ADJOURNMENT FROM FRIDAY, JUNE 8, 2007, TO MONDAY, JUNE 11, 2007

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 4 p.m. tomorrow, and, further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Monday, June 11, for morning-hour debate.

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

There was no objection.

SAYING GOODBYE TO THE PAGES

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

Mr. KILDEE. Mr. Speaker, today is a day of mixed emotion for all of us who work with the House Page Program. It is time to say goodbye to 70 aspiring young individuals who have served the U.S. Congress for the last several months.

On behalf of the U.S. House of Representatives, I would like to thank you all for your hard work, your commitment and dedication to the Page Program. I know you have made your families, friends and communities back home proud, and I am certain that they will be glad to receive you back home.

As difficult as it is to say goodbye, I trust that you will take with you memories, experiences and friends that will last a lifetime. Take with you also our sincere thanks for a job well done. Your hard work and your dedication have proven that you are young people with strength, courage and character. We look forward to hearing about all your many future successes.

The gentlewoman from Ohio (Ms. SUTTON) joins me in these thoughts, but we will not say goodbye but rather farewell until we meet again. And Mr. Speaker, before I yield to other Members, I would like insert the names of the pages at this point in the CONGRESSIONAL RECORD.

SPRING 2007 HOUSE PAGE LIST

Sam Balasz
Joshua Britton
Abullah Binshaeig
Geoffrey Blumenthal
Ian Cameron
Bryant Canales
Allison Clark
Elizabeth Cotton
Daija Covington
Sarah Coughlan
Ann Crawford-Roberts
Christopher Day
Richie Day
Skukuae Edwards
Taylor Farquharson
Kelsey Griffee
Tarel Hairston
Portsha Franklin
Elizabeth Hartig
Kelsey Hill
Jeffrey Joh
Robert Joyce
Abebe Kebede
Keegan Kirkpatrick
Nathan Khosla
Alexa Klein
Breanna Lai
Noah Lindenfeld
Jonathan Lesser
Rachel Licata
Isabella Miller
Amanda Markovich
Blair Matthews
Victoria Milkovich
Soreya Moody
Liliana Palacios
Jake Petzold
Elon Rhodes
Taylor Riddle
Paige Romer
Arriel Rubenstein
Alexander Seiden
Corey Shears
Virginia Smith
Shaan Yadav-Ranjan
Meghan Ward
Briana Aleman
Amy Brinkerhoff
Marion Burke
Starla Burton
Joseph Cannella
Logan Craghead
Katelyn DeFrangesco
Ryan Drager
Callie Farlow
Nicholas Hall
Rachel Koroknay
Nicholas Lanoue
Nickolas Lupo
Aubrie-Marks
Colleen Mattingly
James ''Matt'' McClure
Bryan Quach
Heaven Randolph
Adam Reynolds
Katie Rieder
Christine Salomon
Ryan Till
James ''Carson'' Ure
Cassandra West

I yield now to the ranking Republican member of the Page Board, the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Mr. Speaker, I'd like to thank my colleague from Michigan for his leadership on the Page Board and for his deep compassion for what the Page Program has done for the youth of America historically and for this particular group today.

As he said, we're not here to say goodbye; we're here to say farewell and Godspeed and good luck.

As any ending is, the ending of this year is a new beginning for you all to return to your homes, your families and have a good summer at the same time.

I'm very proud of the 70 pages, 33 girls, 37 boys, that represent 26 States and one territory, and I would like to congratulate you on the completion of your Page Program.

I asked several pages throughout the day, have you enjoyed your time here? How has it been? And one said to me very poignantly, he said, I have enjoyed every single day. And I think that is shared across the board by the 70 bright smiling faces I see at the back of the Chamber today.

It certainly has been a historic year for this Congress under the stewardship of the first woman Speaker of the House of Representatives. So, for all the female pages, it has been a source of great pride for all of us. So I thank you for your leadership.

I think it's important to note that not only will we be seeing you again, we'll be seeing you in different iterations of your life, as many former pages are now Members of Congress, Senators, corporate leaders, Governors and future leaders of our States and our Nation.

So I say, thank you, from the Cloak Room on the Republican side. Ms. Pat and Ms. Doris say thank you very much for all of the help you gave to them in helping us, and on the other side, I'm sure that's true.

So I say, good luck, make sure you don't forget us, and I won't forget the most I think vibrant day in the House of Representatives, which is the day that the President comes to give his State of the Union address, and the first thing I notice is the excitement of the pages, getting to see that for the first time, lined in the back, hoping to catch a glimpse or a handshake or a pat on the back from their President.

So good luck to all of you and thank you very much, and I thank the gentleman from Michigan for yielding.

Mr. KILDEE. Mr. Speaker, I thank the gentlewoman from West Virginia.

I would yield to the gentleman from Maryland (Mr. HOYER) who's been very active in supporting the Page Program.

Mr. HOYER. Mr. Speaker, I thank my friend for yielding, and I want to say to Mr. KILDEE, those of you who have been our pages and have made such an extraordinary contribution to this institution, Mr. KILDEE has been on the Page Board for almost, as a matter of fact, maybe as long as I've been a Member of Congress, which is longer than, by almost a factor of two, not quite, all of you have been alive.

You come to this institution with a great responsibility, in my opinion. You are extraordinary young people in high school, learning not only about government but learning about all the other skills that you will need to know to be successful and to help your country be successful.

This program, I think, is an extraordinarily important program because of what it does. It gives to you at a young age while you are learning the opportunity to see firsthand your democracy in action, to see those who have been selected by your parents, by your brothers and sisters and aunts and uncles and your neighbors and friends to represent them in the Congress of the United States.

You have been given this unique opportunity that a very, very small segment of your fellow cohorts, your generation, will have had, to come firsthand to see the Members, who are all human beings, who all have ideas, who all have passions and fears and visions and desires like your parents and you have and who come here on behalf of their constituents to try to do good for their country.

As president of the Maryland Senate in the 1970s, I had the opportunity to run the Page Program in the State Senate, and I was always hopeful that those young people, who were your age, 16, 17 years of age, they were seniors, for the most part, you're juniors, would leave their service in this institution and in that institution with a positive perspective, with a thought that this democracy, founded so many centuries ago, still is a viable democracy that, as Winston Churchill said, is the best of all other forms of government tried.

It is, as you have seen, not perfect, but it has created one of the greatest societies that has ever existed, not the only great society but one of the greatest, and you have helped us make it function.

And sometimes you will think to yourself, well, I didn't get on the floor and speak; you're obviously not a Member; and perhaps you didn't write a great treatise on this issue or that issue and will feel from time to time, well, all I did was run this envelope from this office to that office or from the floor of the House to someplace else or, from time to time, get information for a Member who was debating something on the floor. But your service made this institution run better.

John Kennedy was a hero of mine, and, frankly, I got into politics because of John Kennedy. He came to the campus of the University of Maryland, talked about the difference that young people could make. He spoke on this floor at least on three occasions where he gave his State of the Union.

□ 1745

In his inaugural address, he said to all of us that the energy, the faith, the devotion we bring to this endeavor will light our country and all who serve it, and the glow from that fire can truly light the world.

Pages, I hope you leave from here with a better knowledge of how the people's House works and with a renewed conviction that your democracy works, perhaps, better than you thought or some had told you it did and that you will leave this place with an energy and a faith and a devotion to letting your colleagues know how well their democracy works and with the conviction that if they participate fully in this democracy that it will work even better.

Thank you for your service. Thank you for what you do in your communities, in your schools and in your communities, and thank you for transmitting the knowledge you have learned to literally thousands of your friends and colleagues. Godspeed.

Mr. KILDEE. From the bottoms of our hearts, we thank you, God bless you.

Mr. WICKER. I wonder if the gentleman would yield?

Mr. KILDEE. I would be happy to yield.

Mr. WICKER. I thank my friend for yielding.

Mr. Speaker, let me just say, not everyone within the sound of my voice realizes how hard these young people have worked, some of them, for the last semester, some of them for the past 9 or 10 months, but almost to a person they have been in the page school. There will be a graduation ceremony tomorrow, I understand.

They get up in the wee hours of the morning and go to school in a very rigorous academic course, and then they put in a full day. On those frequent occasions when we are in session late at night, they are here with us. So we appreciate their hard work. It has been a great learning experience for them, I know; and I just want them to know how much we appreciate it.

They have been here during momentous times. They have seen the President of the United States, as my friend from Maryland stated. They have seen heads of state come and go in the building and witnessed debates concerning the great issues of our time, issues today concerning the very question of life itself. Issues of war and peace and billions of dollars being debated, they have been able to witness.

Just as significantly as all of those issues, they have witnessed the orderly transfer of power that we have seen year in and year out, Congress in and Congress out in this great institution. The transfer of power not at the point of a gun, as a result of a battle, but as a result of Americans, one by one, going eventually in the millions and voting in the ballot at the ballot box.

Sometimes we are delighted with that orderly transfer of power, as I was in 1994 and 1995, when I first came here as a Member of a new majority. Sometimes, as occurred last November and this past January, I was not particularly overly delighted, but it is profound, nonetheless, that we make those changes in government at the ballot box and not at the point of a gun.

In 1967, I had the privilege for only 1 month to serve as a page in this great Chamber for this great body. It was a life-changing experience for a young boy from Pontotoc, Mississippi; and I daresay for the young people lining the back rail and listening to our words this afternoon it has been, in so many ways, a life-changing experience for them.

It occurred to me during that brief stay here as a page that I might someday, if given an opportunity and if luck came through, come back here as a Member of the House of Representatives. I had that great opportunity.

But to so many of them, undoubtedly, they have no desire whatever to come back here as a Member but to go on and serve their country in other respects, in their professions, perhaps in the military, or perhaps some of you also in public service.

But I would simply say that, in closing, they have had such a rare opportunity to serve their country in a way that so few young people have been able to do. We appreciate it very, very, very much. We wish each and every one of them Godspeed as they go back to their homes and families.

I thank my friend for yielding the time.

Mr. KILDEE. I thank the gentleman for his very fine words.

Mr. Speaker, I yield back the balance of my time. Godspeed to you all.

COMMUNICATION FROM CHIEF OF STAFF OF HON. LOIS CAPPS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Randolph Harrison, Chief of Staff, Office of Hon. LOIS CAPPS, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 6, 2007.

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

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the U.S. House of Representatives, that I have been served with a subpoena, issued by the Superior Court of California of Santa Barbara, for documents in a civil case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

RANDOLPH HARRISON,
Chief of Staff.

INTERNET GAMBLING REGULATION AND TAX ENFORCEMENT ACT OF 2007

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

Mr. MCDERMOTT. Mr. Speaker, I was raised in a fundamentalist Christian home that cast a dim view on gambling. I didn't care for it much then, and I don't care for it now.

While the Bible never directly uses the word ''gambling,'' there are plenty of references to it in Scripture, and none of them are very kind.

Still, from lotteries to casinos, gambling is part of the American scene today. Across the country, governments derive revenue from gambling that flows into public coffers. Whether you call it a sin tax or self-imposed tax, it helps fund good social programs.

Today, gambling has migrated online where it is unregulated, off shore and exporting billions of U.S. dollars. Basically, we have a Wild West show with few protections for Americans against fraud, underage gambling and privacy.

My colleagues, BARNEY FRANK and PETER KING, have introduced legislation to establish some order and law online with licensing and regulation. I am introducing a companion bill today that establishes the process to collect some of the gambling revenue online just as we do in the communities.

If we decide as a Nation to enable gambling online, the billions of dollars flowing out of this country should remain here to help us fund schools and bridges and a host of social programs that need more than luck to succeed.

CONGRESSMEN CONVICTED OF FELONIES STILL COLLECT PENSION CHECKS IN JAIL

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

Mr. KIRK. Mr. Speaker, taxpayers should know that Members of Congress convicted of a felony still collect their pension checks in jail. Congress took no action to kill pensions for congressional felons in February, no action in March, April or May.

Now, Congressman JEFFERSON was indicted this week; and, if convicted, a nine-term Congressman would get $50,000 payments each year from the U.S. taxpayer. That would be on top of $125,000 payments to Representative Rostenkowski, $86,000 payments to Senator Durenberger, $64,000 payments to Representative Cunningham and $40,000 payments to Representative Traficant. In total, American taxpayers pay over $480,000 each year to Congressmen convicted of a felony.

The time for reform has come.

NO CHILD LEFT BEHIND

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

Mrs. CAPPS. Mr. Speaker, in 2002, the House passed the No Child Left Behind Act, the biggest Federal overhaul of our public school system in decades. Now, 5 years later, the Congress has an opportunity to reevaluate the law and address what doesn't seem to be working.

During last week's Memorial Day district work period, I met with teachers, parents and school administrators to listen to their thoughts on NCLB. I wanted to hear from the people who are in our classrooms every day. They have seen firsthand the success and failures of the law over the last 5 years.

The most important thing I heard is that there isn't a single teacher, parent or administrator opposed to accountability, but they sure had a lot to say about how we measure it. I learned that, regardless of a school's status, everyone had similar concerns with the accountability measures and assessment of subgroups by the law.

Hearing firsthand about the implications of NCLB through my classrooms visits and meetings with parents, teachers and school administrators was a powerful and instructive experience. As we continue the process of reauthorizing NCLB, I encourage us all to visit schools, talk to teachers, see for ourselves how this law is affecting our public schools. A little more time in the classroom is good for us all.

NATIONAL KIDNEY FOUNDATION KIDNEY WALK

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

Mr. KUHL of New York. Mr. Speaker, I rise today to call attention to the National Kidney Foundation Kidney Walk.

Throughout the year, kidney walks will be held nationwide. Specifically, in my congressional district, a kidney walk will be held on June 9, this Saturday, at Eldridge park in Elmira, New York.

Chronic kidney disease affects approximately 20 million Americans; and, tragically, 80,000 people die each year from the disease. Additionally, in 2006, 17,000 kidney transplants were performed, yet more than 70,000 people are on the national waiting list for a kidney transplant.

The purpose of the kidney walk is to encourage Americans to educate themselves about early detection and prevention of kidney disease and to promote awareness of organ donation. The walks are for a good and a very important cause, and I encourage my colleagues to join me in supporting them.

SPECIAL ORDERS

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

□ 1800

WARTIME AND OUR SOLDIERS

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, a lot of political figures, myself included, have talked about the Iraq war. Tonight I want to share the words expressed by people in this and other wars. They come from a new book called ''Voices in Wartime.'' It contains profoundly moving and often poetic thoughts from brave U.S. soldiers, loved ones and Iraqis.

This is from John Henry Parker, a Marine Corps veteran and Executive Director of Veterans and Families. ''My son is a sergeant in the 10th Mountain Division. He was a squad leader, and his job was to go into the border towns and into the different mountain areas around the Pakistan border to seek out and find the enemy, the Taliban, al Qaeda, and whoever else might be hiding in the hills resisting.

''He had been witnessing a lot of really horrific things, and his main concern was, can I come back and just get past all of this and be a dad, a husband, and just a family guy? How do you do that?''

Dr. Enas Mohamed is an Iraqi doctor now living in Seattle, my Congressional district. She lived in Baghdad during the First Gulf War and said this in the book: ''The children were really scared and kept yelling. It was winter, and so, at 5 a.m., there wasn't much sunlight. It was dark, and the bombing continued. Everybody felt a deep fear in their bones.

''You can't imagine the amount of disease that has spread since the war. One of the largest issues is polluted water. It causes dysentery, cholera, typhoid, and there's a deficiency of water, so we don't have enough water to wash our hands every time they get dirty.

''Children play together all the time, and they don't take the precautions like adults do. Plus, they have weaker immune systems and malnutrition or not enough food to fill their needs as growing kids.

''With the low level of hygiene and the high level of malnutrition, any infection will start to grow and transmit very quickly.

''One of the victims was a very, very hard case for me. He was 10 or 11 years

old. I talked to his mom and learned his history. He left school to support his family, so he was on his way to sell some cigarettes near the street where a car bomb exploded. This little child got broken hands and broken legs.

''The doctor told me they might have to amputate one of his legs, and I can't imagine what it means for a 10-year-old boy to live with one limb. He didn't even get enough time to finish school or to play soccer or to do all the activities like little boys do.

''I think it's time to stop it and do something really positive for these innocent people. If we think about the new generation, starting with the boy I mentioned before, you can imagine a whole generation of disabled people. They have and been punished for doing nothing. They're innocent civilians who are just hoping to live like any other human being on earth.''

Sheila Sebron is a disabled African American Air Force veteran. She wrote this. ''PTSD is not to be taken lightly. It's a devastating illness that robs its victims of free will and imposes a slow death sentence that kills the human spirit.

''I get caught in these loops in my mind and get stuck thinking about part of a thought without being able to finish the thought. Thanks to finally getting the treatment I needed for my PTSD, I can now break the cycle of being trapped in my mind and can communicate verbally.''

She also writes, ''War harms everyone it touches: soldiers, civilians, refugees, family members and friends. No one escapes the trauma.''

Personally, I was a medical doctor, a psychiatrist and a Navy veteran who treated combat soldiers returning from Vietnam. Sheila Sebron is right. No one escapes without trauma. But there is hope, and treatment is available for PTSD.

I've never met Sheila Sebron, but I'm very proud of her. She's a brave U.S. soldier who put her life on the line twice for her country, once in uniform, and now in print as she tries to tell others and save them by telling her story.

PTSD harmed many serving in Vietnam and in the First Gulf War. But as many as 50,000 soldiers serving in the Iraq war will come home with PTSD.

PTSD is a mental wound as real and as serious as a shrapnel wound from an IED. Soldiers need and deserve our help and support.

The book is called, Voices in Wartime. I urge every American to pick up a copy and read it.

The SPEAKER pro tempore (Mr. ALTMIRE). 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.)

HOMEOWNERS INSURANCE

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

Mr. BILIRAKIS. Mr. Speaker, before I begin, I'd like to wish a happy birthday to my son, Michael, who was born on June 7, 1993. He's 14 years old today. What a wonderful boy he is. I'm so proud of him; great student, all around great person, great athlete as well. He takes after my father, Congressman Mike Bilirakis, who he was named after.

Mr. Speaker, it is with great frustration and disappointment that I rise today. It has been 3 years since the devastating 2004 hurricane season that ravaged my State, which forced homeowners insurance rates to skyrocket to unmanageable levels. And this body, unfortunately, has not acted.

Along with many of our gulf coast colleagues, I have pleaded with the Democrat leadership to act on legislation which might ease this financially crippling crisis. Of course, this body has not acted.

Countless of my constituents have implored me to help relieve this crisis so they do not have to leave the areas they love. They wish to raise their children and retire in the great State of Florida, but they fear that simply it will not happen because they can't afford it. We must act, Mr. Speaker.

The front page of today's Wall Street Journal forewarns of the impending economic emergency if we have another major hurricane here in the United States. The story correctly notes, and I quote, ''If insurers of last resort face major storm losses, those costs could spread to a broad cross section of the public.'' This is just another warning given to this Congress that something must be done immediately. We must act.

Mr. Speaker, I will submit the entire article for the RECORD.

One of the areas most affected by this crisis is Pasco County in Florida, my district. Last month, the County Commissioners passed a resolution calling for Congress to take action.

Mr. Speaker, I would like to submit the entire resolution for the RECORD.

Mr. Speaker, the following are excerpts from the Pasco resolution, and I quote.

''Whereas, the National Association of Insurance Commissioners, the Southern Governors Association, the Florida Legislature, as well as other State legislatures across the country,'' this is not just a Florida problem, as you know, Mr. Speaker, they ''passed resolutions recognizing the importance of developing additional insurance capacity to ensure the viability of coverage for catastrophic natural perils by endorsing the concept of a national disaster plan; and

''Whereas, Hurricanes Katrina, Rita and Wilma caused over $200 billion in total economic losses, including insured and uninsured losses; and

''Whereas, the United States Federal Government has provided and will continue to provide billions of dollars and resources to help our Nation recover from catastrophes, and

''Whereas, multiple proposals have been introduced in the United States Congress over the past decade to address catastrophic risk insurance, including the creation of a national catastrophic reinsurance fund,

''Therefore, be it resolved by the Board of County Commissioners of Pasco County, Florida, it supports the adoption of legislation by the United States Congress to create a reasonably priced national reinsurance program that will help Americans find private insurance protection from natural catastrophes for their homes while reducing the demand on governmental resources,'' that's key, ''to assist victims after an event occurs.''

This is a bipartisan issue, Mr. Speaker. I know you agree.

Mr. Speaker, along with cosponsoring legislation to establish a national catastrophic fund, I introduced legislation to provide tax incentives for Americans to strengthen their property. Enactment of my bill, H.R. 913, will reduce homeowners insurance rates and could help save lives.

I implore this body to act on these and other insurance-related bills to help Americans who are in need. I pray that it doesn't take another Katrina-type catastrophic event before the body heeds my request. Let's go to work.

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

[From the Wall Street Journal, June 7, 2007]

AS INSURERS FLEE COAST, STATES FACE NEW THREAT

(By Liam Pleven)

As hurricane season gets under way, a dramatic shift in the way homeowners insure against disasters could pose a big financial risk in several coastal states.

Private insurers have been fleeing the shoreline, wary of costly storms and often fed up with government regulations that prevent them from pushing rates higher. In more than a dozen states—from Texas along the Gulf of Mexico and up the East Coast to Massachusetts—an odd breed of carriers known as ''insurers of last resort'' is filling the void.

These last-resort insurers, which cover people the private sector won't, issued more than two million policies to homeowners and businesses in hurricane-prone states last year, about twice as many as in 2001. Over that same five-year period, their total liability for potential claims has increased roughly threefold, topping $650 billion. Meanwhile, a separate federal flood-insurance program has seen its liability jump by two-thirds since 2001 to just over $1 trillion.

The sum effect: Much of the risk associated with hurricane coverage is shifting to the broader public and away froth private companies and coastal homeowners.

It's unusual for several reasons. At a time when financial markets are becoming increasingly adept at spreading risk, states and the federal government are concentrating it on a massive scale. The shift contrasts starkly with the federal government's

effort to make individuals assume more risk and costs in other areas, such as retirement and health-care plans.

Last-resort insurers are created by state governments, although they operate much like other insurance companies. Many of them are set up as associations, which actually write policies that cover hurricane damage from wind, among other standard threats. Any insurer that sells property insurance in the state must also be a member of the association.

But these insurers also differ in significant ways. They often don't have deep financial reserves, leaving other private insurers, and sometimes taxpayers, to help foot the bill for huge claims.

In a catastrophic situation, for instance, the associations are often authorized to impose assessments on all their member insurers. That can translate to rate increases or surcharges for policyholders throughout the state—not just in places hit by a storm. And after recent hurricanes in Florida and Louisiana, lawmakers tapped state coffers—and hence taxpayers—to help defray losses incurred by last-resort insurers.

The system ''shifts the risk literally from those who are most at risk . . . to individuals who are at less risk or even at no risk,'' says Robert Hartwig, president of the Insurance Information Institute, an industry trade group that plans to release a report detailing the growth of last-resort insurers.

States have a strong economic incentive to make coverage available, since most banks require insurance before they write a mortgage. If policies are tough to obtain, states could miss out on the revenue that comes with development—particularly on choice coastal property. Moreover, the states face political pressures from homeowners who want to be sure they have affordable insurance.

The government's role in homeowners insurance has long been a hodgepodge. Each state has its own regulator which typically sets or approves the rates insurers can charge.

Many insurers of last resort were established starting in the late 1960s, when urban riots led private insurers to shun some inner-city properties. Today, they cover a broad spectrum of homes. Generally, they aren't backed by state budgets.

While the rates charged by last-resort insurers can be high, they're generally not steep enough to invite competition from private insurers.

''There's no competition anymore,'' says Melanie Tringali, whose second home about half-a-mile from the water on Cape Cod is covered by Massachusetts' insurer of last resort, the Massachusetts Property Insurance Underwriting Association. Ms. Tringali switched in 2005, after her insurer told her agent it was no longer writing policies on the Cape. Ms. Tringali says the 1,000-square-foot house costs about $1,300 a year to insure.

Massachusetts hasn't been hit by a major hurricane since 1954. But in the wake of severe storms elsewhere, some forecasters believe that could change. Companies that build computer disaster models say the losses could be enormous, which has frightened many private insurers all along the Eastern seaboard. On the Massachusetts coast, private firms such as Hingham Group and Quincy Mutual Fire Insurance Co. are cutting back.

As a result, some 43 percent of homeowners on Cape Cod and nearby islands are now covered by the Massachusetts association. It issued more than twice as many policies last year as five years prior, and its liability more than quadrupled, to $92 billion.

Insurers of last resort in other states have seen similar growth. In Texas, liability almost tripled. In North Carolina, it quadrupled. In Rhode Island, it was up sixfold.

A severe storm in Galveston, Texas, site of a deadly 1900 hurricane, could cost the Texas Windstorm Insurance Association, the state's insurer of last resort, as much as $8 billion, officials there say. The association and its member insurers would be able to cover about $700 million in losses. Beyond that, it would need to ask all its member insurers—even those who don't write coastal coverage—to make up the huge shortfall. If insurers did have to chip in at that point, they would be permitted to recoup the funds through years of tax credits—a potentially big hit on the state budget.

''It's scary as hell,'' says James Elbert, an independent insurance agent who recently retired as chairman of the association's board.

The current situation represents a reckoning for years when states saw extensive waterfront growth, due in part to low insurance premiums. For a three-decade stretch starting in the early 1970s, private insurers were writing policies more or less freely along the water and relatively few major storms hit. Coastal development boomed.

Florida offers a glimpse into what could happen down the road. In the wake of recent storms that prompted many insurers to limit their exposure, the state's last-resort insurer is growing—and assuming more risk.

When the 2004 and 2005 hurricanes slammed its coast, the state's insurer of last resort, Citizens Property Insurance Corp., suffered heavy losses. It hit its own policyholders—and eventually even those insured by other companies in the state—with $2.7 billion in premium surcharges. Florida legislators also allocated $715 million to hold down fees.

Since last year, Citizens has continued its massive expansion, writing roughly 15,000 to 20,000 new policies a week. As a result, it could be on the hook for significant losses if major storms roll in. A direct hit on Miami could cost tens of billions of dollars, much of which would be borne by Citizens—now the largest property insurer in the state.

Some believe the federal government might be called upon in the event of severe losses. Washington is already taking on additional risk through the National Flood Insurance Program. Under that program, insurance agents sell special government-backed policies that cover water damage from floods, including from hurricanes. (Flood damage is generally excluded from policies issued by private insurers, which typically only cover wind damage from storms.)

Last year, the number of federal flood-insurance policies rose by 12 percent from 2005, when Katrina hit, mostly due to double-digit growth in hurricane-prone states such as Mississippi, New York, Louisiana and Texas.

Tom Lasater, a retired high-school principal in Galveston, has separate insurance policies to cover both flood and wind damage. He's got reason for caution. In 1900, a storm drove tides 8 to 15 feet high and inundated Galveston.

Today, Mr. Lasater pays about $1,000 a year for $225,000 worth of wind coverage from the Texas Windstorm Insurance Association on his two-story brick house, which he says is 13 feet above sea level and sits behind a 14-foot-high seawall. His former insurer said it would not renew his policy after Hurricane Rita ravaged the area in 2005. With the windstorm association, he says his premium is lower, though he'll have to pay more out of pocket through his deductible before coverage kicks in.

As for flood insurance, Mr. Lasater says he pays roughly $200 a year for his policy from the federal program. He says he only decided to buy it after Hurricane Katrina, when he saw insurers trying to deny claims by arguing that damage was caused by water, not wind. ''It was affordable, and I figured, 'Why take a chance?' '' he says.

A number of states, including Texas, are concerned about what could happen if their last-resort insurers face a significant deficit. Like officials in Florida, lawmakers in some states are also facing deep public anger about the rising cost of insurance on the coast.

''There's a catastrophe playing out with my constituents,'' says Robert O'Leary, who represents much of coastal Massachusetts in the state Senate. The private market, he says, ''is sort of shriveling.''

In South Carolina, the state's insurer of last resort has seen its liability nearly triple since 2001. The insurance commissioner, Scott Richardson, backed a plan to eventually lure more private insurers to the coast. A former insurance agent in Hilton Head, S.C., Mr. Richardson argued that premiums charged by the last-resort insurer were typically too low. Yesterday, state lawmakers approved legislation that will require the insurer to charge ''adequate'' rates.

The legislation also gives tax credits to insurers that offer wind coverage on the coast. That could cost the state budget $6 million to $10 million, and possibly more, Mr. Richardson says. ''If it makes a company go in and write 100 policies in Charleston, it's worth it,'' he says.

RESOLUTION NO. 07-214

By the Board of County Commissioners; A Resolution by the Board of County Commissioners of Pasco County, Florida, Supporting the Adoption of Legislation by the United States Congress for a National Disaster Plan to Provide a Comprehensive Legislative Solution to the Problems Presented by Natural Catastrophic Exposures for the Benefit of all Americans.

Whereas, several entities including the National Association of Insurance Commissioners, the Southern Governors Association, the Florida Legislature as well as other state legislatures have passed resolutions recognizing the importance of developing additional insurance capacity to insure the viability of coverage for catastrophic natural perils by endorsing the concept of a national disaster plan; and

Whereas, there have been significant insurance and reinsurance shortages, resulting in dramatic rate increases for consumers and businesses, and significant disruptions in the availability of catastrophe insurance around the country; and

Whereas, Hurricanes Katrina, Rita and Wilma, which struck the United States in 2005, caused over $200 billion in total economic losses, including insured and uninsured losses; and

Whereas, the United States Federal Government has provided and will continue to provide billions of dollars and resources to help our nation recover from catastrophes, including hurricanes, tornadoes, earthquakes, blizzards and other disasters, at huge costs to Amerian taxpayers; and

Whereas, the United States Federal Government has a critical interest in ensuring appropriate and fiscally responsible risk management and pre-planning for catastrophes through measures such as mitigation and improved building codes; and

Whereas, multiple proposals have been introduced in the United States Congress over the past decade to address catastrophic risk insurance, including the creation of a national catastrophic reinsurance fund and the revision of the Federal tax code to allow insurers to use tax-deferred catastrophe funds.

Now, therefore, be it resolved by the Board of County Commissioners of Pasco County,

Florida, in regular session, duly assembled, that said Board hereby supports the adoption of legislation by the United States Congress to create a reasonably priced national reinsurance program that will help Americans find private insurance protection from natural catastrophes for their homes while reducing the demand on governmental resources to assist victims after an event occurs.

Done and Resolved this 8th day of May, 2007.

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

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

UNANTICIPATED GOOD RESULTS (WHEN WE LEAVE)

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

Mr. PAUL. Mr. Speaker, I would like to discuss the irrationality of our current foreign policy and the expected concrete benefits of changing that policy.

First, we need to look at the inconsistent and counterproductive way we currently treat other nations. We reward and respect nations with nuclear weapons. Look at how we treat Russia, China, Pakistan, India and North Korea. Our policies serve as an incentive for rogue nations to achieve a nuclear capability. Saddam Hussein was so convinced of this that he pretended he was on the verge of getting a nuclear weapon. Iran is now doing the same thing, yet our CIA assures us they have quite a ways to go before they have a nuclear capability.

Without our ''remaking'' the Middle East, Iran would have less incentive to develop a weapon. And under the NPT, Iran has a right to pursue peaceful use of nuclear power.

The foolishness of our foreign policy has us spending money in Pakistan, a military dictatorship with nuclear weapons, which is harboring Osama Bin Laden. The irony that taxpayers are paying to help protect Osama Bin Laden is astounding. For all the so-called reasons we threaten Iran, the same logic could apply to Pakistan many fold and, for that matter, even to Saudi Arabia, from where 15 of the 19 hijackers came.

A changed policy in the region would greatly diffuse the boiling conflict now brewing with Iran. Just an announcement, if they believed us, of a move toward diplomacy and plans to move our troops and Navy out of this region may well lead to a sharp drop in oil prices.

But credibility is the key. If no one believes we're sincere in altering our foreign policy of militarism to that of peaceful relationships with all who desire it, it won't work.

Credibility would depend on us discontinuing building permanent bases in Iraq. We don't need a single base in the entire Middle East to protect U.S. security. Having bases there only jeopardizes our security.

The embassy we're building in Iraq, the largest in the world, a virtual fortress, nearly the size of the Vatican, should be donated to some Iraqi organization that might make good use of it. A small office with a few personnel would send a signal of our intent not to rule the Middle East for decades to come.

The economic benefits of a foreign policy of nonintervention are extraordinary. The wars that result from meddling in the internal affairs of other nations cause much greater economic harm than most people imagine. The cliche that war is a stimulus to economic growth is blatantly false.

The billions of dollars saved just in the last decade if we weren't in the Middle East could have been spent here at home improving the conditions of all Americans, or would have prevented our huge national and foreign debt from exploding to historic records.

Inflation, though denied by our government as being a serious problem, would be greatly reduced. We shouldn't forget, the big inflation of prices from our spendthrift ways for this war is yet to come.

Without a war going on in the Middle East, we can rebuild our Armed Forces, now run down from this prolonged war. This would certainly help the National Guard and our Reserves to rebuild and re-equip.

It's estimated that 90 percent of our Army and National Guard is poorly equipped. A new policy would return our National Guard to the States to be available when an emergency comes, no longer leaving the States high and dry because these troops are in Iraq.

Some of these dollars saved and personnel brought home could be redirected toward border protection here in this country. The border guards sent off to Iraq to train Iraqis in border control could return to their proper function here in the United States.

The constant and growing dissent here in the United States over the war would disappear. Though not as bad as in the 1960s, it's a growing problem that can't be ignored.

The threat of terrorism would be greatly reduced, as the evidence is overwhelming that our foreign policy of intervention, occupation, bombing and sanctions is the main incentive for radical insurgents to commit suicide terrorism.

Those who misled us into the war in Iraq continually claim that, yes, that's true. Mistakes were made. But now the reason we must stay is to clean up the mess we created, while never admitting that the mess gets worse and the costs go up the longer we stay.

The time has come for a change. A message that our diplomatic doors are open and the preemptive war option is off the table would be a powerful message of peace and hope, not only to the Middle East but to the entire world.

The nay-saying warmongers who preach inevitable and long-lasting conflicts must be marginalized. The time for change is now.

□ 1815

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

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

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

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

GLOBAL WARMING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Washington (Mr. INSLEE) is recognized for 60 minutes as the designee of the majority leader.

Mr. INSLEE. Mr. Speaker, I have come to the floor this evening with Mr. CLEAVER of Missouri, and perhaps others will join us, with a message of optimism in the face of a great challenge that our country faces. And we have faced many challenges, but one of the more pressing for ourselves and our grandchildren is the issue of global warming, this concern that our increased carbon dioxide and other gasses is going to result in significant climactic shifts. And the science, of course, has been very disturbing recently about this threat.

But we have come to talk about a message of optimism that our country ought to have in our ability to solve this problem. And it is a large problem. It is perhaps certainly more global than we have ever had outside of war. But we today want to talk about why we believe America is ready to face that challenge, why we believe America is capable of succeeding in beating global warming, and why we believe the effort to defeat global warming will ultimately benefit the United States economy by allowing us to lead the world in new clean energy technologies.

And I would like to, in preface to our comments today, just set the stage about what the challenge is and why we believe the solution is one that Americans are fully capable of obtaining.

First, the challenge. The challenge, of course, is that we have created a condition where we may double the concentration of carbon dioxide in our atmosphere by about 2050, twice as high as carbon dioxide has ever been since before pre-industrial times. And, of course, all of the scientists in the

world agree that carbon dioxide is a global warming gas, and it does stand to reason that if you double the amount of this global warming gas, you could have problems in your climate. And, unfortunately, the evidence has become more and more disturbing.

Just last week, the Goddard Space Science Department at NASA came out with a new report authored by lead author James Hansen that said, ''If global emissions of carbon dioxide continue to rise at the rate of the past decade, this research shows that there will be disastrous effects, including the increasingly rapid sea level rise, increased frequency of droughts and floods, and increased stress on wildlife and plants due to rapidly shifting climate zones.''

This is not a quote from some fellow living in a tepee. This is NASA. The agency that sent an American to the moon has been looking at what is happening right here at home on Earth and has concluded that, indeed, we have trouble; and what is very disturbing is that the most recent science has been more disturbing.

We were briefed by Dr. John Schellenhuller, who is the lead scientist in Europe on this subject, last week, who told us about the increasing melt in the Arctic that has increased in severity, about the melting tundra. The rate of the melt of the tundra is melting much more rapidly than was anticipated even a year ago; and, of course, that can release methane gas, which is even 16 times worse for global warming than even carbon dioxide. My local scientists at the University of Washington in Seattle have confirmed these findings.

So, basically, we have got an issue that we have got to deal with. And right now there really is a race going on in the world of tipping points. These scientists have told us that we are approaching tipping points where the climate can tip into regimes where we would have uncontrollable global warming and that that could happen in as short as shortly after the next decade.

But we have another tipping point which we believe we are about to cross over here in Congress, and that is a tipping point where the U.S. Congress will tip from sort of an approach of the ostrich, where we had our head in the sand, to tip over to the approach of the American eagle, where we will have a new vision about a new clean energy technological future for this country.

So we are here tonight to say that that new approach of optimism is one that will prevail starting next Wednesday when the Energy Subcommittee in the U.S. Congress will start discussions about a new clean energy future for this country.

I will be introducing a bill in about a week called the New Apollo Energy Act, which will come forth with a whole suite of ideas about how to adopt new clean energy solutions. And, of course, we call it the New Apollo Energy Act because we think what Kennedy believed about America, which was that we were the greatest innovation country in the world, is something that we have got going for us. So we should use our technological genius just like we did when we went to the moon.

So before I yield to Mr. CLEAVER, I want to talk about why I have optimism about our ability to skin this cat, why I believe we can dramatically reduce our carbon dioxide emissions and dramatically tell our grandchildren that we are going to use our know-how to solve this problem. And the reason I am confident about this is that in the last year I have been doing a rather intensive review of the technology that we hope to bring to bear on this subject and I have been getting to know the Americans really across the country who tonight are inventing new technological solutions so we can move forward on clean energy. I just want to mention a few of them.

First, there is a company in Massachusetts called the A123 Battery Company. I love the number. A123 Battery Company. And they have developed a lithium ion battery which is so powerful that basically in the size of about two or three shoe boxes you could put it in your car, which they are prepared to do this fall, and turn your hybrid car into a plug-in hybrid car. And I drove one actually, a converted plug-in hybrid that I drove around the capital a few weeks ago. This battery is so powerful that you will be able to plug in your car, drive it for 20 to 40 miles just on electricity, no gasoline. Then after 40 miles you use gasoline and you will get over 150 miles a gallon on either your ethanol, eventually, once it is a flex-fuel, plug-in hybrid, or your gasoline. Now, that is a heck of a deal for Americans for your first 40 miles to have zero carbon dioxide coming out your tailpipe. A123 Battery Company.

The second company called Nanosolar. Nanosolar is a new company in California that has developed a photovoltaic cell, a solar cell, which uses nanotechnology to dramatically decrease the manufacturing costs and the costs of solar energy. And they are going to make a solar cell that is 1/50 as thick as the current silicone-based solar cells. It is called thin cell technology.

A third company, Ausra Company, a former Australian company that has been moved to the United States that has breakthrough technology on solar thermal where you use parabolic mirrors to concentrate the sun's rays to heat gas to 1,100 degrees and turn a turbine, again, dramatically potentially reducing the cost of solar energy.

So I wanted to first start our discussion with the context of great Americans doing great things in energy, and here are three companies moving forward. And to continue this discussion, I want to yield to Mr. CLEAVER, who has been a great leader on these energy issues fresh in Congress. I would like to yield to him for his perspective on our ability to move forward in global warming and clean energy.

Mr. CLEAVER. Mr. Speaker, I would like to thank the gentleman from Washington for all the work that he has done on this very important issue.

I agree with Mr. INSLEE that this problem we face is not irreversible. However, time is not on our side. Almost exactly 7 days ago, I was in Greenland, and on the front page of today's Washington Post is a picture of a harbor at Illulissat, Greenland. This is about 170 miles north of the Arctic circle. And for those who might want to go to the Washington Post Web site or if you have a Washington Post, you will see blue waters.

Now, on the surface, pardon the pun, it would appear that this is normal. However, the Greenlanders explained to our delegation, which was led by Speaker PELOSI, that under normal circumstances at this time of the year this area is completely frozen. In fact, they say that their ancestors at this time of the year would get on the water, which was, of course, frozen solid, and go to Canada to get lumber to bring back to build houses. And they would travel on the water that is frozen with their dogs pulling their sleighs.

Now, I went out in a boat out to an iceberg which was melting. There are 53,000 people who live in Greenland. I did not have the opportunity to speak with 53,000, but I can tell you with no fear of contradiction that every person we spoke with from Greenland spoke to us about their fear of what is happening to their native land. These are not politicians. These are not scientists. These are not college professors. All they know is that never during their lifetime have they seen the kinds of things that they are witnessing now.

For example, they speak now of the fact that their animals can actually graze longer. Now, I never saw a tree in the entire country of Greenland, but at a very short period of time during the summer grass does grow. Greenery does appear on the landscape. And what the natives are telling us, the Greenlanders, is that their animals can graze much longer today than their ancestors and the ancestors before them had ever reported. So this means that something dramatic has happened to the climate.

I was told that just 15 or 20 years ago at this time of the year people who had automobiles could drive out into the harbor and drive around to other villages along the coast of Greenland. Today, it is blue water. This is blue water.

Well, maybe to people who are watching they are saying, well, so the water is blue around Greenland. Well, the danger, of course, is that the fact that we are seeing a melting down of the Greenland ice sheet means that the sea levels would inevitably, unavoidably,

predictably rise; and when that happens, it means that coastal areas, including the United States, are jeopardized.

Now, to the Greenlanders, it means a lot of other things, all of them bad. For example, they are noticing fish coming into the waters around Greenland that are not native there. In fact, many of the people who have never left Greenland, they were born there, they fished there, they killed whales. They also, by the way, wanted to make sure that they told us that they never killed whales or caught fish for sport, that when they killed whales they did it in order to eat and survive.

□ 1830

But they say that now they are noticing large numbers of cod coming into the waters. What does that mean? It means that they are running away from the area, fish that are native to that area, because of course they are also predators. So we are finding that the entire environment is now being altered because of global warming.

As I mentioned earlier, they know nothing about the debate that's going on in the United States. They know nothing about the charges that this is some kind of hoax. All they know is that it's getting warmer.

One of the most amazing things I saw in Greenland was a fly. Now, remember that the temperature where we were was in the 20s. This is Greenland. And my wife and I go to the window and look out, and there is a fly trying to get outside. Now, as I reported that to others, they certainly shrugged their shoulders and said, yeah, that's another example of what is happening. Twenty degree weather, which means it's warmer than usual, and flies are coming around.

And so, Mr. INSLEE, I am very pleased that you brought this matter to the floor because of its significance. And if we experience any kind of jolt to the Gulf Stream, it can alter weather throughout the Northern Hemisphere.

I think that all Americans should be concerned. Because it is clear from what I saw that people all over the world are concerned, perhaps much more so than we are here. People in Greenland are concerned. The 27 Nations of the EU are very concerned.

I was in Brussels, and they were having a presidential legislation. And as I was asking questions about the election, I was told, Mr. Speaker, that the person who won the election would be the one who convinced the public that he was greener because of the significance of this issue. If you are running for president, you've got to convince the voting public that you are aware of the climate change and that you are willing to do something about it. Unfortunately and tragically and embarrassingly, we can't say that here at home.

Mr. INSLEE. Will the gentleman yield for a moment?

Mr. CLEAVER. I will yield.

Mr. INSLEE. We are hopeful. I actually gave a speech in response to Prime Minister Tony Blair last week in Berlin. I was asked to present sort of an American response to the Prime Minister's ideas about global warming. One of the things he talked about is what the Europeans have learned is that we need some action, some policies to drive investment into these clean energy technologies that can produce the clean energy to avoid the kind of problems you are describing in Greenland. And of course the President is right now in Germany today at the G8 Summit.

We are hopeful, although probably not that optimistic, that the President would propound some ideas where we will guarantee our grandchildren that we are going to reduce our CO_2 emissions. Now, one way or another, Congress needs to do that, because we've got an obligation to American grandkids to do it.

I want to just note a couple of things. It's not just Greenland that is experiencing it. It's the good ole U.S. of A.

I got to know some people in Alaska in a little town called Shishmaref that sits on the Arctic Ocean. That is the first city in America that is having to be relocated due to global warming because they live right on the coastline, and the tundra that supports their houses is melting, and the seas are encroaching, and it has actually eaten some of their houses already. They are actually going to have to move their entire city. They've already voted to do it. They are going to move it 13 miles inland to a little place called Fish Camp.

It will be the first American city to have to relocate its first victim of global warming. That's a sad day when you think Americans already have to relocate their cities. So this is not something that's 50 years in the future. It's here today.

Now, we have experienced off the coast of Washington and Oregon the same issues you've talked about, about new species of fish coming in. And our ranchers down in the western United States are having unprecedented drought they are having to deal with. This is something Americans are suffering today. And that is why, starting next Wednesday, we hope to have an aggressive congressional response to help these clean air technologies move forward. So I appreciate your observations of Greenland.

I wonder if I could maybe yield to Mr. UDALL, who has joined us here this evening, who has been a leader and certainly has a long tradition in his particular family in leading environmental issues.

Mr. UDALL.

Mr. UDALL of New Mexico. Thank you very much. And I very much appreciate the gentleman yielding.

Let me say, first of all, to Congressman CLEAVER, you told a story that I think we hear over and over again about the effects around the world. You told it for Greenland. You took a trip up there that I think is going to go down in history as a turning point.

The Speaker of the House, you were with the Speaker, NANCY PELOSI. She takes this trip to Greenland, she sees this ice cap, sees what's going on and has said to the United States House of Representatives that she is going to do something about this, put it on the schedule and move it forward. So all of us, I think, Representative INSLEE, are very gratified by that because we feel that there has been a sea change here in the House. We have gone from just a few short years ago ignoring this issue to now where the Speaker says we are going to do something about this, and that is very gratifying.

I would like to point out, too, I think that ice cap is in some places two miles thick. And so people should realize when we are talking about a two-mile thick ice cap, if that thing melts, it raises the oceans, and many of our costal areas in America would be under water.

But, JAY INSLEE, I agree with you very much. We don't want to paint doom and gloom. This is about optimism. And you have been an incredible leader on energy. I hope you will a little bit later explain to everybody your new Apollo Energy Act, because that is one of the areas that you have led out in particular. I know you are writing a book on energy. You have done so many things here in the Congress in terms of leading on this issue.

The one point I wanted to jump off on, you mentioned new technology. I don't have any doubt that we are going to be able to unleash unbelievable new technological solutions to energy. I also believe that there are a lot of things that we can do right now that we could, as a Congress, and I think you are going to see this in the energy package that the Speaker puts forward in July and calls up, things that we can do right now to make a real difference on CO_2, on pollution, and on energy efficiency. And let me just tick off a list here.

Fuel efficiency of automobiles. I think easily today we could end up doubling, it is technologically feasible, doubling the fuel efficiency of the fleet, going from about 24 miles per gallon now up to close to 50, and we could do that very easily.

On wind energy. New Mexico is one of the places in the United States of America which has the benefit of having a constant wind, and we have already ramped up from zero to 10 percent in the last 5 years. So 10 percent of our last electrical base is wind. There are many other places in the Nation that can do that.

And people are now starting to purchase, as Representative INSLEE knows, people are starting to purchase, on their electric bills they can sign up and say I want clean energy, and many times that is hydro, which JAY has up in the Northwest, solar, which many of us have in the Southwest, or wind or some other form.

Conservation. There is an awful lot we can do there. We know that in the European countries they use half what we do. And so there is a lot of waste going on out there.

The one little simple thing I marvel out in European countries, and all of us who travel, is that when you go to a European country and you stay in a hotel, when you go out of the room, they have a button at the door that shuts off all the lights. You just punch one button and all the lights are shut off. As you know, in almost every American hotel or motel, you have to go around individually and shut out every light. And they have done that technological thing, JAY, to try to look for ways to do savings and make it easier for people to do it.

Energy efficient bill. Once again, I think that we can do a lot there. This is a huge contributor in terms of CO_2, energy efficient, more efficient appliances, air conditioners, things like that, and a new energy portfolio for our power companies, where we take a mandate and say to power companies you will produce by 2020 20 percent of your power from renewable sources.

So I think those are some things we can do now, and I hope we will talk in a little bit about some of the things specifically we would do on carbon dioxide emissions.

I would like to yield back to the gentleman from Washington.

Mr. INSLEE. I really appreciate Mr. UDALL talking about efficiency, because I think we need to look at it as the first fuel. Before you start generating excess energy, if we could figure out how to use it more efficiently and not waste it, that's what I look at as like finding money in the street, it's the first fuel. And Europe has had tremendous success. England has increased their gross domestic product by 70 percent in the last 20 years, but their use of electricity has remained flat. That is a tremendous improvement of efficiency. You don't waste it.

But it is not just the English. We have something to brag about here, too. California has increased their gross economic activity by 50 percent in the last 10 years, and their per capita use of electricity has remained flat. They have done it through measures such decoupling utilities with the rate of growth of electricity so utilities now can make money by selling less energy by selling efficiency. And it has been effective.

In my city of Seattle, in my neck of the woods, the same thing has happened by doing some of the commonsense things we have talked about.

There are some amazing technologies coming in in efficiency. I went and talked to an organization called SIPs, Structural Integrated Panels, last week. They had their national convention. These are panels that are sort of a foam core with a wood fiber sandwich on both sides that are a structural panel you can build a house with so you don't need studs. You build these things, and you can get 20 to 30 percent less heating cost for your home. This is an invention of folks in America, and we can build part of the construction industry by doing that. So I really appreciate your focus on efficiency.

I want you to know, you mentioned wind. I remember talking to, in the course of writing this book Mr. UDALL referred to, I fell across a story out of Missouri, Mr. CLEAVER's State. And there was a quote by this farmer that said something to the effect like, Man, there is nothing better than sitting there watching that turbine go around, and I just count the money every time the blade goes around. Because they get paid by the utility to put the turbine in the field. That's a good way to do it.

So I would like to yield to Mr. CLEAVER for his observations.

Mr. CLEAVER. There is a great deal of movement toward wind energy in Missouri and in the State of Kansas. In fact, one of our colleagues who is serving here with distinction, Mr. CARNAHAN, has a brother, Tom Carnahan, who does this full time. He actually has a windmill farm not far outside of Kansas City, Missouri.

One of the things I think is extremely worth noting, particularly as the three of us speak about this subject, is that some people are nervous about discussions that we are having with regards to the changes that need to be made in this country. They falsely believe that we are going to reduce the quality of life, that we are going to damage industry. And what I have said is that if we will unleash this incredibly creative American creativity and ingenuity, that we will be able to transform our energy use in a way that we would create new jobs.

For example, there is a plant in China that produces most of the highly efficient light bulbs. They don't use them in China. We buy them here. And there is not a single plant in the United States that manufactures this particular light bulb. So I think we have the capacity to make alterations without damaging our economy, by not even causing a dent.

Let me just say that, in having had the opportunity to meet with some of the MPs in London, I found out that a bill was introduced March 13, 2007, to the Parliament.

□ 1845

Members from three of the parties were in the dialogue. They said, without any reservations, the bill is going to pass. There is no question. It is going to pass. Now, these are people who don't agree about much else. They agree on one thing, that we are in the midst of climate change, and, number two, they have to do something about it.

So the bill that was introduced is aimed at moving the United Kingdom to a low carbon economy. It would require a mandatory 60 percent cut in the UK's carbon emissions by 2050 compared to the base level, which was 1990, with an intermediate target of 26 to 32 percent by the year 2020.

The EU has also agreed to cut by 20 percent emissions by the year 2020 and by 30 percent if it is a part of an overall agreement that will include the United States. I will just say what we heard over and over again was, what is the United States going to do? The United States is the leader.

In Parliament, as we were talking about the need for us to work together, one of the members of Parliament became quite agitated and said to us, well, it is good you guys are coming over here talking to us about this, but we had a meeting with a Member of Congress. I am not going to call the Member's name. It is not that important. But he said, we had a meeting with a Member of the United States Congress who told us that this was a hoax. Of course, we sat there, and Speaker PELOSI, as she did throughout the trip, made sure that they understood that we were a delegation, it was a bipartisan delegation, that we were not there to cast aspersions on any of our colleagues, that we do have a deliberative body, that there are some people who have not quite caught on yet to what the rest of the world seems to have caught on to. But it is my hope, it is my prayer, that this body will realize what the rest of the world already realizes, that there is climate change and that there is no need to debate the science, only what we are going to do as a result of it.

Mr. INSLEE. That is an important point. I think the good news we can share with Americans is that there are a lot less people in this Congress than there used to be who believe it is a hoax, and that is, in part, because they have read the science. People are seeing it with their own eyes. Now they are hearing from their constituents, frankly, and they are hearing from their own scientists.

I just want to read this NASA report that just came out last week, and it talked about the urgency. Mr. CLEAVER, you said, we don't have a lot of time to deal with this; we don't have 50 years to deal with this.

This report said that basically there are two ways we can go. We can go the business as usual approach, or we can have a second approach, an alternative approach to reduce our CO_2. Basically this report said that with another decade of business as usual, it becomes impractical to achieve the alternative scenario because of the energy infrastructure that would be in place. This was a quote from Mr. Hansen of NASA, basically meaning we have about 10 years to change course here a little bit to have more essential efficiencies, to have more clean energy, to put our minds together to figure out how to have a cleaner energy future. So we don't have the luxury of a lot of time.

But again I want to come back to this idea of optimism, why I am optimistic about it. Mr. CLEAVER mentioned Mr. CARNAHAN started a wind

turbine farm that is doing great. They are earning farmers a lot of money. They are earning construction crews a lot of money to build these things. They are generating revenues in Missouri. This is happening all over the country, that tremendous growth, 15, 20 percent growth a year in this wind turbine wind energy.

I want to tell one little story that I think is typical of what we are going to see in America. A fellow in Seattle, Washington, named John Plaza who is an airline pilot. He was a good airline pilot, but he sort of got tired of reading books while he was flying back and forth. That is what they do in the cockpits, a dirty little secret we can share.

He decided he wanted to do something entrepreneurial. He started looking around for an idea that he could advance to create a new, value-added business, and he started to think about energy. He started thinking, is there a way that I could sort of develop a clean energy resource and make some money as well? He started to focus on biodiesel.

So this fellow, who was not an engineer, not a chemical engineer, not a mechanical engineer, didn't have an MBA, he literally went home and started to tinker in his home about how to make biodiesel out of various vegetable products. He hit on a way to make biodiesel that he thought was as good or better than anybody else.

He went out and raised a few dollars, rented a little tiny room in an old warehouse and bought the old beer vats from the Rainier brewery in Seattle, Washington. The Rainier brewery used to be the iconic beer in Seattle, Washington. He bought the old vats they used to brew beer in and he started to brew up biodiesel.

John Plaza is now CEO or CFO of a company in Grace Harbor, Washington, that is going to be the largest biodiesel plant probably in the world, or at least in the Western Hemisphere. They are under construction. They are going to be open for business some time next year, over a million gallons a year.

This is a product that reduces carbon dioxide, uses products we make, either canola seed or perhaps palm oilseed or perhaps soybean oilseed they are starting to bring in.

But the point is, here is an American success story of a fellow with an idea who wanted to find a way to maximize clean energy. We just need a way in Congress to help drive investment to those new clean energy sources.

I want to mention one thing about how Congress can help people like John Plaza to develop these new businesses.

One of the things we can do is next Wednesday we will be hopefully passing what is called a low carbon fuel standard. A low carbon fuel standard will basically say that the fuels we burn in America every 5 years will get 3 percent cleaner when it comes to carbon dioxide. And when we pass that low carbon fuel standard, it will create an incentive for investment to go to these businesses to develop these new higher, cleaner forms of biofuels.

You know we are using corn ethanol right now, but it is really just sort of the first generation. I liken it to the Wright brothers Flyer of aviation. It is just the first craft we can get in the air. But we need cellulosic ethanol and advanced forms of biodiesel that will produce a lot more product per acre and a lot more CO_2 savings, and we believe we can do this.

So here is one thing Congress can do, and I know there are many others.

I yield to the gentleman from New Mexico.

Mr. UDALL of New Mexico. Representative INSLEE, your optimism and Representative CLEAVER's optimism is what should imbue this entire debate because there are many, many things we can do.

Just to give you another example, in New Mexico, when I was back going to town hall meetings several months ago, I visited an area outside Taos, New Mexico, and this small, little operation was set up to collect all of the fast-food oils in town. They would go to the various hamburger joints and others and collect these excess oils that were basically being thrown away. They were having to pay companies for somebody to come and take them.

These individuals were taking them, and they said, we will just take them off your hands. You don't need to pay us. And they went out and they set up an operation with just a couple of tanks. They put the oils in there. They put a little bit of lye in. They mixed it up. They had a chemical process. And I rode around that day in a diesel truck where they pumped the fuel right from these tanks, and that was biodiesel.

They told me that from their testing and everything that they had understood, is that this was completely clean fuel. In fact, it took them a while to convince the City of Taos to run the city bus on this fuel, because the mechanic was very worried. He said, this is new. And this is going to cause a problem.

Well, it ended up they said, we will do it for a trial period. They did it for 6 months in the city bus. The mechanic took the engine apart to retool it, and he said it looked like the engine hadn't even been operating over that 6 months. It was so clean.

So there are wonderful things that we can do. There are great success stories out there. We need to get out that word, and we need to move in a clean energy future. I mean that is the real key to things.

I would like to talk just a minute about how do we get there? Because the people are probably asking, they are watching us and they are saying, why is it that the American people, by 70 and 80 percent say we should move to clean energy, we should do all the things we have been talking about this evening. Why aren't we doing that?

Well, the reason is because the rules of the game right now are set up to favor the established industries that are there. The laws, the regulations, the subsidies, the tax credits, for the most part, are emphasized and pushing us towards fossil fuels as we know.

All these laws and regulations and subsidies kind of shape the energy market. As many of us know, this energy bill we recently passed, I think in 2005, most of the subsidies in that bill went to major, mature industries; oil, gas, nuclear, coal.

So one of the things we have to do, and I know Representative INSLEE has been working on this, he is going to be doing this in his committee come this summer, is how do we change the rules of the game? How do we put a price on carbon dioxide emissions to change the whole marketplace? I think that is what we are going to be doing this year when we start getting into energy.

I have a bill, Congressman WAXMAN has a bill, Representative INSLEE is on a variety of bills, Senator MCCAIN over in the Senate has a bill. But the basic theme of these bills is, put a price on carbon dioxide and start moving us in a new direction.

Mr. INSLEE. The gentleman is entirely correct. Later this year the House will consider what is called a cap-and-trade system. Americans are probably going to hear that term a lot. A cap-and-trade system basically means that we will set a cap, a limit, a total ceiling on the amount of carbon dioxide that will be a pollutant going into the air a year in the United States of America. That is not too much to ask for our grandkids to say we are going to have a total amount of pollution that we put into the air.

Now we have done it for sulfur dioxide. We have done it for nitrogen oxide. We have done it for particulates. But there is this giant loophole you can drive a Sherman tank through for carbon dioxide.

So it is interesting. We have all these laws that set ceilings for the amount of pollutants that go into the air, but the granddaddy of all, the most dangerous pollutant there is in the world right now, carbon dioxide, there is no limit whatsoever. So Congress owes to ourselves and our grandkids to set some limit, a cap, on the total amount of CO_2 that is going into the air.

So then the question comes down, how do you allocate who is going to put the pollution in the air? Well, there are a couple of ways to do it. Congress can just hand permits out and we decide. But there is a better way, which is basically a trading system where these permits originally are allocated, but then businesses are allowed to trade them amongst themselves and establish a market for carbon.

Europe has done this. I have spent a week looking at how that system worked last week, and I can report that it has been successful to the extent that it has established a cap and a price on carbon. And once you establish a price on carbon, well, what do businesses do? They start figuring out

ways to not waste energy and how not to put more pollution into the air.

Importantly, this cap-and-trade system is the most economically efficient way to distribute this resource. I got brainwashed by economics when I went to school at the University of Washington. Basically what we learned is that having a trading system, you end up having the most efficient way to find out how to drive economies and efficiencies in your system.

So later this year we will be considering a cap-and-trade system. We will set a limit, and it will be the first step in this road to really a clean energy economy.

Now I want to note something about a cap-and-trade system, and this is one thing I learned in Europe last week, it is not enough. It is only one tool in the toolbox. This is really important, because next week we will have before us in the Energy Committee a host of issues of ways to drive this clean energy future forward not waiting for this cap-and-trade system, issues like this renewable portfolio standard, where we tell people 15 percent of our electricity comes from clean standards, a green building standard, so that we require new building codes to have energy efficient buildings, a low carbon fuel standard so we use low carbon fuels, a whole host of measures like that. Those are very important. A cap-and-trade system is not enough.

In fact, it is interesting, in England, we met with a minister who basically they told us they might have had 15 million tons of savings in carbon dioxide from their cap-and-trade system, but they had 100 million tons savings in carbon dioxide by this combination of measures to have more efficiency in their industries.

So next week we will be taking some first steps in the road to a clean energy future that are very, very important, that are going to help these businesses grow.

□ 1900

Mr. CLEAVER. Well, I am wondering whether or not either of you, and I don't know if you are into horror movies, and there is enough horror going on without having to watch it on television, but there is a movie starring Kurt Russell, and I imagine the movie is 15 years old, maybe older. The movie is called ''The Thing.'' It is a movie about a group of scientists and military people out in Greenland at a facility. At the end, of course, they kill this thing that has been frozen under the ice for perhaps a millennium, and the movie ends with all is well.

The movie was actually based on the Swiss camp which is a real camp that is out in the middle of Greenland where scientists stay out all year long measuring temperatures, measuring the melting snow. They have concluded that the temperature has risen 11 degrees over the last 10 years.

What happens is many of the natives who used to make money by taking tourists out on 12-day excursions on the ice can no longer do that because the ice is melting. You might go somewhere you have routinely gone, and now the ice is cracking and your dogs fall into the water, so that doesn't happen.

I always believe there is a solution, and I think there are a number of things, as Mr. INSLEE has mentioned, with regard to capping trade, which I think is, as he said, a part of the solution. There are probably going to be a potpourri of things that we change and implement in order to bring the CO_2 level down.

But it occurred to me, because I am a United Methodist pastor in my real life, that if people believe it is the government prodding them, pushing them, maybe even beating them into changing, there will be some resistance. But if, on the other hand, they understand that one of the responsibilities of the human race is to be good stewards of the world that God made for them, then it is easier for them to look at their activities, their actions, and make modifications.

In the book of Genesis, we are told that the Earth is the Lord's and the fullness thereof, and then God says to mankind, humankind, go out and subdue it. Now he did not say go out and undo it, but rather subdue it.

If you look at the word ''subdue,'' break it down, it actually means taking care of. So we have to take care of it. The good news is on this Thursday evening there is a growing phalanx of legislators in this House who believe that a change is not only necessary but that it is going to come.

One final thing on this, although it is not really all that related.

I have a mobile Fifth District office that we use in my district in and around Kansas City, Missouri. It runs on grease, and the technology is probably not as good as it will be because sometimes, if you stay in it all day, you do smell like a Big Mac. However, it is demonstrating that we can make changes and that the Congress must show the way. As opposed to having one of those big gas guzzlers, we, with great intentionality, had a van designed to use grease.

I have a bill which will require, if approved, that all Members of Congress who lease automobiles with taxpayer money must lease an energy efficient car. I think, as Ghandi said, we must be the changes we preach. I think Congress can show the way; and, in fact, I think Congress is showing the way.

Mr. INSLEE. Mr. CLEAVER, I appreciate your comments, especially sharing the idea that I think all faiths share about this idea of responsibility to the creation and to our grandkids. I appreciate you bringing us back to that fundamental truth.

I want to address the issue of Greenland. Greenland is changing dramatically. I have had some people ask me isn't it true that Greenland has changed in the past as far as their weather and why is this a problem now. It is true during Erik the Red's time, Greenland did have more green involved in it. They had some agriculture in Greenland when you had this little warm period during the time of Erik the Red.

But what the scientists tell us is there is a huge difference between that situation because now we are going to drive carbon dioxide levels by 2050 twice what they have ever been for tens and hundreds of thousands of years and that those carbon dioxide layers trap energy and heat. It is going to make the days of Erik the Red look like the Ice Age.

So even though there have been wide fluctuations in the Earth's climate before, what the scientists tell us is the rate of change is unprecedented ever in the historical record and that we will go into a period that really is unprecedented as far as we know pretty much in global history. So the things you are seeing in Greenland are very much of concern, and I hope we are going to start working to move that forward.

I yield to the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. Mr. INSLEE, one of the things that you mentioned early on, and I think we are being held back. You were in England and you talked to Tony Blair and Tony Blair's minister. The G8 countries are meeting. There is no doubt in these G8 countries, the meeting going on right now, they want to set for these industrialized countries a specific cut in CO_2 emissions. They want to commit to a specific cut. They came into the G8 meeting saying let's have a specific cut on CO_2 emissions; and our President went over and sidetracked that and derailed that and basically said, no, we don't want to commit to that.

I think the big debate here is are we going to have voluntary measures or are we going to move towards some mandates and a cap in trade system and a regulatory system so we can get ahold of this.

Mr. INSLEE. I think you have put your finger right on the nub of the issue. The President says he now, finally, and I suppose this is a small ray of happiness, he now finally recognizes there is a problem of global warming. But he expects volunteerism to solve this problem.

Well, I can tell you one thing we all know, you can run a bake sale on volunteerism, and maybe you can run a boy scout troop on volunteerism, but you cannot run a war on global warming on volunteerism. Think about this for a second. Here is what the President proposes. He thinks that he can just send a letter, nicely handwritten, to the CEOs of the oil and gas companies, would you kindly think about not polluting anymore.

Well, that would be just about as effective, if he simply tries to run that on a volunteer basis, to just rely on the good graces, and I have nothing against the executives of these companies, they

are fine people, but just relying on them to volunteer would be just as effective as relying on consumers to volunteer whether you are going to pay at the pump when you pump gas.

Now you can just see the executives with their tin cup and their tithing cup out there trying to collect money from the pump. It doesn't work that way. You have to have some requirement that we both pay for gasoline and you have some measure to require these companies to reduce their pollution. That is a fair statement. It is required. It is the only way we are going to solve this problem.

Most importantly, it is the only way we are going to drive investment to companies like A123 Battery and Finavera Renewables which is going to have the first wave-powered buoy off the coast of Oregon in this next year to produce electricity from waves bobbing up and down.

So, Mr. UDALL, you are correct. We have a responsibility in Congress to create these limits on CO_2 pollution. We are going to do that; and, when we do that, we are going to unleash the innovative power that Americans have. The same genius that got us to the moon is going to get us to a clean energy future, and our grandkids will not have to deal with global warming.

I would like to yield to the gentleman from California (Mr. BACA) on an unrelated subject.

IMMIGRATION LEGISLATION PENDING IN THE SENATE

Mr. BACA. Thank you, Mr. INSLEE, for allowing me this time to speak on the comprehensive immigration legislation that is pending on the Senate side.

I appeal to the Members of the Senate on a bipartisan basis to vote on allowing for the cloture of the legislation to move forward on behalf of the 12 million and some undocumented here in the United States. Undocumented means there are people, not only Hispanics, Irish, Italians, Asians, African American. It impacts a variety of different individuals.

Without allowing cloture, we will not be allowed an opportunity to fix the immigration legislation as it stands right now and will allow the continued abuse that exists. We need to protect American families and working families. We need to make sure that we allow this legislation to move forward.

On behalf of democracy, I appeal to all of the Members on a bipartisan basis to allow this legislation, to allow the debate to continue. It is important that all of the Senators tonight, those individuals that can, and I would like to commend Senator REID, Senator SALAZAR, Senator MENENDEZ, Senator KENNEDY, Senator FEINSTEIN, Senator GRAHAM and some of the other individuals who have taken a stand in support of a comprehensive legislation. We need you to allow this process to continue.

If this process does not continue, America will lose. The taxpayers will lose. It is our responsibility.

When we talk about national security, we need this legislation to allow the process to continue. When we talk about protecting, and I know some of us don't like the legislation. There are individuals that say I don't like provisions of the guest worker program or the border aspects or the enforcements. I think we will be able to fine-tune it and work on it to allow the process to where we can fix the legislation.

On behalf of working families and on behalf of protecting the American people, we need this process. We need this legislation on behalf of humanitarian issues. We should not have people living in fear, not knowing whether they are going to be here for the next couple of years or what is going to happen to the 12 million and some. It is important.

Senators on your side of the aisle, please allow this process to continue to happen. Vote for the cloture. Then you can vote on provisions, whether you like or dislike other portions of the bill. But allow us to continue to have the debate in order to make sure that we continue to protect the American people and we continue to protect working families and we end illegal immigration as it is right now and fix it. It is important.

REMEMBERING CONGRESSMAN WILEY MAYNE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the minority leader.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to be recognized here on the floor of the House of Representatives and to have the privilege to make some remarks tonight about the life of a former colleague for some of the Members here in Congress and one of the real stars in the Sioux City area that I have the privilege to represent today, and that is the life of former Congressman Wiley Mayne who passed away a little over a week ago at St. Luke's Hospital in Sioux City, Iowa.

Late Congressman Mayne represented the 6th Congressional District of Iowa for 8 years here in this Congress. That was during a time when this country experienced great turmoil. He came from Sioux City and represented much of the northwest Iowa area. He was elected to Congress in 1966 and was sworn in here on this floor in 1967 and served until the early days of 1975.

As you know, Mr. Speaker, the '60s and the '70s were tumultuous years for America. But despite the challenges before him, Congressman Mayne accepted an appointment to the Judiciary Committee. Serving on the Judiciary Committee, I appreciate what that means. Only a few years later, he participated in that panel's hearings on the impeachment of President Nixon. That was in the wake of the Watergate break-ins but actually before the Nation heard the tapes that confirmed what actually happened. For his service to America during this tense time, he will be long remembered; and to a significant extent it defined his political career.

Tonight, we are here to celebrate a man whose service and accomplishments went well beyond the work of any congressional committee.

Mr. Speaker, I have much to say about the gentleman whom I have had the great privilege to represent, former Congressman Wiley Mayne.

□ 1915

But I inherited that representation from the gentleman next to me, who also represented the Sioux City area for, I believe, 8 years prior to my privilege to represent them, and that's the gentleman to my left, Congressman LATHAM, who now represents the north central regions of Iowa, and I would at this time yield to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. Mr. Speaker, I thank very much Congressman KING for the time.

It is very difficult for me to talk about someone that I admired so much as Wiley Mayne, the idea of him having passed this earth. Wiley was born back in 1917. He passed away on May 27 of this year. He was born in a little town of Sanborn up in O'Brien County, and what a great area up there, a lot of the good Dutch men, and grew up, went to school there.

And you think about someone coming from Sanborn, Iowa, then going off to Harvard to college, and he got his bachelor of science degree, continued studying law at Harvard, came back to Iowa and finished his law degree at the Iowa Law School.

In 1941, he joined the FBI and had his career there. And then, during the Second World War, from 1941 to 1943, he served in the United States Navy and escorted destroyers through the Mediterranean, the Atlantic Ocean, the Pacific and served his Nation extraordinarily well at that time.

He came back to Sioux City, practiced law for a couple decades, then became the president of the Iowa Bar Association and obviously was so admired and respected by his peers to have an honor bestowed on him like that.

Like the gentleman from Iowa (Mr. KING) said, Congressman Mayne was elected to this Congress in 1966 in the 90th Congress, served in that Congress and the three following Congresses and served his people extraordinarily well. He was someone who was dedicated to his constituents, someone that cared all the time about his constituents.

And you talk to people who were around him at that time, and that's the thing that you will hear over and over, was his concern, his great job of representing his constituents. In my mind, in this job, that is our highest calling is to try and represent to the best of our abilities the people that we are honored to serve in this great body.

Like Congressman KING said, Congressman Mayne had the committee assignments, both Judiciary and obviously with the Watergate investigation and his service on that panel, then also served on the Ag Committee, very, very important to the Iowa interests, and served extremely well.

The thing I will always remember about Wiley, though, is his deep love and devotion to his wife, Betty. And they were a couple. You'd have the pleasure of meeting up with them at a lot of Republican events and around, but they rarely missed anything, were always so much part of the community.

And Wiley served on the Sioux City Orchestra Board for years and years, I think was president for 20 years, but so involved in the community.

But his love for Betty, who he unfortunately lost back in 2001, was devastating to Wiley, and was such a model of a couple who cared for each other, cared for their community, and certainly, most importantly to them were their children.

Martha Smith, who is their oldest daughter, lives in Colorado now. Wiley, Jr., also I believe lives in Colorado, and their youngest, John, who's a very good, personal friend of mine, who has been such a great help to me personally and to so many people throughout the Sioux City area, but their love for their family, for their grandchildren, for their community was something that was an example for everyone to see and their dedication to their grandchildren especially.

It is very, very difficult to think about Wiley not being around. I think back when I first ran for Congress back in 1994, and to go over to Sioux City, where I wasn't really familiar with all that many people at that time, but I had the real pleasure and honor to get acquainted with Wiley and John and Betty at that time and to seek their support and which they gave me. And I would not be successful here today if it were not for the advice, counsel and support that they gave me. Wiley was just a wonderful, wonderful person.

When you think about people who always are thinking beyond themselves, who act on behalf of other people, who are truly concerned about what this country stands for, what their community is about, how they can better the world that they live in for their children and for their grandchildren, Wiley Mayne was one of those people, and he will be dearly missed by so many people throughout Siouxland for so long.

And certainly, I want to extend my personal condolences to the entire Mayne family, all the children, the grandchildren, all the friends that mourn his loss, as certainly I do, and I know Congressman KING does, also.

But he was an example to me. I went through the predicament, the situation with the impeachment process for President Clinton, and the first person that I called for counsel was Wiley Mayne because he had been through it. And I think people misrepresented what his real position was because he was betrayed by President Nixon, but to get his counsel, to get his insight, to get his thoughts, someone who was so smart and so normal, who could talk in real terms, who could relay not only the facts but the emotions, the feeling, the real sentiment about what this was all about and the long-term, historical part of what was happening.

I just want to tell Congressman KING, I appreciate the chance to visit a little bit about Wiley, but I'm going to miss him personally. And again, I just extend my most sincere condolences to his entire family.

And the best thing we can do for Wiley is to celebrate him, celebrate his life, celebrate the positive things that he did and celebrate the legacy that he has left for the folks in Sioux City, for Siouxland and the State of Iowa and for this entire country.

And I thank the gentleman for yielding to me.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Iowa (Mr. LATHAM) for contributing his time to this cause, and then for me it is a privilege, also.

I wonder, if Wiley were here today, what he would say about TOM LATHAM actually being the first Republican Congressman to represent Sioux City who had not been educated at Harvard since 1966. I would imagine he would have a couple remarks to make about that had he given it any thought. I'm going to be interested to hear what the family might have to say about that as well.

It is one of the things that is the distinction as the second Republican who isn't Harvard-educated, but there has been a certain trend that's there. And I think one of the consistent themes that you hear and one of those certainly that I reflect in my experience in time with Congressman Wiley Mayne was the fact that he was a consummate gentleman, and I can see him sitting there at those events with that smile on his face. He enjoyed sometimes just watching, listening to speakers, watching people, meeting people, being part of it, didn't have to be in the center of the action, but enjoyed being where there was activity and people. And there was a certain glow about him, and the consummate gentleman portion of that was a portion that I always recall.

And my last memories are sitting in his conference room there in the attorney's office with his son, John, and talking politics, talking current events, talking all kinds of things but never with a sense of what was high stress or high intensity. If my approach to things gets to be a little bit herky jerky, his was always smooth and well-thought out, with a course in mind.

And one of the comments that I've heard that's consistently come up has been, if you find yourself on opposite sides with Wiley Mayne, you still end up being his friend in the end, and that's an Iowa characteristic perhaps. I'd like to think it is, but it's a characteristic that certainly Congressman Wiley Mayne carried with him throughout his life and his service here.

I've had a number of Members come to me today that have served with Wiley in this Congress, and some have asked the opportunity to revise and extend their remarks, and we'll see more of this CONGRESSIONAL RECORD unfold as we commemorate the life of Congressman Wiley Mayne.

And so what I would like to do, if the gentleman is ready, is simply be in a position to wrap up my thoughts at the conclusion of this period of time. In order to do that, I'd be very happy to yield to the other gentleman from Iowa (Mr. BRALEY), who is more of a new arrival here to this Congress.

Mr. BRALEY of Iowa. Mr. Speaker, I thank the gentleman from Iowa.

It's my honor to be here to honor the life and memory of Wiley Mayne. I did not have the good fortune of meeting Wiley, but I did know his son John very well. And if children are a reflection of their parents, then he certainly was a wonderful person.

And actually, I'm here for many reasons. One of them is, Wiley and I had many things in common. Wiley was an elder in a Presbyterian church in Sioux City, and I was an elder in a Presbyterian church in Waterloo.

He was a past president of the Iowa State Bar Association from 1963 to 1964, had a distinguished service in the U.S. Naval Reserves serving on destroyer escort duty in World War II.

But I think one of the things that Congressman KING mentioned that Congressman LATHAM and I and all of the other Members of the Iowa delegation feel so strongly about is that Wiley was the type of person who really exemplified what we feel are Iowa values. He was somebody who believed that representing his constituents did not require him to tear down someone else or their constituents.

He was an incredibly handsome man, if any of you have seen pictures of him. His dedication to his family was evident from the way that he lived his life.

When I had the opportunity to work with his son, John, on some cases up in the Sioux City area, we spent a lot of time talking about his father and the work he did in the House of Representatives and how proud he was to serve the constituents of northwest Iowa. And I know that his constituents remember him and remember that he also exemplified what it means to take tough votes based upon your conscience and your convictions and sometimes having to pay the price for that.

So I was very, very honored to be asked to come tonight and to speak on behalf of Representative Mayne. He will be missed by his family, his friends and his many constituents that he served in the northwest Iowa Sixth

District with distinction during the 1960s and 1970s, and I'm very, very grateful to Congressman KING for inviting me here to share those thoughts.

Mr. KING of Iowa. Well, I thank Mr. BRALEY, and in reclaiming my time, I appreciate you coming to the floor tonight to enter your remarks into this RECORD and to voice your sentiments about Wiley Mayne. I didn't realize that you had a relationship that had connected across the State over to Sioux City and with John and with Wiley.

And I'm always pleased to find out that sometimes we think that it's a small world, but in fact, I think it's a big neighborhood.

Mr. BRALEY of Iowa. It is a big neighborhood, and Iowa is a large State geographically but small in many ways, and that's why it's so nice when these things come around full circle.

And I know that his family will miss him. I know they were very, very proud of his many accomplishments, and I just want them to know that my thoughts and prayers are with them during this difficult time.

And we certainly are proud to be here tonight to honor this great Iowan.

Mr. KING of Iowa. I thank very much Mr. BRALEY, and I'd like to reflect upon some of the things that have been written and said about Wiley Mayne, former Congressman, and most recently passed away Congressman Wiley Mayne. These are just some blogs that were posted in the paper.

And I would reflect that, when you've been out of public life since the first days of 1975, and 33 years pretty much, that's a lot of time that's passed. And it's more than just a generation, and it approaches a second generation. And many of the people that live in the Sioux City area were not there and maybe were not born yet when Wiley Mayne was our Congressman.

I remember those days, though, when he was, and I remember his image he had in our household. And we spoke reverently of Wiley Mayne for the positions of character that he took, and we watched him go through the agonizing period of time during the Watergate break-ins and the period of time that was very tumultuous.

□ 1930

We were in the middle of Vietnam War. We had the Watergate break-in. It's interesting that Marilyn and I were married on the same day of the Watergate break-ins, as was Governor Branstad on June 17, 1972. That's how we remember that.

Wiley Mayne was my Congressman then. We had great reverence for him and great respect for his integrity. But the reflection back on that, that many years, to inspire someone to go to the keyboard and type some words in to post on a blog that may not be read, but they will be, because I think it's important for me to put this into the RECORD.

Here is one from Mr. Joel Greer, and it's published May 29. ''Wiley Mayne is one of the last of the fine, older generation of gentleman lawyers that have made Iowa a good place to practice law. By the end of the case he had against me, we were friends. I loved travelling to depositions with him because he had so much worldly experience but was so humble. He gave good counsel to clients. He comported himself well as our Congressman. He was the consummate volunteer as President of the State Bar Association. I am pleased to have known him, and I thank his family for sharing him.''

I second those sentiments.

From Mr. Ronald Scott, same day. ''It was a pleasure to have met Congressman Mayne. He was a friend of my father, Harold Scott; and I met the Congressman when I had my first trip to Washington, D.C., in 1968. I deeply appreciated the time Congressman Mayne spent with our family. I remember him as a true gentleman and an excellent representative.''

Think of that, from 1968 until a little over a week ago, to have made that kind of an impression on a visit here, that that would cause Ronald Scott to go to the keyboard and put those words in on the passing of Congressman Wiley Mayne.

Here is a gentleman I do know, Mr. Keith Uhl, who happens to be an attorney. ''As a member of Ben Reifel's (R-SD) staff in Washington D.C., '68–'72 we worked closely Congressman Mayne in Iowa and South Dakota. Wiley was always pleasant, cooperative and effective. His spirit continues thru his efforts for many. As growing up in Mapleton, Iowa, then the western Iowa communities appreciated his fine representation. God Bless. Keith Uhl, Des Moines & Mapleton, Iowa.''

Those are some of the sentiments that have come out about Wiley Mayne. I have a series of things that have been repeated by Members who have come here to speak about Congressman Wiley Mayne.

But as I look across his record, I can't help but reflect that his expertise went beyond being a congressman, of course. He went on to also being President of the Iowa State Bar Association, where he served with distinction; and he was also a trumpet player in college. I noticed in one with of the obituaries that I read that not only was he successful there, but he was also successful in debate, which would be a natural thing.

I would have liked to have had the opportunity to have debated with him on opposite sides to see how he actually comported himself when I get a little wound up. I expect that he would have still applied his gentle nature and his keen intellect and his insightfulness to probably calm me down a little bit, and I would not have wanted to be in a position where I hoped to prevail in that particular debate.

But his roots going back into Sanborn, Iowa, where he was born and raised and graduated from high school there in 1934. He actually won the Iowa State oratory and the trumpet competitions as a senior in high school. He went on then to Harvard, and he became chairman of the Kirkland House, and he was order of his class there in 1938. That's some pretty tough competition, I would say.

Just 3 years later, he graduated from the Iowa law school and received one of the highest bar exam scores in the 1941 Iowa bar exam test. Now we can look back on his life and see a great leap in maturity for a young man, even as well educated as Wiley Mayne.

In fact, we can look back and see his life shifted greatly to a life-long commitment to public service, especially at the tumultuous times that I mentioned earlier. But from 1941 until 1943, Congressman Mayne was a Special Agent with the FBI, assigned here in Washington D.C., also Los Angeles and San Francisco.

Then he heard the call to serve our Nation's military; and during the thick of the fighting during World War II, he entered into the U.S. Naval Reserve as a lieutenant with the Judge Advocate General in the Navy. From 1943 to 1946, he served aboard a destroyer escort, the USS *Stockdale*, in the north Atlantic, which was a difficult place, but also the Mediterranean and the Pacific, another difficult place to be.

Upon returning to the States, he began practicing law in Sioux City; and from 1946 until 1964 he practiced law in Sioux City during some of that time. And 1963 was the year that he served as President of the Iowa State Bar Association and then also as a member of the House of Delegates of the American Bar Association from 1966 until 1968.

He was also chairman of the Grievance Commission of the Iowa Supreme Court and Commissioner of Uniform State Laws. He has a long history in working to help support our laws and our community.

But, again, at a time of turmoil, Congressman Mayne was elected to the U.S. House of Representatives in 1966 to represent northwest Iowa. There he served for 8 years as Congressman of Iowa's 6th Congressional District.

But as a member of the Judiciary, and we haven't mentioned yet the Agriculture Committee, and it's interesting that I have the privilege to serve on both the Judiciary Committee and on the House Agriculture Committee. To some degree, I have the duty and the responsibility, however heavy and difficult the load, of carrying on some of Congressman Mayne's legacy in both of those locations.

It has been inspiring to me to be able to serve on the Judiciary and on the Agriculture Committee. It's odd that a nonlawyer like myself could serve on the Judiciary Committee, but it's also not odd at all that a lawyer from Sioux City would serve western Iowa, northwest Iowa, in the United States Congress and serve on the House Agriculture Committee, because, of course, of Iowa being one of the leading agriculture States.

We grew up with agriculture all around us. It doesn't matter whether you are a lawyer or a pastor or a bulldozer operator, you are going to know something about agriculture. You cannot escape it if you grow up in the State of Iowa, especially if you are born and raised in Sanborn, Iowa. But I have the great privilege of serving on the two committees that Wiley Mayne served on.

But he also served as a delegate to the Food and Agriculture Organization in Rome in 1973, and it was during Congressman Mayne's final term in the Judiciary Committee in which he served where they investigated a break-in at the office of the Democratic National Committee at the Watergate Hotel. He was one of 10 Republicans that served on the Judiciary Committee that voted not to impeach President Nixon.

But shortly after that the Watergate tapes were revealed. Congressman Mayne stated that, as that evidence came out, he didn't have enough evidence at the time that he voted to vote for impeachment of President Nixon, but after the tapes came out, it became, the preponderance of evidence, that Mr. Mayne announced he would have voted differently if that information had been available to him at the time.

That's an intellectually honest way for one to conduct themselves in this Congress. The integrity that he held through that is part of the legacy that's here and part of our obligation to uphold. I don't believe that history has judged him as well as he deserves on that issue, and he was straight up all the time in our family and household as we discussed this issue. We judged him as a man of character, a man who called them as he saw them, a man who felt the obligations to serve his country and did so and gave us a straight answer each and every time.

But the hindsight was superior to the foresight, and that will always be the case in the real world. But sometimes history is not forgiving; and I think, though, that the legacy that Wiley Mayne has left here has overcome any of those senses, because we know he did what he believed was right at a time that what did he know and when did he know it might be the question he would pose if he were here today to ask it. I think he acted appropriately and honorably on the information he knew when he knew it. The record will show that. History should judge that, and we need to honor his effort in that fashion.

In recapping this, I want to express my sense of sympathy to the family of Congressman Wiley Mayne, to his two sons and daughter and their children, the grandchildren that are part also of his legacy. I want to express that sympathy and that appreciation for having known him and having the privilege to have been able to call him a friend and a supporter and an adviser. But I think I am more the beneficiary of having been his constituent than I was of any other component.

He served me as one of his constituents and a resident in northwest Iowa during those years, and he inspired my family and the people around me. He helped lead us through some very difficult times. He was a steady hand at the throttle when we needed a steady hand.

When the time came for him to leave this Congress, he left this Congress graciously, gracefully, with honor and dignity and integrity. He left a legacy of those adjectives, and his family remembers it well.

The Siouxland area remembers him well. We can't say enough good about a man who made this kind of contribution and had an extraordinarily good life, a long life, for the most part a healthy life with a good family and good friends.

He very much enjoyed his time here in this Congress and his time as a retired Member of Congress, but a very active member of the Siouxland community who will long remember Wiley Mayne. We will regret losing him, but celebrate his life and extend our sympathies to his family.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CONYERS (at the request of Ms. PELOSI) for today until 12 noon.

Mr. DEFAZIO (at the request of Mr. HOYER) for today after 4:30 p.m.

Mrs. JONES of Ohio (at the request of Mr. HOYER) for June 6, 2007, after 3:30 p.m. on account of business in the district.

Mr. MCNULTY (at the request of Mr. HOYER) for today after 3:00 p.m.

Mr. GERLACH (at the request of Mr. BOEHNER) for today after 2:30 p.m. on account of his son's high school graduation.

Mr. GARY G. MILLER of California (at the request of Mr. BOEHNER) for today after 3:40 p.m. on account of illness.

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. INSLEE) to revise and extend their remarks and include extraneous material:)

Mr. MCDERMOTT, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mrs. CAPPS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

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

Mr. JONES of North Carolina, for 5 minutes, today.

Mr. POE, for 5 minutes, today.

Mr. KIRK, for 5 minutes, today.

Mr. BISHOP of Utah, 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. 5. An act to amend the Public Health Service Act to provide for human embryonic stem cell research.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 43 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, June 8, 2007, at 4:00 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

2075. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Mexican Fruit Fly; Addition of Quarantined Area [Docket No. APHIS-2007-0051] received May 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2076. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Free Trade Agreement — El Salvador, Honduras, and Nicaragua [DFARS Case 2006-D019] (RIN: 0750-AF43) received March 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2077. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Security-Guard Services Contracts [DFARS Case 2006-D011] (RIN: 0750-AF37) received March 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2078. A letter from the Director, Office of Legislative Affairs, Department of the Treasury, transmitting the Department's final rule — Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks [Docket ID OTS-2007-0006] (RIN: 3064-AD17) received April 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2079. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — COVERED SECURITIES PURSUANT TO SECTION 18 OF THE SECURITIES ACT OF 1933 [Release No. 33-8791; File No. S7-18-06] (RIN: 3235-AJ73) received April 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2080. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — State-Administered Programs (RIN: 1890-AA13) received March 14, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

2081. A letter from the Interim Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Payment of Premiums; Assessment of and Relief from Penalties (RIN: 1212-AA95) received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

2082. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Alternative Fuel Transportation Program; Alternative Compliance (RIN: 1904-AB66) received March 22, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2083. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Department of Health and Human Services' Implementation of OMB Guidance on Nonprocurement Debarment and Suspension — received February 28, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2084. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri [EPA-R07-OAR-2006-0803; FRL-8278-8] received February 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2085. A letter from the Secretary, Department of Labor, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2006 through March 31, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2086. A letter from the Director, Office of the Assistant Secretary for Civil Rights, Department of Agriculture, transmitting the Department's annual report for fiscal year 2006, in accordance with Section 203 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.

2087. A letter from the Chairman, Federal Election Commission, transmitting a copy of the semiannual report on activities of the Inspector General for the period October 1, 2006 through March 31, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2088. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2006, pursuant to 5 U.S.C. 552b(j); to the Committee on Oversight and Government Reform.

2089. A letter from the Acting Director, Federal Housing Finance Board, transmitting a report on the Board's category rating for calendar year 2006, pursuant to 5 U.S.C. 3319(d); to the Committee on Oversight and Government Reform.

2090. A letter from the Chairman, Securities and Exchange Commission, transmitting the semiannual report on activities of the Inspector General for the period October 1, 2006 through March 31, 2007 and the Management Response for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2091. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Indiana Regulatory Program [Docket No. IN-157-FOR] received May 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2092. A letter from the Chief, Federal Duck Stamp Office, Department of the Interior, transmitting the Department's final rule — Revision of Migratory Bird Hunting and Conservation Stamp Contest Regulations (RIN: 1018-AU94) received March 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2093. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Delegations of Authority-National Cemetery Administration (RIN: 2900-AM18) received March 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2094. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Department of Veterans Affairs Implementation of OMB Guidance on Nonprocurement Debarment and Suspension (RIN: 2900-AM44) received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2095. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule—Dominican Republic—Central America—United States Free Trade Agreement [USCBP–2006–0012] (RIN: 1505–AB64) received May 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2096. A letter from the Secretary, Federal Trade Commission, transmitting the sixth annual report pursuant to the College Scholarship Fraud Prevention Act of 2000; jointly to the Committees on Education and Labor and the Judiciary.

2097. A letter from the Secretary, Judicial Conference of the United States, transmitting a copy of proposed legislation entitled, ''Civil Judicial Procedure, Administration, and Technical Amendments Act of 2007''; jointly to the Committees on the Judiciary and Oversight and Government Reform.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CROWLEY:

H.R. 2604. A bill to provide financial and other support to the United Nations Population Fund to carry out activities to save women's lives, limit the incidence of abortion and maternal mortality associated with unsafe abortion, promote universal access to safe and reliable family planning, and assist women, children, and men in developing countries to live better lives; to the Committee on Foreign Affairs.

By Mr. PAUL (for himself, Mr. ABERCROMBIE, Mr. DUNCAN, Mr. JONES of North Carolina, Mr. DELAHUNT, Mr. GILCHREST, Mr. NEAL of Massachusetts, Mr. MEEHAN, Mr. MICHAUD, Ms. KAPTUR, Mr. ELLISON, and Mrs. BOYDA of Kansas):

H.R. 2605. A bill to establish a sunset for the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243); to the Committee on Foreign Affairs.

By Mr. RUSH (for himself, Mrs. EMERSON, and Mr. STUPAK):

H.R. 2606. A bill to amend section 340B of the Public Health Service Act to revise and expand the drug discount program under that section to improve the provision of discounts on drug purchases for certain safety net providers; to the Committee on Energy and Commerce.

By Mr. MCDERMOTT:

H.R. 2607. A bill to amend the Internal Revenue Code of 1986 to regulate internet gambling; to the Committee on Ways and Means.

By Mr. MCDERMOTT (for himself, Mr. WELLER, Mr. STARK, Mr. ENGLISH of Pennsylvania, Mr. LEVIN, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mr. BECERRA, and Mr. BLUMENAUER):

H.R. 2608. A bill to amend section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide, in fiscal years 2008 through 2010, extensions of supplemental security income for refugees, asylees, and certain other humanitarian immigrants, and to amend the Internal Revenue Code to collect unemployment compensation debts resulting from fraud; to the Committee on Ways and Means.

By Mr. YARMUTH:

H.R. 2609. A bill to require the establishment of a task force to identify and disseminate evidence-based educational strategies and promising best practices to improve the quality of learning for individuals with autism in grades K-12; to the Committee on Education and Labor.

By Mr. WEXLER:

H.R. 2610. A bill to amend subchapter IV of chapter 53 of title 31, United States Code, and section 1084 of title 18 of such Code to clarify the applicability of such provisions to games of skill, and establish certain requirements with respect to such games, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on the Judiciary, and 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 Mrs. DAVIS of California (for herself, Mr. ROGERS of Michigan, Mr. ETHERIDGE, Mr. PAYNE, Ms. CORRINE BROWN of Florida, Mr. DAVIS of Illinois, Mr. SCHIFF, and Ms. MCCOLLUM of Minnesota):

H.R. 2611. A bill to amend the Elementary and Secondary Education Act of 1965 to strengthen mentoring programs, and for other purposes; to the Committee on Education and Labor.

By Mrs. DAVIS of California (for herself, Mrs. CAPPS, Mr. LOEBSACK, Mrs. BOYDA of Kansas, Ms. GIFFORDS, Ms. JACKSON-LEE of Texas, Mr. CHANDLER, and Ms. LORETTA SANCHEZ of California):

H.R. 2612. A bill to improve mental health care for wounded members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. ABERCROMBIE (for himself and Ms. HIRONO):

H.R. 2613. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income gain on the sale of certain residential leased-fee interests to holders of the leasehold rights; to the Committee on Ways and Means.

By Mr. CALVERT (for himself and Mr. LEWIS of California):

H.R. 2614. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in certain water projects in California; to the Committee on Natural Resources.

By Mr. CUMMINGS:

H.R. 2615. A bill to amend title 10, United States Code, to repeal the limitation on the authority of the Department of Defense to issue security clearances for certain persons; to the Committee on Armed Services.

By Ms. DELAURO (for herself and Mr. COURTNEY):

H.R. 2616. A bill to promote public-private partnerships to strengthen investment in early childhood development for children from birth to entry into kindergarten in order to ensure healthy development and school readiness for all children; to the Committee on Education and Labor.

By Mr. EMANUEL (for himself, Mr. TIERNEY, Mr. DAVIS of Illinois, Mr.

EHLERS, Mr. ETHERIDGE, Mr. BUTTERFIELD, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, and Mr. JEFFERSON):

H.R. 2617. A bill to direct the Secretary of Education to make grants to high-need local educational agencies to establish teaching residency programs; to the Committee on Education and Labor.

By Ms. HIRONO (for herself and Mr. ABERCROMBIE):

H.R. 2618. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating certain lands along the northern coast of Maui, Hawaii, as a unit of the National Park System; to the Committee on Natural Resources.

By Mr. JOHNSON of Illinois (for himself, Mr. SHIMKUS, and Mr. ROSKAM):

H.R. 2619. A bill to direct the Secretary of Transportation to make a grant for the establishment and operation of an ethanol anti-idling power unit research program; to the Committee on Science and Technology.

By Mr. MARSHALL:

H.R. 2620. A bill to end the use of child soldiers in hostilities around the world, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. MCCARTHY of New York (for herself and Mr. PORTER):

H.R. 2621. A bill to amend the Higher Education Act of 1965 to expand the loan forgiveness program for teachers, to provide a loan forgiveness program for nurses, and for other purposes; to the Committee on Education and Labor.

By Mrs. MCCARTHY of New York:

H.R. 2622. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to require de novo review of claims determinations made by employee benefit plans; to the Committee on Education and Labor.

By Mr. MILLER of Florida:

H.R. 2623. A bill to amend title 38, United States Code, to prohibit the collection of copayments for all hospice care furnished by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. NORTON:

H.R. 2624. A bill to amend the Public Health Service Act to provide eligibility to the District of Columbia for the State Loan Repayment Program; to the Committee on Energy and Commerce.

By Mr. PALLONE (for himself and Mr. ALLEN):

H.R. 2625. A bill to prohibit the commercial harvesting of Atlantic striped bass in the coastal waters and the exclusive economic zone; to the Committee on Natural Resources.

By Mr. PRICE of Georgia:

H.R. 2626. A bill to provide for incentives to encourage health insurance coverage, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Education and Labor, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE (for himself, Mr. GARRETT of New Jersey, Mr. PALLONE, Mr. SIRES, Mr. ROTHMAN, Mr. ANDREWS, and Mr. SMITH of New Jersey):

H.R. 2627. A bill to establish the Thomas Edison National Historical Park in the State of New Jersey as the successor to the Edison National Historic Site; to the Committee on Natural Resources.

By Mr. PRICE of North Carolina:

H.R. 2628. A bill to amend title 3, United States Code, to extend the date provided for the meeting of electors of the President and Vice President in the States and the date provided for the joint session of Congress held for the counting of electoral votes, and for other purposes; to the Committee on House Administration.

By Mr. PUTNAM:

H.R. 2629. A bill to restore import and entry agricultural inspection functions to the Department of Agriculture; to the Committee on Agriculture, 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. SCHIFF (for himself, Mr. CASTLE, Mr. HOYER, Mr. PLATTS, Mr. CLYBURN, Mr. EMANUEL, Mr. LARSON of Connecticut, Mr. VAN HOLLEN, and Ms. SLAUGHTER):

H.R. 2630. A bill to amend the Federal Election Campaign Act of 1971 to prohibit authorized committees and leadership PACs of a candidate or an individual holding Federal office from making payments to the candidate's or individual's spouse, to require such committees and PACs to report on disbursements made to the immediate family members of the candidate or individual, and for other purposes; to the Committee on House Administration.

By Mr. SCHIFF (for himself, Mr. LANGEVIN, Mr. ISRAEL, Mr. SHAYS, and Mr. THORNBERRY):

H.R. 2631. A bill to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material; to the Committee on Homeland Security, 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. UDALL of New Mexico:

H.R. 2632. A bill to establish the Sabinoso Wilderness Area in San Miguel County, New Mexico, and for other purposes; to the Committee on Natural Resources.

By Mr. UDALL of New Mexico (for himself, Mr. MORAN of Virginia, and Mr. MCGOVERN):

H.R. 2633. A bill to improve the health of Americans and reduce health care costs by reorienting the Nation's health care system toward prevention, wellness, and self care; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and Labor, Oversight and Government Reform, House Administration, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS (for herself, Mr. BACHUS, Mrs. MALONEY of New York, Mr. GUTIERREZ, Mr. PAYNE, Ms. LEE, and Mr. CLEAVER):

H.R. 2634. A bill to provide for greater responsibility in lending and expanded cancellation of debts owed to the United States and the international financial institutions by low-income countries, and for other purposes; to the Committee on Financial Services.

By Mr. WAXMAN:

H.R. 2635. A bill to reduce the Federal Government's contribution to global warming through measures that promote efficiency in the Federal Government's management and operations, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce, Armed Services, Transportation and Infrastructure, Natural Resources, and 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 Mrs. WILSON of New Mexico (for herself and Mr. WELCH of Vermont):

H.R. 2636. A bill to amend the Public Health Service Act to revise the amount of minimum allotments under the Projects for Assistance in Transition from Homelessness program; to the Committee on Energy and Commerce.

By Ms. LEE (for herself, Mrs. CHRISTENSEN, Mrs. JONES of Ohio, Ms. CLARKE, Mr. SERRANO, Mr. FORTUÑO, and Mr. RANGEL):

H. Con. Res. 166. Concurrent resolution supporting the goals and ideals of National Caribbean American HIV/AIDS Awareness Day, and for other purposes; to the Committee on Energy and Commerce.

By Ms. PRYCE of Ohio (for herself, Mr. VAN HOLLEN, Mr. MCCAUL of Texas, and Mr. SESTAK):

H. Res. 470. A resolution supporting efforts to increase childhood cancer awareness, treatment, and research; to the Committee on Energy and Commerce.

By Ms. LORETTA SANCHEZ of California (for herself, Mr. GARY G. MILLER of California, Mr. ROHRABACHER, Mr. ROYCE, Mr. CAMPBELL of California, and Mr. CALVERT):

H. Res. 471. A resolution congratulating the National Hockey League Champions, the Anaheim Ducks, on their victory in the 2007 Stanley Cup Finals; to the Committee on Oversight and Government Reform.

By Mr. TIAHRT:

H. Res. 472. A resolution congratulating and commending the Wichita State University women's bowling team for winning the 2007 United States Bowling Congress Intercollegiate Bowling National Championship; to the Committee on Education and Labor.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

77. The SPEAKER presented a memorial of the Senate of the State of Rhode Island, relative to Senate Resolution No. 363 memorializing the Congress of the United States to fulfill its commitment to forty percent federal funding in its reauthorization of the Individuals with Disabilities Education Act; to the Committee on Education and Labor.

78. Also, a memorial of the Legislature of the State of Maine, relative to House Joint Resolution No. 1318 memorializing the President of the United States and the Congress of the United States to enact the Lyme and Tick-Borne Disease Prevention, Education, and Research Act of 2007; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

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

H.R. 77: Mr. GARY G. MILLER of California and Mr. MCCOTTER.

H.R. 111: Mr. MELANCON, Mr. ALTMIRE, and Mr. NADLER.

H.R. 197: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 234: Mr. HONDA.

H.R. 260: Mr. WALSH of New York, Mr. WALBERG, and Mr. CAMP of Michigan.

H.R. 281: Ms. Norton, Ms. SUTTON, Mr. CLAY, Mrs. MALONEY of New York, and Mr. MCINTYRE.

H.R. 282: Mr. RUSH.

H.R. 303: Mr. ABERCROMBIE and Mr. BISHOP of Georgia.
H.R. 369: Mr. JOHNSON of Georgia.
H.R. 406: Mr. BISHOP of Georgia, Mr. FALEOMAVAEGA, Mr. WYNN, Ms. CORRINE BROWN of Florida, Mr. ISRAEL, Ms. HERSETH SANDLIN, Mr. ARCURI, Mr. DONNELLY, Mr. CLAY, and Mr. SHAYS.
H.R. 436: Mr. GILLMOR.
H.R. 464: Ms. GIFFORDS.
H.R. 502: Mr. MCGOVERN.
H.R. 503: Mr. GUTIERREZ, Mr. BRADY of Pennsylvania, and Ms. SUTTON.
H.R. 539: Mr. WALSH of New York.
H.R. 543: Mr. HOLDEN, Mr. BARROW, Mr. SALAZAR, and Ms. HERSETH SANDLIN.
H.R. 551: Mr. LEWIS of California and Mr. SMITH of Texas.
H.R. 552: Mr. LARSEN of Washington, Ms. ZOE LOFGREN of California, Mr. WALZ of Minnesota, Mr. MEEHAN, Mr. PETERSON of Minnesota, Mr. ELLISON, Mr. MCGOVERN, Ms. HOOLEY, and Mr. BARTLETT of Maryland.
H.R. 553: Mr. KAGEN and Ms. MCCOLLUM of Minnesota.
H.R. 583: Mr. BURTON of Indiana, Mr. JEFFERSON, and Mr. CARNAHAN.
H.R. 604: Mr. KIRK.
H.R. 640: Mr. BAKER.
H.R. 643: Mr. CAMP of Michigan and Mr. MORAN of Virginia.
H.R. 645: Mr. LANGEVIN.
H.R. 677: Mr. JONES of North Carolina, Mr. GORDON, and Mr. LOBIONDO.
H.R. 685: Ms. SLAUGHTER and Mr. SNYDER.
H.R. 687: Ms. SHEA-PORTER and Mr. PETERSON of Minnesota.
H.R. 728: Mr. ALEXANDER.
H.R. 741: Mr. SMITH of Washington.
H.R. 743: Mr. FOSSELLA, Mr. PALLONE, Mr. SHIMKUS, Mr. ROSKAM, Mr. BOUSTANY, Mr. MEEK of Florida, and Mr. COBLE.
H.R. 748: Mr. LUCAS, Mr. FILNER, Mr. UDALL of Colorado, and Ms. GIFFORDS.
H.R. 777: Ms. ZOE LOFGREN of California, Mr. WEXLER, and Mr. BISHOP of New York.
H.R. 791: Mr. JOHNSON of Illinois and Mr. PENCE.
H.R. 801: Mr. RUSH.
H.R. 849: Mr. SOUDER.
H.R. 850: Mr. SOUDER.
H.R. 864: Ms. SCHWARTZ.
H.R. 881: Mrs. CUBIN.
H.R. 891: Ms. SUTTON.
H.R. 900: Ms. BERKLEY and Mr. RADANOVICH.
H.R. 917: Mr. COSTELLO.
H.R. 943: Mr. REICHERT.
H.R. 969: Ms. LEE, Mr. COURTNEY, Mr. KUCINICH, Mr. PERLMUTTER, and Mr. MICHAUD.
H.R. 971: Mr. SARBANES.
H.R. 997: Mr. WALSH of New York.
H.R. 1043: Mr. ALLEN.
H.R. 1055: Mr. SMITH of Washington.
H.R. 1061: Ms. SHEA-PORTER.
H.R. 1063: Mr. CAMP of Michigan.
H.R. 1064: Mr. BUYER and Mr. LATHAM.
H.R. 1069: Mr. CUELLAR.
H.R. 1088: Mr. LINCOLN DAVIS of Tennessee.
H.R. 1091: Mr. BONNER.
H.R. 1120: Mr. CALVERT, Mr. WELLER, Mrs. MILLER of Michigan, and Mr. TURNER.
H.R. 1125: Ms. BERKLEY and Mr. ALTMIRE.
H.R. 1147: Mr. MEEK of Florida.
H.R. 1154: Mr. OLVER and Mr. CUELLAR.
H.R. 1157: Mr. SARBANES, Ms. GIFFORDS, and Mr. JEFFERSON.
H.R. 1193: Mr. MILLER of North Carolina, Mr. WEXLER, Mrs. JO ANN DAVIS of Virginia, Mr. MOORE of Kansas, Mr. POMEROY, Mr. TURNER, Mr. SIRES, Mr. JINDAL, Mr. BRALEY of Iowa, Mr. MEEK of Florida, Mr. BARTLETT of Maryland, Mr. GERLACH, Mr. NUNES, and Ms. JACKSON-LEE of Texas.
H.R. 1194: Mrs. NAPOLITANO and Mr. CAMP of Michigan.
H.R. 1222: Mr. HINCHEY.
H.R. 1223: Mr. HINCHEY.
H.R. 1230: Mr. KUCINICH.
H.R. 1240: Ms. WOOLSEY.
H.R. 1245: Mr. SHIMKUS.
H.R. 1246: Ms. SUTTON.
H.R. 1247: Mr. DAVIS of Illinois.
H.R. 1280: Mr. NADLER.
H.R. 1302: Mr. FILNER.
H.R. 1303: Mr. RUPPERSBERGER.
H.R. 1320: Mr. NADLER.
H.R. 1338: Mr. BISHOP of Georgia, Mr. CRAMER, Mr. BERRY, Mr. FATTAH, Mr. KIND, Mr. MARKEY, Ms. KAPTUR, and Mr. CHANDLER.
H.R. 1380: Mr. MANZULLO.
H.R. 1395: Mr. BARTLETT of Maryland.
H.R. 1399: Mr. MICA, Mr. STEARNS, Mr. CAMP of Michigan, and Mr. JINDAL.
H.R. 1414: Mr. DAVIS of Illinois.
H.R. 1416: Mr. MCINTYRE.
H.R. 1419: Ms. SLAUGHTER.
H.R. 1420: Mr. WEINER and Ms. SLAUGHTER.
H.R. 1422: Mr. ELLISON, Mr. HONDA, Mr. SIRES, and Ms. WOOLSEY.
H.R. 1428: Mr. ROGERS of Alabama.
H.R. 1459: Mr. KUHL of New York, Mr. MICA, Mr. ETHERIDGE, Mr. SHIMKUS, and Mr. CARNAHAN.
H.R. 1461: Mr. SCOTT of Virginia.
H.R. 1464: Mrs. DAVIS of California and Mr. PLATTS.
H.R. 1497: Mr. BERMAN.
H.R. 1498: Mr. OBERSTAR.
H.R. 1506: Mr. CLAY and Mr. PERLMUTTER.
H.R. 1507: Mr. MILLER of North Carolina and Mr. MCNULTY.
H.R. 1535: Mrs. MALONEY of New York, and Ms. ZOE LOFGREN of California.
H.R. 1537: Mr. ISSA and Mr. ROSKAM.
H.R. 1541: Ms. NORTON.
H.R. 1552: Mr. WALSH of New York, Mr. ROTHMAN, Mr. ABERCROMBIE, Mr. BLUMENAUER, Mr. DUNCAN, Mr. MARIO DIAZ-BALART of Florida, Mr. FILNER, and Mr. LATOURETTE.
H.R. 1567: Mr. CARNAHAN.
H.R. 1584: Mr. SIRES, Mr. KUHL of New York, Mr. REHBERG, Mr. HAYES, Mr. COURTNEY, Mr. FORBES, Mr. COLE of Oklahoma, Mr. YARMUTH, Mr. SALI, Mr. BRADY of Texas, Mr. PETERSON of Minnesota, and Mr. RYAN of Ohio.
H.R. 1588: Mr. JEFFERSON.
H.R. 1589: Mr. STEARNS.
H.R. 1610: Mr. WALBERG.
H.R. 1649: Mr. JOHNSON of Illinois.
H.R. 1653: Mr. KUCINICH, Mr. ROTHMAN, and Mr. CARNAHAN.
H.R. 1663: Mr. JEFFERSON and Mr. PETERSON of Minnesota.
H.R. 1667: Ms. NORTON.
H.R. 1679: Mr. MEEK of Florida.
H.R. 1713: Ms. WATSON and Mr. GRIJALVA.
H.R. 1729: Mr. MCCOTTER.
H.R. 1732: Mr. JOHNSON of Georgia.
H.R. 1742: Mr. ROHRABACHER.
H.R. 1754: Mrs. BOYDA of Kansas, Ms. HIRONO, Ms. BEAN, Mr. BAIRD, Mr. STARK, Mr. MATHESON, and Mr. WILSON of Ohio.
H.R. 1761: Mr. ALEXANDER.
H.R. 1772: Mr. WYNN.
H.R. 1774: Mr. PETERSON of Minnesota, Mr. PAUL, Mr. ENGLISH of Pennsylvania, Mr. CONAWAY, Mr. SHIMKUS, and Mr. GERLACH.
H.R. 1781: Ms. SOLIS, Mr. VAN HOLLEN, Mr. BOUCHER, Mr. ABERCROMBIE, and Mr. PETERSON of Minnesota.
H.R. 1797: Mr. MANZULLO and Mr. DOOLITTLE.
H.R. 1801: Mr. FILNER and Mr. SMITH of Washington.
H.R. 1813: Mr. AL GREEN of Texas.
H.R. 1814: Mr. BARTLETT of Maryland.
H.R. 1821: Mr. FORTENBERRY and Mr. DEFAZIO.
H.R. 1845: Mr. DAVID DAVIS of Tennessee, Mr. GILLMOR, Mr. PETERSON of Minnesota, Mr. WAMP, Mr. MCNULTY, Mrs. MUSGRAVE, and Mr. AKIN.
H.R. 1850: Mr. DAVIS of Illinois, Mr. PETERSON of Minnesota, and Mr. MEEKS of New York.
H.R. 1852: Mr. MARKEY.
H.R. 1872: Mr. UDALL of Colorado, Ms. SUTTON, and Ms. JACKSON-LEE of Texas.
H.R. 1875: Ms. FALLIN.
H.R. 1881: Ms. BALDWIN, Mr. TURNER, Mr. WALZ of Minnesota, and Mr. CARNEY.
H.R. 1893: Ms. SCHAKOWSKY.
H.R. 1926: Mr. GORDON, Mr. RAMSTAD, and Mr. TIERNEY.
H.R. 1938: Mr. ALLEN.
H.R. 1941: Mr. MCCOTTER.
H.R. 1943: Mr. NADLER, Mr. RANGEL, and Mr. FORTUÑO.
H.R. 1952: Mr. JOHNSON of Georgia, Mr. ALEXANDER, and Mr. BURTON of Indiana.
H.R. 1957: Mr. BLUMENAUER, Mr. HONDA, Mr. FILNER, and Ms. BALDWIN.
H.R. 1959: Mrs. CUBIN and Mr. JONES of North Carolina.
H.R. 1968: Mr. WAXMAN, Ms. HIRONO, Ms. SCHAKOWSKY, Mr. RUSH, Mrs. CAPPS, Mr. TOWNS, Mr. ALLEN, and Mr. CLEAVER.
H.R. 1971: Mr. RANGEL.
H.R. 1983: Mr. GILLMOR.
H.R. 1985: Mr. JOHNSON of Georgia.
H.R. 1992: Mr. EDWARDS, Mr. WILSON of Ohio, and Mr. GORDON.
H.R. 2015: Mr. SERRANO, Mr. THOMPSON of California, Mr. SMITH of Washington, Ms. BEAN, and Ms. GIFFORDS.
H.R. 2017: Mr. TIERNEY.
H.R. 2038: Mr. DEAL of Georgia.
H.R. 2039: Mr. MOORE of Kansas.
H.R. 2040: Mr. COHEN, Mr. TOWNS, and Mr. HINCHEY.
H.R. 2046: Mr. FILNER, Mr. BERMAN, and Mr. MCGOVERN.
H.R. 2052: Mr. WAXMAN and Mr. ALLEN.
H.R. 2053: Mr. FRANK of Massachusetts and Mr. ROGERS of Alabama.
H.R. 2054: Mr. DOGGETT.
H.R. 2060: Mr. LYNCH and Mrs. BOYDA of Kansas.
H.R. 2063: Mr. ALLEN, Mr. HALL of New York, Mr. YARMUTH, Ms. SUTTON, and Mr. CARNAHAN.
H.R. 2064: Ms. BALDWIN, Mr. LARSEN of Washington, Mr. WEXLER, Mr. WEINER, Mr. COURTNEY, and Mr. FRANK of Massachusetts.
H.R. 2074: Mr. WALSH of New York.
H.R. 2084: Mr. CAMP of Michigan, Mr. SALI, and Mrs. MUSGRAVE.
H.R. 2091: Mr. HOLDEN.
H.R. 2095: Mr. HINOJOSA.
H.R. 2102: Mr. REYNOLDS, Ms. ZOE LOFGREN of California, Mr. GENE GREEN of Texas, Mr. GUTIERREZ and Mr. COURTNEY.
H.R. 2111: Mr. SHAYS.
H.R. 2122: Mr. ABERCROMBIE and Mr. TIERNEY.
H.R. 2125: Mr. KAGEN and Mr. HINOJOSA.
H.R. 2126: Mr. WALZ of Minnesota.
H.R. 2129: Ms. LINDA T. SÁNCHEZ of California, Mr. MILLER of North Carolina, and Mr. MARKEY.
H.R. 2138: Mr. FILNER, Mr. DOYLE, Ms. MATSUI, Mrs. MILLER of Michigan, Mr. MCGOVERN, Mr. WILSON of South Carolina, Mr. BUCHANAN, Mr. LATOURETTE, Mr. TERRY, Mr. PUTNAM, Mr. MCCOTTER, Mr. HAYES, Mr. BARTLETT of Maryland, and Mr. MANZULLO.
H.R. 2159: Mr. PETERSON of Minnesota.
H.R. 2165: Mr. SHERMAN, Ms. LEE, Mr. PASCRELL, Mr. CLEAVER, Mr. DICKS, Mr. SCOTT of Virginia, Ms. HERSETH Sandlin, Mr. WAXMAN, Ms. SLAUGHTER, Mr. STUPAK, Mr. YOUNG of Alaska, Mr. BACHUS, Ms. WASSERMAN SCHULTZ, Mr. KILDEE, Mr. ISRAEL, Mr. HINOJOSA, Mr. ACKERMAN, Mr. CLAY, Ms. WATERS, Mr. BACA, Mr. BARROW, Mr. DINGELL, Mr. SHIMKUS, Mr. KENNEDY, Mr. JACKSON of Illinois, Ms. SCHAKOWSKY, Mr. EDWARDS, Mr. KIND, Mrs. TAUSCHER, Mr. DAVIS of Alabama, Ms. KAPTUR, Mr. HODES,

Mr. GENE GREEN of Texas, Mrs. JONES of Ohio, Ms. MOORE of Wisconsin, Mr. ELLISON, and Mr. NEAL of Massachusetts.

H.R. 2183: Mr. WESTMORELAND, Mr. BUCHANAN, Mr. BURTON of Indiana, Mr. LEWIS of Kentucky, and Mr. MILLER of Florida.

H.R. 2211: Ms. JACKSON-LEE of Texas, Ms. MCCOLLUM of Minnesota, and Mr. WU.

H.R. 2230: Mr. FORBES.

H.R. 2231: Mr. COSTELLO, Mr. PETERSON of Minnesota, and Mr. DAVID DAVIS of Tennessee.

H.R. 2234: Ms. BERKLEY and Mr. WEXLER.

H.R. 2253: Mr. MANZULLO.

H.R. 2265: Mr. SESTAK.

H.R. 2280: Mr. MCCARTHY of California, Mr. HENSARLING, Mr. KUHL of New York, Mr. CAMP of Michigan, and Mr. HULSHOF.

H.R. 2286: Mr. CONYERS.

H.R. 2287: Mr. WEXLER and Mr. ROGERS of Kentucky.

H.R. 2289: Ms. ROS-LEHTINEN.

H.R. 2295: Mr. HOLT and Mr. CARNAHAN.

H.R. 2298: Mr. KUHL of New York and Mr. CLEAVER.

H.R. 2303: Mr. COHEN.

H.R. 2305: Mr. PASCRELL.

H.R. 2313: Ms. CASTOR.

H.R. 2315: Mr. BUYER.

H.R. 2327: Ms. WOOLSEY, Mr. RANGEL, Ms. BERKLEY, Mr. COHEN, Ms. BALDWIN, Mr. EHLERS, and Mr. BERMAN.

H.R. 2335: Mrs. EMERSON.

H.R. 2353: Mr. JOHNSON of Georgia and Mr. PERLMUTTER.

H.R. 2357: Mr. TIERNEY.

H.R. 2360: Mr. MCCOTTER.

H.R. 2363: Mr. MARSHALL, Mr. GENE GREEN of Texas, Mr. MCHUGH, Mr. WOLF, Mr. ISSA, Mr. KING of New York, and Mr. HASTINGS of Washington.

H.R. 2365: Mr. EHLERS, Mr. JINDAL, Mr. JONES of North Carolina, Mr. GILLMOR, Mr. CONAWAY, and Mr. BOYD of Florida.

H.R. 2370: Mr. WOLF, Ms. ROS-LEHTINEN, and Mr. KELLER.

H.R. 2384: Mrs. CAPPS.

H.R. 2385: Mr. MCGOVERN.

H.R. 2394: Mr. SPACE.

H.R. 2398: Mr. KAGEN.

H.R. 2421: Mr. JOHNSON of Georgia, Mr. ISRAEL, Mr. SESTAK, and Mrs. NAPOLITANO.

H.R. 2434: Mrs. EMERSON.

H.R. 2443: Mr. ROSKAM, Mr. BISHOP of New York, and Mrs. CAPITO.

H.R. 2452: Mr. PAYNE and Mr. SMITH of New Jersey.

H.R. 2459: Mr. DAVIS of Illinois.

H.R. 2488: Mr. CAMP of Michigan.

H.R. 2499: Mr. BACA, Mr. AL GREEN of Texas, Mr. FILNER, and Ms. ZOE LOFGREN of California.

H.R. 2505: Mr. WALZ of Minnesota.

H.R. 2508: Mr. GOODE.

H.R. 2512: Mr. CUMMINGS.

H.R. 2515: Mr. SHADEGG.

H.R. 2522: Ms. LEE, Mr. MCGOVERN, Mr. WOLF, Mr. CRENSHAW, Mr. SCHIFF, and Mr. GARRETT of New Jersey.

H.R. 2537: Mr. ORTIZ.

H.R. 2550: Mr. BAKER, Mr. MCCOTTER, Mr. HOEKSTRA, Mr. EHLERS, and Mr. FILNER.

H.R. 2564: Mrs. DRAKE, Mr. FORTUÑO, Mr. MCHENRY, and Mrs. CUBIN.

H.R. 2567: Mr. MCNULTY and Mr. PAUL.

H.R. 2580: Mr. WELLER, Mr. CAMP of Michigan, Mr. FORBES, and Mr. HASTINGS of Washington.

H.R. 2583: Ms. GRANGER and Mr. SMITH of Texas.

H.R. 2584: Ms. GRANGER, Mr. SMITH of Texas, and Ms. ROS-LEHTNEN.

H.R. 2585: Ms. GRANGER and Mr. SMITH of Texas.

H.R. 2588: Mrs. MCMORRIS RODGERS.

H.R. 2596: Mr. PAYNE, Mr. ALLEN, Mr. WEXLER, and Mr. VAN HOLLEN.

H.J. Res. 6: Mr. CAMP of Michigan and Mrs. EMERSON.

H.J. Res. 12: Mr. YOUNG of Alaska.

H. Con. Res. 21: Mr. BACA.

H. Con. Res. 70: Mr. TOM DAVIS of Virginia, Mr. HOLDEN, and Mr. BAIRD.

H. Con. Res. 75: Mr. FATTAH, Mrs. TAUSCHER, Mr. HARE, Mr. MCDERMOTT, Ms. ZOE LOFGREN of California, Mrs. MALONEY of New York and Ms. SUTTON.

H. Con. Res. 87: Mr. HIGGINS.

H. Con. Res. 96: Mr. SMITH of Washington.

H. Con. Res. 102: Mr. BAIRD.

H. Con. Res. 122: Mr. BAIRD, Mr. DELAHUNT, Mr. REICHERT, Mr. LANGEVIN and Mr. BLUMENAUER.

H. Con. Res. 131: Mr. TERRY and Mr. ALEXANDER.

H. Con. Res. 137: Mr. GARRETT of New Jersey and Mrs. Christensen.

H. Con. Res. 139: Mr. WICKER and Ms. SCHWARTZ.

H. Con. Res. 162: Mr. SNYDER and Mr. ALTMIRE.

H. Res. 87: Mr. CAMP of Michigan.

H. Res. 106: Mr. CAMP of Michigan, Mr. WALBERG, and Mr. PITTS.

H. Res. 111: Mr. JONES of North Carolina and Mr. FOSSELLA.

H. Res. 194: Mr. GORDON, Mr. MEEHAN, Mr. DOGGETT, Mr. ENGEL, Mr. GUTIERREZ and Ms. WASSERMAN SCHULTZ.

H. Res. 241: Mr. HIGGINS and Mr. KUCINICH.

H. Res. 284: Mr. TERRY.

H. Res. 333: Ms. LEE and Ms. WOOLSEY.

H. Res. 361: Ms. WOOLSEY.

H. Res. 372: Mr. CAMP of Michigan.

H. Res. 378: Ms. SCHAKOWSKY, Mr. MORAN of Virginia, Mr. CONYERS, Mr. PAYNE, Mr. ROSKAM and Mr. REICHERT.

H. Res. 431: Mr. HOLT, Mr. MORAN of Virginia, Mr. HONDA and Mr. NADLER.

H. Res. 467: Mr. GENE GREEN of Texas, Mr. ISRAEL and Ms. SCHAKOWSKY.

DELETIONS OF SPONSORS

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

H.R. 1756: Mr. BOYD of Florida.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

41. The SPEAKER presented a petition of the California Federation of Teachers, relative to a resolution in opposition to military recruiters' intrusion into the privacy of students; to the Committee on Education and Labor.

42. Also, a petition of American Bar Association, relative to a resolution urging federal, state, territorial and local governments to develop, implement, and fund programs that prosecutors and other criminal justice professionals can utilize to enable an offender to be placed under community supervision in appropriate cases; to the Committee on the Judiciary.

43. Also, a petition of American Bar Association, relative to a resolution urging federal, state, territorial and local governments to develop and implement meaningful graduated sanctions for violations of parole and probation as alternatives to incarceration; to the Committee on the Judiciary.

44. Also, a petition of American Bar Association, relative to a resolution urging federal, state, territorial and local governments to develop policies on the employment of persons with a criminal record by government agencies, and the contractors and vendors who do business with those agencies; to the Committee on the Judiciary.

45. Also, a petition of American Bar Association, relative to a resolution urging federal, state, territorial and local governments to develop policies governing access to and use of criminal records for non-law enforcement purposes that would balance the public's right to information against the government's interest in encouraging successful offender reentry and reintegration; to the Committee on the Judiciary.

46. Also, a petition of American Bar Association, relative to a resolution urging federal, state, territorial and local governments to assist defense counsel in advising clients of the collateral consequences of criminal convictions during representation; to the Committee on the Judiciary.

47. Also, a petition of the California Federation of Teachers, relative to a resolution calling for the rejection of the request for Fast Track authorization and calling for the opportunity to correct the course of globalization and implement deep reforms to U.S. trade policy; to the Committee on Ways and Means.

48. Also, a petition of the California Federation of Teachers, relative to a resolution in support of H.R. 82 and S. 206; to the Committee on Ways and Means.