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Senate

The Senate was not in session today. Its next meeting will be held on Monday, July 30, 2007, at 2 p.m.

House of Representatives

FRIDAY, JULY 27, 2007

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 27, 2007.

I hereby appoint the Honorable JASON ALTMIRE to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

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

Our God and Savior, at times we seem to be like sheep gone astray; yet here we are gathered together.

Called by Your voice, make us attentive to Your word. Being restless in our world, grant us Your peace.

Gathered as representatives of government by the people, we ask You to bless the Members of Congress today and this weekend. They have come to serve Your purpose and are pledged to serve Your people.

Attentive to the diverse needs of so many, help them respond as best they can. Having found common ground in principles of sound government, guide them to accomplish deeds of justice and good order for all citizens.

We commend this Nation to You as the shepherd and guardian of our souls now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Pennsylvania (Ms. SCHWARTZ) come forward and lead the House in the Pledge of Allegiance.

Ms. SCHWARTZ led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1) ''An Act to provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States.''.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five 1-minute speeches from each side.

CHAMP ACT

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

Ms. SCHWARTZ. Mr. Speaker, early this morning the Children's Health Insurance and Medicare Protection Act, which extends access to quality care for both our Nation's children and our Nation's seniors, was passed out of committee.

With this important legislation, we are wisely investing in the Children's Health Insurance Program to protect and extend access to health coverage for millions of America's uninsured children.

In its 10-year history, CHIP has had strong bipartisan support not only because of what it accomplishes but how it meets its goal, with a flexible, cost-effective market approach to access to health insurance. Yet it has become the object of scorn by this President and with Republican leaders in Congress forcefully opposing this successful public-private partnership which enables literally millions of hard-working American families to buy private health insurance for their children.

And this legislation strengthens and sustains Medicare for American seniors by securing payments for physicians and quality, innovative health care options for seniors.

Protecting Medicare and extending CHIP is the best opportunity this Congress has to address the need for affordable quality health insurance for Americans.

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CONGRATULATIONS, PRESIDENT PATIL, INDIA'S 12TH PRESIDENT

(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, this week history was made in India. Mrs. Pratibha Devisingh Patil was elected President. On July 25 she became the first woman to serve as head of state, now serving as India's 12th President.

Mrs. Patil was born in 1934 in the western state of Maharashtra and has a distinguished record of public service. Joining the Congress Party in the early 1960s, she spent over two decades in the state legislature. She then went on to participate in national politics and served in both the lower and upper chambers of India's national parliament. In 2004 Mrs. Patil became the first woman governor of Rajasthan.

Congratulations, President Patil, for continued success leading 1 billion citizens.

As a member of the House Foreign Affairs Committee and co-Chair of the India Caucus, I welcome this achievement. Prime Minister Manmohan Singh and President George Bush have developed a strategic partnership between India and America. Friendship between the world's largest democracy and the world's oldest democracy have never been better. The future is bright for both India and America.

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

SUPPORT THE COOPER AMENDMENT

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

Mr. COOPER. Mr. Speaker, whether you are for or against the upcoming farm bill, you should be able to support the Cooper amendment. It will be brought up next to last this afternoon, and everyone should be able to agree on it.

First of all, the administration is for it because it coincides with administration reforms. And the chairman of the committee himself has a statement in today's National Journal that says he is going to launch a major national investigation of the crop insurance industry starting next week, after the bill passes.

Well, why not start today? Let's clean up this mess today. We can save between 2 and 5 billion of taxpayer dollars that are currently being wasted.

Let's save the American farmer. Let's improve this farm bill. Vote for the Cooper amendment this afternoon.

THE FARM BILL

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

Mr. GINGREY. Mr. Speaker, it saddens me today that I have to vote against the farm bill, a $57 billion-a-year bill.

I am compassionate and I care about the farmers in my district, but I must vote ''no'' and I must vote ''no'' for two reasons, one of which the gentleman from Tennessee just outlined. The bill calls for a massive tax increase on foreign companies that are doing business in this country. And in the State of Georgia, that is 176,000 jobs, 59,000 of them in the manufacturing sector. The gentleman from Tennessee has a better idea, and I plan to support his amendment.

And, Mr. Speaker, the Davis-Bacon prevailing wage requirement absolutely hurts innovative businesses, like U.S. Biofuels in Rome, Georgia, that want to convert chicken fat and soy beans to biofuel; and yet these prevailing wages take away all incentive for that.

We kill jobs in this country with this farm bill, and I reluctantly must vote ''no'' and ask my colleagues to do the same.

PRIVATE FIRST CLASS DANIEL AGAMI

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

Mr. KLEIN of Florida. Mr. Speaker, I rise today to pay respect and honor to Private First Class Daniel Agami from Parkland, Florida, who lost his life this past June while serving in Iraq.

Private Agami was patrolling in a Humvee with four other soldiers when their vehicle was hit by an IED, an improvised explosive device. Unfortunately, all five of these brave troops were killed.

Private Agami was a man of great character, known for his devotion to faith and his country. His presence was so strong and his personality so outgoing that the Army planned to feature Private Agami in an upcoming advertising campaign.

Like me, Private Agami was born in Ohio but later moved to Florida. His parents were surprised by his decision to join the military 2 years ago, but noted that he felt a responsibility to his country, and in the words of his mother, Beth Agami, he ''was totally patriotic.''

I, unfortunately, never had the opportunity to meet Private Agami, but after hearing about the way he approached life and his devotion to our country, I feel like I know him. He is a role model to me and to all citizens.

To the family of Private Agami, your beloved son made the ultimate sacrifice to serve our country, and those of us in Florida and the Nation are eternally grateful and will never forget his unfathomable service to our country.

CONGRATULATING ZIPPO ON THEIR 75TH ANNIVERSARY

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

Mr. PETERSON of Pennsylvania. Mr. Speaker, it is a cause for celebration in the Fifth District of Pennsylvania today. This year marks the 75th anniversary of an American icon, Zippo lighters. In 1932 George Blaisdell developed the first Zippo lighter in a garage in Bradford, Pennsylvania.

Today, though most products are disposable or available with limited warranties, the Zippo lighter is still backed by its famous lifetime guarantee: ''It works or we fix it for free.'' A motto of a company that truly believes in its great product.

In almost 75 years and nearly 450 million lighters later, where last year alone 50,000 lighters a day were produced in Bradford, Pennsylvania, Zippo lighters are a legacy of good business, and almost 70 percent of them are exported all around the world.

Today George Duke, Mr. Blaisdell's grandson, owns the company and is chairman of the board. Gregory Booth is Zippo's president and CEO. I know them both and appreciate their resolve to keep Zippo lighters manufactured in America and, more importantly, in Bradford, Pennsylvania.

I commend them for their devotion to the people of Bradford and congratulate Zippo and the Zippo family for 75 years of great business.

DEMOCRATS ARE WORKING TO ENSURE MORE CHILDREN HAVE HEALTH CARE; REPUBLICANS OBSTRUCT

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

Mr. PALLONE. Mr. Speaker, yesterday both the Energy and Commerce Committee and the Ways and Means Committee began marking up a comprehensive bill that ensures that millions of vulnerable children have access to health insurance through the Children's Health Insurance Program, otherwise known as CHIP. Democrats are proud of this legislation because it allows us to cover almost every child now eligible for the program.

Since it was created a decade ago, CHIP has received strong bipartisan support here in Washington. But that all changed yesterday when Republicans in both committees used every tactic available to them to stall us from moving forward with this legislation.

It's sad that Republicans refuse to engage in a substantive discussion on the future of CHIP. If Republicans were serious about strengthening this important children's health program, they would stop playing games and would allow a constructive debate to occur. These delaying tactics show that Republicans have no interest in

ensuring our children have access to quality health care.

The record is clear. Democrats wants to cover kids; Republicans don't.

THE FARM BILL

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

Mr. ETHERIDGE. Mr. Speaker, later this morning the House will take up the farm bill, H.R. 2419, and let me just share a couple of quotes, one from the American Farm Bureau:

''The farm bill is one of our highest priorities. We understand there may be a motion to recommit the bill back to the House Committee on Agriculture. We urge you to oppose this amendment. Without the additional almost $4 billion in offsets, we cannot adequately fund the nutrition needs in the farm bill.'' This is signed by the president of the American Farm Bureau Federation.

And from 24 different commodity groups that affect labor and commodities in America:

''Dear Members of Congress, we support both the underlying farm bill and the additional nutrition spending which gives rise to the need for an offset. For that reason we appreciate the efforts of Members of Congress who have attempted to identify that offset and we would encourage those who are concerned about the offset identified by the Committee on Ways and Means to support H.R. 2419 despite those concerns.

''In any event, we urge the House to move expeditiously to pass H.R. 2419. We remain hopeful that the long congressional tradition of passing farm bills on a bipartisan fashion will not be broken.'' And it is signed by 24 groups from the American Soybean Association through the U.S. Rice Producers Association.

American Soybean Association
American Sugar Alliance
Arkansas Rice Growers Association
Missouri Rice Research and Merchandising Council
National Association of Wheat Growers
National Barley Growers Association
National Cotton Council
National Farmers Organization
National Farmers Union
National Sorghum Producers
National Sunflower Association
North Carolina Peanut Growers Association
Oklahoma Peanut Commission
Panhandle Peanut Growers Association
South Carolina Peanut Growers Association
Southern Peanut Farmers Federation
Texas Peanut Producers Association
Texas Peanut Producers Board
Western Peanut Growers
United Egg Producers
USA Dry Pea & Lentil Council
USA Rice Federation
US Canola Association
US Rice Producers Association

FARM, NUTRITION, AND BIOENERGY ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 574 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2419.

□ 0914

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes, with Mr. SCHIFF (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on Thursday, July 26, 2007, amendments numbered 1 and 2 printed in House Report 110–261, as well as certain amendments en bloc, had been disposed of.

AMENDMENT NO. 3 OFFERED BY MR. GOODLATTE

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in part B of House Report 110–261.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. GOODLATTE:

At the end of subtitle A of title II (conservation), add the following new section:

SEC. 2409. COMMON EASEMENT AUTHORITIES.

(a) IN GENERAL.—The Food Security Act of 1985 is amended by inserting after section 1230 (16 U.S.C. 3801) the following new section:

''SEC. 1230A. COMMON EASEMENT AUTHORITIES.

''(a) IN GENERAL.—

''(1) PROGRAM.—In this section the term 'program' means the applicable program described in paragraph (2).

''(2) APPLICABILITY.—This section shall apply to the terms and conditions of all easements purchased under authorities of this subtitle:

''(A) The wetlands reserve program under subchapter C.

''(B) The farmland protection program under subchapter B of Chapter 2.

''(C) The grassland reserve program under subchapter C of Chapter 2.

''(D) The healthy forests reserve program, sections 501–508 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6571-6578).

''(3) ENROLLMENT.—The Secretary may either directly, or through an eligible entity, obtain an interest in eligible land through—

''(A) a 30-year or permanent easement; or

''(B) in a State that imposes a maximum duration for easements, an easement for the maximum duration allowed under State law.

''(4) HOLDER OF EASEMENT TITLE.—The title holder of an easement obtained under one of the programs described in paragraph (2), in addition to the Secretary, or in lieu of the Secretary, may be an eligible entity.

''(5) ESTABLISHING EASEMENT.—To become eligible to enroll land in the program through an easement, the landowner or eligible entity, as applicable, shall—

''(A) create and record an appropriate deed restriction in accordance with applicable State law;

''(B) provide proof of unencumbered title to the underlying fee interest in the land that is subject of the easement;

''(C) grant the easement to either the Secretary or an eligible entity;

''(D) comply with the terms of the easement and any restoration agreement; and

''(E) explicitly consent in writing to granting a security interest in the land to either the Secretary or an eligible entity.

''(6) WETLANDS RESERVE PROGRAM DEEDS.—A deed used to record an easement under the wetlands reserve program in subchapter C shall provide for sufficient protection of the functions and values of the wetland or floodplain, as determined by the Secretary.

''(7) DEED FOR OTHER EASEMENT PROGRAMS.—A deed used to record an easement under all programs described in paragraph (2) other than the wetlands reserve program shall be in the form of a negative restrictive deed that—

''(A) is in a format prescribed by the Secretary;

''(B) details the rights obtained by the easement; and

''(C) allows for specific uses of the land, if the use is consistent with the long-term protection of the purposes for which the easement was established.

''(8) ACCEPTANCE OF CONTRIBUTIONS.—The Secretary may accept and use contributions of non-Federal funds to carry out the administration or purpose the program.

''(9) MODIFICATION, TRANSFER, OR TERMINATION OF EASEMENT.—

''(A) MODIFICATION.—The Secretary may modify an easement acquired from, or a related agreement with, an owner or eligible entity under one of the programs described under paragraph (2) if—

''(i) the parties involved with the easement on the land agree to such modification; and

''(ii) the Secretary determines that such modification is desirable—

''(I) to carry out the program;

''(II) to facilitate administration of the program; or

''(III) to achieve such other goals as the Secretary determines are appropriate.

''(B) TITLE TRANSFER.—The Secretary may transfer title of ownership of an easement to an eligible entity to hold and enforce, in lieu of the Secretary, subject to the right of the Secretary to conduct periodic inspections and enforce the easement, if—

''(i) the Secretary determines that granting the transfer would promote the protection of eligible land;

''(ii) the owner authorizes the eligible entity to hold and enforce the easement;

''(iii) the eligible entity assuming the title agrees to assume the costs incurred in administering and enforcing the easement, including the costs of restoration or rehabilitation of the land as specified by the owner and the eligible entity; and

''(iv) the eligible entity, except for an eligible entity under section 1238H(a)(1), has a commitment to protect the conservation purpose of the easement and has the resources to enforce the easement.

''(C) TERMINATION.—The Secretary may terminate an easement if—

''(i) the parties involved with such easement agree to such termination; and

''(ii) the Secretary determines that such termination would be in the public interest.

''(10) VIOLATION.—Upon the violation of the terms or conditions of an easement or other agreement entered into under this section—

''(A) the easement shall remain in force; and

''(B) the Secretary may require the owner to refund all or part of any payments received by the owner under the program, with interest on the payments as determined appropriate by the Secretary.

''(b) EASEMENTS HELD BY SECRETARY.—

''(1) PERMANENT EASEMENT VALUATION.—In return for the granting of a permanent easement or an easement for the maximum duration allowed under applicable State law by a landowner under one of the programs described in subsection (a)(2), the Secretary shall make payments to the landowner as authorized under subparagraphs (A) and (B).

''(A) VALUATION METHODS.—The method of valuation shall be determined under the specific program involved.

''(B) COST OF RESTORATION.—The Secretary shall tender a monetary amount to the landowner that is not greater than an amount corresponding to 100 percent of the eligible costs of restoration.

''(2) 30 YEAR EASEMENT VALUATION.—In return for granting a 30 year easement by a landowner, the Secretary shall make payments to the landowner in an amount equal to—

''(A) not more than 75 percent of the amount that would apply in paragraph (1)(A); and

''(B) not more than 75 percent of the eligible costs of restoration.

''(3) MONETARY DONATION.—A private landowner may make a monetary donation equivalent to any amount of the actual value of the easement.

''(c) EASEMENTS ACQUIRED THROUGH ELIGIBLE ENTITIES.—

''(1) EASEMENT HELD BY ELIGIBLE ENTITY.—The Secretary shall offer the opportunity to eligible entities to enter into agreements for the purposes of purchasing and holding easements for eligible lands in the program.

''(2) EASEMENT VALUATION.—When enrolling eligible land through an eligible entity, the share of the cost of the Secretary to purchase a conservation easement or other interest in eligible land shall not exceed 50 percent of the fair market value based on an appraisal of the conservation easement, using an industry approved methodology determined by the entity.

''(3) PAYMENTS; DONATIONS.—

''(A) LANDOWNER.—A private landowner may make a monetary donation of up to 25 percent of the appraised fair market value of the conservation easement or other interest in eligible land.

''(B) ELIGIBLE ENTITY.—An eligible entity shall make a monetary payment of at least 25 percent of the appraised fair market value of the conservation easement or other interest in eligible land.

''(4) TYPE OF DEED.—An eligible entity obtaining an easement under this subtitle shall use a negative restrictive deed that provides for—

''(A) rights of all parties subject to the easement;

''(B) permissible uses of the land, if the use is consistent with the purposes for which the easement was established; and

''(C) terms and conditions of the eligible entity such as purposes and administration of the easement, if the Secretary finds that the terms and conditions are—

''(i) consistent with the purposes of the program; and

''(ii) provide for effective enforcement of the conservation purposes of the conservation easement.

''(d) FEDERAL CONTINGENT RIGHT OF ENFORCEMENT.—The Secretary may require the inclusion of a Federal contingent right of enforcement or executory limitation in a conservation easement or other interest in land for conservation purposes purchased with Federal funds provided under the program, in order to preserve the easement as a party of last resort. The inclusion of such a right or interest shall not be considered to be the Federal acquisition of real property and the Federal standards and procedures for land acquisition shall not apply to the inclusion of the right or interest.''.

(b) CONFORMING AMENDMENTS.—The following provisions of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq.) are repealed:

(1) Subsections (c) through (g) of section 1237A.

(2) Section 1237C(b)(2).

(3) Section 1237E.

(4) Subsections (a)(1), (d), and (e) of section 1238O.

(5) Subsections (a)(2), (b)(1), and (c) of section 1238P.

(6) Section 1238Q.

The Acting CHAIRMAN. Pursuant to House Resolution 574, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, my amendment streamlines and adopts one set of terms and conditions for easements for the Wetlands Reserve Program, the Grasslands Reserve Program, the Farmland and Ranchland Protection Program, and the Healthy Forest Reserve Program. This greatly simplifies the process for the Department to purchase easements, while leaving functions of the programs intact. It allows for one set of rules on titleholders, establishment of easements, type of deeds, acceptance of contributions, title transfer and reversionary interest.

This amendment not only helps the Department to reduce inefficiencies which result in administrative costs, but will help producers by simplifying the process of obtaining easements for these programs.

This amendment does not consolidate any program. This simply sets up one set of rules and regulations for easements. Each program has its own application process, sign-up period, and administrative requirements. Countless hours are wasted on administrative work because each easement has its own set of rules.

This amendment makes an effort at streamlining these complex rules and regulations into one set of rules with flexibility that is simple and makes common sense.

Each of these individual programs retains their own mission. These easement programs are implemented through landowners who voluntarily agree to a deed restriction and some landscape and resource restoration. Making the sign-up process for producers easier will allow NRCS to focus on their true mission, which should be to provide technical assistance to producers wanting to implement voluntary conservation methods.

We have taken popular components of the Farmland and Ranchland Protection Program, including the ability of third-party entities to hold easements, and implemented them in a manner that all producers interested in easements will be able to enjoy.

This amendment keeps the funding and missions of each easement program intact. The amendment even keeps the appraisal method of each program intact.

This is a commonsense amendment, a good government amendment, and a producer-friendly amendment. And I ask for your support.

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

Mr. PETERSON of Minnesota. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. PETERSON of Minnesota. Mr. Chairman, I've been working with the gentleman from Virginia on this issue, and I think he has some good ideas here that we have been working through, but we just aren't at the point where we're comfortable on this side at this point.

If I could engage in a conversation with the gentleman, as he knows, I think that some of the elements of this are something that we should do. It's just, as I said, we're not there yet.

In addition, as you know, I have an interest in looking at this issue of NRCS doing administrative work within their agency. We've been talking about that as well. I still believe that it would be better if we transferred that function over to FSA like they're doing now at CRP.

So if the gentleman would agree, I am very much interested in working with him on this issue. I think we can get something accomplished over the next period of time until we end up in conference with the Senate. So if the gentleman would be willing to withdraw, I will make the commitment that we will work on this in a serious way, because I think we can get something done here.

Mr. GOODLATTE. Will the gentleman yield?

Mr. PETERSON of Minnesota. I would be glad to yield.

Mr. GOODLATTE. I thank the chairman for his comments. He and I have had discussions about this, and I think we are in agreement that there needs to be significant reform of these programs.

As I've shared with the gentleman and others, there are farmers in my district and elsewhere around the country who are very frustrated with signing up for these programs. And, quite frankly, it is counterproductive to have programs that are so complex, that require so much paperwork, that require you to apply in several different places. One farmer, a woman in my district, has done a fantastic job of attempting to utilize these programs, but the frustration, the cost, the amount of time involved discouraged her, as it has discouraged others from even initiating the process to participate. And therefore, I think it's in the interest of the stakeholders, the groups who want to see more of these easements taken up, to make it an easier process. And that includes not only streamlining the definition of easements in this amendment, but looking

at whether some of these programs can be made to work together better.

I appreciate the gentleman's seriousness about undertaking this.

I ask unanimous consent to withdraw the amendment.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 5 OFFERED BY MR. CARDOZA

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in part B of House Report 110–261.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. CARDOZA:

At the end of subtitle E of title X add the following new section:

SEC. ___. RESTORATION OF IMPORT AND ENTRY AGRICULTURAL INSPECTION FUNCTIONS TO THE DEPARTMENT OF AGRICULTURE.

(a) REPEAL OF TRANSFER OF FUNCTIONS.—Section 421 of the Homeland Security Act of 2002 (6 U.S.C. 231) is repealed.

(b) CONFORMING AMENDMENT TO FUNCTIONS OF SECRETARY OF HOMELAND SECURITY.—Section 402 of the Homeland Security Act of 2002 (6 U.S.C. 202) is amended—

(1) by striking paragraph (7); and

(2) by redesignating paragraph (8) as paragraph (7).

(c) TRANSFER AGREEMENT.—

(1) IN GENERAL.—Not later than the effective date specified in subsection (g), the Secretary of Agriculture and the Secretary of Homeland Security shall enter into an agreement to effectuate the return of functions required by the amendments made by this section.

(2) USE OF CERTAIN EMPLOYEES.—The agreement may include authority for the Secretary of Agriculture to use employees of the Department of Homeland Security to carry out authorities delegated to the Animal and Plant Health Inspection Service regarding the protection of domestic livestock and plants.

(d) RESTORATION OF DEPARTMENT OF AGRICULTURE EMPLOYEES.—Not later than the effective date specified in subsection (g), all full-time equivalent positions of the Department of Agriculture transferred to the Department of Homeland Security under section 421(g) of the Homeland Security Act of 2002 (6 U.S.C. 231(g)) (as in effect on the day before such effective date) shall be restored to the Department of Agriculture.

(e) AUTHORITY OF APHIS.—

(1) ESTABLISHMENT OF PROGRAM.—The Secretary of Agriculture shall establish within the Animal and Plant Health Inspection Service a program, to be known as the ''International Agricultural Inspection Program'', under which the Administrator of the Animal and Plant Health Inspection Service (referred to in this subsection as the ''Administrator'') shall carry out import and entry agricultural inspections.

(2) INFORMATION GATHERING AND INSPECTIONS.—In carrying out the program under paragraph (1), the Administrator shall have full access to—

(A) each secure area of any terminal for screening passengers or cargo under the control of the Department of Homeland Security on the day before the date of enactment of this Act for purposes of carrying out inspections and gathering information; and

(B) each database (including any database relating to cargo manifests or employee and business records) under the control of the Department of Homeland Security on the day before the date of enactment of this Act for purposes of gathering information.

(3) INSPECTION ALERTS.—The Administrator may issue inspection alerts, including by indicating cargo to be held for immediate inspection.

(4) INSPECTION USER FEES.—The Administrator may, as applicable—

(A) continue to collect any agricultural quarantine inspection user fee; and

(B) administer any reserve account for the fees.

(5) CAREER TRACK PROGRAM.—

(A) IN GENERAL.—The Administrator shall establish a program, to be known as the ''import and entry agriculture inspector career track program'', to support the development of long-term career professionals with expertise in import and entry agriculture inspection.

(B) STRATEGIC PLAN AND TRAINING.—In carrying out the program under this paragraph, the Administrator, in coordination with the Secretary of Agriculture, shall—

(i) develop a strategic plan to incorporate import and entry agricultural inspectors into the infrastructure protecting food, fiber, forests, bioenergy, and the environment of the United States from animal and plant pests, diseases, and noxious weeds; and

(ii) as part of the plan under clause (i), provide training for import and entry agricultural inspectors participating in the program not less frequently than once each year to improve inspection skills.

(f) DUTIES OF SECRETARY OF AGRICULTURE.—

(1) OPERATING PROCEDURES AND TRACKING SYSTEM.—The Secretary of Agriculture shall—

(A) develop standard operating procedures for inspection, monitoring, and auditing relating to import and entry agricultural inspections, in accordance with recommendations from the Comptroller General of the United States and reports of interagency advisory groups, as applicable; and

(B) ensure that the Animal and Plant Health Inspection Service has a national electronic system with real-time tracking capability for monitoring, tracking, and reporting inspection activities of the Service.

(2) FEDERAL AND STATE COOPERATION.—

(A) COMMUNICATION SYSTEM.—The Secretary of Agriculture shall develop and maintain an integrated, real-time communication system with respect to import and entry agricultural inspections to alert State departments of agriculture of significant inspection findings of the Animal and Plant Health Inspection Service.

(3) FUNDING.—The Secretary of Agriculture shall pay the costs of each import and entry agricultural inspector employed by the Animal and Plant Health Inspection Service from amounts made available to the Department of Agriculture for the applicable fiscal year.

(g) REPORT.—Not later than one year after the date of the enactment of this Act, and at least annually thereafter, the Secretary shall submit to Congress a report containing an assessment of—

(1) the resource needs for import and entry agricultural inspection, including the number of inspectors required;

(2) the adequacy of—

(A) inspection and monitoring procedures and facilities in the United States; and

(B) the strategic plan developed under subsection (e)(5)(B)(i); and

(3) new and potential technologies and practices, including recommendations regarding the technologies and practices, to improve import and entry agricultural inspection.

(h) EFFECTIVE DATE.—The amendments made by this section take effect on the date that is 180 days after the date of enactment of this Act.

Mr. THOMPSON of Mississippi. Mr. Chairman, I reserve a point of order against the amendment.

The Acting CHAIRMAN. The gentleman reserves a point of order.

Pursuant to House Resolution 574, the gentleman from California (Mr. CARDOZA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CARDOZA. Mr. Chairman, I understand that the CBO has determined that my amendment violates the PAYGO rules. As such, I would like to engage the chairman of the Agriculture Committee and the chairman of the Homeland Security Committee in a colloquy.

As you both well know, buried within the authorization of the Homeland Security Department was a little-known provision that mandated the Animal and Plant Health Inspection Service's 1,800 agricultural inspectors move from USDA to the newly created Department of Homeland Security Customs and Border Protection Division.

This move was made in order to consolidate custom and border enforcement into one agency, a decision I'm sure was made with all good intentions in mind. However, as the GAO has recently reported, since the transfer of these USDA employees, Customs and Border Protection has not developed sufficient performance measures to take into account the agency's expanded mission or to consider all pathways by which prohibited agricultural items or foreign pests may enter the country.

Mr. Chairman, this deficiency in our border security cannot and should not be tolerated. Stopping foreign pests and prohibited agricultural products from entering the United States might not be as sexy as stopping terrorists, weapons, or drugs, but it is certainly as important.

These are six-legged terrorists, Mr. Chairman, that can wreak havoc on our Nation's agricultural industry, costing billions of taxpayer dollars in eradication efforts and decimate our ability to access new export markets.

I would like your assurances that by withdrawing this amendment I have the commitment from both of you to work with me on this issue.

While I certainly would prefer to see these employees moved immediately back to USDA, where I believe they belong, my greater concern is that wherever they are right now, they must certainly have the tools and resources at their disposal to do their job effectively and efficiently.

I would like to have a hearing on the staffing, training and morale problems that persist within the agency. I also believe that we should direct USDA and the Department of Homeland Security to develop standardized, reputable

training programs that properly identify and assess the major threats posed by foreign agricultural pests and disease.

I believe USDA and Homeland Security should be required to fully and accurately account for all agricultural quarantine inspection fees. But perhaps most importantly, I want this issue to have the attention it deserves from both Agriculture and Homeland Security Committees.

Preventing pest and disease infestation is a paramount concern to all of American agriculture, but primarily to our specialty crop industry. I have vowed to fight for them on this issue and would appreciate your help in ensuring their concerns are met.

Mr. THOMPSON of Mississippi. Mr. Chairman, I would like to assure the gentleman from California that, as Chair of the House Homeland Security Committee, I look forward to working with him.

The border issue, from a security standpoint, as you know, is a major issue. Customs and Border Patrol should have more training in this area. I look forward to joint hearings with the Agriculture Committee on this, and subsequent to the findings of those hearings, look forward to strengthening our borders.

I must express my reservations to using the farm bill as a legislative vehicle to transfer agriculture import inspectors from the Department of Homeland Security to the U.S. Department of Agriculture. After the terrorist attacks on September 11, 2001, Congress, in March of 2003 consolidated and transferred critical responsibility for inspections of passenger and agricultural commodities from USDA Animal and Plant Health Inspection Service (APHIS) to the U.S. Department of Homeland Security's (DHS) Customs and Border Protection (CBP).

Since the transfer of APHIS inspectors to DHS, DHS had dedicated considerable resources to enhancing agriculture inspections to protect the nation from economically devastating agricultural pests and diseases. I agree that the Department of Homeland Security, especially Customs and Border Protection, must improve its training.

While DHS has experienced some challenges in implementing this enhanced inspection regime, those challenges are not insurmountable. As a former Agriculture Committee Member and representing many agriculture interests, I am very concerned about any breaches at the border, including foreign pest and prohibited agricultural products.

Though DHS carries out the inspections, USDA maintains the responsibility for establishing the regulations, guidelines, and even the training that govern the import of agricultural products. Thus, it is important to note that the success or failure of the program requires both DHS and USDA coordinated efforts.

Transferring employees at this time would divert attention from the real mission, delay any efforts to identify needed improvements, and set the program back for another several years while yet another readjustment occurs for both USDA and DHS. A far better approach than another disruptive, time-consuming transfer of thousands of employees would be for USDA and DHS to commit to conducting a thorough analysis of the program's performance, agree to a specific action plan for improvements, and to set clear and measurable goals.

Mr. Chairman and Mr. CARDOZA, I am committed to working with you on this issue and would like to hold a joint hearing on this matter. I thank the gentleman for raising this important issue and look forward to working with you and Chairman PETERSON immediately on this issue.

MAY 22, 2007.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, U.S. House of Representatives, Washington, DC.

DEAR CHAIRMAN THOMPSON: We write to you today regarding the recent consideration given to the proposed removal of the agricultural inspection function from the U.S. Department of Homeland Security's (DHS) Customs and Border Protection (CBP), and relocation of this function to the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS), as included in S. 887 and other legislation pending in Congress. USDA and DHS oppose this legislative proposal. We both take seriously the shared mission of protecting our Nation from foreign plant and animal diseases, as well as securing our homeland against unintentional and intentional threats to our agriculture and food supply.

The creation of DHS was a thoughtful complex, and ambitious integration effort. We strongly believe that Congress, which recently mandated an extensive internal reorganization of DHS, should now give DHS the organizational stability it needs to succeed with its vital homeland security mission.

USDA, DHS, and our agriculture stakeholders all share a common goal—protecting American agriculture. However, both USDA and DHS strongly believe that another disruptive, time-consuming transfer of thousands of employees and the agricultural inspection function, as advocated by some, would degrade enforcement and seriously undermine the integrated border enforcement capabilities created with the formation of DHS. A transfer would divert attention from the real mission to prevent the entry of harmful plant and animal pests, disease, and threats to our agricultural resources and food supply. A transfer would delay efforts to identify needed improvements in agricultural inspection and would therefore set the agricultural inspection program back while also creating counterproductive management and employee churn for both USDA and DHS. Working cooperatively, USDA and DHS employees have made much progress and have strengthened their partnership in forming a unified first line of defense in performing their missions and delivering agricultural programs.

On March 1, 2003, the responsibility for the inspection of goods and travelers for illegal agricultural products or pests arriving in the United States was transferred from USDA to the then-newly created CBP within DHS. The transfer of this function was among the first steps in establishing CBP as the single, unified agency responsible for managing and securing our Nation's ports-of-entry. Another important part of the creation of CBP was the development of two new positions to respond to new and expanded border security needs: the CBP Officer and the CBP Agriculture Specialist (CBPAS).

CBP Officers are responsible for a wide range of duties including preventing the entry of terrorists and their weapons and conducting traditional inspection activities related to trade, contraband enforcement, and admissibility—as well as the important agricultural inspection function. In this regard, CBP Officers receive specialized cross-training related to agricultural risk and inspection referral. CBPASs fill the role of the former APHIS inspectors and conduct activities to prevent harmful plant and animal pests and diseases from entering the United States while guarding against agro/bio-terrorism.

Today, CBP Agriculture Specialists receive the same amount of agriculture-specific training as they did when they were part of USDA. The eight weeks of agriculture-specific training that CBPASs receive, conducted by USDA instructors, ensures that they are fully prepared for their role at the border. In addition to traditional agricultural enforcement, CBPASs play a crucial role in educating other CBP officers about the agricultural inspection process, thus enhancing the agricultural knowledge of all personnel at ports-of-entry. Importantly, CBP has increased CBPAS staffing in the field by over 30 percent, providing coverage at over 157 ports-of-entry since the merger on March 1, 2003. The deployment of both CBPASs (over 2,000) and cross-trained CBP Officers (18,000) to search for agricultural threats has resulted in a force multiplier that improves implementing the agricultural inspection program. The proposal to remove agricultural inspections from DHS would wholly undermine the force multiplier achieved by cross-training.

With the creation of CBP, USDA continued to retain the majority of agricultural functions, including responsibility for establishing regulations and guidelines that govern the import of agricultural products, pest identification, inspection of propagative material, risk assessment, and methods development. CBP, of course, retained border inspection responsibilities. While USDA continues to establish agricultural policy governing imports, it is the significant cooperation between the two Departments that has enabled the agricultural inspection program to advance and meet the new challenges of the growing global marketplace. USDA and DHS have worked tirelessly to integrate the important duties and responsibilities of the scientific mission of agricultural inspection with CBP's other missions.

American agriculture remains at risk from external threats. Our joint efforts must continue to prepare us for the threat of unintentional or intentional introduction of foreign plant or animal pests or pathogens into our country. These potential threats could devastate American crops or livestock, which is why the incorporation of the two CBP line positions plays such an important role in DHS's multi-layered approach to protect U.S. agricultural resources.

USDA and DHS are committed to working in partnership to safeguard American agriculture by detecting and preventing harmful plant and animal pests and diseases through training initiatives, trend analysis, targeting initiatives, and the development of special programs like the National Agriculture Release Program. As part of this commitment, USDA and DHS are forming a task force to address the concerns of our agriculture stakeholders, as well as issues raised about the agricultural inspection program in reports from the Government Accountability Office and USDA's Office of the Inspector General. Through this task force, USDA and DHS will take important steps to continue to improve the program by conducting a thorough analysis of the program's performance, agreeing to a specific action plan for improvements, and setting clear and measurable goals to hold the agencies accountable for protecting America from

threats to our agriculture. We believe this is a far more productive course of action than the transfer of employees and the agricultural inspection function back to USDA, and it will achieve the common goal of protecting U.S. agricultural resources. USDA and DHS stand together as partners and value our cooperative efforts, our joint missions, and our employees.

Sincerely,

MIKE JOHANNS,
Secretary, U.S. Department of Agriculture.
MICHAEL CHERTOFF,
Secretary, U.S. Department of Homeland Security.

Mr. GOODLATTE. Will the gentleman from California yield?

Mr. CARDOZA. I have been working closely with Congressman ADAM PUTNAM on this issue, and I would be happy to yield to my friend from Virginia on this issue.

Mr. GOODLATTE. I thank the gentleman.

I want to commend the gentleman for offering this amendment. I want to commend the gentleman from Mississippi for his willingness to hold hearings on this issue.

I was chairman of the committee at the time that the Homeland Security Department and Committee were created and served on that committee for 2 years, and the problems were already becoming apparent at the outset that the nature of most of the operations of homeland security very much differ from this effort to deal with animal and plant pests that are entering this country. And we really do need to make sure that this function of the Department is operating in the fashion that it was operating when it was under the control of the Department of Agriculture, that we're not losing people with the kind of expertise that's necessary to be able to detect and keep these pests out of the country. And I hope that this dialogue will lead to an effort to enhance that effort.

Mr. CARDOZA. I thank the gentleman.

Mr. PETERSON of Minnesota. Will the gentleman yield?

Mr. CARDOZA. I will yield.

Mr. PETERSON of Minnesota. I, as well, want to commend the gentleman from California and the gentleman from Mississippi for their willingness to work with us on this issue, as well as the ranking member.

We, on the committee, have an investigator that does work for us. And this last year he went out and traveled around the country, talked to a lot of folks involved in this area. And we have some troubling feedback that we got in that report. And I think it's appropriate that we all that are involved in this get together and have hearings to get to the bottom of this to make sure that we not only are securing our borders, but we also are doing the best job that we can to make sure that the food coming into this country is secure and safe and the process is not overly bureaucratic.

So I thank the gentlemen for their leadership and look forward to working with all of them on this issue as we go forward.

Mr. CARDOZA. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 6 OFFERED BY MR. BOUSTANY

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in part B of House Report 110–261.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. BOUSTANY:

At the end of subtitle A of title XI, add the following new section:

SEC. 11013. DETERMINATION OF CERTAIN SWEET POTATO PRODUCTION.

In the case of sweet potatoes, Risk Management Agency Pilot Program data shall not be considered for purposes of determining production for the 2005–2006 Farm Service Agency Crop Disaster Program.

The Acting CHAIRMAN. Pursuant to House Resolution 574, the gentleman from Louisiana (Mr. BOUSTANY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. BOUSTANY. Mr. Chairman, I want to thank Chairman PETERSON and Ranking Member GOODLATTE, the Democratic staff of the committee and the Republican staff of the committee for working with my staffer, Michael Hare, on this amendment. I think it's a very important amendment.

I am pleased to offer this with my colleague and good friend, Mr. ALEXANDER, from Louisiana as well.

Sweet potato farmers throughout the Nation are involved in an insurance pilot program being administered by the Risk Management Agency. This is a multi-year process which involves many adjustments along the way. The biggest problem was a change made by RMA that defines what qualifies as a marketable sweet potato.

The new definition of the term ''marketable'' includes all sweet potatoes over 1½ inches in diameter. Unfortunately, this definition does not allow for any sweet potato that has been ruined and is considered unmarketable from being deducted from the total yield calculation.

Sweet potato farmers in Louisiana, as well as in many other parts of the country, suffered heavy rains in September and October of 2005. While these heavy rains led to significant yield losses, sweet potatoes that were over 1½ inches in diameter were counted as a part of the total yield. By counting the sweet potatoes ruined by heavy rains, farmers were unable to qualify for disaster payments.

Our amendment would simply use the data collected by the local FSA offices instead of the RMA to be used for the purposes of determining crop losses.

□ 0930

These local offices already have the production yield information for the 2005–2006 crop year and will be able to certify if a sweet potato farmer is eligible, indeed, for disaster payment.

Mr. Chairman, I want to be clear: this amendment will only apply to farmers who purchased crop insurance and had a 35 percent crop loss. This amendment simply corrects a technical error made by RMA.

Mr. Chairman, I strongly urge that we support our sweet potato farmers and adopt this amendment.

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

Mr. PETERSON of Minnesota. Mr. Chairman, I rise in support of the amendment.

The Acting CHAIRMAN. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. PETERSON of Minnesota. Thank you, Mr. Chairman.

As I said, I support the gentleman's amendment. I understand the gentleman's frustration with RMA and how it is on operating this crop insurance program for sweet potatoes. We have similar frustrations in our area in some other projects that we have been working on. I have heard from many of my farmers about this as well. That is why once we finish this farm bill, the committee is going to conduct a thorough, top-to-bottom review of all our operations down at USDA, especially at RMA.

So I appreciate the gentleman's fighting for his farmers. Given my understanding that this amendment does not score, I urge my colleagues to support the amendment.

Mr. Chairman, I yield back my time.

Mr. BOUSTANY. Mr. Chairman, I thank Chairman PETERSON for his work and his support of this amendment.

Mr. Chairman, I yield back my time.

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

The amendment was agreed to.

Mr. PETERSON of Minnesota. Mr. Chairman, I ask unanimous consent that we proceed out of order so that the gentleman from New York (Mr. RANGEL), the distinguished chairman of the Committee on Ways and Means, can offer his amendment.

The Acting CHAIRMAN. The gentleman's request cannot be entertained in the Committee of the Whole.

AMENDMENT NO. 7 OFFERED BY MS. JACKSON-LEE OF TEXAS

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in part B of House Report 110–261.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Ms. JACKSON-LEE of Texas:

At an appropriate place in title IV, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. _____ SENSE OF THE CONGRESS.

It is the sense of the Congress that food items provided pursuant to the Federal school breakfast and school lunch program should be selected so as to reduce the incidence of juvenile obesity and to maximize nutritional value.

The Acting CHAIRMAN. Pursuant to House Resolution 574, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, let me acknowledge the chairman of the full committee, Mr. PETERSON, and the ranking member, Mr. GOODLATTE. I, too, was trying to yield to the distinguished chairman of the Ways and Means Committee. But I am sure that we will have an affirmation, hopefully, of the spirit of this amendment and ask my colleagues before I start to support it.

Mr. Chairman, I rise to affirm family farmers around America. I rise proudly to acknowledge the importance of family farmers and the American agricultural industry in feeding not only America, but feeding the world. This bill, in particular, does a great amount as relates to improving nutrition, providing food for hungry children, and, of course, serving the world, particularly those in need of food.

It goes a long way in providing for black farmers and those who are socially disadvantaged or have land that needs conservation or needs the sharing of technology. I look forward to working with the chairman on those issues as we move forward.

But I rise today to offer an amendment that reaffirms the importance of nutritious meals for our young people, and the importance of the young people who eat school breakfasts and school lunches to have nutritious meals.

This map may not necessarily speak to the idea of school lunches and school breakfasts, but the vastness of this map shows how big America is and the number of people on food stamps. You can imagine that the number of people on food stamps have children who go to school in need of a school breakfast and a school lunch.

Obesity in America is a health crisis. My amendment simply asks that we reaffirm, as a Congress, that those school lunches and those school breakfasts will be nutritionally based to overcome juvenile obesity and to ensure nutritious meals.

Mr. PETERSON of Minnesota. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Minnesota.

Mr. PETERSON of Minnesota. Mr. Chairman, I appreciate the gentlewoman's leadership on this issue. I think this is a very good amendment. We appreciate her interest in promoting healthy foods in schools. That is something that the committee is very much interested in. We support your amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 1 minute and 25 seconds to the distinguished gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Chairman, childhood obesity is a growing problem in our country. We already know that obesity leads to a greater risk of heart disease, diabetes and a host of other cardiovascular problems.

According to data from a California physical fitness testing program, among fifth, seventh and eighth graders in Los Angeles County public schools, 22 percent of students are overweight. According to the Centers for Disease Control and Prevention, in Los Angeles high schools, 16 percent of students were overweight and 18 percent are at risk of becoming overweight.

Mr. Chairman, this alarming trend in childhood obesity is not only a problem for Los Angeles, but for our Nation. Seventeen percent of our Nation's children aged 12 through 19 are overweight. Overweight children and adolescents are more likely to become obese as adults.

If we want to reverse this trend and effectively reduce childhood obesity, we need to ensure that school breakfasts and school lunch programs clearly communicate the dangers of obesity and the importance of nutrition and physical fitness.

Mr. Chairman, I am very pleased that the Chair has agreed to take the Jackson-Lee amendment to underscore the importance of this issue.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me quickly say this amendment is supported by the National Farmers Union, and it is a sense of Congress that food items provided pursuant to the Federal School Breakfast Program and School Lunch Program should be selected so as to reduce the incidence of juvenile obesity and to maximize nutritional value.

Very quickly, African American and Hispanic families have the greatest risk for overweight and obesity, and youngsters from lower-income families have a higher risk for obesity than those from higher income. More than 40 percent of African American teenagers are overweight. Nearly 25 percent are obese. Hispanic children have the highest lifetime risk of diabetes, 52 percent for boys, 45 percent for girls, followed closely by African American children.

This would be a very crucial statement made by this body, a bipartisan statement, that we not only support America's farmers, but we support the nutritional eating of our children in programs that are federally funded. I would ask my colleagues to support this amendment because obesity is at epidemic proportion in America; and I look forward to working with this committee as we promote nutrition, not only in the United States, but around the world.

Mr. Chairman, I ask for support of this amendment.

Mr. Chairman, I rise in support of H.R. 2419, the Farm Nutrition, and Bioenergy Act of 2007, the Farm Bill. Let me first thank my distinguished colleague Chairman PETERSON for his extraordinary leadership and guidance in crafting this bill. The Farm Bill will go a long way to feed the hungry, increase access to childcare for low-income parents, help the environment, increase opportunities for alternative energy and promote healthy food choices. H.R. 2419 will play a crucial role in continuing to provide a strong support system for many of this Nation's neediest families. H.R. 2419 reauthorizes nutrition programs, which account for two thirds of the bill's funding, to help low income families in need. This includes the extremely important Food Stamp Program that keeps many Americans from going hungry. In fact, the Farm Bill increases the minimum benefit under the Food Stamp Program for the first time in 30 years, and also adjusts the increase to inflation. I am particularly pleased to note that the bill eliminates the current cap on childcare costs to help the working poor meet rising costs. In addition, it nearly doubles the funding for the Emergency Food Assistant Program and expands the Fresh Fruit and Vegetable Snack Program to all 50 States.

A HEALTHY INVESTMENT

The legislation makes historic investments in programs to support fruit and vegetable producers who have not received traditional Farm Bill benefits. The bill provides $1.6 billion in funding for fruit and vegetable programs, including nutrition, research, pest management and trade promotion programs. It increases and expands the Fresh Fruit and Vegetable Snack Program to schools in all 50 States and allows Senior Farmers Markets to expand sixfold. The bill provides mandatory funding for organic certification cost share and authorizes a new incentive payment program for farmers wanting to convert to organic production.

Mr. Chairman, the nutrition section of the H.R. 2419 will go a long way to combat the obesity crisis in this country. Emphasizing the importance of nutrition in this bill will give us some hope that we can find very real solutions to curtail the increasing rates of obesity in our communities and the extremely serious health consequences that result from these high obesity rates. In fact, that is why I offered an amendment to the Farm Bill. My amendment is simple but makes an important contribution to the legislation. The amendment, which is strongly supported by the National Farmer's Union, simply provides that: "It is the sense of the Congress that food items provided pursuant to the Federal school breakfast and school lunch program should be selected so as to reduce the incidence of juvenile obesity and to maximize nutritional value."

Mr. Chairman, we cannot wait any longer to provide every opportunity for our children to receive nutritious meals and, in turn, reverse the alarming rates of childhood obesity. Although the obesity rates among all Americans are alarming, the obesity rates among African-

American and Latino communities are particularly astonishing. As chair of the Congressional Children's Caucus, I have a special concern to bring attention to the childhood obesity epidemic among African-Americans and Latino communities.

Earlier this year, my office in concert with the office of Congressman EDOLPHUS TOWNS and the Congressional Black Caucus Foundation, held a widely-attended issue forum entitled, ''Childhood Obesity: Factors That Are Contributing to the Disproportionate Prevalence in Low Income Communities.'' At this forum, a panel of professionals from medicine, academia and research, nutrition, and the food industry discussed the disturbing increasing rates of childhood obesity in minority and low-income communities, and the factors that are contributing to the prevalence in these communities.

What we know is that our children are consuming less nutritious foods and that they do not get sufficient physical exercise. This combination has led to the obesity epidemic as well as various directly-related consequences. We must find ways to remove them.

Consider these facts:

Obesity is widely recognized as one of the most pressing health threats to children and families across the country.

Today, one-third of American children and adolescents are either obese or at risk of becoming obese.

There are serious health implications associated with obesity for children, including increased risk for developing heart disease, type 2 diabetes, stroke, orthopedic problems, and asthma. When ethnicity and income are considered, the picture is even more troubling.

African-American and Hispanic families have the greatest risk for overweight and obesity, and youngsters from lower-income families have a higher risk for obesity than those from higher-income families.

More than 40 percent of African-American teenagers are overweight, and nearly 25 percent are obese.

Hispanic children have the highest lifetime risk of diabetes (52 percent for boys, 45 percent for girls), followed closely by African-American children (49 percent for boys, 40 percent for girls).

Since the mid-seventies, the prevalence of overweight and obesity has increased sharply for both adults and children. According to the Centers for Disease Control and Prevention, CDC, among adults aged 20–74 years the prevalence of obesity increased from 15.0 percent (in the 1976–1980 survey) to 32.9 percent (in the 2003–2004 survey). There were also increases in overweight among children and teens. For children aged 2–5 years, the prevalence of overweight increased from 5.0 percent to 13.9 percent; for those aged 6–11 years, prevalence increased from 6.5 percent to 18.8 percent; and for those aged 12–19 years, prevalence increased from 5.0 percent to 17.4 percent.

These increasing rates raise concern because of their implications for Americans' health. Being overweight or obese increases the risk of many diseases and health conditions, including the following: hypertension; dyslipidemia (for example, high total cholesterol or high levels of triglycerides); type 2 diabetes; coronary heart disease; stroke; gallbladder disease; osteoarthritis; sleep apnea and respiratory problems; and some cancers: (endometrial, breast, and colon).

We must stop the obesity trends now. We cannot afford the health cost or financial cost that are resulting and will continue to result from the alarming obesity rates in this country.

AMENDMENT TO H.R. 2844

I also offered a nutrition-related amendment to H.R. 2844, ''The Food Security and Agricultural Development Act of 2007.'' That amendment contains two simple, but very important, provisions. It states that it is U.S. policy to use non-emergency food aid to work to ensure that all members of a community, and particularly children, receive proper nutrition. It also recognizes the importance of non-emergency aid in mitigating the catastrophic effects of potential future emergencies.

Malnutrition remains a significant problem worldwide, particularly among children. According to the United Nations World Food Programme, severe acute malnutrition affects an estimated 20 million children under 5 worldwide. It kills approximately 1 million children each year, or an average of one every 30 seconds. According to UNICEF Director Ann M. Veneman, malnutrition plays some part in 53 percent of all deaths of children under 5. When an emergency situation does arise, malnutrition increases dramatically and kills most quickly.

These statistics are absolutely staggering. They are unnecessary. The World Food Programme estimates that, when implemented on a large scale and combined with hospital treatment for children who suffer complications, a community-based approach to combating malnutrition could save the lives of hundreds of thousands of children each year.

My amendment recognizes the need to meet a community's nutritional needs, particularly those of the children. It highlights the need for non-emergency assistance to address these devastating, long-term deficiencies. There are strong links between a lack of development and the effects of humanitarian emergencies, and the second part of my amendment highlights these. This legislation takes the very important step of setting aside $600,000,000 specifically for non-emergency programs, recognizing the need to finance development. We must act to ensure that the world's most vulnerable populations have access to the long-term solutions that will permit them to fight off hunger, not just in the immediate aftermath of a catastrophe, but in the years and decades to come.

IMPROVEMENT OF THE ENVIRONMENT AND PROTECTION OF OPEN SPACES

The 2007 Farm Bill makes conservation a cornerstone of agriculture for all producers in all regions of the country. The bill increases funding and access to conservation programs to preserve farm and ranchland, improve water quality and quantity, and enhance soil conservation, air quality, and wildlife habitat on working lands.

STIMULATION OF RURAL ECONOMIES

The 2007 Farm Bill also includes key provisions that invest in rural communities nationwide, including economic development programs that target rural areas in need and broadband telecommunication services to bridge the digital divide and provide access to rural, underserved areas.

SECURITY OF AMERICA'S ENERGY FUTURE

The 2007 Farm Bill boosts funding for renewable energy programs by 600 percent. It encourages the production of renewable energy, including biofuels and biobased products that protects our environment and encourages energy independence. It also provides loan guarantees for the development of biorefineries that process biofuels from dedicated energy crops and agriculture and forestry waste materials, a key step toward bringing more renewable fuels to market in America.

Mr. Chairman, the reauthorization of the Farm Bill presents an opportunity for our Nation to have a food system that is more just and sustainable. Current policy in the United States has not adequately met the needs of people living in poverty, small and mid-sized farmers, or of rural America; nor has it been effective in protecting the environment in which we must live. We can do better. Now is the time for us to make a real difference in the lives of people across our nation and around the world. We can do just that with passage of H.R. 2419. I urge my colleagues to join me in supporting this bill.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Mr. PETERSON of Minnesota. Mr. Chairman, I demand a recorded vote.

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

It is now in order to consider amendment No. 11 printed in part B of House Report 110–261.

AMENDMENT NO. 12 OFFERED BY MR. RANGEL

The Acting CHAIRMAN. It is now in order to consider amendment No. 12 printed in part B of House Report 110–261.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by RANGEL:

At the appropriate place in the bill, insert the following new sections:

SEC. ___. CLARIFICATION OF PAYMENT TERMS UNDER THE TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT ACT OF 2000.

Section 908(b)(4) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207(b)(4)) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) the term 'payment of cash in advance' means, notwithstanding any other provision of law, the payment by the purchaser of an agricultural commodity or product and the receipt of such payment by the seller prior to—

''(i) the transfer of title of such commodity or product to the purchaser; and

''(ii) the release of control of such commodity or product to the purchaser.''.

SEC. ___. AUTHORIZATION OF DIRECT TRANSFERS BETWEEN CUBAN AND UNITED STATES FINANCIAL INSTITUTIONS UNDER THE TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT ACT OF 2000.

(a) IN GENERAL.—Notwithstanding any other provision of law, the President may not restrict direct transfers from a Cuban depository institution to a United States depository institution executed in payment for a product authorized for sale under the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201 et seq.).

(b) DEPOSITORY INSTITUTION DEFINED.—In this section, the term ''depository institution'' means any entity that is engaged primarily in the business of banking (including a bank, savings bank, savings association, credit union, trust company, or bank holding company).

SEC. ___. ISSUANCE OF VISAS TO CONDUCT ACTIVITIES IN ACCORDANCE WITH THE TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT ACT OF 2000.

Notwithstanding any other provision of law, in the case of a Cuban national whose itinerary documents an intent to conduct activities, including phytosanitary inspections, related to purchasing United States agricultural goods under the provisions of the Trade Sanctions Reform and Export Enhancement Act of 2000, a consular officer (as defined in section 101(a)(9) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(9))) may issue a nonimmigrant visa under section 101(a)(15)(B) of such Act (8 U.S.C. 1101(a)(15)(B)) to the national, if the national is not inadmissible to the United States under section 212 of such Act (8 U.S.C. 1182).

The Acting CHAIRMAN. Pursuant to House Resolution 574, the gentleman from New York (Mr. RANGEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. RANGEL. Mr. Chairman, let me once again thank the chairman of the committee and the ranking member for the bipartisan work that they have put into allowing this great bill to reach the floor.

Mr. Chairman, I think this amendment is going to be a real win for America and a win for American farmers and a win for democracy. What it allows is that the people in Cuba can purchase hundreds of millions of dollars of goods from our farmers and be able to pay directly to U.S. banks without going through the red tape with the restrictions that we have on their visas and having to go to third countries.

Close to 50 years ago, someone came up with the great idea that in order to get rid of Castro and the communist government, that we should put an embargo on that country, which, of course, included food products that our great farmers are producing. Well, what has happened is that Castro is still there and we have gone through 10 presidents, and we are the only country that it appears as though has this embargo, which is truly ineffective.

Having said that, it would just seem to me that if we really want to win the hearts and minds of the people in Cuba, that we should make it abundantly clear that our greatest salesmen are our farmers, to be able to give food and nutrition to these people, and the money comes here and the food goes there. Hugo Chavez may be there trying to give them oil, but the poor people in Cuba can't eat oil. So this would open up the markets by hundreds of millions of dollars for wheat, pork, chicken, rice and beans, instead of having the Cubans go to Thailand and Europe, and indeed to go to Communist China.

Now, I know there is a lot of fear about communists, but if you take a look at our deficit with the People's Republic of China, if you see our exploding exchange with the communist government of Vietnam, give me a break. This has nothing to do with communism, very little to do with Cuba, and a heck of a lot to do as to how people are going to vote in Miami and in Florida as relates to Republicans and Democrats.

So we have a great opportunity to do what America does best: compete on the open market of competition. Let's try to take local and domestic politics out of it.

I know it is difficult, because those who oppose this, they don't like Castro. Well, I am 77 years old. Forty years of that has been fighting Castro with an embargo. Young people, that is not going to work.

□ 0945

If you want to get rid of Castro, let American enterprise, capitalism, farmers, food, liberty, justice, get that into Cuba, and that will bring the old man down.

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

Ms. ROS-LEHTINEN. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentlewoman from Florida is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Chairman, I am strongly opposed to this amendment that rewards a state sponsor of terrorism with unfettered access to our banks and increases the threat to our country. It condones terrorist financing through our banking system. We do not allow other state sponsors of terrorism, such as Iran, Syria, Sudan, and North Korea, to have direct access to U.S. banks.

During a visit with Iran's Ayatollah in May 2001, Castro declared that together Cuba and Iran will bring America to its knees. We should not allow the Cuban regime to access U.S. bank accounts.

And then there is the troubling provision to expedite visas for so-called Cuban agricultural inspectors. This would give free rein to any intelligence agent that the Cuban Government designates as an agricultural investigator to come to the United States. We should not open our borders to any Cuban agent to roam freely throughout the United States under the guise of being agricultural inspectors.

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

Mr. RANGEL. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. Mr. Chairman, I thank the gentleman for his outstanding leadership on this issue now and in the past. This is something that I support.

A recent report by the U.S. International Trade Commission shows the United States was a main supplier of ag products to Cuba last year, accounting for 30 percent of the island's imports. This report indicates that number could increase to 50 percent if the United States would only end some of its decades-long restrictions on trade between the two nations. This report shows that lifting the trade and travel restrictions against Cuba can have a real effect on the U.S. farm economy.

Unfortunately, since 2000, American farmers and other ag exporters have been allowed to sell goods to Cuba only on a cash-only basis. So with elimination of all such travel and trade restrictions, U.S. exports to Cuba could almost double from the 2006 level. The largest gains would be fresh fruits, vegetables, milk powder, processed foods, and certain meats.

This amendment is long overdue and would take care of those factors and finally allow our ag producers to benefit from Cuban trade.

Ms. ROS-LEHTINEN. Mr. Chairman, I am pleased to yield 1½ minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the chairman of the appropriations subcommittee of the Legislative Branch.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I want to congratulate Chairman PETERSON for an excellent farm bill which I support and look forward to supporting, assuming this amendment is not added to it.

I do have the utmost respect for the gentleman from New York and have enjoyed my time serving with him in the House of Representatives, but I rise in opposition to his amendment which provides the Cuban regime with the ability to open bank accounts in the United States and obtain visas for regime officials to visit U.S. production facilities.

I strongly support the farm bill, but this amendment needlessly adds a volatile political issue to this important bill.

Cuba is one of five countries in the world that is a state sponsor of terror, along with North Korea, Iran, Syria and Sudan. This amendment would allow access to our financial institutions by a regime that is and maintains close relationships with other state sponsors of terrorism.

Recently, we have been especially vigilant about not allowing access to our financial institutions since 9/11. We adopted the Bank Secrecy Act. We have made sure there are countless accountability measures to ensure that financial institutions have the ability

to protect themselves from people who would do us harm, and this amendment would go in the opposite direction.

Additionally, regular Cuban citizens are prohibited from engaging in private economic activity; thus, general agricultural licenses will only serve the purpose of allowing agents of the Cuban Government into the United States.

Finally, I want to remind Members that while the Castro regime seeks U.S. concessions to finance its existence, it has consistently rejected offers of direct U.S. humanitarian assistance to the Cuban people.

I ask my colleagues to vote against this amendment. The Cuban people stand at the cusp of actualizing their dreams of freedom. It is our duty to stand by them during this historic time.

Mr. RANGEL. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, it is my understanding that the United States does a lot of trading back and forth with Pakistan. Today we understand, in fact, that Osama bin Laden may be hiding in the hills in Pakistan, so let's get this record straight here.

This is about only having Cuba to pay cash in advance, cash in advance for any products that are shipped. It also says that the U.S. Government has created unreasonable obstacles to American businesspeople in their trade with Cuba, which can average $2 billion in agricultural products.

Let me give you an example. Today Cuba has increased its purchases of rice from Vietnam because of the payment restrictions imposed by the United States. That is $200 million that could be directed towards our farmers and not to Vietnam. Talk to the folks from Arkansas. Talk to the folks from Louisiana. Wouldn't it be better if our rice farmers, in fact, could be the beneficiaries of that market?

Let us end this foolishness of making a restriction on our farmers to sell their agricultural products to Cuba. Cuba is the only country in the world on which we put these kinds of restrictions.

Ms. ROS-LEHTINEN. Mr. Chairman, I would like to yield 30 seconds to the gentleman from New Jersey (Mr. SIRES) who serves on our Foreign Affairs Committee, and this amendment did not go through our committee.

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

Mr. SIRES. Mr. Chairman, I rise briefly to respectfully state my strong opposition to this amendment because I believe that we must not open our financial institutions to a state sponsor of terrorism like the Cuban regime.

The Rangel amendment has almost nothing to do with agricultural interests. In fact, it may actually cause harm to our agricultural community. What this amendment does do is threaten our national security. This amendment allows the Cuban Regime, a state sponsor of terrorism, access to U.S. financial institutions and allows its agents access to U.S. visas.

If adopted, the Rangel amendment will legitimize the Cuban Regime and provide them with the opportunity to continue its sponsorship of terrorism. It will also provide high level regime officials access to U.S. visas to travel throughout the United States. At a time when our country has declared a war on terror and we have worked to cut the flow of money to terrorists and terrorists access to our financial institutions, we must not open our financial institutions to help finance state sponsors of terrorism. By adopting this amendment, we will be doing just that, rewarding the Cuban Regime and supporting the financing of a state sponsor of terrorism.

I urge my colleagues to vote "no" on this amendment.

Ms. ROS-LEHTINEN. Mr. Chairman, I am pleased to yield 1½ minutes to the chairman of the Republican Policy Committee, the gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Mr. Chairman, it was interesting that the distinguished chairman of the Ways and Means Committee pointed out since the time Dictator Castro has held sway over the Cuban people, the United States has had Presidents come and go, which seems to point to one ineluctable fact: the United States, as a free people, can make their Presidents come and go, which is an option the Cuban people do not have.

As a practical matter, I oppose this amendment for a very simple reason: it would open up trade with a state sponsor of terrorism, and I can find no logical way to differentiate one state sponsor of terrorism from another. It would be akin to simply trying to determine what the make of the car that ran you over was as opposed to the driver. In either event, you are probably likely dead, and the rest of the question is academic.

Secondly, we have heard much in this debate about the benefit that we may reap in terms of our corporations and farmers, but let us never forget that the United States must always care more about the cause of human freedom than about mere money.

Ms. ROS-LEHTINEN. Mr. Chairman, I yield the balance of my time to a member of the Rules Committee, my colleague from Florida, a leader on human rights, Mr. LINCOLN DIAZ-BALART.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, the agricultural issue in this amendment is really a subterfuge, because if we read, for example, the spokesman of U.S. Agribusiness, Mr. Radlow, he states that in the 5 years that we have been selling products to Cuba, the political hurdles have never hurt. We know how to deal with third-party banks.

People use the hurdles as an excuse for not getting a contract. It is legal to sell agricultural products to the Castro regime since the year 2000. But as the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) pointed out, ever since 2001 and the attacks of 2001, we have been making sure that U.S. financial institutions, to the greatest extent we can achieve it, are protected from state sponsors of terrorism. And as a matter of fact, the regulation being discussed today was requested by U.S. financial institutions.

So let's not get confused. This amendment would allow a state sponsor of terrorism on the list of state sponsors of terrorism U.S. bank accounts and visas for their agents, over a dozen of which have been convicted in recent years alone of spying against United States interests. So let's vote down resoundingly this amendment.

Ms. LEE. Mr. Chairman, I rise today in strong support of the Rangel amendment and thank the gentleman for offering such a forward thinking measure.

This amendment will remove the banking restrictions that require prepayment for agricultural goods, that keep Cuban families from purchasing food from American family farmers. And frankly it's past time.

It is past time to leave out-dated cold war era thinking on U.S.-Cuban relations out where they belong—in the cold.

It is past time to reach out to the Cuban people and allow them to engage our democratic free markets.

It is past time to restore the rights of the American family farmer's access to upwards of $300 million dollars in sales to the Cuban market.

It makes no sense to me to allow agricultural exports into Cuba on one hand an then turn around and set up bureaucratic banking restrictions that severely limit those very exports on the other.

I commend Chairman RANGEL for his leadership on this issue and I hope to work with him to bring some common sense to Cuba policy.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. RANGEL).

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

Ms. ROS-LEHTINEN. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 13 OFFERED BY MR. BOEHNER

The Acting CHAIRMAN. It is now in order to consider amendment No. 13 printed in part B of House Report 110–261.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. BOEHNER:

In section 1204, add at the end the following new subsection:

(i) RATE ADJUSTMENTS; DATE FOR DETERMINING REPAYMENT RATE.—

(1) NO MORE THAN MONTHLY RATE ADJUSTMENTS.—Repayment rates established under this section shall be adjusted by the Secretary no more than once every month for all loan commodities.

(2) DATE FOR DETERMINING REPAYMENT RATE.—With respect to the monthly repayment rates established under this section, the rate shall be—

(A) in the case of a producer who, as determined by the Secretary, loses beneficial interest immediately upon repayment of the loan, the monthly repayment rate that is in effect on the date beneficial interest is lost; and

(B) in the case of other producers who did not lose beneficial interest upon repayment of the loan, the repayment rate in effect on the earlier of—

(i) the month in which the loan matures; or

(ii) the last month of the marketing year established by the Secretary for the commodity.

In section 1205(e), add at the end the following new sentence: ''However, the producers must have beneficial interest in the commodity for which a payment is requested under this section as of the date on which the producers request the payment.''.

The Acting CHAIRMAN. Pursuant to House Resolution 574, the gentleman from Ohio (Mr. BOEHNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

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

Let me first congratulate Mr. PETERSON and Mr. GOODLATTE and the bipartisan group of members on the Ag Committee who have brought this bill to the floor.

Unfortunately, the several tax increases contained in the bill I think are problematic, and we will deal with that later in this process.

But the amendment that I bring to the floor today aims to fix a problem that has been identified by the administration and others but has not been addressed in the bill that we have before us. This bill would extend a policy that permits farmers to receive loan deficiency payments based on a daily posted county price, and I think that would allow a mistake to continue.

If we are going to continue loan deficiency payments, I think we need to address the situation that allows farmers to lock in an LDP when prices are low and then to sell that crop when prices are high. LDPs are a valuable tool for farmers, and in order to preserve this valuable tool, we need to fix this problem.

Loan deficiency payments enable farmers to receive financing early in the harvest season, preventing farmers from forfeiting their crops to the government and allow commodities to be marketed in response to market demand. As I said, they are a valuable tool, and if we do not preserve their integrity, I think they are likely to blow up and to be eliminated entirely.

This amendment would replace the daily posted county price with a monthly posted county price. The monthly PCP would be the average of five daily PCPs on preset days during the previous month, taking out the high price and the low price for that month. Agriculture Secretary Mike Johanns included this provision in his farm bill recommendations.

The problems with calculating LDPs based on the daily posted county price were highlighted in the days after Hurricane Katrina. Because of the hurricane, transport of grain on the Mississippi River was stopped for several days. This caused a short-term precipitous drop in market prices which then triggered a number of farmers to go in and trigger their LDP payments. The farmers who locked in these artificially low LDPs were simply using the program to increase payments that they received from the government.

This was not the purpose of the marketing loan program or the LDP program. Marketing loans and LDPs are intended to allow farmers to receive financing early in the harvest season to allow commodities to be marketed in response to demand.

□ 1000

If we want to increase subsidies for farmers, let's be honest about it. If we allow the marketing loan program and LDPs to continue to be used in this manner, we'll be undermining their integrity by allowing them to game a pricing system that reacts to daily natural disasters.

I think supporting a good farm policy is important, but exploiting catastrophic natural disasters cannot stand. So I believe we need to make this change if we're going to preserve LDPs and the integrity of our good farm policy.

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

Mr. PETERSON of Minnesota. Mr. Chairman, I rise to oppose the gentleman's amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. PETERSON of Minnesota. Mr. Chairman, Mr. BOEHNER is a good friend of mine, and I am reluctant to oppose this amendment but I must.

This provision was part of the administration's farm bill proposal. The benefit of daily posted county prices is that farmers have the greatest amount of flexibility in responding to market price changes, which have become, as indicated by Mr. BOEHNER, increasingly volatile, and the farmers have very little power in this marketplace. This is something that I think we clearly should retain for them so that they've got some ability to deal with what happens in the marketplace.

Moving to a monthly posted county price may save money, but as I said, it hampers, weakens the effectiveness of the marketing loan program as a safety net feature, which is one of the primary things we're trying to do in this farm bill.

According to a letter from the National Grain and Feed Association, this proposal would be highly disruptive to the efficient operation of the cash grain marketplace.

The entire General Farm Commodities and Risk Management Subcommittee, Republicans and Democrats alike, rejected this approach when it defeated an amendment containing the administration's proposal that had this feature in it.

This amendment, this idea has no support in the agricultural community; and, therefore, I urge my colleagues to oppose the amendment.

Mr. Chairman, I yield back my time.

Mr. BOEHNER. Mr. Chairman, I'm pleased to yield 30 seconds to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's courtesy, and I appreciate his leadership.

This is an example of a simple, commonsense reform that needs to be in a farm bill. Just because it was buried in the overall administrative proposal and rejected does not mean that it doesn't have merit. It's not that this just saves money; it avoids an unnecessary complication and room to game the system.

What Mr. BOEHNER said is true, there are billions of dollars at play here. Obviously this may not be supported in the farm country to fix the loophole because this is an opportunity for them to make unjustified money.

I strongly urge support with this simple, commonsense reform.

Mr. BOEHNER. Mr. Chairman, I'm pleased to yield 30 seconds to the gentleman from Arizona (Mr. FLAKE).

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

As the gentleman from Oregon said, this is simply a commonsense amendment. In the days after Katrina, people were able to lock in artificially low prices and make billions, billions of dollars at the expense of the taxpayer when they then sold at the higher price. So it was simply a way to game the system. That's all it was. There's no other explanation for it.

And to say that the agricultural community rejects it doesn't say anything about its worthiness as a commonsense reform measure. This needs to be done. It's common sense. There's no justifiable explanation to allow people to game the system.

Mr. BOEHNER. Mr. Chairman, I yield myself the balance of our time.

In the days after Katrina, and just several days after Katrina, when we had the precipitous drop in prices, it cost the Federal Government $3.5 billion in extra LDP payments. So what we're talking about here is sound agricultural policy and sound policy with regard to America's taxpayers.

Think about the fairness of the farmer who sold his crop the day before Katrina. Think about what he felt like when several days later his fellow farmers ended up with hundreds of thousands of dollars more in extra benefits from the government because they just happened to sell a day or two before Hurricane Katrina hit.

Mr. PETERSON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. BOEHNER. I yield to the gentleman from Minnesota.

Mr. PETERSON of Minnesota. Mr. Chairman, I think what people need to

understand, the farmer that sold the day before Katrina got his money out of the marketplace, and what the LDP did is protect those farmers that sold later to get the same price that farmer got right before Katrina. So that's exactly what this is supposed to do.

Farmers don't have any power in this marketplace to speak of. If you want to give all the power to the big guys, go to this system. It's not what we want to do in the Ag Committee.

Mr. BOEHNER. Reclaiming my time, I served for the last 17 years with Mr. PETERSON on the Ag Committee. I'm on leave, and I know all my colleagues on the Ag Committee are glad that I'm on leave. But the fact is that marketing loans and loan deficiency payments were there to facilitate the marketing of a crop. They weren't there to make or set up a system to allow or to put farmers in a position where they become day traders, and the current system does, in fact, allow that.

So instead of looking at a daily posted county price, if you looked at a monthly posted county price where you take out the high for the month and the low for the month and pick 5 days, you've got a fair price for all farmers. You've got a fair system that prevents people from gaming the system because of some abnormality in the market that may occur on one or two days.

This is a commonsense amendment. I would urge my colleagues to adopt it.

Mr. Chairman, I yield back my time.

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

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

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

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

Mr. PETERSON of Minnesota. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALLEN) having assumed the chair, Mr. SCHIFF, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes, had come to no resolution thereon.

MODIFICATION TO AMENDMENT EN BLOC OFFERED BY MR. PETERSON OF MINNESOTA AND PERMISSION TO OFFER AMENDMENTS NUMBERED 9 AND 11 AT ANY TIME

Mr. PETERSON of Minnesota. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 2419, pursuant to House Resolution 574, (1) the amendment en bloc offered by the gentleman from Minnesota be considered as modified by the form I have placed at the desk and that it be considered as adopted as so modified, and (2) amendments No. 9 and No. 11 be permitted to be offered at any time.

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

The Clerk read as follows:

Modification to en bloc amendment offered by Mr. PETERSON of Minnesota:

Strike amendment No. 9.

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

There was no objection.

FARM, NUTRITION, AND BIOENERGY ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 574 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2419.

□ 1009

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes, with Mr. SCHIFF (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 13 printed in part B of House Report 110–261 by the gentleman from Ohio (Mr. BOEHNER) had been postponed.

AMENDMENT NO. 15 OFFERED BY MR. MANZULLO

The Acting CHAIRMAN. It is now in order to consider amendment No. 15 printed in part B of House Report 110–261.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. MANZULLO:

Strike subsection (a) of section 1246 of the Food Security Act of 1985, as added by section 2409(a) of the bill, and insert the following:

''(a) PAYMENTS FOR CONSERVATION PRACTICES.—The total amount of payments that a person or a legal entity (except a joint venture or a general partnership) may receive, directly or indirectly, in any fiscal year shall not exceed—

''(1) $60,000 from any single program under this title (other than the environmental quality incentives program) or as agricultural management assistance under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 524(b));

''(2) $125,000 from more than one program under this title (other than the environmental quality incentives program) or as agricultural management assistance under section 524(b) of the Federal Crop Insurance Act; or

''(3) $450,000 from the environmental quality incentives program.

MODIFICATION TO AMENDMENT NO. 15 OFFERED BY MR. MANZULLO

Mr. MANZULLO. Mr. Chairman, I ask unanimous consent to modify the amendment with the modification placed at the desk in order to make a technical correction.

The Acting CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 15 offered by Mr. MANZULLO:

Strike subsection (a) of section 1246 of the Food Security Act of 1985, as added by section 2409(a) of the bill, and insert the following:

''(a) PAYMENTS FOR CONSERVATION PRACTICES.—The total amount of payments that a person or a legal entity (except a joint venture or a general partnership) may receive, directly or indirectly—

''(1) in any fiscal year shall not exceed—

''(A) $60,000 from any single program under this title (other than the environmental quality incentives program) or as agricultural management assistance under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 524(b)); or

''(B) $125,000 from more than one program under this title (other thanthe environmental quality incentives program) or as agricultural management assistance under section 524(b) of the Federal Crop Insurance Act; and

''(2) for the period of fiscal years 2008 through 2012, shall not exceed $450,000 from the environmental quality incentives program.

Mr. MANZULLO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Acting CHAIRMAN. Without objection, the modification is accepted.

There was no objection.

The Acting CHAIRMAN. Pursuant to House Resolution 574, the gentleman from Illinois (Mr. MANZULLO) and the gentleman from Minnesota (Mr. PETERSON) each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. MANZULLO. Mr. Chairman, I rise in support of my amendment that will exempt the Environmental Quality Incentives Program, EQIP, from a $60,000 payment limitation that this bill proposes for conservation purposes.

This program provides farmers with financial and technical assistance to plan and implement soil and water conservation practices and has the full support of the environmental and farming community.

This amendment is more of a technical correction, as all it does is return the EQIP payment limitation to its current level of $450,000 over the life of the farm bill. The amendment does not

impact the increased payment limitation for direct payments. The amendment is narrowly tailored to only impact payments for EQIP-specific projects.

Currently, 60 percent of EQIP payments go to livestock producers, who use those cost-share payments to establish environmentally sound structures and practices on their farms. Without these payments, these structures and practices in many cases will not meet EPA standards for environmental care.

The problem with the proposed $60,000 limitation is that these EQIP programs are so expensive that the farmers, in many cases, probably in most cases in my district, won't choose to take it because of the cost.

To give you an example, we have two methane digesters in my congressional district. Each of them cost over a half a million dollars. The farmer could get up to 50 percent and sometimes even more of the costs of that from the present EQIP program, but under the proposed law, he could only get $60,000.

When I was in private practice, I practiced agricultural law and had to work with farmers to come into compliance with the EPA; and even though EQIP was not around at that time, the remedial measures that we took for runoff, et cetera, to be in compliance with EPA in many cases ran into the several hundred thousand dollars.

This is what I'm hearing from the constituents that I represent, that they respect the fact that EQIP is there, but $60,000 simply would not go long enough or far enough.

So our proposal is to return it to its present standard. It spends no more money. It makes money available to build these expensive facilities.

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

Mr. PETERSON of Minnesota. Mr. Chairman, Mr. MANZULLO and I are good friends, and I allowed him to modify his amendment, but I have to very strongly oppose this amendment.

We've added several billion dollars to the conservation baseline in this bill, and even with that, we still have big backlogs in these programs. It's going to go a long ways to correcting that, but one of the ways that we're going to make this money go further is by applying the same payment limitations to these conservation programs that we're applying to title I.

And the question to me is the same. If the argument is that we have large farms that shouldn't be entitled to title I payments, then why is it all right for large folks to be entitled to title II payments?

What this will do, the changes that we've made are going to make this go further. It's going, I would say, to allow smaller producers a better opportunity to have access to these limited programs.

And so I guess I would just say what is good for the goose is good for the gander, that we're applying these same limitations all across the programs. I understand that some of the larger folks aren't going to like this; but, you know, this is what we need.

So I hear arguments against this because somehow or another conservation is different, but with the payment limitations, the effect of that is to actually weaken the title I safety net for producers.

□ 1015

So, it is just not right to have a different standard for these conservation programs. I ask my colleagues to stick with the committee's position. I strongly oppose this amendment.

Mr. Chairman, we reserve the balance of our time.

Mr. MANZULLO. Mr. Chairman, in answer to the question of the gentleman from Minnesota, conservation is different from trying to meet an EPA mandate. You can do a tremendous amount of conservation programs for $60,000, but EQIP programs, by their very nature, cost in the hundreds of thousands of dollars. That's the problem.

The problem that we have here is that the $60,000 limitation goes into effect. Money may not be available for farmers to be able to meet environmental standards. So this really is a pro-environmental vote. I don't really want to talk about geese. I am talking about cattle. But this all applies to chicken farms and the tremendous runoff that we have.

By allowing this amendment and removing the $60,000 cap, this will increase the number of environmentally protected areas in farming across the country. That's the reason for it. It costs no more money, and you might want to spread these programs across the board. I can understand that on conservation, but not on these mandated programs that are title II.

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

Mr. PETERSON of Minnesota. Mr. Chairman, I yield 2 minutes to my good friend, the ranking member from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the gentleman for yielding. I join him in opposition to this amendment.

Mr. Chairman, I understand the gentleman from Illinois' concerns, but with regard to the conservation programs, we have a finite amount of money. The commodity programs work under a baseline that assumes market conditions.

The money rises and falls, and every farmer who meets those conditions can qualify for them. But with the conservation programs, there is a finite amount of money. Without the payment limitations, many farmers will not receive any help whatsoever in complying with different environmental regulations unless we have these payment limitations, which allows the payment to be spread across a wider area. This is a new reform-minded payment limitation. While some may think it's too stringent, payment limitations need to be applied uniformly across both title I and title II.

Easement programs such as the wetlands reserve are exempted from this so we can protect some of the most environmentally sensitive land through easements. But the committee must be consistent in our views of all payments to producers, not just commodity payments.

I join the gentleman in reluctantly opposing the gentleman from Illinois' amendment.

Mr. MANZULLO. The problem is that the EQIP program is already being doubled in the amount from $1 to $2 billion, where the caps are being lowered to $60,000. This is not a conservation.

The purpose of this is so that cow manure and pig manure and chicken manure don't flow into the rivers and the streams. That's the problem with the Chesapeake. It's the chicken manure that's destroying the Chesapeake.

When you have the EQIP cap, that means less chicken producers will be able to afford retention systems in order to comply with EPA. So this is a pro-environmental vote, and there is plenty of money because the chairman recognizes the fact that the total amount has been doubled.

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

Mr. PETERSON of Minnesota. Mr. Chairman, how much time do I have left?

The Acting CHAIRMAN. The gentleman from Minnesota has 2 minutes remaining.

Mr. PETERSON of Minnesota. I understand what you are saying, but the reality is, if the argument is that wealthy farmers should somehow be limited to title I payments, then from my perspective, if you got enough money to build a great big huge factory farm or if you got enough money to go out and buy 5 million acres, I don't know why the government needs to help if you've got that much money to do that.

What we're doing here is we're seeing that this is spread across everybody. What it will do is it will make this available to a lot more people. It will make it available to smaller farmers. Frankly, if you have big operations, I think you can pick up this cost and make it part of the cost of doing business.

I understand what you are saying, but I just disagree, given the amount of money we have.

Mr. Chairman, I yield to my good friend, Mr. BLUMENAUER from Oregon, for the balance of the time.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy.

Mr. Chairman, I appreciate where my friend from Illinois is coming from, but the chairman said it right. This would be an indirect subsidy for some of the largest operations who need it the least, and it would penalize people who need this assistance. Even though there is a plus-up under the bill, it

doesn't go far enough to meet the need for conservation. We will find that out.

I strongly support what we have heard from the chair and the ranking member. I do think this is the environmental position, and I urge rejection of this amendment.

Mr. MANZULLO. Mr. Chairman, the payment limitations of the farm bill go from $2 million to $1 million. Under the EQIP programs it goes from $450,000 down to $60,000. This is not for wealthy farmers. This is not for factory farms. These are for the little guys that I represented when I practiced law in Ogle County, Illinois, for 22 years.

If we had a program like this, the money would have gone a long way. But even with a modest herd of 300 head, it costs several hundred thousand to build a retention system or a methane digest, if you want to go into doing that. Our methane digesters in our district, the one that has 500 dairy cattle, they are able to run a city of 500 people, of 500 homes; thus, it conserves electricity from the nuclear plant and also from coal-burning facilities. The problem is getting onto the grid and getting a reasonable price.

I was a chairman of the Small Business Committee. When I practiced law, the guys that use this, these are all little guys around me. We don't have people with thousands and thousands of cattle in northern Illinois. So I would suggest that for the small business farmer, to make this program go even further, that we should allow this amendment.

The Acting CHAIRMAN. The time of the gentleman has expired.

The gentleman from Minnesota has 30 seconds remaining.

Mr. PETERSON of Minnesota. Mr. Chairman, I appreciate what the gentleman is saying, but there are a lot of folks that disagree with these payment limits on title I. I, myself, have some concerns about them.

It just has got to be this way. We are putting a hard cap of $100 million of all payments. We are doing that to conservation, title I. This is the way it ought to be. This is the way it needs to be. We are not treating conservation any different. We are treating him as exactly the same. I am not one that gets into an argument about big or small, rich and poor. This is just justice for all.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. MANZULLO), as modified.

The amendment, as modified, was rejected.

AMENDMENT NO. 11 OFFERED BY MR. WELCH OF VERMONT

The Acting CHAIRMAN. It is now in order to consider amendment No. 11 printed in part B of House Report 110–261.

Mr. WELCH of Vermont. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. WELCH of Vermont:

In section 1409(b), insert after paragraph (6) the following new paragraph (and redesignate subsequent paragraphs):

(7) evaluating cost of production variables, including cost of feed and cost of fuel;

In section 1409(c)(3)(D), insert before the period at the end the following: '', including the Northeast, Southeast, Midwest, and Western regions of the country''.

In section 1409(d), strike ''Not later than two years after the date of the first meeting of the commission,'' and insert ''Not later than 18 months after the date of the enactment of this Act,''.

POINT OF ORDER

Mr. GOODLATTE. Mr. Chairman, a point of order. Isn't the gentleman out of order in offering this amendment?

The Acting CHAIRMAN. Pursuant to the previous order of the House of earlier today, the gentleman is permitted to offer the amendment at any time.

Pursuant to House Resolution 574, the gentleman from Vermont (Mr. WELCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont.

Mr. WELCH of Vermont. Mr. Chairman, I want to thank Chairman PETERSON and Ranking Member GOODLATTE for establishing in the bill the Federal Milk Marketing Order Commission. It's my hope that the commission will go a long way in fixing many of the problems inherent in the current system, and it will lead, hopefully, to a more stable price for milk.

The milk marketing orders, like many of the agricultural pricing programs, almost dates back to the New Deal. The intent is to provide a lifeline, not a lifestyle, and a safety net, not really a subsidy.

But one of the problems with the system is it does not take adequately into account the cost of production. In Vermont, in the last year, in the world of dairy, we had the perfect storm: high grain prices, high fuel costs, terribly bad weather, and very low milk prices.

The purpose of this commission is to allow it, this amendment, to allow the commission to take into account the cost of production.

We must be sure that if dairy farmers, like other members of the agriculture community, are going to be able to pay their bills, the cost of production must be reflected in the pricing program.

Mr. PETERSON of Minnesota. Mr. Chairman, if the gentleman would yield?

Mr. WELCH of Vermont. I yield, yes.

Mr. PETERSON of Minnesota. I want to thank the gentleman from Vermont for bringing up this very important issue. As you know, that version of the farm bill that the House Agriculture Committee reported contains a request for the study of Federal Milk Marketing Orders.

As we began the farm bill process last year, we traveled around the country listening to producers, processors and other members of the dairy industry. What we heard was that the Federal Milk Marketing Order system was in need of reform, and we have taken steps to address that.

The committee bill establishes a system to review this system and report its findings to Congress and the Secretary of Agriculture. The committee hopes and expects that this study will provide information necessary to develop the changes that modernize and rationalize milk marketing regulations in this country.

The committee recognizes the concern that this commission could lead to delay within the Department regarding ongoing efforts to reform the improvement of the Federal Milk Marketing Order system. We do not wish this to be the case and have directed the Secretary to address that concern in the committee substitute.

So, if the gentleman is willing to withdraw his amendment, I would extend an offer to work with him in conference to make sure that his concerns on energy and feed costs are incorporated into the commission study.

Mr. WELCH of Vermont. Mr. Chairman, on behalf of myself and my cosponsor, my friend, Mr. ARCURI from New York, we accept the gracious offer of the chairman.

Mr. Chairman, at this time we would move to withdraw our amendment.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 16 OFFERED BY MR. BLUMENAUER

The Acting CHAIRMAN. It is now in order to consider amendment No. 16 printed in part B of House Report 110–261.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mr. BLUMENAUER:

In section 1238I of the Food Security Act of 1985, as amended by section 2110, insert at the end of subsection (b) the following new sentence: ''Grants may also be made for purchase of conservation easements or other interests in land pursuant to a transferable development rights program in which the entity acquiring the interests sells them for development in an urban area consistent with local land use plans, but grant funds may not be used to reduce the cost of development rights.''.

The Acting CHAIRMAN. Pursuant to House Resolution 574, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, I rise to offer an amendment in order to highlight an important but unfortunately not well understood farmland preservation tool used by communities across the country.

The United States loses more than 4,000 acres of farmland and open space to development every day. Since 1945,

America has lost nearly 20 percent of its farmland. Some of the best farmland, which is close to our growing cities, is being lost to development on an ongoing basis.

Sadly, local governments have few tools to protect this farmland. They can issue regulations, which some feel is burdensome; they can purchase land; or they can purchase development rights from landowners to prevent development, which can be very expensive.

Transferrable development rights, called TDRs in the trade, are an important market-based tool used by States and cities to protect farmland, property rights, and taxpayer dollars.

Under a TDR program, development rights can be separated from a parcel of land and sold to a private party, usually a developer. The developer can then use these rights to develop in an urbanizing region with a high demand for development that is already served by highways, water and sewer systems, not taking out scarce farmland.

□ 1030

This creates a private market for development rights and gives farmers options. Under this system, the private sector rather than tax dollars is paying for preservation of the parcel from which rights are purchased.

Successful TDR programs have been in place throughout the country since 1980 and have protected tens of thousands of acres of farmland and open space. They are currently in use in over 170 communities around the country, including Montgomery and Calvert Counties in Maryland, Blue Earth County in Minnesota, and Boulder County in Colorado. My amendment would simply clarify that funding from the Farm and Ranchland Protection program, which has been very successful in preserving farmland through the purchase of conservation easements, can be used for this type of program.

I reserve the balance of my time.

Mr. HOLDEN. Mr. Chairman, I rise in opposition to the amendment and for the purpose of engaging in a colloquy with the gentleman from Oregon.

The Acting CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. HOLDEN. I appreciate the gentleman for raising this issue. I agree that transferrable development programs are an important tool to protect farmland; however, I have some concerns about the way this amendment is drafted. If the gentleman would withdraw his amendment, I would be happy to work with him as this bill moves through the process to clarify that Farm and Ranchland Preservation Program funds can be used for this purpose in a way that ensures that the underlying program is not negatively affected.

I yield to the gentleman from Oregon.

Mr. BLUMENAUER. I appreciate the gentleman's willingness to work with us on this. The beauty of the Transfer of Development Rights programs is, when they are working correctly, they don't need government funding. However, an initial grant is sometimes extraordinarily useful in getting a program started in the first place. It is why I think funding from the FRPP is important.

Upon the gentleman's request, I am happy to withdraw this amendment, as long as we can work to make sure that the intent, and I actually think this is the intent of the existing legislation, to work with you to clarify the language to make sure that this innovative program will help stretch the tax dollars for the Farm and Ranchland Protection Program even further.

Our Nation's farmers face development pressures every single day, and we need to ensure that communities are able to use all the tools available to help the farmers who want to keep farming resist development pressures.

I appreciate the gentleman's courtesy and look forward to working with him.

Mr. HOLDEN. I assure the gentleman he has my commitment as well as the commitment of the chairman of the full committee.

Mr. BLUMENAUER. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 9 OFFERED BY MR. ARCURI

The Acting CHAIRMAN. It is now in order to consider amendment No. 9 printed in part B of House Report 110–261.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. ARCURI:

At the end of subtitle D of title I, add the following new section:

SEC. 2410. ADJUSTMENT OF CLASS I MILK PRICE MOVER TO REFLECT ENERGY AND ANIMAL FEED COST INCREASES.

It is the sense of Congress that the Secretary of Agriculture should use existing authority when determining the Class I milk price mover to take into account the increased cost of production, including energy and feed.

The Acting CHAIRMAN. Pursuant to House Resolution 574, the gentleman from New York (Mr. ARCURI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ARCURI. Mr. Chairman, I plan to withdraw my amendment, but before I do I would like to take a few minutes to highlight a few issues facing dairy farmers in our district.

First of all, I would like to express my sincere thanks to Chairman PETERSON for achieving what many thought was impossible, and that is a sensible, balanced, comprehensive reauthorization of the farm bill. I especially appreciate that the chairman included a 5-year extension of the MILC program, which is so critical to dairy farmers in my district and throughout the Northeast.

Unfortunately, with skyrocketing costs of energy and feed, it is becoming increasingly difficult for dairy farmers to stay in business. New York is third in dairy production nationwide and home to 6,200 dairy farms which produce 12 billion pounds of milk a year and generate $2 billion in farm revenue.

From 2001 to 2006, however, the cost of gasoline and fuel had increased over 100 percent. The cost of feed has increased nearly 20 percent and the cost of fertilizer has increased over 40 percent, to list just a few of the dairy farmers' expenses. While all the costs of production are based on market prices, the price a dairy farmer can charge for a hundred weight of fluid milk is not.

In response, my amendment simply states the sense of Congress that the USDA should use its existing authority when determining the class I milk price mover to factor in increased costs of production like energy and feed. It is patently unfair that Exxon, Conoco, Mobile, and other oil companies can increase the price of their product when costs of production like exploration and labor go up; yet dairy farmers are held hostage to severe price fluctuations and forced to succumb to a process that doesn't always reflect their increased costs in production.

Mr. Chairman, at this time I would like to yield 1½ minutes to my good friend and colleague from New York (Mrs. GILLIBRAND), a cosponsor of my amendment, and a member of the House Agriculture Subcommittee on Dairy.

Mrs. GILLIBRAND. Mr. Chairman, I rise today in support of my fellow colleague from upstate New York. I want to echo the sentiments of Congressman ARCURI.

Upstate New York dairy farming and small dairy farming across the country is in grave need of consideration. I was very, very grateful for the leadership of Subcommittee Chairman BOSWELL, who really extended an enormous amount of advocacy on behalf of dairy farmers throughout the country.

I also want to thank Chairman PETERSON and the other members of the Agriculture Committee who really thought through the needs of dairy, and made sure that MILC was preserved in this farm bill.

But the issues are very serious. Last summer, the price of milk was $12 a hundred weight, and the cost of producing that milk was between $16 and $18 a hundred weight. The cost of feed, the costs of fuel have continued to escalate. This summer, if you go to a gas pump, it is over $3.50 a gallon; that is the way it was last summer. Now, we are very thankful because we have high milk prices. But this constant fluctuation is a problem that we need to address, and I am going to work with

Chairman BOSWELL and Chairman PETERSON over the next several years to look at milk policy, how we can improve the market order system and how we can improve dairy pricing throughout our country.

I thank the gentleman for the time.

Mr. ARCURI. Mr. Chairman, I thank my colleague from New York for her leadership on dairy issues and tireless service on the Agricultural Committee on behalf of New York.

Mr. Chairman, at this time I yield to the distinguished subcommittee chairman, Mr. BOSWELL, subcommittee chairman of the Dairy Subcommittee, who has truly done a remarkable job in getting us where we are today, for as much time as he may consume.

Mr. BOSWELL. Mr. Chairman, I must recognize Mr. ARCURI and Mrs. GILLIBRAND for their great work. The farmers of their State ought to be very proud that they have spoken out, and we have listened and we want to make things better.

I want to thank them for this amendment that he has agreed to withdraw, and to say the following: that the moving renewable industry and its impact on feed cost has been something that the House Agriculture Committee has monitored closely. The Subcommittee on Livestock, Dairy, and Poultry even held a hearing on this issue earlier this year.

As the United States moves toward energy independence and a stronger renewable fuel base, the cost of production has increased for our producers. This issue affects my district especially, since it is one of the largest and a major ethanol producing area.

We must work together, and we will work together, to find the balance between feed and fuel, and ensure that one important industry is not hurt by the other. So I encourage my distinguished colleague to withdraw his amendment, with the understanding that I will work with him in conference or wherever to make sure his concern about the cost of feed and fuel is incorporated in the final version of this bill for dairy producers.

Mr. ARCURI. I thank the distinguished subcommittee chairman as well as Chairman PETERSON for their commitment to address this very critical issue for dairy farmers in my district during the conference.

I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. It is now in order to consider amendment No. 18 printed in part B of House Report 110–261.

AMENDMENT NO. 19 OFFERED BY MR. DAVIS OF ILLINOIS

The Acting CHAIRMAN. It is now in order to consider amendment No. 19 printed in part B of House Report 110–261.

Mr. DAVIS of Illinois. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 19 offered by Mr. DAVIS of Illinois:

Strike the three sections in subtitle C of title I, and insert the following new sections:

SEC. 1301. SUGAR PROGRAM.

(a) FORFEITURE PENALTY.—Section 156(g) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(g)) is amended by adding at the end the following new paragraph:

''(3) FORFEITURE PENALTY.—The Secretary shall assess a penalty on the forfeiture of sugar pledged as collateral for a nonrecourse loan under this section. The penalty shall be 1 cent per pound for raw cane sugar and an equivalent amount, as determined by the Secretary, for refined beet sugar.''.

(b) EFFECTIVE PERIOD.—Section 156(j) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(j)) is amended by striking ''2007'' and inserting ''2012''.

SEC. 1302. FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.

Section 359b(a)(1) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(a)(1)) is amended in the matter preceding subparagraph (A) by striking ''2007'' and inserting ''2012''.

Strike section 9013.

The Acting CHAIRMAN. Pursuant to House Resolution 574, the gentleman from Illinois (Mr. DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. DAVIS of Illinois. Mr. Chairman, I yield myself 1 minute.

The Davis-Kirk amendment will strike the new sugar provisions which will drive up the price of domestic sugar, therefore making it more difficult to candy makers, food processors, and confectionery businesses to survive. This new bill raises the sugar price supports, restricts sugar imports, and instructs the Secretary to buy surplus sugar for use in making ethanol.

Since 1997, the sugar subsidies have cost the U.S. economy a loss of 70,000 jobs. The Davis-Kirk amendment will make sure that the sugar program does not cost any more jobs than what we have already lost.

I reserve the balance of my time.

Mr. PETERSON of Minnesota. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. PETERSON of Minnesota. The Davis-Kirk amendment to the 2007 farm bill would erase sugar policy measures that are designed to save taxpayers funds and prevent the U.S. sugar market from being overrun with subsidized foreign sugar. The economic impact in Minnesota alone of the U.S. sugar industry amounts to over $1.3 billion per year. Nationwide, over $10 billion is generated in economic impact from this industry.

While I sympathize with Members who are experiencing job losses in their districts, I would urge them to consider why job loss is happening. It is not because of the price of sugar. Food manufacturers are paying less for sugar today than they paid when Jimmy Carter was in the White House.

Now, the Davis-Kirk amendment would eliminate the market balancing provisions that we put in this bill. And this is really a safety valve to deal with the possibility of sugar coming in from Mexico, which I am not convinced is going to happen. So instead of dealing with this in a forfeiture way, which is the way the current system works, what this will do is it would allow us to deal with excess sugar that might come in from Mexico, and it would be done only as needed.

So we are not sure what is going to happen. Right now, the price of sugar in Mexico is higher than in the United States, and all the reports I am reading, they don't have any extra sugar in Mexico. So we are not even sure that this is a problem.

The Department has put this CBO score in there to try to screw us up with this program. They have been doing this for years. They have been trying to kill this program off. We have a mechanism here that makes sense, because we will put the sugar into ethanol, which speeds up the fermentation process and creates more ethanol in the process, this is corn ethanol plants, and it just makes sense. It is going to save us money, and it will make sure that we can maintain this industry.

They also in this amendment have a forfeiture penalty that would add insult to injury for American sugar farmers, as desperate farmers would have to pay back to the government 6 percent of their potential proceeds from the loan after the U.S. market prices have collapsed, if that ever would happen. So I strongly urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Chairman, I yield 45 seconds to the gentlewoman from Illinois, Representative BIGGERT.

□ 1045

Mrs. BIGGERT. Mr. Chairman, I don't know how it's possible, but this bill makes a bad sugar program even worse. Chicago was once referred to as the candy capital of the world because of our strong confectionery and manufacturing industry, but thanks to the sugar program and sugar subsidies, nearly one-third of the jobs in the industry have been lost.

This farm bill goes backward, not forward. Instead of recognizing the reality that the sugar program has cost American manufacturing jobs, this bill increases sugar price supports and widens the gap between U.S. and world prices.

I strongly support Mr. DAVIS and Mr. KIRK's amendment to keep cane refinery and food manufacturing jobs in the United States. This is a good amendment, and I urge my colleagues to vote for its adoption.

Mr. PETERSON of Minnesota. Mr. Chairman, I yield 1 minute to my good friend from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Chairman, I rise today in strong opposition to this amendment.

Consider, the cost of sugar over the past 27 years has actually decreased, and it remains the only commodity in the country that has actually contributed toward paying off the national debt.

But as the cost of sugar has gone down, the price at grocery stores for candy manufacturers and bakery manufacturers and other sweets are charging more for their products, whose main ingredient is sugar, has increased.

Footnote right there. Why does the confectionery industry get smaller and cost more?

I don't need to sugarcoat the facts, Mr. Chairman. American consumers are getting a sweet deal on sugar. It's so cheap in the U.S., they give it away in restaurants.

Unlike other commodities, the U.S. sugar program doesn't cost the American taxpayer one dime.

Do my colleagues realize that if this amendment passes, over 146,000 jobs, 25,000 of which are in South Florida, will be in jeopardy. Congress can't turn its back on these hardworking Americans simply because candy companies in the U.S. want to pay their workers pennies in South America rather than living wages in South Florida.

In my district, the cities of Belle Glade, Clewiston, South Bay and Pahokee will almost cease to exist if this amendment passes. Talk about getting a raw deal. As my distinguished colleague DALE KILDEE, who himself represents a significant portion of sugar beet country, is fond of saying and correctly so, we have the cleanest, greenest, and safest sugar supply in the world. I implore my colleagues to oppose this amendment.

Mr. DAVIS of Illinois. Mr. Chairman, it's my pleasure to yield 30 seconds to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Chairman, I rise in strong support of the Davis-Kirk amendment.

The current sugar program has cost American workers tens of thousands of jobs, and it's cost American families $1.9 billion per year, according to the GAO. It will cost taxpayers $1.3 billion over the next 10 years, according to CBO. Unfortunately, a provision of this bill threatens more harm.

While I support this bill overall, we need this amendment, which prevents an increase in price supports for sugar, if and only if the Secretary of Agriculture determines that these changes contribute to a loss of jobs in the food and beverage manufacturing. The least we can do is ensure that changes in the sugar program do not kill good American manufacturing jobs. It's done harm in the Chicago area and across the Nation. We do not want to see more harm done.

I'd like to thank Mr. DAVIS for his leadership on this issue and encourage all my colleagues to support this amendment.

Mr. PETERSON of Minnesota. Mr. Chairman, I yield 30 seconds to the gentleman from Louisiana (Mr. MELANCON).

Mr. MELANCON. Mr. Chairman, briefly let me just say, this issue of the candy manufacturers leaving this country has nothing to do with the price of sugar. The price of sugar has been cheap for over 25 years. They're leaving because they're getting health benefits for their people at a cheaper price in Canada and Mexico. The utilities are cheaper, and the packages that are put together for them by the international countries across the border to our north and our south are taking them away. It has nothing to do with the price of sugar. Sugar is healthy. Sugar is better than the chemicals that people put in their food that cost a whole lot more. We're worried about energy; we're worried about food. Let's keep sugar sound in this country.

We're not energy independent. For the first time in the history of our country, 2 years ago we imported more foodstuff than we exported.

Mr. DAVIS of Illinois. Mr. Chairman, I yield 30 seconds to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Chairman, I rise in support of this amendment. And when we had a neutral party look at this issue and the sugar program, it was the Commerce Department, and we asked the simple question, does this program cost American jobs? And the Commerce Department said 10,000 American families have lost their income because of the jobs exported overseas because of this program costing taxpayers over $1 billion a year and, really, a symbol of 19th and 20th century thinking in a 21st century economy. So I rise in strong support of this and would like to return those jobs to the United States of America.

Mr. PETERSON. Mr. Chairman, I yield 30 seconds to my good friend from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, my district has been devastated by trade agreements and other policies of past Congresses. The population of my largest city has dropped from 180,000 to 118,000. Delphi is going through a bankruptcy. My General Motors jobs have dropped from 80,000 to 18,000.

The one bright spot in my district is agriculture, led by my sugar beet farmers who own the whole process from the fields through the refinery. Don't deliver another blow to my district by in effect abolishing this no-cost program. Let my sugar farmers help the economy of my district. They are our hope. Don't dash that hope. Defeat this amendment.

Mr. DAVIS of Illinois. Mr. Chairman, I yield 30 seconds to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's courtesy and his leadership.

Three simple points. First of all, this amendment does not abolish the sugar program. It just doesn't make it worse.

Second, every independent agency, CBO, GAO, Department of Commerce, all conclude that this is not a no-cost program to Americans. It costs them over $1 billion.

Third, in terms of the cost per job saved that my friend from Florida was concerned about, the Department of Commerce has pegged that at $826,000 per job. One job in sugar production for three in sugar manufacturing. It's not a good trade-off.

Mr. PETERSON of Minnesota. Mr. Chairman, I yield the balance of our time to my good friend from North Dakota (Mr. POMEROY) who does an outstanding job representing his farmers and our sugar producers.

Mr. POMEROY. Mr. Chairman, this is a dispute about facts. I flat out absolutely reject the fact that this is costing jobs; in fact, American sugar producers, 146,000 jobs in 19 States, struggling without an increase in their market price for 22 years.

Now, this amendment would represent a loss in income averaging $294 per acre. I'm telling you, if you're a farmer trying to make those ends meet and you're taking nearly a $300 hit per acre as a result of this amendment, you are out of business.

Don't cost us these jobs. Reject this amendment.

Mr. DAVIS of Illinois. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Chairman, I support this amendment to keep the subsidies for sugar from increasing in this bill.

The inflation of sugar prices that our misguided sugar policy drives costs U.S. families a total of almost $2 billion every year. Every time you buy chocolate or breakfast cereal or any product that contains sugar, you pay a premium, and these subsidies inflate the price of sugar for Americans to twice the world price.

The subsidies are driving businesses out of the country. A GAO study confirms that 42 percent of these subsidies, by the way, go to just 1 percent. So I urge my colleagues to put an end to these harmful handouts.

Mr. DAVIS of Illinois. Mr. Chairman, I yield 20 seconds to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. I just want to make the quick point that every commodity, sugar, corn, soybeans, are reduced on the AGI from $2.5 million down to 1, except sugar. Why is it not reformed like the other crops in terms of how much a person can make to receive these government payments? Sugar is not only protected, it's helped through this bill instead of reformed like the other commodities.

Mr. DAVIS of Illinois. Mr. Chairman, I'll use the balance of our time.

Mr. Chairman, I have here in my hand a circular from the U.S. Department of Agriculture that says this amendment, while not the administration's proposal, provides more flexibility to manage the program in a way that minimizes costs to the U.S. taxpayer than the committee's bill.

In addition, the 1 cent penalty on forfeitures will help discourage forfeitures of sugar placed under loan. This amendment also eliminates the increase in the sugar loan rate, helping to reduce cost for taxpayers.

Let's give our taxpayers a break. Support the Davis-Kirk amendment.

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

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

Mr. DAVIS of Illinois. Mr. Chairman, I demand a recorded vote.

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

EN BLOC AMENDMENT OFFERED BY MR. PETERSON OF MINNESOTA

Mr. PETERSON. Mr. Chairman, pursuant to House Resolution 574, I offer amendments en bloc, including germane modifications. The amendments are at the desk.

The Acting CHAIRMAN (Mr. BERRY). The Clerk will designate the amendments en bloc.

Amendments en bloc offered by Mr. PETERSON of Minnesota consisting of part B amendments numbered 20 and 29 printed in House Report 110–261:

AMENDMENT NO. 20 OFFERED BY MR. TERRY

The text of the amendment is as follows:

At the end of title IX, add the following new section:

SEC. ___. SUPPLEMENTING CORN AS AN ETHANOL FEEDSTOCK.

(a) RESEARCH AND DEVELOPMENT PROGRAM.—The Secretary of Agriculture shall establish a program to make grants of not to exceed $1,000,000 each to no more than 10 universities for a 3-year program of demonstration of supplementing corn as an ethanol feedstock with sweet sorghum.

(b) PROGRAM GOALS.—The goals of the program under this section shall be to—

(1) enhance agronomic efficiency of the crop on marginal lands by—

(A) developing best management practices for maintaining high sorghum yields while using less water and nitrogen than corn;

(B) identifying and selecting plants with a high sugar content; and

(C) developing cold-tolerant sweet sorghum varieties to enable two crops to be grown per season;

(2) enhance ethanol processing potential in the crop by—

(A) developing a robust technology for centralized ethanol production facilities that pair high-performing sweet sorghum lines with different yeasts to produce the best process for converting sweet sorghum juice into ethanol;

(B) conducting process and chemical analyses of sweet sorghum sap fermentation;

(C) introducing cellulosic hydrolyzing enzymes into sweet sorghum to promote biomass conversion; and

(D) performing life-cycle analysis of sweet sorghum ethanol, including analysis of energy yield, efficiency, and greenhouse gas reduction;

(3) establish a sweet sorghum production system optimized for the region of the university conducting the research;

(4) improve sweet sorghum lines with higher sugar production and performance with minimal agricultural inputs;

(5) optimize sugar fermentation using selected yeast strains;

(6) develop sweet sorghum lines with improved cold tolerance and cellulosic degradation; and

(7) develop agricultural models for predicting agricultural performance and ethanol yield under various growing conditions.

(c) AWARD CRITERIA.—The Secretary shall award grants under this section only to universities that—

(1) have access to multiple lines of sweet sorghum for research; and

(2) are located in a State where sweet sorghum is anticipated to grow well on marginal lands.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for carrying out this section $10,000,000.

AMENDMENT NO. 29 OFFERED BY MR. HALL OF NEW YORK

The text of the amendment is as follows:

At the end of subtitle C of title II, add the following new section:

SEC. 2303. MUCK SOILS CONSERVATION.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Agriculture shall carry out a conservation program under which the Secretary makes payments to assist owners and operators of eligible land specified in subsection (b) to conserve and improve the soil, water, and wildlife resources of such land.

(b) ELIGIBLE LAND.—To be eligible for inclusion in the program established under this section, the land must—

(1) be comprised of soil that qualifies as muck, as determined by the Secretary;

(2) be used for production of an agricultural crop;

(3) have a spring cover crop planted in conjunction with the primary agricultural crop referred to in paragraph (2);

(4) have a winter crop planted; and

(5) have ditch banks seeded with grass that is maintained on a year-round basis.

(c) PAYMENT AMOUNTS.—The Secretary may provide payments of not less than $300, but not more than $500, per acre per year under the program.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the program $50,000,000 for each of fiscal years 2008 through 2012.

MODIFICATION TO AMENDMENT NO. 20 OFFERED BY MR. TERRY

The Acting CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 20:

The amendment as modified is as follows:

Page 572, line 15 strike ''transportation'' and insert ''transportation or heating''.

At the end of title IX, add the following new section:

SEC. ___. SUPPLEMENTING CORN AS AN ETHANOL FEEDSTOCK.

(a) RESEARCH AND DEVELOPMENT PROGRAM.—The Secretary of Agriculture shall establish a program to make grants of not to exceed $1,000,000 each to no more than 20 universities for a 3-year program of demonstration of supplementing corn as an ethanol feedstock with sweet sorghum and switchgrass.

(b) PROGRAM GOALS.—The goals of the program under this section shall be to—

(1) enhance agronomic efficiency of the crop on marginal lands by—

(A) developing best management practices for maintaining high yields while using less water and nitrogen than corn;

(B) identifying and selecting plants with a high sugar content; and

(C) developing cold-tolerant sweet sorghum varieties to enable two crops to be grown per season;

(2) enhance ethanol processing potential in the crop by—

(A) developing a robust technology for centralized ethanol production facilities that pair high-performing sweet sorghum lines with different yeasts to produce the best process for converting sweet sorghum juice into ethanol;

(B) conducting process and chemical analyses of sweet sorghum sap fermentation;

(C) introducing cellulosic hydrolyzing enzymes into sweet sorghum to promote biomass conversion; and

(D) performing life-cycle analysis of sweet sorghum ethanol, including analysis of energy yield, efficiency, and greenhouse gas reduction;

(3) establish a production system optimized for the region of the university conducting the research;

(4) improve sweet sorghum lines with higher sugar production and performance with minimal agricultural inputs;

(5) optimize sugar fermentation using selected yeast strains;

(6) develop sweet sorghum lines with improved cold tolerance and cellulosic degradation; and

(7) develop agricultural models for predicting agricultural performance and ethanol yield under various growing conditions.

(c) AWARD CRITERIA.—The Secretary shall award grants under this section only to universities that—

(1) have access to multiple lines of sweet sorghum for research; and

(2) are located in a State where sweet sorghum is anticipated to grow well on marginal lands.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for carrying out this section $20,000,000.

Mr. PETERSON of Minnesota (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading of the modifications.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Acting CHAIRMAN. Pursuant to House Resolution 574, the gentleman from Minnesota (Mr. PETERSON) and the gentleman from Virginia (Mr. GOODLATTE) each will control 10 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. PETERSON of Minnesota. Mr. Chairman, this amendment includes an amendment by Mr. TERRY, which has a demonstration project on sweet sorghum, which we think has a lot of potential for ethanol feedstock, as well as switch grass that was brought to us by Mr. DAVIS.

It also encourages environmentally responsible practices for actively farmed muck soil land in New York, which is some of our greatest farmland.

So I encourage support of the amendment.

At this time I'm very much honored to recognize the Speaker of the House for 1 minute. And I want to recognize her for her outstanding leadership helping this committee get to where it's at with this farm bill.

Ms. PELOSI. Mr. Chairman, I thank the gentleman, the distinguished chairman of the Agriculture Committee for yielding, and I want to congratulate him for this achievement for bringing this important bill to the floor.

I rise to tell you why I am supporting this legislation. Before I do though, I want to commend the exceptional leadership of our colleague, RON KIND, for his work over the years in helping to move us to a place where this farm bill, called the Farm, Nutrition and Bioenergy bill, looks quite different than the bill would have looked without his persistent and brilliant advocacy for conservation issues that are included in the bill. I think that he has moved this Congress and this legislation to a very important place that signals change and shows a new direction in our farm policy.

□ 1100

I support the Farm, Nutrition, and Bioenergy Act because it begins to reform farm policy while investing in energy independence, supporting conservation, strengthening nutrition assistance, and recognizing the importance of specialty crops. That means fruits and vegetables. It recognizes the vital role of our farmers and ranchers in providing food, fiber, and fuel for America and the world.

It was a big effort to bring this legislation to the floor. I acknowledge the achievements and the great work of the distinguished chairman. I want to acknowledge Congresswoman LOUISE SLAUGHTER, the Chair of the Rules Committee, who had to be available very late and very early in the morning to make this discussion possible. I want to commend Chairman RANGEL of the Ways and Means Committee and Congressman LLOYD DOGGETT for their leadership in helping to pay for this bill because this bill has all along, in all of its formation, been intended to be a bipartisan bill, which we had hoped it would be, a bill that met the needs of the American people and that is paid for. And paid for it is, indeed.

I strongly support the efforts Chairman PETERSON has made in this bill to ensure that America's family farmers fuel America's energy independence. Because of this legislation we will be sending America's energy dollars to the Midwest, not to the Middle East.

The 2007 Farm, Nutrition, and Bioenergy Act makes an historic $2.4 billion investment in renewable energy, including biofuels and wind power. It boosts renewable energy investments by 600 percent and provides loan guarantees for the development of refineries that process renewable fuels. These efforts will ensure that, again, we send our energy dollars to the Midwest and across America, not to the Middle East and across the sea.

Energy independence is a national security issue, it is an environmental issue, it is an economic issue for our Nation and America's families. Thanks to this bill, it will also be an economic opportunity for America's farmers. It will create a rural renaissance that will reenergize farm country and create new businesses and good-paying jobs in rural America.

I have seen that firsthand. It has already begun. It is an important initiative that is supported and endorsed in this legislation.

So, reason number one, why I am supporting this bill, is energy independence. Not in order of priority but in order of mention.

Next, conservation: the farm bill recognizes that those who work the land, America's farmers and ranchers, are also stewards of the land.

In the area of conservation, the Farm, Nutrition, and Bioenergy bill improves access to, and funding for, initiatives to take environmentally sensitive land out of production. It encourages environmentally friendly practices on working lands. And it will invest $4.3 billion in new mandatory spending to preserve farm and ranchland, improve water quality, enhance soil conservation, air quality, and wildlife habitats on working lands.

Again I commend Congressman RON KIND for his exceptional work on the conservation issue over time.

The issue of nutrition, of course, is fundamental to all of the people of our country. And as a mother, I take special interest in the nutrition aspects of this bill. I want to commend the committee, Democrats and Republicans, our chairman; and Congresswoman ROSA DELAURO, the chairman of the Ag Subcommittee of Appropriations, who worked very hard to get the most money, made mandatory, and paid for in this legislation.

In the effort of feeding the people, and many of them in need, the Farm, Nutrition, and Bioenergy bill invests over $11 billion over 10 years in nutrition initiatives to help low-income families. For the first time in 30 years, thank you, Mr. PETERSON, for the first time in 30 years, the bill increases the minimum food stamp benefit and increases and indexes to inflation the standard deduction, ensuring that rising food costs do not erode a family's purchasing power. It also eliminates the cap on child care costs to help the working poor, because in order to get the food stamps, you could only spend so much money on child care. What a self-defeating policy. This bill corrects that. The food stamp provisions in this bill will prevent benefit cuts for more than 13 million working Americans over the next 5 years.

That is why the Center for Budget and Policy Priorities, Catholic Charities USA, America's Second Harvest, and the Food Research and Action Center all support the nutrition funding contained in this bill.

In addition to recognizing Chairwoman ROSA DELAURO's exceptional work in this area, I want to recognize Congressman JIM MCGOVERN for his work in ensuring that the McGovern-Dole legislation, no relation, just a coincidence, JIM MCGOVERN is not the McGovern in the McGovern-Dole. That would be George McGovern and Senator DOLE, former Republican leader of the Senate Dole. Their initiative for the international food programs, which help American farmers and farmers in other parts of the world, is a very important way for America to protect our friendship and our values to the rest of the world. In this legislation, the McGovern-Dole initiative is mandatory, and it is funded to $890 million, a big increase, and paid for.

As a Californian, I take special interest also that the bill makes a historic investment in specialty crops, providing $1.7 billion in new mandatory spending. This investment was made possible by the leadership of Congressman DENNIS CARDOZA. And many provisions in his bill, the EAT Healthy America Act, which is a very important bill for us, EAT Healthy America Act, were incorporated in this bill that is before us today.

This legislation supports specialty crops, that is, fruits and vegetables, by increasing market access, encouraging and facilitating consumption of nutritious agricultural products, funding research initiatives and increasing opportunities for family farmers in conservation initiatives.

Specifically, just so you know what falls under this, the bill invests $365 million for Specialty Crop Block Grants; $350 million to expand the Fresh Fruit and Vegetable School Snack Program to all 50 States, and I repeat that, $350 million to expand the Fresh Fruit and Vegetable School Snack Program to all 50 States; $215 million to create a new dedicated research initiative for specialty crops; $200 million to create a new initiative for early detection, prevention, and eradication of emerging pests and disease; $55 million for organic agriculture.

What is important about all of this is many of these resources will be invested in the Northeast, in the Middle Atlantic States, in the Northwest and California, where agriculture is a very important part of the economy but where not very much attention had been paid in the past in the farm bills. This is a big change and signals a new direction in this farm bill.

Specialty crop producers, our fruit and vegetable growers, account for nearly half of all cash crop receipts in America and are a part of the farm economy in all 50 States, as I mentioned, especially important, California, the Northeast, Northwest, and Florida.

I mentioned that I was a Californian. I was also born in Maryland; so I know the importance of the Chesapeake Bay, and I salute the chairman for the initiative in here in support of the Chesapeake Bay. I see my colleague Majority Leader HOYER nodding his head in agreement. But I want to acknowledge Chairman CHRIS VAN HOLLEN, for whom this has been a priority since he came

to Congress, and now he has been joined by JOHN SARBANES in support of this. And I know it has bipartisan support because Congressman GILCHREST supports these initiatives as well.

From Monterey Bay across the country to the Chesapeake Bay, this bill represents a new direction. Let me just say that is why this bill is supported by the Specialty Crop Farm Bill Alliance, a national coalition of more than 120 specialty crop organizations.

Before I leave that point, I want to talk about food safety. One of the reasons that many of us are in politics, and I know many moms come to politics, is for our having a safer, clean environment for our children. Clean air, clean water, food safety, these are things we can't do for them, but we depend on public policy to do; and the initiatives in this legislation for food safety are important. They will be greatly enhanced by the legislation put forth next week by the Appropriations subcommittee Chair, Congresswoman DELAURO, in her appropriations bill. But the bills are very compatible in that respect.

The farm bill also includes key provisions that invest in rural communities, including economic development initiatives and access to broadband telecommunications services to bridge the digital divide in rural, underserved areas. It also addresses health care, emergency, and first responder needs of rural areas, as well as creating new markets and rebuilding rural infrastructure.

And it pays special attention to the area of minority outreach and socially disadvantaged farmers by including an additional $150 million, all paid for, to provide greater outreach, coordination, and technical assistance.

Finally, this bill takes a critical step toward reform by eliminating farm payments to millionaires and closing loopholes that for decades have allowed some to evade the payment limits. More needs to be done, but we have gone in the right direction for change and for reform.

As I said before, this legislation is paid for. And that is a very, very important part of this. It is part of our PAYGO, no-new-deficit spending. It was a challenge. It has been met. And it has been met in a way that meets our values.

The Farm, Nutrition, and Bioenergy Act will ensure that future farm bills will never look the same as those of the past. I see one of the co-Chairs of our Rural Working Group here, very important, who is putting forth the initiative on energy independence for rural America, Congresswoman STEPHANIE HERSETH SANDLIN. I thank you for your leadership in that regard. And thanks as well to the efforts of Chairman PETERSON and many others who have made an historic investment in energy independence and nutrition assistance. This bill's effects will also be felt far from farm country.

As George Washington said: ''I know of no pursuit in which more real and important services can be rendered to any country than by improving its agriculture . . . '' That is as true now and it was then. President Washington understood, as this bill's authors understand, that encouraging and investing in American agriculture pays dividends to the entire Nation. In this legislation we will strengthen America's agriculture, but we also will do much more. We will help reignite rural America's economic engine and create good-paying jobs and create good businesses here at home. We will fuel a Nation's energy needs through clean, American-made renewable energy. We will be better stewards of the land and protect our environment. And, by the way, we hope to do much more in that regard when we go to conference. And we will be a more caring Nation by better meeting the needs of the most vulnerable.

Those great goals can be achieved with the help of this legislation and with the strong bipartisan support of the House today.

I just wanted to take a few minutes to tell you why I am supporting the Farm, Nutrition, and Bioenergy Act. And, once again, I salute the distinguished chairman for this achievement.

□ 1115

Mr. GOODLATTE. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I would like to thank the Speaker for coming down to the floor and discussing the bipartisan nature of the farm bill that was produced by the House Committee on Agriculture. It was, indeed, a bipartisan product. There are things in the bill that I don't like, things in the bill that I do like, things in the bill the chairman does not like, things in the bill that he does like. But it was a bipartisan product. But it was written under very difficult circumstances, which we identified at the outset, because of the fact that there is a $60 billion cut in the baseline for the commodity program, a 58 percent cut. That meant we needed to have money to accomplish the goals that the Speaker outlined for reform, some of which I share with the Speaker for increased payments for conservation, for nutrition, for fruits and vegetables, for renewable energy. So we went to the Budget Committee in a bipartisan fashion and pointed out that you couldn't have a $60 billion cut, achieve these new reforms, which all entail new spending, without having the ability to also have some additional resources. Well, the Budget Committee ignored that request and instead gave us a reserved fund. And their budget is papered over with reserve funds; no money in them, no way for the Agriculture Committee to find new funds without going outside of the committee.

We were assured inside the committee repeatedly that there would not be a tax increase. But nonetheless, in the closing hours of this debate, a tax increase, indeed, was what was put forth outside of this committee, without hearings in the Ways and Means Committee, without a markup in the Ways and Means Committee, without any input from this side of the aisle. And that is what caused the loss of the bipartisanship coming to the floor, because this is precedent setting. This is the first of many of these reserve funds that we're going to have to deal with, and it is readily apparent what the purpose is: to raise taxes in order to accomplish something that should have been paid for in a budget that had funds available, 9 percent increase in appropriations. It should have been made available to us so we could write a bipartisan farm bill all the way through this House going to the floor.

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

Mr. ETHERIDGE. Mr. Chairman, I recognize the gentleman from Maryland (Mr. HOYER) for 1 minute.

Mr. HOYER. I thank my distinguished friend, Mr. ETHERIDGE, chairman of one of our subcommittees on the Ag Committee.

I rise to congratulate Mr. PETERSON; indeed, I rise to congratulate Mr. GOODLATTE as well, who did work together. In fact, as late as Monday, we were together coming back from New York and talked about this bill. He indicated he thought it was a good bill. He did express then, quite honestly, he wanted to look at the pay-fors. That was obviously fair. He has decided that because of them, he cannot support the bill. I regret that.

I want to thank the chairman of the committee, Congressman PETERSON of Minnesota, for his hard work on this important legislation and his efforts in crafting a bipartisan reform bill. I think he has a bipartisan reform bill. I understand the pay-fors may preclude some, hopefully not all, from voting for this.

I would say to my friends on the other side of the aisle, you were very good at spending money and not very good at paying for things. You are consistent to that extent today. You went from a $5.6 trillion surplus to a $3 trillion deficit because we did not pay for what we bought. This bill does that.

It is a testament to the hard work of Mr. PETERSON and others on the committee that this farm bill reauthorization passed out of the Agriculture Committee on a voice vote, that is, with unanimous bipartisan support.

I also appreciate the work of the gentleman from Wisconsin (Mr. KIND) who cares deeply and thoughtfully about agriculture and our rural communities. His effort, with respect to this bill, was a very positive one. He has made important contributions on this issue, and I congratulate Mr. KIND, one of the finest Members of this body.

I believe that this farm bill deserves to pass today with strong bipartisan support. And I note that the ranking member of the committee, as I have said, even expressed on the House floor

yesterday, Mr. GOODLATTE said he would support this bill were it not for the inclusion of a pay-for.

About that provision, let us be clear. At literally the 11th hour, as this farm bill was about to be considered on this floor, the White House issued a veto threat and amazingly complained that we are actually trying to pay for this legislation, in part, by closing a corporate tax loophole. Now, when you close a loophole, does it mean that somebody is paying taxes that they otherwise would not pay? That's the definition of a loophole. Not just any corporate tax loophole, mind you, but a corporate tax loophole that the Bush administration itself recommended closing in 2002 and which Bill Thomas, the Republican chairman of the Ways and Means Committee, agreed with.

Let me quote Ken Dam, then-Deputy Treasury Secretary, and I quote, ''Opportunities for earning stripping through artificial deductions and income shifting may exploit the network of tax treaties the United States maintains around the world.'' That's what we're dealing with. That's what Assistant Secretary Dam was talking about.

In 2002, the Treasury Department concluded, 2002, Republican Treasury Department concluded, ''The prevalent use of foreign related-party debt in inversion transactions is evidence that these rules should be revisited.'' That is what we're doing.

So we're asking those who make good money in America to pay their fair share of the taxes in America. I believe the overwhelming majority of Americans agree with that proposition. Yes, Democrats would make it harder for overseas companies to use tax havens to avoid taxes on U.S. profits from hardworking Americans who buy their products and expect them to pay a fair share, a position formerly held, as I said, by the Bush administration, and even Bill Thomas.

The provision is not only good tax policy, but also a clear manifestation of this new Democratic majority's commitment to abide by the new pay-as-you-go budget rules that will help us restore fiscal discipline.

Those rules were adopted in a bipartisan fashion in 1990, reiterated in 1997 in an agreement which I voted for, President Clinton supported, and it was not until 2002 that those were abandoned by the Republicans because you could not pay for your tax cuts. That's why you abandoned PAYGO. And that's why the $3 trillion debt occurred from a $5.6 trillion surplus.

Now, as to the substance of this farm bill, Chairman PETERSON has written a bill that focuses on getting vital benefits to family farmers, investing in America's producer, stimulating rural economies, and securing renewable energy sources.

I, too, want to join in congratulating STEPHANIE HERSETH SANDLIN on the role that she has played in terms of the rural focus of this bill.

This bill imposes real payment limitations that will begin to reduce subsidies, moving in a new and right direction. It makes historic investments in programs to support food and vegetable producers, an important element for not only California and the northeast, the middle Atlantic, but other areas as well.

It improves funding and access to conservation programs. It imposes payment limits that prevent millionaires from receiving farm subsidy benefits and makes payments transparent. Could we go lower? We could. Should we in the future? Yes. But we have made, in my opinion, a very significant start.

It invests in nutrition programs that help families in need. In the richest country on the face of the Earth, we ought to make sure that no child in America goes to sleep at night or wakes up in the morning hungry. We're trying to move towards that. I see the gentleman from California (Mr. BACA) who has been very involved in these programs as well.

And it encourages the expansion of renewable fuel production, providing loan guarantees for the development of refineries that produce renewable fuels. Energy independence is a critical objective, and this bill moves us towards that objective.

Mr. Chairman, I am particularly pleased that this legislation includes more than $175 million in direct assistance to help our farmers in their ongoing efforts to be good stewards of the Chesapeake Bay. We have made some strides to restore this magnificent estuary, but much more work needs to be done.

I want to thank my friend TIM HOLDEN from Pennsylvania and Nona Darrell, his chief staffer, who helped work on this effort.

To move us forward in this regard, the bill will implement an innovative strategy targeting individual river watersheds, including the Patuxent and the Potomac, to help our producers prevent shoreline erosion, control sediments, reduce nitrogen loads, and establish a long-term monitoring program.

Again, my colleagues, I want to congratulate Chairman PETERSON on this bill. I also want to congratulate Mr. GOODLATTE. I wish he was supporting this bill at this point in time, but I know that he worked to get much of the bill, which but for the pay-fors it's my understanding he would support. But the pay-fors are critical if America is going to pay its bills and not simply pass them along to future generations, whether they be farm children, suburban children, or rural children.

This bill is a responsible, important step forward in farm policy and energy policy and nutritional policy and in conservation policy. I congratulate the members of the committee on their product, and I urge my colleagues to enthusiastically support this product.

Mr. GOODLATTE. Mr. Chairman, I yield myself 30 seconds to say to the distinguished majority leader that I join him in the support of this bill for the efforts to help preserve and protect the Chesapeake Bay, but also to correct the assertion that I object to the pay-fors. I objected all along to a tax increase all through the process. And I went with the chairman to the Budget Committee at the outset and asked for a fair portion of the current Federal budget for agriculture, and that is what we expected to come forward from the budget. We didn't receive it. So that's what we expected the leadership to provide later on. It was not provided. Instead, we're asked to pay a tax increase on American businesses, and that is wrong.

Mr. Chairman, at this time, it is my pleasure to recognize the distinguished Republican whip, the gentleman from Missouri (Mr. BLUNT) for 3 minutes.

Mr. BLUNT. Mr. Chairman, I thank the gentleman for the time this morning. I also want to join my good friend, the majority leader, and say how much I appreciate the work that's been done by Chairman PETERSON, by Mr. GOODLATTE, by the members on the committee in a bill that I had every intention of voting for as it went through the committee. I didn't like everything in it, but I did like some things in it a lot. There are some problems solved in this bill.

The big problem is created in the bill in a way that I wouldn't suggest intentionally, but certainly has the effect of taking a bill that would have had a huge bipartisan vote, giving this bill great momentum in the Senate, and I think needlessly minimized the House support for this bill.

Following up on Mr. GOODLATTE's comments that he just made, if the budget allocation could have been done in a way that the appropriations bill we voted on yesterday, it would have had a 5 percent increase instead of a 6½ percent increase, we wouldn't be having this debate today. In fact, I would be here today with enthusiasm about the bill, though again, I would say that I don't like everything in it, but I like some things in it a lot.

What happened was this bill deserved to have a chance in the committees to find the right kind of pay-fors. In the committee hearing itself, and I am quoting my friend, Chairman PETERSON, exactly when he was asked about whether there would be a tax increase, he said, ''We think it will be something to do with collection of existing taxes, which has nothing to do with tax increases.'' Quoting the chairman further, ''So far as I know, there is no effort to use a tax increase that I am aware of at this point. But given all of that, we do not have jurisdiction. If we had jurisdiction to raise taxes, we wouldn't be going through some of these machinations we are going through.'' And that ends the Chairman's quote.

This bill should have been in a committee to look at this pay-for. The Ways and Means Committee didn't meet. The Rules Committee didn't

have the language for the pay-for when they did their markup earlier this week, according to Louise Slaughter, the chairman of the Rules Committee.

We've done things here that don't just affect people who are trying to avoid taxes. What this pay-for does is abrogates our tax treaties with countries where we do business, and people who do business here. 5.1 million manufacturing jobs and millions of other nonmanufacturing jobs affected by this, mistrust in whether you can invest money in this country in the future if you're a foreign investor. Some of our Members can make a passionate case about many jobs that have been saved in their districts because a foreign country, a foreign investor who just happened to make particular sense in what they did, came in and saved those jobs.

I think it's a shame that we've had to have this debate. I urge that all Members vote against the bill.

Mr. PETERSON of Minnesota. Mr. Chairman, I would like to yield myself 30 seconds.

The quote that my good friend read is an accurate quote; at the time, that's what I thought. But I just want to make clear that in my opinion what we're doing here is not a tax increase. And frankly, what we ought to be doing is investigating why we have all these people on the payroll at the State Department and at the Treasury going out and negotiating deals so we can have foreign corporations come to the United States and avoid paying taxes. And all we're doing is trying to stop that. So I don't see this as a tax increase.

Mr. Chairman, I yield 1 minute to my friend from Maine (Mr. ALLEN).

□ 1130

Mr. ALLEN. I thank Chairman PETERSON for yielding for the purpose of a colloquy.

I want to congratulate him in the passage of this farm bill. I want to commend him for significant funding increases, in particular for the Senior Farmers' Market and Nutrition program, a program that provides fresh fruits and vegetables to low-income seniors through farmers markets, roadside stands and community-supported agriculture. When it is working properly, this program provides health benefits to seniors and new business opportunities to farmers.

I had submitted an amendment that was not made in order. My amendment would have made it easier for States to incorporate community-supported agricultural distribution programs into their Senior Farmers' Market Nutrition programs. In particular, my amendment would have given States the flexibility to set the maximum benefit level per senior in a way best suited to the needs of farmers and seniors in each State.

Our experience in Maine has been that community-supported agriculture works extremely well for farmers and is an excellent way to reach seniors who do not live close enough to a farmers market or who are not mobile enough to get up and go shopping. Indeed, Maine's community-supported agriculture program has drawn national acclaim since it was instituted.

Mr. Chairman, I would simply ask Chairman PETERSON if he is willing to work with me to incorporate these beneficial reforms into the 2007 farm bill.

Mr. PETERSON of Minnesota. Mr. Chairman, I appreciate the uniqueness of Maine and the gentleman's interest in tailoring this program to the needs of his State. I assure him I will work with him to try to find an acceptable solution to this problem, and I look forward to that.

Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), who has worked with us very diligently to craft a solution or start a solution for the Chesapeake Bay problem. I appreciate his leadership.

Mr. VAN HOLLEN. Mr. Chairman, I want to commend Speaker PELOSI and Chairman PETERSON and all the members of the Agriculture Committee for the work they have done in crafting this very important bill.

Mr. Chairman, I think we all understand that no bill that comes before this House is perfect. But this bill represents a very careful balancing of important national priorities: protecting the family farmer, strengthening the nutrition program. And I want to thank subcommittee chairman JOE BACA for those efforts, land conservation, environmental protection and renewable energy sources, and all done in a fiscally responsible manner.

I am especially grateful and thankful for the efforts of Chairman PETERSON and subcommittee Chairman HOLDEN for their efforts to protect the Nation's largest estuary, the Chesapeake Bay.

The Chesapeake Bay comprises six States and the District of Columbia as part of its watershed. The scientists have told us that the health of the Chesapeake Bay is in grave danger unless we take action now. Almost 50 percent of the excessive nutrient pollution in the Chesapeake Bay comes from the runoff from farm operations. Our farmers want to be part of the solution to this problem.

This bill provides farmers on the more than 66,000 farms in the Chesapeake Bay watershed with the tools they need to help protect the Chesapeake Bay. It represents a historic leap in Federal support for our efforts to protect this national natural treasure, the Chesapeake Bay.

Mr. Chairman, I want to thank again the members of the committee for taking this landmark step with respect to Chesapeake Bay protection. It is a national treasure. It is a bay, of course, in the backyard of our Nation's Capital. We need to lead by example. I thank the chairman, and I thank the committee.

Mr. Chairman, I urge adoption of this bill.

Mr. GOODLATTE. Mr. Chairman, I yield 3 minutes to the House Republican Conference chairman, the gentleman from Florida (Mr. PUTNAM).

Mr. PUTNAM. I thank my ranking member for the time.

Mr. Chairman, I rise today to lament a real missed opportunity here. I listened carefully to the Speaker's remarks and agreed with almost everything she said about this bill. I have enjoyed the leadership of our ranking member, Mr. GOODLATTE, Mr. CARDOZA on the other side of the aisle, and others from States that have a high production level of fruits and vegetables.

This bill, on a bipartisan basis, recognizes that need, makes investments that are necessary in research, and on a bipartisan, in fact, on a unanimous basis came out of committee that way. But a funny thing happened on the way to House floor, which was that at the last minute, and not from any committee process that has jurisdiction over tax law, $10 billion in tax increases were added.

So we are asked to take a bipartisan product that represents an important step forward in many ways for American agriculture and pay $10 billion in ransom. The tragedy of that long-term for American agriculture is that it is pitting 1.5 percent of the population that affords our Nation the safest, cheapest, most abundant food in the world, it is pitting those jobs against American manufacturing jobs. Long-term, the 1.5 percent of the population that represents farm country will lose that arithmetic.

This is an unprecedented move to use a farm bill as a vehicle to increase taxes. The taxes that will be due tomorrow that were not due yesterday are coming out of, in many cases, manufacturers who purchase the products that American farmers and livestock producers grow. It is a tax, in many cases, on the farm equipment manufacturers and the agricultural suppliers.

Are we so lost in the weeds of this that we don't realize that American farmers are part of a global economy, that they are part of an international, integrated, highly vertical organization that involves international companies like Nestle, like Cadbury, like Food Lion that buy what it is that we grow? Do we think that we are insulated from the impacts of additional taxes on our customers, our suppliers, our equipment manufacturers, that we can sustain that blow? That is the policy problem with this conundrum that we have been handed.

But the long-term political problem is the notion of pitting manufacturing jobs in America against agricultural jobs in America. That is not sustainable for American agriculture. That is not good public policy for the American consumer.

So we have taken a bill that would have sailed out of the House of Representatives with an overwhelming bipartisan margin and given great momentum to the lethargic Senate that

has failed to even have a hearing on the farm bill, we could have put the House on the farm bill, and now it is veto bait. That is the tragedy.

Mr. PETERSON of Minnesota. Mr. Chairman, I am now pleased to yield 1 minute to the gentlewoman from South Dakota (Ms. HERSETH SANDLIN), another one of our outstanding members of the Agriculture Committee.

Ms. HERSETH SANDLIN. I thank the distinguished chairman for yielding for the purpose of a colloquy.

Chairman PETERSON, as you know, I have introduced legislation with the support of over 50 colleagues to fund the reduced-price school meal pilot, authorized in the 2004 Child Nutrition and WIC Reauthorization Act through the efforts of the Education and Labor Committee.

My legislation also enjoys support from a broad range of organizations that feel, like I do, that many low-income children across the country aren't participating in the school nutrition programs because they cannot afford the reduced fee. My legislation would provide the resources needed to test the effectiveness of harmonizing the WIC income guidelines, which are 185 percent of poverty guidelines, with the free school lunch guidelines, thereby eliminating the reduced-price meal category and expanding eligibility for free school meals.

While this proposal wasn't included in the committee bill due to its cost and committee jurisdictional concerns, I would welcome the opportunity to keep working with you and see how we might accomplish the objective of the legislation.

Mr. PETERSON of Minnesota. I thank the gentlewoman, and I want to commend her for her leadership on this issue. It is something I am concerned about. So I agree to work with the gentlewoman to accomplish the objectives of this legislation.

Ms. HERSETH SANDLIN. I thank the gentleman very much for his commitment and support for this initiative. It will obviously be very helpful going forward.

Mr. GOODLATTE. Mr. Chairman, I yield the balance of my time to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. I thank the gentleman.

Mr. Chairman, I am actually going to speak on the amendment that was offered almost 10 minutes ago. I just want to express my appreciation to you, Chairman PETERSON, for agreeing to this and working with us to make a good amendment even better by including switch grass and expanding it.

Certainly there is no doubt that ethanol is going to be a key ingredient in our recipe for energy independence. We have to do more research and development into cellulosic ethanol, of which sweet sorghum, which is pictured here in this graph, and switch grass, are going to be a key component. We can't do it all with ethanol from corn, so we need other products to develop the cellulosic, to add on top of that to be able to become less dependent on foreign oil. So we need to do the research.

This offers grants to universities that will compete. They have to show that they are competitive in this type of research to earn a $1 million grant to do this.

Our energy needs require us to speed up this process. Ethanol made from cellulosic materials, like sweet sorghum or switch grass, has nine times the amount of energy as regular ethanol. So that is another reason why we have to add this.

I want to compliment the ranking member and the chairman in putting together really a pretty good bill. Forty-eight hours ago I was telling all of our farm groups that I was very proud to support this type of legislation, especially because of the bioenergy issues in here. But, unfortunately, those of us that have said we will vote against tax increases have been put in a very tough position.

Mr. PETERSON of Minnesota. Mr. Chairman, I am now pleased to yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ), the esteemed Chair of the House Small Business Committee.

Ms. VELÁZQUEZ. Mr. Chairman, Chairman PETERSON and I agreed that I would not offer an amendment based on our mutual support for the amendment's purpose. I want to thank Chairman PETERSON for his leadership on H.R. 2419, and I would like to enter into a short colloquy with Chairman PETERSON.

This farm bill is critical for our economy, good nutrition, our small businesses, and it does a lot for underserved populations too. Low-income and minority communities suffer disproportionately from the lack of fresh fruits and vegetables.

In many neighborhoods of New York and across the country where farmers markets are scarce, corner stores are the only place residents shop for their weekly groceries. Unfortunately, due to the limitation of space and many obstacles, many of these stores cannot offer fresh produce and other healthy foods.

Farmers markets and other non-conventional fruit retail sites are essential and play a large role in bringing our communities nutritious food. But without simple and critical technologies, farmers markets are unable to serve low-income consumers. That is why I strongly support expanding wireless electronic benefit transfers. These EBT debit machines allow food stamp consumers to use their resources for fresher, healthier foods. Wireless EBTs are especially crucial for low-income consumers to use.

Mr. PETERSON of Minnesota. Mr. Chairman, I recognize the gentlewoman's leadership. I think we can solve this problem with a letter to USDA. So if the gentlewoman will work with me, we will do that. I think we can get this resolved. I support you on this.

Ms. VELÁZQUEZ. Mr. Chairman, I thank the chairman for doing that. That is important not only to provide fresh fruit and produce, but also to fight obesity and other diseases in our country.

Mr. PETERSON of Minnesota. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Maryland (Mr. CUMMINGS).

□ 1145

Mr. CUMMINGS. Mr. Chairman I rise to enter into a short colloquy with the chairman. First of all, I thank the chairman for producing a balanced and outstanding bill.

I come to raise an issue of concern to me regarding the food stamp eligibility for people who seek assistance for drug and alcohol abuse. This is why I offered an amendment to H.R. 2419, to ensure equal access to this vital benefit program regardless of whether one participates in an institutional drug rehabilitation program or supportive housing.

Mr. Chairman, the Food Stamp Program was designed to allow those who participate in private and public drug and alcohol treatment programs and individuals who live in supportive housing to receive food stamp benefits. However, the current language in the law that provides this benefit has been misinterpreted by various State officials. This ambiguity has made it difficult for individuals in supportive housing and rehabilitation programs to access food stamp benefits for which they are eligible.

I would ask the chairman if you would work with me in conference to see if we can address this inequity.

I yield to the gentleman.

Mr. PETERSON of Minnesota. I appreciate the gentleman's leadership on this issue. We will work with you to help clarify the way States interpret food stamp eligibility guidelines and hope for a positive solution.

Mr. CUMMINGS. I thank you, Mr. Chairman.

The Acting CHAIRMAN. The question is on the en bloc amendment offered by the gentleman from Minnesota (Mr. PETERSON).

The en bloc amendment was agreed to.

Mr. PETERSON of Minnesota. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SERRANO) having assumed the chair, Mr. BERRY, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes, had come to no resolution thereon.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING FURTHER CONSIDERATION OF H.R. 2419

Mr. PETERSON of Minnesota. Mr. Chairman, I ask unanimous consent that, during further consideration of H.R. 2419 pursuant to House Resolution 574, the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX.

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

There was no objection.

FARM, NUTRITION, AND BIOENERGY ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 574 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2419.

□ 1149

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes, with Mr. SCHIFF (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendments en bloc by the gentleman from Minnesota (Mr. PETERSON) had been disposed of.

AMENDMENT NO. 21 OFFERED BY MR. UDALL OF COLORADO

The Acting CHAIRMAN. It is now in order to consider amendment No. 21 printed in part B of House Report 110–261.

Mr. UDALL of Colorado. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. UDALL of Colorado:

In section 1102(b)(6), strike ''$0.0667'' and insert ''$0.06''.

In section 2104 strike subsection (b) and insert the following new subsection:

(b) ENROLLMENT OF ACREAGE.—Subsection (b)(1) of section 1238N of the Food Security Act of 1985 (16 U.S.C. 3838n(1)) is amended by striking ''2,000,000 acres'' and inserting ''2,224,000 acres''.

In section 2401, insert after subsection (c) the following new subsection (and redesignate subsequent subsections accordingly):

(d) GRASSLAND RESERVE PROGRAM.—Section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)) is amended by striking paragraph (5) and inserting the following new paragraph:

''(5) For each of fiscal years 2008 through 2012, the grassland reserve program under subchapter C of chapter 2.''.

The Acting CHAIRMAN. Pursuant to House Resolution 574, the gentleman from Colorado (Mr. UDALL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. UDALL of Colorado. Mr. Chairman, let me start by thanking Chairman PETERSON and Ranking Member GOODLATTE for their hard work on this important piece of legislation. I will be very proud to support the bill on final passage.

While clearly this reform legislation, and I want to underline this is reform legislation, is a positive step forward in ag policy, I believe my amendment improves the bill. It is a win-win for ranchers and the environment.

Mr. Chairman, the amendment is modest and very simple. It would make a small reduction in the direct payment rate for cotton, just two-thirds of a cent. That savings, which would be $127 million, would be used to fund additional enrollment in the Grassland Reserve Program. The Grassland Reserve Program is a jointly administered program by the National Resources Conservation Service and the Farm Service Agency. It uses long-term rental agreements and easements to help landowners and producers restore and protect grasslands while maintaining them in a condition suitable for grazing.

This investment of Federal dollars also helps to leverage State and local monies to expand these preservation areas. The reserves that I am speaking of provide habitat for diverse wildlife, including prairie chickens, grassland birds, game species, and prairie plants. Unfortunately, it was underfunded in the previous farm bill. There remains, therefore, a significant backlog for those wanting to access the program.

According to data from the United States Department of Agriculture, the 2006 backlog of unfunded applications totaled more than $1.1 billion, or 11 million acres, and interest continues to grow.

Now, the Agriculture Committee has made great strides to enhance this grasslands program, but their hard work will be for naught unless there is additional funding to ease the backlog of program applicants. We really cannot wait to make this investment because much of America's grassland continues to be converted to row crops, and other grasslands throughout the west are being developed and subdivided.

According to CRS, between 1982 and 2003, we have lost more than 10 percent of our pastureland, which is over 10 million acres.

The amendment would reduce total direct payments in the bill by less than one-tenth of 1 percent. Direct payments are not the only support for cotton producers in the bill. As the committee report notes, there are important changes in the loan program to make American cotton more competitive and move stocks out of storage. The bill also allows the Department of Agriculture to continue to pay for upland cotton storage until 2012.

So the amendment doesn't cause real great hardship for cotton producers, but it would help many of our ranchers. I urge the House to support the amendment.

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

Mr. PETERSON of Minnesota. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. PETERSON of Minnesota. Mr. Chairman, I have to oppose the gentleman's amendment. Not that I don't support the Grassland Reserve Program, but the provisions of the commodity title were worked out by the committee very carefully in an effort to balance all of the various commodities' needs in that process. We don't think that it is fair to single out one commodity for changes even though it is for a worthwhile purpose. Cotton has already seen major changes with the bill's termination of the storage payments and also major reforms in payment limitations.

Additionally, the bill provides 1,340,000 acres to be enrolled in GRP, a substantial increase. I know that the gentleman from Colorado has been a leader in the coalition that has been advocating this program, and I appreciate his efforts and leadership in this area. Unfortunately, targeting any single commodity, in this case, cotton, for further reductions in their safety net is unwarranted and unfair. Therefore, I urge my colleagues to oppose the amendment.

I yield to the gentleman from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Mr. Chairman, I also rise in strong opposition to the Udall amendment. This amendment singles out one commodity for reduction in order to increase an unrelated program.

This bill already increases funding to enroll nearly 1 million new acres in the Grassland Reserve Program. That is a significant amount of land.

Some might think this is a small change in direct payment. It doesn't seem like much; however, this bill does not make changes in any of the current direct payments, and this would single out only one commodity, that being cotton, for reduction in direct payments.

The House Agriculture Committee has already made significant changes to cotton. The bill reduces cotton target prices and eliminates cotton loan storage credits. In addition, payment limit changes are more likely to affect cotton farmers than any other commodity.

If you want to increase the grasslands program, the offsets should not come from one commodity that is already taking a fairly major change in this bill. Let's treat all commodities the same and oppose the Udall amendment.

Mr. PETERSON of Minnesota. Mr. Chairman, I yield 1 minute to the chairman of the General Farm Commodity Subcommittee that deals with this issue, the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. I thank the gentleman for his leadership.

Mr. Chairman, as you've heard, this commodity has already taken a major hit, a major change in the whole list of that commodity. It is really unfair to single out cotton.

I agree with the gentleman from Colorado; we have done some things in conservation and wish we could have done more and wish we had more money. You have already heard how we have been strapped for cash, but the truth is this amendment is unfair. And I will oppose the gentleman's amendment, and I would encourage my colleagues to oppose it as well.

We will continue to work with him as the bill moves forward to try and help, but it is absolutely unfair, once we have reached this very delicate balance within the bill, to reach in and single out one commodity that has already been hit harder in terms of cuts than any other commodity within all of the commodity titles.

Mr. PETERSON of Minnesota. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Chairman, I thank the gentleman for giving me a quick minute.

I, too, rise in opposition to the Udall amendment, not because I am opposed to conservation of grasslands, but simply because hard choices were made to craft a bill that was as balanced as we can get it. If you were on the living end of the commodity program and cotton, you know already the dramatic changes that are going to be in the offing if this bill does pass. To come in now and ask for one more change, one more reduction, is inappropriate, and I would oppose that and hope that our good colleagues who support conservation would understand this is a very difficult process. We have set priorities, and I think the finely tuned bill that came out of the committee is one we ought to support and not make this change. I respectfully oppose the gentleman's amendment.

Mr. UDALL of Colorado. Mr. Chairman, how much time remains?

The Acting CHAIRMAN. The gentleman from Colorado has 2 minutes. The gentleman from Minnesota has 1 minute.

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

Mr. PETERSON of Minnesota. Mr. Chairman, I think that the other gentlemen have eloquently stated the case, and I want to reiterate that this is not a fair process to single out one commodity.

I want to take the balance of my time to recognize the tremendous efforts of the gentleman from Arkansas (Mr. BERRY) in working with us on this farm bill. And also, if he were here, he would be speaking out very strongly on this amendment as well. We oppose this amendment and encourage our colleagues to support us in that regard.

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

Mr. UDALL of Colorado. Mr. Chairman, I yield myself the balance of my time.

As I close my arguments for this important amendment, I would again like to thank the chairman and ranking member for a bill that truly is about reform. That is the theme I would like to strike here. This amendment would take us further down the path of reform.

This is less than one-tenth of 1 percent to expand the Grassland Reserve Program. I would note for the record that a number of organizations that are highly respected in the States of Texas and Minnesota and all over the country support the amendment. The American Farmland Trust, Environmental Working Group, Republicans for Environmental Protection, the National Wildlife Federation, the American Bird Conservancy, Defenders of Wildlife, the Trust for Public Land all think that this amendment makes real sense.

It is $127 million, less than one-tenth of 1 percent out of the direct payments program to preserve these important legacy areas, our grasslands, in the great American west. I urge an ''aye'' vote. This is an important amendment that would help strengthen the bill.

□ 1200

Mr. Chairman, I yield back my time.

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

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

Mr. UDALL of Colorado. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 25 OFFERED BY MR. PUTNAM

The Acting CHAIRMAN. It is now in order to consider amendment No. 25 printed in House Report 110–261.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 25 offered by Mr. PUTNAM:

At the appropriate place in the conservation title, add the following new section:

SEC. 2___. ADJUSTED GROSS INCOME LIMITATION REGARDING PAYMENTS UNDER CONSERVATION PROGRAMS.

Section 1001D(b)(1) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(b)(1)), as amended by section 1504 [and the manager's amendment, pages 34 and 35], is further amended by adding at the end the following new subparagraph:

''(C) SPECIAL RULE FOR CONSERVATION PROGRAMS.—Notwithstanding subparagraphs (A) and (B), in the case of covered benefits described in paragraph (2)(C), an individual or entity shall not be eligible to receive any benefit described in such paragraph (2) during a crop year if the average adjusted gross income of the individual or entity exceeds $1,000,000, unless not less than 75 percent of the average adjusted gross income of the individual or entity is derived from farming, ranching, or forestry operations, as determined by the Secretary.''.

The Acting CHAIRMAN. Pursuant to House Resolution 574, the gentleman from Florida (Mr. PUTNAM) and the gentleman from Minnesota (Mr. PETERSON) each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. PUTNAM. Mr. Chairman, we have a number of speakers on this so I want to be brief.

One of the common misperceptions about the farm bill that didn't used to be a misperception, it used to be a reality and was very frustrating to taxpayers, was that professional athletes and broadcasters and people like that could game the system to receive conservation payments. And to the chairman and Mr. GOODLATTE's credit, this bill does make significant strides towards improving the commitment to conservation. However, there is a change in the bill that is disturbing which lowers the AGI limit for eligibility for conservation payments.

The effect of that is that it takes out what had been a requirement that 75 percent of your income be farm income, and in the process of doing that, it eliminates many of the most successful farmers who are doing their best to take advantage of government-matching dollars to improve their operations from an environmental perspective. It eliminates their ability to do so.

And setting aside the family farm narrative, if you are truly a family farm, where you have multiple generations operating, then for sheer survival you have to grow in order to feed grandpa and dad and two brothers and their families who are all in the dairy business or in the livestock business.

If this language were to remain in the bill as is, the Florida Department of Agriculture reports unofficially that roughly half of Florida producers would be ineligible for conservation payments. Many of the producers on the Chesapeake watershed, we've heard a lot today about the Chesapeake, the Everglades watershed, irrigation projects in the American West would be ineligible for these matching dollars because of this new AGI limitation.

And I would urge Members to review this carefully and adopt this amendment so that these conservation payments would find their way to the farmers that are doing the best job, that are the most successful and are full-time. These are not hobby farmers. These are full-time agricultural producers in America who are feeding this country.

Mr. Chairman, I yield 2 minutes to my fellow cosponsor from Florida (Mr. MAHONEY).

Mr. MAHONEY of Florida. Mr. Chairman, I want to thank my friend and colleague from Florida. I'm proud to cosponsor this important amendment with the gentleman, as he and his family are champions of Florida agriculture.

One recurring theme we've heard throughout this debate is that although this farm bill is historic for American agriculture, it does not give everyone what they wanted.

In the case of conservation programs, I believe it's a mistake for this bill to further restrict the American farmers' access to important conservation programs by lowering the adjusted gross income limits.

This is bad policy because it hurts farmers that produce high-value crops from accessing conservation programs. In Florida, we are fighting to protect our environment. We've spent billions to preserve the Everglades. These new, more restrictive limits will disincent Florida ranchers and growers from investing with the Federal Government to preserve our lands and clean our waters.

I urge my colleagues to use common sense. This amendment provides real farmers, not millionaires, access to critical conservation programs.

I urge my colleagues to take an important step in keeping our rural lands green, to protect our wetlands, and to support our national agricultural heritage.

This is a good amendment, and it deserves your support.

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

Mr. PETERSON of Minnesota. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. PETERSON of Minnesota. Mr. Chairman, we had a debate similar to this not too long ago, and I'll say it again, that while we've added several billion dollars to the conservation baseline, we still have backlogs in most of those programs.

And the question to me is the same: if large farms shouldn't be eligible for title I payments, why should they be eligible for title II payments? If these operations are diversified enough to have problems with farm income exemption, same question, do they really need Federal payments?

So I'd like to hear the arguments against because, to me, a strong title I is necessary to even carry out our conservation programs. If the farmers don't have a strong safety net, that work on conservation is going to be the first thing that's sacrificed. So with limited Federal funds for conservation, we need to make priorities, and providing funds for larger producers and folks with lots of off-the-farm income is a tough choice; but it's a choice we have to make.

I'd just like to say that one of the most important reforms that people have pointed to in this bill is that we have finally put a hard cap on adjusted gross income, and this has caused a lot of pain for a lot of people. So it just is not right to have a hard cap on the commodity title and not have a hard cap on conservation.

So I urge my colleagues to reject this amendment.

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

Mr. PUTNAM. Mr. Chairman, does the gentleman have additional speakers opposed to the amendment?

Mr. PETERSON of Minnesota. I guess we have no further speakers, so I yield back the balance of my time.

Mr. PUTNAM. How much time is remaining, Mr. Chairman?

The Acting CHAIRMAN. The gentleman from Florida has 1½ minutes remaining. The gentleman from Minnesota has yielded back.

Mr. PUTNAM. Mr. Chairman, I just want to reiterate, while this has a major impact on specialty crop and dairy and livestock States like California and Florida, it is a national issue because under current law, if 75 percent of your income is from farms, then you are eligible for this higher AGI. By taking that out, you are redirecting conservation dollars from people who are full-time farmers, full-time producers, presumably the people that the farm bill is intended to benefit, and directing it to hobby farmers, people who are enjoying their gentlemanly estates in the suburbs of Washington or New York or other metropolitan areas, where they enjoy the bucolic lifestyle, while the people who get up before dawn every morning and go to bed after dark every night, and live and die by the vagaries of the marketplace and pests and disease will be ineligible for the additional conservation help.

So you either drive them out of business because of the impact on watersheds, or you will pay for it out of a different program; but one way or the other you will either drive agriculture out of the Chesapeake, drive agriculture out of the Glades, drive agriculture out of the prairie potholes, out of the Dakotas, out of the flyways, or we can make this minor amendment to let the people who farm full time eligible for the green payments that recognize the social benefits that come from their activities.

I urge the adoption of this amendment, and I thank my friend from Florida for his assistance.

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

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

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

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

AMENDMENT NO. 27 OFFERED BY MR. COOPER

The Acting CHAIRMAN. It is now in order to consider amendment No. 27 printed in House Report 110–261.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 27 offered by Mr. COOPER:

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

TITLE XII—CROP INSURANCE

SEC. 1201. CONTROLLING CROP INSURANCE PROGRAM COSTS.

(a) ADMINISTRATIVE FEE FOR CATASTROPHIC RISK PROTECTION.—Section 508(b)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(5)) is amended by striking subparagraph (A) and inserting the following:

''(A) BASIC FEE.—

''(i) IN GENERAL.—Except as provided in clause (ii), each producer shall pay an administrative fee for catastrophic risk protection in an amount which is, as determined by the Corporation, equal to 25 percent of the premium amount for catastrophic risk protection established under subsection (d)(2)(A) per crop per county.

''(ii) MAXIMUM AMOUNT.—The total amount of administrative fees for catastrophic risk protection payable by a producer under clause (i) shall not exceed $5,000 for all crops in all counties.''.

(b) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Section 508(e)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(2)) is amended—

(1) in subparagraph (B)(i), by striking ''67 percent'' and inserting ''62 percent'';

(2) in subparagraph (C)(i), by striking ''64 percent'' and inserting ''59 percent'';

(3) in subparagraph (D)(i), by striking ''59 percent'' and inserting ''54 percent'';

(4) in subparagraph (E)(i), by striking ''55 percent'' and inserting ''53 percent'';

(5) in subparagraph (F)(i), by striking ''48 percent'' and inserting ''46 percent''; and

(6) in subparagraph (G)(i), by striking ''38 percent'' and inserting ''36 percent''.

(c) REDUCTION IN PORTION OF THE PREMIUM PAID BY THE CORPORATION.—Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(3)) is amended by adding at the end the following:

''(6) PREMIUM PAYMENT INCENTIVE.—The Corporation may increase payment of a part of the premium from the amounts provided under subsection (e)(2) by not more than 5 percent for a policy or plan of insurance that is not based on individual yield to provide an additional incentive to create broader use of such policies.''.

(d) SHARE OF RISK.—Section 508(k)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(3)) is amended by striking paragraph (3) and inserting the following:

''(3) SHARE OF RISK.—The reinsurance agreements of the Corporation with the reinsured companies shall require the reinsured companies to cede to the Corporation 22 percent of its cumulative underwriting gain or loss.''

SEC. 1202. CROP INSURANCE PROGRAM COMPLIANCE.

(a) USE OF UNUSED FUNDING TO IMPROVE PROGRAM INTEGRITY.—Section 522(e)(3) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)(3)) is amended by striking ''the Corporation may use'' through the end of the paragraph and inserting the following: ''the Corporation may use—

''(A) not more than $10,000,000 for each fiscal year to improve program integrity, such as

''(i) increasing the number of compliance personnel;

''(ii) increasing compliance related training;

''(iii) improving analysis tools and technology related to compliance;

''(iv) identifying, utilizing, and expanding innovative compliance strategies and technology; and

''(v) developing and maintaining the information management system developed pursuant to section 10706(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8002(b)); and

''(B) any excess amounts to carry out other activities authorized under this section.''.

(b) CONFORMING AMENDMENT REGARDING VIOLATION OF HIGHLY ERODIBLE LAND CONSERVATION REQUIREMENTS.—Section 1211(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3811(a)(1)) is amended—

(1) by striking ''or'' at the end of subparagraph (C);

(2) by inserting ''or'' at the end of subparagraph (D); and

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

SEC. 1203. REAUTHORIZATION OF, AND INCREASED ENROLLMENT AUTHORITY FOR GRASSLAND RESERVE PROGRAM.

(a) EXTENSION AND FUNDING.—Section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)) is amended by striking paragraph (5) and inserting the following new paragraph:

''(5) For each of fiscal years 2002 through 2013, the grassland reserve program under sub chapter C of chapter 2.''.

(b) ENROLLMENT GOALS.—Section 1238N(b)(1) of the Food Security Act of 1985 (16 U.S.C. 3838N(b)(1)) is amended by striking ''2,000,000 acres'' and inserting ''5,000,000 acres''.

The Acting CHAIRMAN. Pursuant to House Resolution 574, the gentleman from Tennessee (Mr. COOPER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COOPER. Mr. Chairman, everyone should be able to support the upcoming Cooper amendment, whether you're for or against the farm bill. It really doesn't make any difference because my amendment doesn't affect 99 percent of what's in the farm bill, but it does affect 1 percent.

And what is that? It's called the crop insurance industry, a little known curious part of the insurance world that is completely dominated by 16 fabulously rich companies. These companies, at taxpayer expense, made $2.8 billion in profits, underwriting gains, in the last 5 years. I don't begrudge anyone big profits out in the real world; but when it's at taxpayer subsidy expense, I get a little worried.

So what my amendment would do is two things. Number one, it would reform that industry and reform it in the way that the U.S. Department of Agriculture has recommended, and I'm proud that they strongly support my amendment.

But it also does something else, and we only found this out yesterday, and this is very important because it could well not only save the bill, it could save the reputation of many of our colleagues in the House because there is a provision in the bill today that I'm sure was unintended. I have no idea how it got in there, how it found a place on page 668 of the bill. It just happens to enrich forever these 16 crop insurance companies.

Now, what does that little slender provision do which the Bush administration has already said allows them to collude to raise prices for consumers and the government? That little provision allows them an antitrust exemption, an antitrust exemption that, of course, was never referred to the Judiciary Committee. No one on the Judiciary Committee knows about it. I haven't found anybody on the Agriculture Committee who knew about it, but it's a long-sought goal of the crop insurance industry so that they can collude to price-fix, to bid-rig in their negotiations with the government so they can get even more subsidies, because apparently $2.8 billion in profits in the last 5 years was not enough.

So my amendment is the only way to cut out that provision. Unless some of our colleagues are not attuned to antitrust laws, these antitrust obligations are not just wrong. Talking in contract negotiations is supposed to be an open-bidding process, a real free market competition. This sort of behavior is not just wrong; it is criminal, criminal.

So unintentionally and apparently unbeknownst to most folks on the committee, we are giving them a license to conduct what would otherwise be criminal antitrust behavior. This is wrong. This is so wrong it should not be part of any of this bill, and I am sure that no one intended it, although it just happens to benefit these 16 companies.

Now, these are not bad people who work for these companies; but it's a rotten system, and it doesn't need to be destroyed, but it does need to be reformed; and we need to follow the guidelines of the Bush administration in reforming it because I haven't found anybody else who's willing to take on this task.

But surely this can bring us together in a bipartisan fashion to cure this flaw in the bill.

MODIFICATION TO AMENDMENT NO. 27 OFFERED BY MR. COOPER

Mr. COOPER. Mr. Chairman, in order to discourage this illegal criminal behavior, I ask unanimous consent for a modification of my amendment so that it can be handled properly according to parliamentary fashion.

The Acting CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 27 offered by Mr. COOPER:

The amendment as modified is as follows:

In section 2104 strike subsection (b) and insert the following new subsection:

(b) ENROLLMENT OF ACREAGE.—Subsection (b)(1) of section 1238N of the Food Security Act of 1985 (16 U.S.C. 3838n) is amended by striking ''2,000,000 acres'' and inserting ''2,500,000 acres''.

In section 2104, add at the end the following new subsection:

(f) FUNDING.—Section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)) is amended by striking paragraph (5) and inserting the following new paragraph:

''(5) For each of fiscal years 2002 through 2013, the grassland reserve program under subchapter C of chapter 2.''.

At the end of subtitle A of title XI, add the following new section:

SEC. 110___. ADDITIONAL CROP INSURANCE AMENDMENTS.

(a) EXPECTED LOSS RATIO.—

(1) PROJECTED LOSS RATIO.—Section 506(o)(2) of the Federal Crop Insurance Act (7 U.S.C. 1506(o)(2)) is amended—

(A) in the paragraph heading, by striking ''1998'' and inserting ''2007'';

(B) by striking ''1998'' and inserting ''2007''; and

(C) by striking ''1.075'' and inserting ''1.00''.

(2) PREMIUMS REQUIRED.—Section 508(d)(1) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)(1)) is amended by striking ''1.1'' and all that follows through ''October 1, 1998'' and inserting ''1.00 on and after October 1, 2007''.

(3) EFFECTIVE DATE.—This subsection shall take effect on September 30, 2007.

(4) ANNUAL REPORTING REQUIREMENT.—The Risk Management Agency will report annually, by March 1st, in the Federal Register—

(A) the projected loss ratio upon which premiums are based for the coming reinsurance year; and

(B) the projected loss ratio of the Corporation for the coming reinsurance year that excludes the portion of the premium paid by the Corporation.

(b) CONTROLLING CROP INSURANCE PROGRAM COSTS.—

(1) ADMINISTRATIVE FEE FOR CATASTROPHIC RISK PROTECTION.—Section 508(b)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(5)) is amended by striking subparagraph (A) and inserting the following:

''(A) BASIC FEE.—

''(i) IN GENERAL.—Except as provided in clause (ii), each producer shall pay an administrative fee for catastrophic risk protection in an amount which is, as determined by the Corporation, equal to 25 percent of the premium amount for catastrophic risk protection established under subsection (d)(2)(A) per crop per county.

''(ii) MAXIMUM AMOUNT.—The total amount of administrative fees for catastrophic risk protection payable by a producer under clause (i) shall not exceed $5,000 for all crops in all counties.''.

(2) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Section 508(e)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(2)) is amended—

(A) in subparagraph (B)(i), by striking ''67 percent'' and inserting ''62 percent'';

(B) in subparagraph (C)(i), by striking ''64 percent'' and inserting ''59 percent'';

(C) in subparagraph (D)(i), by striking ''59 percent'' and inserting ''54 percent'';

(D) in subparagraph (E)(i), by striking ''55 percent'' and inserting ''53 percent'';

(E) in subparagraph (F)(i), by striking ''48 percent'' and inserting ''46 percent''; and

(F) in subparagraph (G)(i), by striking ''38 percent'' and inserting ''36 percent''.

(3) REDUCTION IN PORTION OF THE PREMIUM PAID BY THE CORPORATION.—Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(3)) is amended by adding at the end the following:

''(6) PREMIUM PAYMENT INCENTIVE.—The Corporation may increase payment of a part of the premium from the amounts provided under subsection (e)(2) by not more than 5 percent for a policy or plan of insurance that is not based on individual yield to provide an additional incentive to create broader use of such policies.''.

(4) SHARE OF RISK.—Section 508(k)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(3)) is amended by striking paragraph (3) and inserting the following:

''(3) SHARE OF RISK.—The reinsurance agreements of the Corporation with the reinsured companies shall require the reinsured companies to cede to the Corporation 30 percent of its cumulative underwriting gain or loss.''

(5) REIMBURSEMENT RATE.—Section 508(k)(4)(A) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)(A)) is amended by striking clause (ii) and inserting the following:

''(ii) for each of the 2008 and subsequent reinsurance years, 15 percent of the premium used to define loss ratio.''.

(c) RENEGOTIATION OF STANDARD REINSURANCE AGREEMENT.—

(1) IN GENERAL.—Section 508(k) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)) is amended by adding at the end the following:

''(8) RENEGOTIATION OF STANDARD REINSURANCE AGREEMENT.—The Corporation may renegotiate the financial terms and conditions of each Standard Reinsurance Agreement not more frequently than once every 3 years. Crop insurance companies are not allowed to collude during the renegotiation of financial terms of the Standard Reinsurance Agreement.''.

(2) CONFORMING AMENDMENTS.—Sections 536 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 1506 note; Public Law 105–185) and section 148 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1506 note; Public Law 106–224) are repealed.

(d) CROP INSURANCE PROGRAM COMPLIANCE.—

(1) USE OF UNUSED FUNDING TO IMPROVE PROGRAM INTEGRITY.—Section 522(e)(3) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)(3)) is amended by striking ''the Corporation may use'' through the end of the paragraph and inserting the following: ''the Corporation may use—''

''(A) not more than $10,000,000 for each fiscal year to improve program integrity, such as

''(i) increasing the number of compliance personnel;

''(ii) increasing compliance related training;

''(iii) improving analysis tools and technology related to compliance;

''(iv) identifying, utilizing, and expanding innovative compliance strategies and technology; and

''(v) developing and maintaining the information management system developed pursuant to section 10706(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8002(b)); and

''(B) any excess amounts to carry out other activities authorized under this section.''.

(2) CONFORMING AMENDMENT REGARDING VIOLATION OF HIGHLY ERODIBLE LAND CONSERVATION REQUIREMENTS.—Section 1211(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3811(a)(1)) is amended—

(A) by striking ''or'' at the end of subparagraph (C);

(B) by inserting ''or'' at the end of subparagraph (D); and

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

''(E) crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);''.

The Acting CHAIRMAN (during the reading). Without objection, the reading is dispensed with.

There was no objection.

The Acting CHAIRMAN. Is there objection to the modification?

Mr. POMEROY. Mr. Chairman, reserving the right to object, this is ridiculous. We have an Agriculture Committee. The Agriculture Committee has under it the jurisdiction of the crop insurance program. The crop insurance program's largely governed by the crop insurance law which is going to be up for reauthorization in the next Congress. We are close to completing a farm bill. The gentleman, who is not on the committee but participated in a hearing in the Government Oversight Committee, has developed a keen interest in the crop insurance program. He has advanced an amendment which has been made in order. It would have substantial consequences to the crop insurance program, and it has not had a hearing in the Agriculture Committee.

But beyond that, as with all amendments, there are timelines to submit to the Rules Committee, printed in the RECORD. Everyone has a chance to evaluate precisely what the gentleman is saying.

□ 1215

Well, that's not enough, because this morning, he comes to the floor and says that he has discovered, almost like a Grisham novel, discovered, on page 668, language. It's not just wrong, it's criminal, and if we only followed this man, we can alleviate ourselves of wrongdoing that must be criminal and save the reputation of our House and Members in it. Oh, what drama is unfolding here. What nonsense is purported by the gentleman asking for this unanimous consent request.

I will assert objection to the unanimous consent request. This is not accidental language. It didn't fall from the sky. It's part of a complete plan on crop insurance and the structure of a public-private partnership.

I look forward to working with the gentleman in an ongoing effort to really dig to the bottom of the gentleman's questions. But I will tell you something, none of us, certainly not me, is so doggone smart that after a hearing I go off and do a little more study, write a bill totally undoing vital risk protection to our farmers, and if that's not enough, come to the floor of the House and ask for unanimous consent to try and further rewrite this program right here as we go, without even having printed language before us.

Mr. Chairman, I assert the objection to the unanimous consent request.

The Acting CHAIRMAN. Objection is heard. The amendment is not modified.

Mr. COOPER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Tennessee has 1 minute remaining.

Mr. COOPER. Mr. Chairman, the gentleman who just spoke knows that we discussed this precise matter at dinner last night. He was not caught unawares at all. We discussed it at some length at dinner.

Second, it is the prerogative of any Member of this House to defend the honor of this institution. I am personally extremely disappointed that our provision allowing what would otherwise be antitrust violation, wrongful, possibly criminal behavior, would be allowed to be inserted in this bill, apparently without the knowledge of anyone on the committee, certainly not of anyone on the Judiciary Committee.

I regret his objection. But my intention is clear. We need to reform crop insurance in America. I only found out about this issue, as the gentleman said correctly, because I am fortunate enough to be a member of the Government Reform Committee.

Under the hearings led by HENRY WAXMAN, we did more to uncover abuse in this area than the Agriculture Committee ever did. In fact, when I attended the agriculture hearing, only four members of that committee were present to hear the government witnesses to describe the ongoing abuse in the crop insurance industry, witnesses from the GAO and USDA IG.

This is important information that every Member of the House deserves to have, because we should not be party to handing out free antitrust exemptions without anybody knowing about it.

The Acting CHAIRMAN. The time of the gentleman has expired.

Mr. ETHERIDGE. Mr. Chairman, I claim time in opposition and yield the customary 2½ minutes to the ranking member from Virginia.

Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. SCOTT), a member of the committee.

The Acting CHAIRMAN. Without objection, the gentleman from Virginia may control 2½ minutes.

There was no objection.

Mr. SCOTT of Georgia. Mr. Chairman, with all due respect to the gentleman from Tennessee (Mr. COOPER) whose intentions are certainly well meaning, here is the situation. This was never brought before our committee. We spent hour after hour, most times till 1:00 or 2:00 in the morning, working on a variety of these issues.

Now, if there are charges that he is speaking of, and they appear to be serious, they belong in the jurisdiction of the Justice Department, not in the Agriculture Committee.

That is where this argument needs to be taken, but not at this late hour at a time when it has not been brought before our committee. And, as he said, he might have mentioned it to the gentleman, Mr. POMEROY, at dinner, but that's a hue and a cry from having this discussion in the full Agriculture Committee.

The other point is that there are 16 companies who provide crop insurance. If this rather draconian amendment were even adopted, it would severely wreak havoc in the crop insurance industry as we know it and provide fewer choices for our farmers.

Again, it is beyond the jurisdiction of the Agriculture Committee.

I respectfully ask that we oppose the gentleman's amendment.

Mr. GOODLATTE. Mr. Chairman, the committee bill makes significant reforms to the Crop Insurance Program. The bill reduced the statutory loss ratio to an actuarially sound 1.0. By doing this, we were able to include a provision by Mr. NEUGEBAUER that makes additional crop insurance available, which has to be paid for, which will lessen need for disaster assistance.

Mr. NEUGEBAUER's provision is similar in many respects to the administration's crop insurance plan. The committee bill increases premiums for the catastrophic level of coverage.

We authorize the USDA to renegotiate the standard reinsurance agreement every 5 years. The committee bill specifically authorizes data mining to ensure compliance with rules of the program. The committee bill also reduces the reimbursement rate by 2 percentage points. These are significant changes that make the program more actuarially sound and make the program more responsible with taxpayer dollars.

Additionally, the committee-passed bill authorized an additional 1 million acres in the GRP land to protect sensitive grasslands in this country. While we all would like more money for many programs, this is a carefully balanced approach. I think we have done a good job of balancing the needs of both commodity producers and those that would like to preserve native grasslands.

I strongly oppose this amendment.

Mr. COOPER. Will the gentleman yield?

Mr. GOODLATTE. I would be happy to yield.

Mr. COOPER. I have the highest respect for the gentleman and for all the members of the Agriculture Committee. I am sure this was not intentional. That's why I am trying to correct the problem.

When I looked into it, 84 percent of the savings that are in the agriculture bill from crop insurance happened only in year 5. Nothing happens in year 1, 2, 3, 4. Year 5 is the year in which the next agriculture bill will be drafted. It's very unlikely that those cuts will ever occur, when 84 percent of them are back-loaded in year 5. So that was my concern about those cuts.

But the larger provision, allowing these collusive discussions and negotiations with the government, surely the gentleman is disturbed by those.

Mr. GOODLATTE. Reclaiming my time from the gentleman, let me just say that these changes are real, they are legitimate, they will be put into effect. The chairman has committed to holding additional hearings and investigation into the matter. We will do that.

But to pull the safety net out from under American farmers and ranchers by doing something in a precipitous fashion is not a good idea.

Therefore, I oppose the amendment.

I yield back the balance of my time.

Mr. ETHERIDGE. Mr. Chairman, I yield 1 minute to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Some quick facts: the insurance industry operates in this country under an antitrust exemption. It was passed into law in 1945 in the McCarron-Ferguson Act. But for a relatively recent interpretation of the Department of Justice, in constant negotiation, the Federal Government to the private sector partner has always been conducted under the way anticipated under the bill.

Twenty years ago I was a State insurance commissioner. At that time there were more than 60 companies writing crop insurance. Now they are down to 16. Why is that? Because there is so doggone much money here? Heck, no. It's because it's a tough line of business to work.

I am not saying that we don't need to look at it, but the committee takes out $2.9 billion, and now we got a guy that thinks he knows we can take out billions more. I tell you, you take out billions more, my farmers don't have the vital risk protection they need when crops fail and they need to make the payment back to the banker on their loans. So this is serious stuff. This isn't an academic exercise. This is vital risk protection for the farmers.

Vote ''no'' on this amendment.

Mr. ETHERIDGE. Mr. Chairman, as chairman of the Subcommittee on General Farm Commodities and Risk Management, we have already held three hearings this year. The chairman has indicated that the committee is going to hold more hearings. We are going to look into this deeper. I think that's appropriate. To make this kind of change on the floor of the House at the 11th hour is unfair to the farmers of America.

I oppose the gentleman's amendment and would ask the Members of this body to do the same. Let it go back to the committee so we will have the opportunity to do it at committee level where it should be done.

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

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

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

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

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 110–261 on which further proceedings were postponed, in the following order:

Amendment No. 7 by Ms. JACKSON-LEE of Texas.

Amendment No. 12 by Mr. RANGEL of New York.

Amendment No. 13 by Mr. BOEHNER of Ohio.

Amendment No. 19 by Mr. DAVIS of Illinois.

Amendment No. 21 by Mr. UDALL of Colorado.

Amendment No. 25 by Mr. PUTNAM of Florida.

Amendment No. 27 by Mr. COOPER of Tennessee.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 7 OFFERED BY MS. JACKSON-LEE OF TEXAS

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 422, noes 3, not voting 12, as follows:

[Roll No. 748]

AYES—422

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Chabot
Chandler
Christensen
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon

Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—3

Gohmert
King (IA)
Weldon (FL)

NOT VOTING—12

Castor
Clarke
Cubin
Davis, Jo Ann
Emanuel
Fortuño
Frank (MA)
Hastert
Issa
Kucinich
LaHood
Slaughter

□ 1249

Mrs. CAPPS and Messrs. CANTOR, BARROW, CAMPBELL of California, FRANKS of Arizona and FEENEY changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. WELDON of Florida. Mr. Chairman, on rollcall No. 748 I voted "no." I meant to vote "aye."

AMENDMENT NO. 12 OFFERED BY MR. RANGEL

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 245, not voting 10, as follows:

[Roll No. 749]

AYES—182

Abercrombie
Allen
Baird
Baldwin
Bartlett (MD)
Becerra
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boozman
Boren
Boswell
Boucher
Boyda (KS)
Brady (PA)
Brady (TX)
Camp (MI)
Capps
Capuano
Carney
Carson
Castle
Christensen
Clay
Cleaver
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cummings
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Ellison
Emerson
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Flake
Giffords
Gilchrest
Gonzalez
Gordon
Green, Al
Grijalva
Hall (NY)
Harman
Herger
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hooley
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Loebsack
Lowey
Lynch
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNerney
McNulty
Meeks (NY)
Michaud
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pastor
Paul
Payne
Peterson (MN)
Poe
Pomeroy
Price (NC)
Rahall
Rangel
Ross
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Smith (WA)
Snyder
Solis
Stark
Stupak
Tanner
Tauscher
Taylor
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Woolsey
Wynn

NOES—245

Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Barton (TX)
Bean
Berkley
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Bordallo
Boustany
Boyd (FL)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carnahan
Carter
Castor
Chabot
Chandler
Clyburn
Coble
Cole (OK)
Conaway
Crenshaw
Cuellar
Culberson
Davis (AL)
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ellsworth
Engel
English (PA)
Everett
Fallin
Feeney
Ferguson
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green, Gene
Gutierrez
Hall (TX)
Hare
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Higgins
Hobson
Hodes
Hoekstra
Hoyer
Hulshof
Hunter
Inglis (SC)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Keller
Kennedy
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Meek (FL)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pallone
Pascrell
Pearce
Pence
Perlmutter
Peterson (PA)
Petri
Pickering
Pitts
Platts
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Rothman
Royce
Ryan (OH)
Ryan (WI)
Salazar
Sali
Saxton
Schiff
Schmidt
Sensenbrenner
Sessions
Shadegg
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Spratt
Stearns
Sullivan
Sutton
Tancredo
Terry
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Wasserman Schultz
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—10

Clarke
Cubin
Davis, Jo Ann
Emanuel
Fortuño
Frank (MA)
Hastert
Issa
Kucinich
LaHood

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that they have 1 minute remaining in this vote.

□ 1255

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 13 OFFERED BY MR. BOEHNER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 153, noes 271, not voting 13, as follows:

[Roll No. 750]

AYES—153

Allen
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Bean
Berman
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blumenauer
Blunt
Boehner
Bono
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cannon
Cantor
Capito
Capps
Castle
Chabot
Crenshaw
Culberson
Davis (CA)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doggett
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Feeney
Ferguson
Flake
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gillmor
Goode
Goodlatte
Gordon
Granger
Hall (TX)
Harman
Heller
Hensarling
Hobson
Hoekstra
Holt
Honda
Hunter
Inglis (SC)
Israel
Johnson, Sam
Jordan
Keller
Kind
King (NY)
Kirk
Kline (MN)
Knollenberg
Lamborn
Lewis (CA)
Linder
Lipinski
LoBiondo
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCaul (TX)
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller, Gary
Mitchell
Moore (WI)
Murphy (CT)
Murphy, Patrick
Myrick
Paul
Pence
Petri
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Reichert
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Saxton
Schmidt
Schwartz
Sensenbrenner
Sessions
Sestak
Shadegg
Shays
Sherman
Shuler
Smith (NJ)
Smith (TX)
Smith (WA)
Space
Stark
Stearns
Sullivan
Tancredo
Tiberi
Tierney
Turner
Upton
Walberg
Wamp
Waxman
Weldon (FL)
Westmoreland
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOES—271

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Arcuri
Baca
Baker
Barrow
Bartlett (MD)
Barton (TX)
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blackburn
Bonner
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Burgess
Butterfield
Camp (MI)
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (IL)
Davis (KY)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doyle
Edwards
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Filner
Forbes
Fortenberry
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Hooley
Hoyer
Hulshof
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
King (IA)
Kingston
Klein (FL)
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Markey
Marshall
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pomeroy
Price (NC)
Rahall
Rangel
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (MI)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Shimkus
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Snyder
Solis
Souder
Spratt
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Woolsey
Wynn
Yarmuth

NOT VOTING—13

Broun (GA)
Clarke
Cubin
Davis, Jo Ann
Emanuel
Fortuño
Frank (MA)
Hastert
Issa
Kucinich
LaHood
Maloney (NY)
Sali

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in this vote.

□ 1259

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 19 OFFERED BY MR. DAVIS OF ILLINOIS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 144, noes 282, not voting 11, as follows:

[Roll No. 751]

AYES—144

Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Bean
Berkley
Berman
Biggert
Bilbray
Blackburn
Blumenauer
Blunt
Boehner
Bono
Boozman
Brady (PA)
Broun (GA)
Brown (SC)
Burton (IN)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Castle
Chabot
Christensen
Clay
Cooper
Costello
Courtney
Culberson
Davis (IL)
Davis, Tom
Deal (GA)
Dent
Doggett
Drake
Dreier
Duncan
Ehlers
Ellison
English (PA)
Eshoo
Ferguson
Flake
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goodlatte
Gordon
Gutierrez
Heller
Hensarling
Higgins
Hobson
Hoekstra
Holt
Inglis (SC)
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson, Sam
Jones (OH)
Jordan
Kanjorski
Keller
Kind
King (NY)
Kingston
Kirk
Langevin
Lee
Linder
Lipinski
LoBiondo
Lungren, Daniel E.
Manzullo
McCarthy (NY)
McKeon
Mitchell
Moore (WI)
Moran (VA)
Murphy, Patrick
Murphy, Tim
Myrick
Pallone
Pascrell
Paul
Payne
Pence
Peterson (PA)
Petri
Pitts
Platts
Price (GA)
Pryce (OH)
Ramstad
Regula
Reichert
Rohrabacher
Roskam
Royce
Rush
Ryan (WI)
Schiff
Schmidt
Schwartz
Scott (GA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shays
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Stark
Sullivan
Tancredo
Tiberi
Turner
Upton
Walberg
Wamp
Waters
Waxman
Weiner
Welch (VT)
Westmoreland
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—282

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Altmire
Arcuri
Bachmann
Baker
Barrow
Bartlett (MD)
Barton (TX)
Becerra
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Bonner
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castor
Chandler
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Costa
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, David
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly
Doolittle
Doyle
Edwards
Ellsworth
Emerson
Engel
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Feeney
Filner
Forbes
Fortenberry
Foxx
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Goode
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Honda
Hooley
Hoyer
Hulshof
Hunter
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick
King (IA)
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Murphy (CT)
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pastor
Pearce
Perlmutter
Peterson (MN)
Pickering
Poe
Pomeroy
Porter
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Scott (VA)
Serrano
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Snyder
Solis
Space
Spratt
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Watson
Watt
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—11

Clarke
Cubin
Davis, Jo Ann
Emanuel
Fortuño
Frank (MA)
Hastert
Issa
Kucinich
LaHood
Saxton

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members have 1 minute remaining in this vote.

□ 1303

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. ELLISON. Mr. Chairman, on July 27, 2007, I inadvertently voted "aye" on Davis Amendment to H.R. 2419 (rollcall No. 751). I intended to vote "no" on the amendment.

AMENDMENT NO. 21 OFFERED BY MR. UDALL OF COLORADO

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 251, not voting 11, as follows:

[Roll No. 752]

AYES—175

Ackerman
Allen
Andrews
Baird
Baldwin
Bean
Berkley
Berman
Biggert
Bilbray
Bishop (NY)
Blumenauer
Boucher
Boyda (KS)
Campbell (CA)
Cannon
Capps
Carney
Castle
Chabot
Clay
Cleaver
Cooper
Courtney
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Dicks
Dingell
Doggett
Dreier
Ehlers
Ellison
English (PA)
Eshoo
Ferguson
Flake
Fortenberry
Fossella
Frelinghuysen
Garrett (NJ)
Gerlach
Gordon
Green, Al
Hall (NY)
Harman
Heller
Higgins
Hinchey
Hobson
Hodes
Hoekstra
Holt
Honda
Hooley
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Kaptur
Keller
Kennedy
Kind
King (NY)
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Langevin
Lantos
Larson (CT)
Lee
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McNerney
McNulty
Meeks (NY)
Michaud
Miller (MI)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Musgrave
Nadler
Napolitano
Neal (MA)
Obey
Olver
Pallone
Pascrell
Payne
Perlmutter
Petri
Pitts
Platts
Pomeroy
Porter
Putnam
Ramstad
Rangel
Reichert
Reynolds
Rohrabacher
Royce
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Schwartz
Sensenbrenner
Serrano
Sestak
Shays
Shea-Porter
Sherman
Smith (NJ)
Smith (WA)
Souder
Stark
Stearns
Stupak
Sutton
Tancredo
Tauscher
Terry
Thompson (CA)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Walsh (NY)
Waters
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOES—251

Abercrombie
Aderholt
Akin
Alexander
Altmire
Arcuri
Baca
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Becerra
Berry
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boustany
Boyd (FL)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cantor
Capito
Capuano
Cardoza
Carnahan
Carson
Carter
Castor
Chandler
Christensen
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Davis (AL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Delahunt
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Doyle
Drake
Duncan
Ellsworth
Emerson
Engel
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Feeney
Filner
Forbes
Foxx
Franks (AZ)
Gallegly
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green, Gene
Grijalva
Gutierrez
Hall (TX)
Hare
Hastings (FL)
Hastings (WA)
Hayes
Hensarling
Herger
Herseth Sandlin
Hill
Hinojosa
Hirono
Holden
Hoyer
Hulshof
Hunter
Inglis (SC)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kildee
Kilpatrick
King (IA)
Kingston
Klein (FL)
Lampson
Larsen (WA)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McIntyre
McKeon
McMorris Rodgers
Meek (FL)
Melancon
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Mollohan
Moran (KS)
Murphy, Tim
Murtha
Myrick
Neugebauer
Norton
Nunes
Oberstar
Ortiz
Pastor
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Poe
Price (GA)
Price (NC)
Pryce (OH)
Radanovich
Rahall
Regula
Rehberg
Renzi
Reyes
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Salazar
Sali
Sarbanes
Schmidt
Scott (GA)
Scott (VA)
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (TX)
Snyder
Solis
Space
Spratt
Sullivan
Tanner
Taylor
Thompson (MS)
Thornberry
Tiahrt
Turner
Velázquez
Visclosky
Walberg
Walden (OR)
Walz (MN)

Wamp
Wasserman Schultz
Watson
Watt
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOT VOTING—11

Clarke
Cubin
Davis, Jo Ann
Edwards
Emanuel
Fortuño
Frank (MA)
Hastert
Issa
Kucinich
LaHood

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1309

Ms. ROS-LEHTINEN changed her vote from ''aye'' to ''no.''

Mr. WYNN, Mr. TOWNS, and Mrs. BOYDA of Kansas changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 25 OFFERED BY MR. PUTNAM

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 252, not voting 10, as follows:

[Roll No. 753]

AYES—175

Abercrombie
Akin
Alexander
Bachmann
Baker
Barrett (SC)
Barton (TX)
Bean
Berman
Biggert
Bilirakis
Blackburn
Blumenauer
Blunt
Boehner
Bono
Boyd (FL)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Cardoza
Carter
Castle
Castor
Chabot
Costa
Crenshaw
Crowley
Culberson
Cummings
Davis, David
Davis, Lincoln
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doggett
Doolittle
Duncan
Ehlers
Ellison
Engel
English (PA)
Eshoo
Farr
Feeney
Ferguson
Filner
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Granger
Green, Gene
Hall (TX)
Harman
Hastings (WA)
Heller
Herger
Hill
Hinchey
Hirono
Hobson
Hoekstra
Hunter
Johnson, Sam
Keller
Kind
Klein (FL)
Knollenberg
Lamborn
Langevin
LaTourette
Lewis (CA)
Lewis (GA)
Linder
LoBiondo
Mack
Mahoney (FL)
Manzullo
Marchant
Matheson
McCarthy (CA)
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Nunes
Paul
Peterson (PA)
Petri
Pickering
Pitts
Platts
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Reichert
Renzi
Reynolds
Rogers (KY)
Ros-Lehtinen
Roskam
Roybal-Allard
Royce
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Saxton
Schakowsky
Schmidt
Sensenbrenner
Sessions
Sestak
Shays
Shea-Porter
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Spratt
Stearns
Sullivan
Tancredo
Taylor
Thompson (CA)
Thornberry
Udall (CO)
Udall (NM)
Upton
Walberg
Walden (OR)
Wamp
Wasserman Schultz
Waters
Welch (VT)
Weldon (FL)
Weller
Wexler
Wilson (NM)
Wilson (OH)
Wilson (SC)
Woolsey
Wynn
Young (AK)
Young (FL)

NOES—252

Ackerman
Aderholt
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Becerra
Berkley
Berry
Bilbray
Bishop (GA)
Bishop (NY)
Bishop (UT)
Bonner
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Burton (IN)
Butterfield
Buyer
Campbell (CA)
Capuano
Carnahan
Carney
Carson
Chandler
Christensen
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costello
Courtney
Cramer
Cuellar
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Donnelly
Doyle
Drake
Dreier
Edwards
Ellsworth
Emerson
Etheridge
Everett
Faleomavaega
Fallin
Fattah
Flake
Forbes
Fortenberry
Fossella
Giffords
Gilchrest
Gillibrand
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Grijalva
Gutierrez
Hall (NY)
Hare
Hastings (FL)
Hayes
Hensarling
Herseth Sandlin
Higgins
Hinojosa
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kuhl (NY)
Lampson
Lantos
Larsen (WA)
Larson (CT)
Latham
Lee
Levin
Lewis (KY)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Maloney (NY)
Markey
Marshall
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Poe
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Rehberg
Reyes
Rodriguez
Rogers (AL)
Rogers (MI)
Rohrabacher
Ross
Rothman
Ruppersberger
Rush
Sanchez, Loretta
Sarbanes
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shadegg
Sherman
Shimkus
Shuler
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Stark
Stupak
Sutton
Tanner
Tauscher
Terry
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Watson
Watt
Waxman
Weiner
Westmoreland
Whitfield
Wicker
Wolf
Wu
Yarmuth

NOT VOTING—10

Clarke
Cubin
Davis, Jo Ann
Emanuel
Fortuño
Frank (MA)
Hastert
Issa
Kucinich
LaHood

□ 1313

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 27 OFFERED BY MR. COOPER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 250, answered ''present'' 1, not voting 11, as follows:

[Roll No. 754]

AYES—175

Ackerman
Allen
Altmire
Andrews
Baird
Baldwin
Bartlett (MD)
Bean
Berman
Biggert
Bilbray
Bishop (NY)
Blumenauer
Boucher
Buchanan
Campbell (CA)
Cannon
Capps
Capuano
Carnahan
Castle
Castor
Chabot
Chandler
Christensen
Cohen
Cooper
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Dent
Dicks
Dingell
Doggett
Donnelly
Dreier
Duncan
Ehlers
Ellison
English (PA)
Eshoo
Faleomavaega
Ferguson
Flake
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gillmor
Gordon
Green, Al
Grijalva
Hall (NY)
Harman
Hensarling
Higgins
Hill
Hinchey
Hodes
Hoekstra
Holt
Honda
Inslee
Israel
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Kaptur
Kind
King (NY)
Kirk
Knollenberg
Kuhl (NY)
Langevin
Lantos
Larson (CT)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Maloney (NY)
Marchant
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McKeon
McNulty
Michaud
Miller (MI)
Miller, George
Mitchell
Moore (WI)
Moran (VA)
Murphy (CT)
Myrick
Nadler
Neal (MA)
Olver
Pallone
Pascrell
Payne
Pence
Petri
Pitts
Price (NC)
Pryce (OH)
Rahall
Ramstad
Reichert
Rogers (MI)
Rothman

Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Schwartz
Sensenbrenner
Sestak
Shadegg
Shays
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Solis
Stark
Sullivan
Tancredo
Tauscher
Taylor
Terry
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOES—250

Abercrombie
Aderholt
Akin
Alexander
Arcuri
Baca
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Barton (TX)
Becerra
Berkley
Berry
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cantor
Capito
Cardoza
Carney
Carson
Carter
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Costa
Cramer
Crenshaw
Cuellar
Culberson
Davis (AL)
Davis (KY)
Deal (GA)
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Drake
Edwards
Ellsworth
Emerson
Engel
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Forbes
Fortenberry
Foxx
Gilchrest
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green, Gene
Gutierrez
Hall (TX)
Hare
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Hinojosa
Hirono
Hobson
Holden
Hooley
Hoyer
Hulshof
Inglis (SC)
Jackson (IL)
Jindal
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Keller
Kennedy
Kildee
Kilpatrick
King (IA)
Kingston
Klein (FL)
Kline (MN)
Lamborn
Lampson
Larsen (WA)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Loebsack
Lucas
Mack
Mahoney (FL)
Manzullo
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Napolitano
Neugebauer
Norton
Nunes
Oberstar
Obey
Ortiz
Pastor
Paul
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Platts
Poe
Pomeroy
Porter
Price (GA)
Putnam
Radanovich
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sali
Sarbanes
Schmidt
Scott (GA)
Scott (VA)
Serrano
Sessions
Shea-Porter
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Snyder
Souder
Space
Spratt
Stearns
Stupak
Sutton
Tanner
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Turner
Velázquez
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Young (AK)

ANSWERED ''PRESENT''—1

Gingrey

NOT VOTING—11

Clarke
Cubin
Davis, Jo Ann
Emanuel
Fortuño
Frank (MA)
Hastert
Hunter
Issa
Kucinich
LaHood

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are reminded they have 1 minute remaining in this vote.

□ 1318

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. HASTINGS of Florida. Mr. Chairman, I rise today to offer an amendment today to give pollinator protection and the concern of Colony Collapse Disorder a prominent presence in H.R. 2419, the Farm Bill Extension Act of 2007. This amendment reflects the contributions of countless organizations and a bi-partisan coalition of Members of Congress who share a common concern for pollinator decline.

When issues like Colony Collapse Disorder and pollinator decline threaten one-third of American agriculture, they must be taken seriously. I commend Chairman PETERSON and the Committee on Agriculture for their tireless work on provisions in the current Farm Bill Extension Act to address pollinator research. However, my amendment demonstrates the need to clarify that significant research and conservation programs will play an important role in combating Colony Collapse, Disorder and North American pollinator decline in years to come. If we want our children to enjoy food grown in this nation in the coming years, then we must save bees and other pollinators.

Mr. Chairman, this amendment adds a section to the bill authorizing $86.5 million over 5 years for facilities improvement and research grants to combat Colony Collapse Disorder and North American native/managed pollinator decline. These funds would be authorized through a combination of initiatives at the U.S. Department of Agriculture, USDA, including the Agricultural Research Service, ARS, the Cooperative State Research, Education, and Extension Service, CSREES, and the Animal Plant and Health Inspection Service, APHIS. This section of the amendment is very similar to my legislation H.R. 1709, the Pollinator Protection Act, which has the bi-partisan support of 50 cosponsors. This amendment also incorporates welcome adjustments to the Pollinator Protection Act which I collaborated with Senator BARBARA BOXER to develop in the companion legislation, S. 1694, the Pollinator Protection Act of 2007.

My amendment also clarifies the importance of native and managed pollinators in vital conservation programs of USDA. This component of the amendment reflects the content of H.R. 2913, the Pollinator Habitat Protection Act of 2007, which Representative EARL BLUMENAUER and I recently introduced, similar to S. 1496 introduced by Senator MAX BAUCUS. On the Senate side, this similar legislation has received vast bi-partisan support from 33 cosponsors.

Mr. Chairman. Moments like this truly demonstrate the collaborative capacity of this great Congress to meet a dire need with thoughtful policy that truly engages stakeholders and impacted communities.

I thank Members of Congress that worked with me in both chambers of Congress in this effort to save American agriculture. I also thank the many scientists and organizations for their endorsement of this amendment, namely: the American Beekeeping Federation, Inc., American Honey Producers Association, American Farmland Trust, California Farm Bureau Federation, California State Beekeepers Association, Center for Biological Diversity, Coevolution Institute, Defenders of Wildlife, Environmental Defense, Florida Farm Bureau Federation, National Wildlife Federation, Partners for Sustainable Pollination, Sonoma County Beekeepers Association, Sustainable Agriculture Coalition, Wild Farm Alliance, and the Xerces Society for Invertebrate Conservation.

I thank Chairman PETERSON for his support and I urge my colleagues support this vital amendment.

Mr. STARK. Mr. Chairman, I rise today in strong opposition to continuation of a failed farm policy that takes from the poor to give to the rich. Although the Farm Bill, H.R. 2419 before us is being sold as a reform package, it is little more than a dressed up version of previous ''Farm Bills'' that have paid over $1 billion to dead farmers and $1.3 billion to individuals who do not farm.

Our so-called ''farm policy'' overwhelmingly benefits the wealthiest landowners at the expense of small farmers. The top 10 percent of recipients collect 60 percent of all payments. Large landowners receive the most subsidies, which allows them to purchase the best land from smaller farmers. This drives many farmers out of business and increases the price of land.

This bill does lower the income cap and prohibits individuals with more than $1 million in annual income from receiving direct payments. Unfortunately, there are numerous loopholes in this provision, which led the Bush Administration's own Agriculture Department to estimate that as few as 3,000 out of the 1.5 million individuals receiving direct payments will be cut off. This bill therefore does little to end the corporate welfare that has become the hallmark of our agriculture policy.

Congressmen KIND and FLAKE are offering real reform. I support their Fairness in Farm and Food Policy Amendment because it creates a meaningful income limit to make sure no subsidies go to farmers with a yearly income over $250,000. It gradually reduces direct payments and reforms the bloated crop insurance program. These savings are then invested into conservation, minority farmers, fruit and vegetable production, and a $5.6 billion boost to vital nutrition programs. This is the new direction in which America's farm policy should be headed.

I applaud the efforts of my many colleagues who worked hard to include additional funding for the Food Stamps program and the McGovern/Dole International Food program. Their efforts

will help millions of hungry families in this country and around the world. However, this bill, does not go far enough to provide food for the hungry and looks to the wrong place to pay for the limited funding it does provide. If we are truly concerned about our Nation's hungry and poor, we could stop subsidizing agri-business and put the money we recoup from eliminating current subsidies to feed our neighbors and support family farms.

I urge my colleagues to vote for meaningful reform, support the Kind/Flake amendment, and oppose the underlying bill.

Mr. KIND. Mr. Chairman, during debate tonight on the Fairness in Farm and Food Policy Amendment to the farm bill I offered with my colleagues Mr. FLAKE, Mr. BLUMENAUER, Mr. RYAN, and others, a false claim was made regarding the budgetary impact of the amendment, and I would like to correct the record to reflect the truth. While the error, to the best of my knowledge, was not intentional and the false statement was not made knowingly, I believe it is important that I make the accurate information known.

Tonight, Chairman PETERSON stated that the savings claimed by the reforms made by the amendment were not realized, and he questioned, therefore, the validity of these reforms. Unfortunately, the statement was based on inaccurate information. After consulting with the Congressional Budget Office, it appears the Chairman was basing his comments on a comparison with current law rather than a comparison to H.R. 2419, which was how our amendment was drafted. The official CBO score shows that our amendment would have, in fact, saved the government billions of dollars during both the five- and 10-year windows in relation to the bill as reported by the Agriculture Committee.

It is unfortunate this mistake was made on the House floor tonight and was not corrected at the time. When writing policy that affects every single American, it is important that we base our decisions on timely and accurate information. I appreciate this opportunity to provide the real facts on our amendment.

Ms. SCHAKOWSKY. Mr. Chairman, I rise today in support of section 10404 of the 2007 Farm Bill, which would provide $35 million in funding over the next five years for farmers' markets through the Farmer Marketing Assistance Program. This provision also designates that 10 percent of the funding will be used to support the use of Electronic Benefits Transfer, EBT, technology at farmers' markets. I want to thank Representative KAGEN for his leadership and his amendment to the bill that strengthens our nation's farmers' markets and provides much needed resources for food stamp recipients to use their benefits at farmers' markets. I also appreciate his working with me on this issue.

As someone who regularly shops at a farmers' market in my hometown of Evanston, IL, I have seen first hand that farmers' markets are a positive force wherever they crop up, providing consumers with fresh food options, preserving family farms, increasing health and nutrition and connecting urban and rural Americans. Direct marketing of farm products has ballooned in recent years from 1,755 farmers markets in 1994 to over 4,385 in 2006. These markets average $245,000 per year in revenue, with the typical farmer netting about $7,108. Even though farmers' markets are highly seasonal, 25 percent of vendors rely on them as their sole source of farm-based income.

Even as farmers' markets are expanding to unprecedented numbers, the 2006 USDA Farmers' Market Survey found that only 6 percent of these markets have implemented EBT technology. In my home city of Chicago, we only have one farmers' market that can accept EBT cards: the Logan Square market became the first farmers' market in Illinois just last month. However, at a time when obesity, food insecurity and chronic illnesses impact millions of low-income Americans, most still cannot use their food stamp benefits to purchase nutritious food at farmers' markets.

This past May, I participated in the Food Stamp Challenge and lived on the national average food stamp benefit for one week. Even though the $3 per day allotment was inadequate, I had the good fortune of access to nearby grocery stores. Millions of Americans, however, have no grocery stores near their homes and live in what are known as ''food deserts.'' In fact, a 2004 study by Mississippi State University found that in the midwest, 34 percent of Americans live in food deserts, with this percentage approaching 50 percent in western States. Investments in farmers' markets are a low-cost solution to the crisis of food deserts and provide new options for Americans who currently have limited access to healthy food.

In 2006, USDA received over $15 million in grant applications from farmers' markets across the country under the Farmer Marketing Assistance Program and with only $1 million in available funds, it was only able to meet a fraction of the need. That represents a tremendous missed opportunity to improve the health of Americans. Today's raising of funding of the Farmer Marketing Assistance Program to $35 million over 5 years will help us get closer to meeting the need we know is out there. I urge my colleagues to pass the 2007 Farm Bill, which includes the Kagen Amendment, and to retain this important measure in Conference.

Ms. BORDALLO. Mr. Chairman, I rise in support of H.R. 2419, the Farm, Nutrition, and Bioenergy Act, because I recognize its value to rural America and the promise it brings for renewing our national commitment to agriculture, nutritional research and food safety, and alternative energy and conservation.

I recognize that this legislation has been carefully crafted by a committee chaired by our highly respected colleague, the gentleman from Minnesota, Mr. PETERSON. I commend him for his leadership. This legislation sets Federal farm policy and will be the basis for agricultural governance over the next 5 years. Importantly, it takes into account in several respects, the needs and priorities of farmers and ranchers residing in the territories.

The bill earns my support because it provides a reliable safety net for commodity crops, buttresses, in many respects, core conservation programs, and will now strengthen important domestic and international food nutrition programs.

Within this bill is a renewed and increased commitment to specialty crops. Specialty crops are important to the farmers and ranchers and consumers in the territories. Mr. Chairman, in the territories, we live and share the experiences of everyday life in rural America. We have much in common with our fellow Americans living and working in the small States and in the heartland of the U.S. mainland. We are economically challenged and strong Federal-local partnerships are the backbone of our ability to grow and diversify our economies.

Conservation in the islands is achieved through such partnerships. This bill presents a means through which such partnerships can be continued and strengthened. Historically, the Government of Guam has sought and utilized loans and programs under the Rural Development umbrella of the United States Department of Agriculture, USDA, to build its public works and infrastructure. Our utilities have largely and historically been constructed with Rural Development support. The continuation of authority for the range of Rural Development programs administered by USDA through Title VI of H.R. 2419 is one reason why I lend my support to this bill. These programs will be relied upon as a means to help our community of Guam meet additional and projected needs associated with the rebasing of Marines from Okinawa to Guam and realignment of defense forces in the Pacific Rim.

The bill carries other provisions of unique interest to me and to my colleagues from the territories. In particular, I am grateful for the accommodations made and the support received from Chairman PETERSON and the gentleman from Virginia, Mr. GOODLATTE, for two specific provisions.

First, now within the research title of the bill, as a result of the amendment I sponsored with the gentlewoman from the Virgin Islands, Mrs. CHRISTENSEN, the gentleman from American Samoa, Mr. FALEOMAVAEGA, and the gentleman from Puerto Rico, Mr. FORTUÑO, that was packaged into the en bloc amendment offered by Chairman PETERSON, USDA will have authority to award grants to the land grant institutions in the territories for facilities improvements, construction, and equipment acquisition and repair.

Congress designated the University of Guam and the University of the Virgin Islands as land grant institutions by an Act passed in 1972. That Act was amended by Congress in 1980 to designate American Samoa Community College, the Northern Marianas College, and the College of Micronesia, as land grant institutions.

The land grants colleges and universities in the territories are a unique set of institutions with special needs and challenges within the national land grant college and university family. Our institutions are known informally as the 1972 community, and like the 1890 and 1994 communities, are an underserved set of institutions that USDA has authority to support in key areas.

The new authority under this bill for a grants program in support of facilities improvements and equipment acquisition will strengthen the institutional capacity at the land grant institutions in the territories to sponsor research and execute extension activities of national value. This is a $40 million authorization across 5 years. We have requested that this authority be included within the bill to complement USDA resources to support research and extension and instruction capacity building in the territories. Our land grant institutions are vital to our success in the islands—economically,

agriculturally, scientifically, and environmentally. Our institutions have limited resources, but these institutions and the territorial governments meet the matching requirements under the Hatch Act each year because these programs are so important to our communities.

The bill also extends the authorization for two grants programs authorized by the 2002 farm bill. These are the resident instruction and distance education grants programs for the territories.

Second, is an amendment that we proposed and that was placed into the bill to amend the definition of ''State'' in the Specialty Crops Competitiveness Act of 2004 to include American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands of the United States, as eligible recipients of block grant funding that stands to be reauthorized by this bill. The inclusion of this provision is a significant victory for the territories. I am grateful for the support received from the gentleman from California, Mr. CARDOZA, for its inclusion in the bill.

Our farmers have invested in harvesting many traditional and tropical fruits, nuts, and horticultural specialties. Avocados, bananas, beans, betel nuts, breadfruits, coconuts, cucumbers, grapefruit, guavas, limes and lemons, mangoes, oranges, papayas, peppers, pineapples, squash, sweetsops, tangerines, tomatoes, and watermelons, are, for example, several of the specialty crops harvested in the territories whose market competitiveness stands to be improved now as a result of this bill.

The inclusion of the territories in this block grant funding will help our local Departments of Agriculture increase the capacity of our farmers to competitively farm and sell specialty crops. On Guam alone, the market value of specialty crops sold was estimated in 2002 by the National Agricultural Statistics Service (NASS) at $3.4 million. We hope this new funding will result in increased production of fresh vegetables and local fruits and make Guam's market prices competitive.

It is for these reasons, and others, that I support H.R. 2419. As the Chairwoman of the Subcommittee on Fisheries, Wildlife and Oceans, I recognize the value the bill presents for conservation. I support it because of its conservation provisions. I look forward to working with the leadership to protect the provisions important to the territories and to national conservation by the conference committee.

Ms. WOOLSEY. Mr. Chairman, I rise in support of this bipartisan Farm Bill, and, in particular, section 4302. This section includes language directing the Secretary of Agriculture to undertake training, guidance, and enforcement of current Buy American Statutory requirements. I applaud the Agriculture Committee for including this important provision in the Farm Bill.

Congress has time and time again expressed its desire that taxpayer dollars be used to purchase domestically produced goods. We have consistently stated, through public law and senses of the Congress, that American-made goods should be given top priority.

Despite the repeated efforts of Congress, however, the United States Department of Agriculture (USDA) has chosen not to enforce the law. Schools, if they are even aware of the Buy American requirement, need training and assistance in how to incorporate the requirement into their bid solicitations.

Some companies blatantly disregard the requirement. A year ago, at a national school food conference, a food company marketed their peaches to school foodservice authorities. However, these peaches were clearly marked: ''peaches from China, packed in Thailand.'' If a school foodservice authority were to purchase this product for use in the national school lunch and breakfast programs, it would be an outright violation of Federal law.

After this was brought to the attention of USDA, a letter was issued to the conference host. No additional guidance, no additional training, no attempt to bring awareness to the issue. Obviously, the problem has not been adequately dealt with. A year later, at the same national school food conference, held just a week ago, the same product was exhibited: ''peaches from China, packed in Thailand.'' Evidently, nothing has changed. USDA needs to take responsibility to fulfill its duty to implement the law.

We produce, and should be promoting, plenty of high quality fresh, canned, and frozen product in the U.S. There is no reason to violate the law and purchase foreign goods. Now, more than ever, when our farmers need support, when we are facing food imports of questionable safety, it is vital that we ensure our school children are eating products produced by American Agriculture.

I applaud the Agriculture Committee for including this important language.

Mr. RODRIGUEZ. Mr. Chairman, I rise today in support of the Farm Bill.

I commend Chairman PETERSON and Ranking Member GOODLATTE for producing a fair compromise that will go a long way in sustaining our agricultural system as well as supporting vital nutrition, conservation and research programs.

I would also like to thank the Chairman for including language directing the Government Accountability Office to conduct a study of waste water infrastructure along the U.S.-Mexico border.

Many rural communities along the border are living with inadequate waste water treatment plants and sewer management systems.

Without improved infrastructure and access to clean water these communities face significant public health threats.

This study will determine what steps the Federal Government can take to bring inadequate waste water systems in rural border communities up to date.

In my district alone I have heard from the communities of Sabinal, Clint, Fort Stockton, Presidio and Fort Hancock, Texas, all of which are in desperate need of assistance with their waste water management systems.

I represent over 600 miles of the U.S.-Mexico border and when I travel through my district I hear over and over again that these communities need help.

Our rural and underserved populations need our support in addressing the health hazards that come with insufficient water management systems and this study is a critical first step.

Current programs at the USDA Rural Development agency provide for loan/grant awards for rural infrastructure needs.

More often than not, the loan portion is 75 percent or more of the award. As we all know, waste water systems can range from $5 to $10 million or more. Rural communities do not have the revenue or tax base to take on loans for millions of dollars.

If these programs are the only assistance we have to offer, then we need to reevaluate these programs.

It is my hope, that this GAO study will shed some light on this issue and will provide a critical first step to bring adequate waste water systems to our rural communities on the border.

Again, I thank the Chairman for his work on the Farm Bill and for the inclusion of this important language.

Mr. DINGELL. Mr. Chairman, I would first like to commend Chairman PETERSON and the members of the Agriculture Committee for completing the difficult task of bringing this bill to the floor in a bipartisan fashion.

I supported the 2002 farm bill, which has served Michigan farmers well. The agricultural sector in this country is strong, and it is a good time to take a look at our farm support system and figure out how we can make it better for small farmers and specialty crop farmers.

We must recognize that farming is an inherently risky enterprise; producers are exposed to both production and price risks. Therefore, it is incumbent upon our government to be there for farmers when markets fail. We cannot afford to turn our back on America's farmers and our farm policy should be structured so that those who produce the safest and most abundant food supply in the world have an adequate safety net. We should also promote research to find new uses for the agricultural products grown in our fields and to promote these products in the global marketplace. However, it is not our responsibility to give cash payouts to millionaires, dead farmers or suburbanites who have no involvement in farming but just happened to purchase a house located on farmland.

In 2005, 92 percent of the total farm payments last year went to just five crops. Michigan has the second-most diverse agriculture base in the Nation and I am glad to see that for the first time, the farm legislation before us today guarantees a historic $1.5 billion in funding for fruit and vegetable programs, including the school fresh fruit and vegetable program, the farmer's market promotion program, specialty crop block grants and research and organic food programs—all of which provide valuable support for the fresh fruit and vegetable growers in Michigan.

The legislation before us today strengthens incentives for farmers to conserve valuable natural resources and protect the environment. Currently, three out of four farmers are turned away from conservation programs due to lack of funding. It is unacceptable for farmers who are trying to do the right thing for the environment to be rejected because we have not allocated enough resources to help them. H.R. 2419, the Farm, Nutrition, and Bioenergy Act of 2007, adds $4.3 billion more to preserve farm and ranchland, improve water quality and quantity, and enhance soil conservation, air quality, and wildlife habitat on working lands.

I support the Fairness amendment offered by my colleague RON KIND not because I am dissatisfied with H.R. 2419 but because I believe that it goes one step farther towards curbing taxpayer subsidies by reforming our farm payment system to direct aid to those who need assistance. Make no mistake, the Fairness amendment does not dismantle the

safety net—it just modernizes the program so that it works better for family farms and 348 Congressional Districts, including Michigan's 15th District, which would gain $6 million under the Kind proposal.

The Fairness amendment does not weaken any of the commendable nutrition or conservation provisions in H.R. 2419—rather, it makes them better by adding $2 billion for nutrition programs and $3 billion for conservation programs. Moreover, it does all of this without requiring spending offsets or new taxes.

Mr. Chairman, H.R. 2419 contains no legislative text expressing a view on whether manure should be deemed a hazardous substance pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, CERCLA, or the Emergency Planning and Community Right to Know Act, EPCRA. The absence of any such text is proper both for parliamentary and policy reasons.

The report that accompanies this legislation, however, references a ''sense of the committee'' amendment that farm animal manure should not be deemed a hazardous substance pursuant to CERCLA and EPCRA.

I strongly disagree with these sentiments, which would create a blanket exemption from important environmental laws for those large concentrated animal feeding operations that pollute public drinking water supplies with phosphorous and emit more than 100 pounds per day of ammonia and hydrogen sulfide into the air.

Manure is not at risk of being deemed a ''hazardous substance'' or ''hazardous waste.'' That is misinformation put forth by some. Phosphorous, however, is a ''hazardous substance'' under CERCLA and the Environmental Protection Agency, EPA, has determined that both ammonia and hydrogen sulfide are ''extremely hazardous substances'' for the ''reportable quantity'' reporting requirements of EPCRA.

Congress clearly intended that the Superfund program deal with the improper and excessive application of fertilizer that pollutes drinking water supplies or damages natural resources. This is manifestly clear because Section 101 (22) of the Superfund statute creates an exemption from the definition of release for ''the normal application of fertilizer.'' If substances such as phosphorous that emanate from the excessive application of manure fertilizer are exempted, the only people being protected are the bad actors.

These large concentrated animal feeding operations produce huge amounts of animal waste. For example, an animal feeding operation with 2 million hogs produces a volume of manure equal to the solid waste stream of a U.S. city of about 2.7 million—a city similar in size to Chicago's 2.8 million population.

The Environmental Protection Agency has found that large-scale concentrated animal feeding operations present significant human health and environmental risks. Let me quote EPA's findings:

''Significant human health and environmental risks are generally associated with large-scale Concentrated Animal Feeding Operations, CAFOs. Improper handling of manure from feedlots, lagoons and improper land application can result in excessive nutrients (nitrogen and phosphorous); pathogens (i.e., fecal coli form); and other pollutants in the water. This pollution can kill fish, cause excessive algae growth, and contaminate drinking water. In addition, emissions of air pollutants from very large CAFOs may result in significant health effects for nearby residents.''

A blanket exemption from CERCLA for excessive application of manure fertilizer would also shift the costs onto community water systems and their ratepayers for additional treatment to make water potable. I attach the July 23, 2007, letter from the Association of Metropolitan Water Agencies that highlights the serious consequences that any such an exemption would have for the quality our Nation's drinking water supplies.

Mr. Chairman, the Farm Bill Extension Act also makes changes to the Rural Utilities Service broadband loan and loan guarantee program. While this program is in dire need of reform, I am concerned about several provisions in the measure as drafted.

The measure wisely limits loans and loan guarantees in areas where consumers already have broadband service available to them. I am deeply concerned, however, that it describes those areas where broadband is available too broadly, so that applications to provide broadband to large areas of a community that currently have no broadband service at all would be denied.

The bill also prohibits support in areas where more than 75 percent of households have access to broadband. National satellite broadband providers can in theory reach close to 100 percent of households. However, while satellite-delivered broadband is a rapidly-improving and valuable service, particularly in remote areas, today it is often not comparable to terrestrially-delivered broadband. It typically cannot reach the same speeds and is more expensive and subject to outages in heavy rainstorms and other severe weather. While I appreciate the bill's commitment to technological neutrality, if satellite-delivered broadband is not excluded from the 75-percent requirement, there may be few areas that would be eligible for loans.

When it comes to broadband service, speed is critical, and the measure could also be improved by giving priority to applications that, other things being equal, propose to offer higher broadband speeds to consumers.

I also strongly disagree with creating within the Department of Agriculture a National Center for Rural Telecommunications Assessment to increase broadband penetration and develop assessments of broadband availability in rural areas. These are matters that fall squarely within the expertise of the Federal Communications Commission (FCC) and should be left to that agency's expertise. Likewise, any report describing a comprehensive rural broadband strategy should be developed by the FCC rather than by the Department of Agriculture. I applaud the goal of working toward universal broadband availability and urge my colleagues to ensure that we attain that goal by allowing the FCC, the agency with the most expertise, to spearhead that effort.

ASSOCIATION OF
METROPOLITAN WATER AGENCIES,
Washington, DC, July 23, 2007.

Subject: Oppose CERCLA Animal Waste Exemption in Farm Bill.

DEAR REPRESENTATIVES: As the House of Representatives prepares this week to consider legislation to reauthorize the Farm Bill, we urge you to reject language that would exempt components of animal waste from designation as a hazardous substance pursuant to the Comprehensive Environmental Response Compensation and Liability Act (CERCLA). Enactment of such an exemption would bring about serious consequences for the quality of America's drinking water supplies.

During last week's markup of the legislation, the Agriculture Committee adopted an amendment expressing the ''sense of the committee that farm animal manure should not be considered as hazardous substance'' under CERCLA. This follows the introduction earlier this year of legislation in the House and Senate that would specifically exempt animal waste and its components from the law.

As representatives of community drinking water systems, we believe it is important to note that animal manure itself is not currently considered a hazardous substance, pollutant or contaminant under CERCLA. Moreover, the law already contains an exemption for the normal application of fertilizer that includes manure.

However, phosphorus and other CERCLA-regulated hazardous substances that are known to compromise the quality of drinking water are commonly present in animal manure. If Congress were to provide a blanket CERCLA exemption for animal waste, consolidated animal feeding operations (CAFOs) would be free to discharge manure containing such hazardous substances into the environment without regard to its impact or liability for its damages. As a result, the costs of additional treatment to make water potable would be forced upon community water systems and their ratepayers, unfairly shifting the burden of cleanup away from polluters.

Later this year, Congress will celebrate the 35th anniversary ofthe Clean Water Act, landmark legislation modeled on the belief that all Americans must share the responsibility of maintaining the health of our nation's water supply. Exempting CAFOs from their fair share of this duty not only threatens to reverse the water quality gains that have been realized over the recent decades, but would also set a dangerous precedent encouraging other polluters to seek waivers from our environmental laws.

Again, we urge you to oppose a blanket exemption for animal waste and its components from the important requirements of CERCLA.

Sincerely,

DIANE VANDEHEI,
Executive Director.

Mrs. McCARTHY of New York. Mr. Chairman, during debate on H.R. 2419, the Department of Agriculture Appropriations bill, the issue of school nutrition came before the House. As the Chairwoman of the Committee on Education and Labor's Subcommittee on Healthy Families and Communities, ensuring our Nation's youth have access to healthy school lunches and understand the importance of a healthy lifestyle is of vital importance to me.

As a nurse, I have seen first hand the importance of a balanced diet. Many health issues can be avoided by simply maintaining a balanced diet. Unfortunately, our Nation's youth do not always have healthy options. The high sugar snacks they see advertised on television provide no nutrition and are a major factor in weight gain. It is important that our Nation's youth have healthy options that taste good and are appealing to them.

Obesity is a major problem facing our Nation's youth. Childhood diabetes is also on the rise. Type II diabetes, which only used to be seen in older adults is now becoming prevalent in children. These issues clearly extend

beyond children to the whole family and the community in which they live. One way Congress can help reduce these numbers is by providing healthy school lunches.

Although meals provided in schools are required by law to follow nutrition standards in accordance with the ''Dietary Guidelines for Americans'', a child with the money available can just as easily avoid nutrition and grab a soda and a bag of chips down the hall in the vending machines. These items, although bad for one's health, often taste better to students and there are no guidelines for schools on healthy living and eating.

Another issue facing school nutrition is the reduced price meal program. This is a vital program that helps low-income families afford meals for their children. Unfortunately, for many families, the cost is found to be a challenge. It breaks my heart to read that families struggle to afford the 30 cents for breakfast and 40 cents for lunch which is the charge for the reduced price meals.

Families cannot afford less than $1 a day to have two solid, nutritious meals provided to a child. This is a travesty, and I support study to see the effects of using the WIC income guidelines as the free meal guidelines,

As Chairwoman of the Subcommittee on Healthy Families and Communities, I understand the importance of a healthy lifestyle, and as a parent I know that we must teach our children the value of nutritious food and healthy living. We cannot ignore the factors outside the classroom that contribute to the education of our youth. They are the future of our Nation.

Mr. FARR. Mr. Chairman, I rise in support of H.R. 2419, the Farm, Nutrition, and Bioenergy Act of 2007 and urge my colleagues to pass this meaningful legislation.

I want to thank Chairman PETERSON for crafting this legislation and I also want to again thank the Chairman for visiting my district and talking and listening with my farmers and ranchers on the Central Coast of California.

I am glad the Chairman got to experience the rangelands of South County Monterey and the mile after mile of nutritious fresh produce as we drove through the Salad Bowl of the World, the Salinas Valley.

As the number one agriculture State in the union, California for too long has been the stepchild of farm policy. My own district grows more than 85 crops commercially with a value of more than $4 billion.

Our region leads the nation in the production of artichokes, broccoli, brussels sprouts, cauliflower, celery, garlic, several varieties of lettuce, spinach, strawberries, flowers and foliage.

The Central Coast contains some of the most fertile and productive farm land in the world. It's a combination of soil, climate, and private risk capital because for too long specialty crop growers in California have sat on the sidelines as other commodities received the largess of Federal assistance.

H.R. 2419 takes farm policy in a new direction, for the first time in the history of the Farm Bill we have a package that has something for everyone.

Specialty crop growers finally will get the investment of mandatory funds for vital research, technical assistance, pest detection, market promotion, and much needed produce food safety will all receive mandatory funding.

With this influx of money we can go beyond new farm policy, we can promote health policy as part of the farm bill.

This great health debate is taking place in American homes, in the medical community, and in schools. For the first time we now have a link from farm programs to healthy nutritious fruits and vegetables.

Here we are as a society, talking constantly about obesity and diets, and yet until now our farm policies were not structured to encourage the kind of diet that the food pyramid suggests we should adopt.

I have said it many times—if people would eat more of what California grows we would be healthier for it. Specialty Crops are now taking its rightful place at the center of the debate on how to solve the problem.

The Agriculture Committee's version provides funding for important conservation programs, nutrition programs, and a strong farm safety net to protect America's farm economy.

H.R. 2419 includes additional funding for conservation programs, $350 million to expand the fruit and vegetable snack program to schools throughout the country, $365 million to fund the specialty crop block grant program, funding for pest exclusion activities, $215 million for specialty crop research, and $30 million for organic research.

I want to make special note of the $25 million in mandatory spending for the produce food safety grants included in this bill. As ground zero for the spinach E. Coli outbreak last year I understand all too well what happens when the food system breaks down.

I am thankful for the $25 million investment in mandatory research grants so we can gain the needed knowledge and understanding so we never have to go through this kind of outbreak again.

All of these provisions provide significant benefits to California's specialty crop growers, who make up the majority of California agriculture.

Ms. CHRISTENSEN. Mr. Chairman, I rise in strong support of the Farm Bill Extension Act of 2007 not because it is a perfect bill but because of the many good things that it does for poor people and minorities in our country.

I want to begin by commending Chairman PETERSON and Subcommittee Chairman CARDOZA for their willingness to work with me and other members to address concerns we had with the bill.

I am especially pleased that the bill includes language to correct an apparent oversight in the 2004 Specialty Crops Competitiveness Act that defined a State to exclude the Virgin Islands or any of the other smaller territories; which meant that my district, the Virgin Islands has been denied any specialty crop block grant funding by the USDA.

Mr. Speaker, the Virgin Islands once had a significant history of agricultural production. A substantial portion of our current agricultural production now consists of vegetables (e.g., cucumbers, lettuce, and tomatoes), fruits (e.g., bananas, mangoes and papayas) and horticultural specialties, including ornamental plants. The Government of the Virgin Islands and in particular our Department of Agriculture, believes that there are considerable opportunities to expand production of these specialty crops.

As an island economy, we must import a large portion of its fruits and vegetables for its own residents and for the 2 million tourists who visit the Islands each year. We see great opportunity to increase local production of fresh specialty crops to serve both its residents and visitors. The eligibility for us to receive specialty crop block grant funding would greatly assist us in our efforts to expand and enhance specialty crop production in the Virgin Islands.

The bill before us provides $365 million in mandatory funding to expand the specialty crop block grant program, meaning that our farmers will not have to rely upon annual renewal of the program through the appropriations process.

I am also very pleased the Farm Bill Extension offers significant improvements to the Food Stamp Program, 1890 land-grant institutions, and improved access to programs for Socially Disadvantaged Farmers and Ranchers, including language and funds to address outstanding claims from Pigford v. Veneman.

Mr. Chairman, as I noted at the outset, this bill is not a perfect bill. But as the old saying goes, we should not let the perfect be the enemy of the good. This is a good bill for the American people and I urge my colleagues to support its adoption.

Mr. HALL of New York. Mr. Chairman, I thank the Chairman and rise to offer an amendment to help farmers in regions across the country simultaneously meet the goals of continued production and environmental protection.

My amendment would establish a Conservation on Muck Soils program that would provide conservation assistance tailored to the specific needs of farmers who grow crops on what is known as muck soil.

In politics I know we hear a lot about wallowing in the partisan muck or muckraking, but I'm sure that some of my colleagues are scratching their heads and asking, ''What exactly is muck soil?'' Well, muck is a special type of dirt that develops a thick organic layer of topsoil that is highly vulnerable to erosion when the lands are exposed to air. It's extremely fertile, loose soil in which farmers grow crops like onions, potatoes, lettuce, celery, and other specialty crops.

Mr. Chairman, I am very supportive of the conservation programs administered by the USDA. They make an important contribution by making it economically feasible for farmers to manage their land while being environmentally responsible. In States like my home of New York, they are critical to making sure that farmers aren't penalized for doing the right thing. I'm extremely pleased by the increases in conservation program levels under this bill, and I'm sure that they'll make these programs more accessible and effective.

However, they are broad programs built to accommodate a wide array of conditions. Because of muck's special characteristics, existing conservation programs don't necessarily provide support to growers on these lands in the most efficient, effective way possible. My amendment would attempt to acknowledge the nature of this soil with a tailored approach that improves on the current application of the Conservation Reserve Enhancement Program.

The CREP program is a good program. It attempts to further the important goals of preventing soil erosion and protecting water quality through a voluntary retirement program. In order to obtain conservation payments, the CREP program requires farmers to enter into 10–15 year agreements to remove qualifying land from agricultural production.

As I said, this is a good program but it does not always present an adequate conservation solution, particularly for farmers who want to prevent soil erosion or runoff pollution without foregoing production.

At times, this aspect of the program has created unintended consequences, including the retirement of specialized, productive soil from farming and a lack of land maintenance leading to weed and pest threats on neighboring lands.

My amendment would address these concerns and help muck soil farmers remain viable by providing support for conservation activities on working lands.

In addition to being actively involved in farming on muck soil, in order to qualify farmers would have to have a spring cover crop planted with the primary crop to prevent soil erosion, maintain a winter cover crop to prevent off season soil loss, have surrounding ditch banks seeded with grass on a year round basis to stave off runoff and erosion.

These are practices specifically designed to prevent erosion, runoff, and water pollution. By doing so, it would not force farmers to make the choice between conservation and cultivation.

Mr. Chairman, the COMS program would provide a unique opportunity to support active farmers and protect the environment. That's why it has been endorsed by the New York Farm Bureau and the National Farmers Union. I urge support for the amendment.

Ms. NORTON. Mr. Chairman, I rise to support the Farm Bill, with great appreciation for the many challenges it presented to Chairman COLLIN PETERSON, and respect for the Chairman's skill in meeting a multitude of complicated and often competing demands. I want to say a word about a small change in the bill that nevertheless rises to historic dimensions. I thank Chairman PETERSON and his staff for providing equal treatment in the bill for the University of the District of Columbia, UDC, the only all urban 1862 Land Grant Institution in the United States. The University performs valuable urban agricultural research and extension services. The fact that the provisions the Chairman has included were in the Congressional Black Caucus farm bill package underscores the UDC changes as necessary to afford the University equality under the law. The changes end the disparate treatment of UDC by removing obligations not required of other land grant institutions, particularly mandatory local matching funds.

By statute, UDC has been left out of funding opportunities granted to other land grant institutions. For example, the University is required to provide 100 percent matching funds for its Expanded Food and Nutrition Education Programs, EFNEP, the only 1862 Land Grant Institution required to do so. Under the bill, this inequitable requirement will be removed, putting UDC on par with all other 1862 institutions, and like other small land grant institutions, UDC will qualify to have matching requirements for Hatch Act programs and extension programs reduced or waived. We particularly appreciate access to grants to significantly enhance the University's teaching and research capacity building and its ability to upgrade its research, teaching and extension facilities.

We still require clarification on one issue related to Smith-Lever Act funds. We will seek to clarify this issue during conference. However, the substance of the changes we requested is in this bill. We are grateful for the historic breakthroughs in the equal treatment for the country's only all urban land grant institution.

Mr. PETERSON of Minnesota. Mr. Chairman, I submit the following information for the RECORD.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, July 26, 2007.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN RANGEL: Thank you for your letter regarding the Committee on Ways and Means' jurisdictional interest in H.R. 2419, the Farm, Nutrition, and Bioenergy Act 2007.

I appreciate your willingness to expedite this legislation for floor consideration, with the understanding that it does not prejudice your Committee's jurisdictional prerogatives on this or similar legislation.

I will submit a copy of your letter and this response as part of the CONGRESSIONAL RECORD during consideration of the legislation on the House floor. Thank you for your support of H.R. 2419 and your cooperation as we work towards enactment of this important legislation.

Sincerely,

COLLIN C. PETERSON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, July 23, 2007.

Hon. COLLIN PETERSON,
Chairman, Committee on Agriculture, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing regarding H.R. 2419—the Farm Bill Extension Act of 2007—which was ordered to be reported by the House Agriculture Committee on July 19, 2007, and is expected to be on the House Floor this week.

As you know, the Committee on Ways and Means has jurisdiction over import matters, such as the administration of tariff-rate quota programs like sugar. Accordingly, some provisions of H.R. 2419 fall under the Committee's jurisdiction.

There have been some very productive conversations between the staffs of our committees. Our understanding is that your staff has conceded the Ways and Means jurisdiction over the issues listed above. In order to expedite this legislation for Floor consideration, the Committee will forgo action on this bill and will not oppose its consideration on the House Floor. This is being done with the understanding that it does not in any way prejudice the Committee or its jurisdictional prerogatives on this, or similar legislation in the future.

I would appreciate your response to this letter, confirming our understanding with respect to H.R. 2419, and would ask that a copy of our exchange of letters on this matter be included in the RECORD.

Sincerely,

CHARLES B. RANGEL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, July 26, 2007.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN OBERSTAR: Thank you for your letter regarding the Committee on Transportation and Infrastructure's jurisdictional interest in HR 2419, the Farm, Nutrition, and Bioenergy Act 2007.

I appreciate your willingness to expedite this legislation for floor consideration, with the understanding that it does not prejudice your Committee's jurisdictional prerogatives on this or similar legislation.

I will submit a copy of your letter and this response as part of the CONGRESSIONAL RECORD during consideration of the legislation on the House floor. Thank you for your support of H.R. 2419 and your cooperation as we work towards enactment of this important legislation.

Sincerely,

COLLIN C. PETERSON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, July 26, 2007.

DEAR CHAIRMAN PETERSON: I write to you regarding H.R. 2419, the ''Farm, Nutrition and Bioenergy Act of 2007''.

H.R. 2419 contains provisions that fall within the jurisdiction of the Committee on Transportation and Infrastructure. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I will not seek a sequential referral of the bill. However, agreeing to waive consideration of this bill should not be construed as the Committee on Transportation and Infrastructure waiving its jurisdiction over H.R. 2419.

Further, the Committee on Transportation and Infrastructure reserves the right to seek the appointment of conferees during any House-Senate conference convened on this legislation on provisions of the bill that are within the Committee's jurisdiction.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

JAMES L. OBERSTAR, M.C.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, July 25, 2007.

Hon. JOHN DINGELL,
Chairman, House Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN DINGELL: Thank you for your letter regarding the Committee on Energy and Commerce's jurisdictional interest in H.R. 2419, the ''Farm, Nutrition, and Bioenergy Act of 2007''.

I appreciate your willingness to expedite this legislation for floor consideration, with the understanding that it does not prejudice your Committee's jurisdictional prerogatives on this or similar legislation. I would support your request for conferees should a House-Senate conference be convened on this or similar legislation.

I will submit a copy of your letter and this response as part of the CONGRESSIONAL RECORD during consideration of the legislation on the House floor. Thank you for your support of H.R. 2419 and your cooperation as we work towards enactment of this important legislation.

Sincerely,

COLLIN C. PETERSON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, July 25, 2007.

Hon. COLLIN C. PETERSON,
Chairman, Committee on Agriculture,
Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN PETERSON: I am writing with regard to H.R. 2419, the Farm, Nutrition, and Bioenergy Act of 2007. The Bill contains provisions that fall within the jurisdiction of the Committee on Energy and Commerce. I support passage of the bill, and I recognize and appreciate your desire to bring it up on the House floor in an expeditious manner. The Committee did not send a letter to the Speaker seeking a sequential referral of the bill. This decision was based on my understanding that you have agreed that the inaction of the Committee with respect to the bill does not in any way serve as a jurisdictional precedent as to our two committees.

Further, as to any House-Senate conference on the bill, the Committee on Energy and Commerce reserves the right to seek the appointment of conferees for consideration of portions of the bill that are within the Committee's jurisdiction. It is my understanding that you have agreed to support a request by the Committee with respect to serving as conferees on the bill (or similar legislation).

I request that you send a letter to me confirming our agreements as to jurisdiction, including with respect to conferees, and that our exchange of letters be inserted in the Congressional Record as part of the consideration of the bill.

The portions of the reported bill that are of jurisdictional interest to the Committee on Energy and Commerce include sections 2105, 6002, 6006, 6007, 6012, 6022, 6023, 6024, 6028, 6029, 6030, 6031, 7203, 7403, and 7410, and portions of title IX.

I look forward to working with you on this important legislation. If you wish to discuss this matter further, please contact me.

Sincerely,

JOHN D. DINGELL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, July 25, 2007.

Hon. GEORGE MILLER,
Chairman, House Committee on Education and Labor, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MILLER: I am writing to confirm our mutual understanding regarding the consideration of H.R. 2419, the ''Farm, Nutrition, and Bioenergy Act of 2007,'' which was reported on June 23. I am aware that the Committee on Education and Labor has a jurisdictional interest in several provisions contained within H.R. 2419, as reported.

Due to the importance of expediting this legislation, I respectfully request that the Committee on Education and Labor forgo requesting a sequential referral of H.R. 2419. My request should not be construed as my asking the Committee to relinquish its jurisdictional interests and prerogatives in this bill or other similar legislation, and should not be construed as setting a precedent for consideration of matters of jurisdictional interest to the Committee on Education and Labor in the future.

Please send me, at your earliest convenience, a letter of exchange, and I will ensure that both letters are included in the Congressional Record during the consideration of this bill. If you have any questions regarding this matter, please do not hesitate to call me. I thank you for your consideration.

Sincerely,

COLLIN C. PETERSON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, DC, July 25, 2007.

Hon. COLLIN PETERSON,
Chairman, House Committee on Agriculture,
Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN PETERSON. I am writing to confirm our mutual understanding regarding consideration of H.R. 2419, the ''Farm, Nutrition, and Bioenergy Act of 2007,'' which was referred to the Committee on Agriculture and reported to the House on June 23. As you know, the Committee on Education and Labor has a jurisdictional interest in several provisions in the bill.

Given the importance of moving this bill forward promptly, I will not request the sequential referral of H.R. 2419 to the Committee on Education and Labor. However, I do so only with the understanding that this procedural route should not be construed to prejudice this Committee's jurisdictional interests and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to the Committee on Education and Labor in the future.

I appreciate your cooperation working with us in advance of your Committee's markup of this bill and your commitment to include a copy of our exchange of letters in the Congressional Record during its consideration on the House Floor. In addition, the Committee on Education and Labor reserves the right to seek appointment to any House-Senate conference on this legislation and looks forward to your support if such a request is made.

If you have any questions regarding this matter, please do not hesitate to call me. I thank you for your consideration.

Sincerely,

GEORGE MILLER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, July 25, 2007.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security,
Ford HOB, Washington, DC.

DEAR CHAIRMAN THOMPSON: Thank you for your recent letter regarding the Committee on Homeland Security's jurisdictional interest in H.R. 2419, The Farm, Nutrition, and Bioenergy Act of 2007. Section 10401 repeals section 421 of the Homeland Security Act of 2002 (P.L. 107–296) and restores import and entry agricultural inspection functions to the Department of Agriculture.

Although this provision was removed from H.R. 2419 in the Manager's Amendment, I would support your request for conferees from the Committee on Homeland Security should a House-Senate conference to be convened on this or similar legislation which contains such a provision.

I will submit a copy of your letter and this response as part of the Congressional Record during consideration of the legislation on the House floor. Thank you for your support of H.R. 2419 and your cooperation as we work towards enactment of this important legislation.

Sincerely,

COLLIN C. PETERSON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, July 24, 2007.

Hon. COLLIN C. PETERSON,
Chairman, House Committee on Agriculture,
Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN PETERSON: I am writing regarding the Committee on Homeland Security's jurisdictional interest in H.R. 2419, the Farm Bill Extension Act of 2007. I appreciate your willingness to work with me to address a concern in H.R. 2419, in advance of its consideration by the Full House of Representatives.

As I expressed to you, section 10401 in the Horticulture Title would have a significant impact on the organization and administration of the Department of Homeland Security. Under Rule X of the Rules of the House of Representatives, legislation impacting the organization and administration of the Department of Homeland Security fall within the committee on Homeland Security's jurisdiction. Like both H.R. 1706 and H.R. 2629, this provision would repeal section 421 of the Homeland Security Act of 2002 (P.L. 107–296) and would nullify the March 2003 transfer of the Animal and Plant Health Inspection Service (APHIS) inspectors from the Department of Agriculture to the Department of Homeland Security. I am pleased that though we may disagree about this policy question, you agreed to strike the provision. I am also pleased to work with you in order to ensure consideration of this important legislation on the House floor later this week.

Should the provision at issue or any matter related to the operations of the Department of Homeland Security find its way into H.R. 2419 or companion legislation, I request your support for any effort I undertake to secure an appropriate number of conferees in a House-Senate conference on this or similar legislation.

As a former member of the Agriculture Committee, I have watched my fair share of farm bills work their way through the legislative process. I believe you should be commended for shepherding this wide-ranging bill, as Chairman, in a very effective manner.

Finally, I request that a copy of this letter, together with your response, be inserted in the Congressional Record when the legislation is considered by the House later this week.

Thank you, again, for your prompt attention to this matter.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

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

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Florida) having assumed the chair, Mr. SCHIFF, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2419) to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes, pursuant to House Resolution 574, he reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. GOODLATTE

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

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

Mr. GOODLATTE. Yes, in its current form.

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

The Clerk read as follows:

Mr. Goodlatte of Virginia moves to recommit the bill H.R. 2419 to the Committee on Agriculture with instructions to report the same back to the House promptly with the following amendments:

Strike the two titles designated as title XII in the amendments contained in part A of House Report 110–261 and adopt such amendments as may be necessary to comply with the Committee on Agriculture allocation under H. Con. Res. 99 of the 110th Congress.

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

Mr. GOODLATTE. Mr. Speaker, I would like to thank the chairman of the Agriculture Committee, the members of the Agriculture Committee on both sides of the aisle, and the staff of the Agriculture Committee for working in a bipartisan fashion to write a good farm bill.

This farm bill has a lot of things in it I don't like, a lot of things I do. I think the chairman would say the same thing about the bill. But, Mr. Speaker, I cannot support this legislation because of what happened after this bill left the Agriculture Committee and came to this floor with a tax increase added in the middle of the night with no hearings in the Ways and Means Committee and no markup in the Ways and Means Committee.

This is the wrong way to maintain bipartisan comity in this House, and to force the American people and the Members of this House to choose between tax increases and the farm bill that America's farmers and ranchers need.

I yield to the ranking member of the Ways and Means Committee, Mr. MCCRERY.

Mr. MCCRERY. Mr. Speaker, the tax proposal in the farm bill is directly aimed at international companies that invest in the United States, where they support more than 5 million jobs. These are well-known and well-respected companies: Honda, Bridgestone, Toyota, BASF, Panasonic. They're not tax dodgers. The jobs they create here are good, high-paying jobs. By raising taxes on these businesses by more than $7 billion over the next decade, we will make America a less attractive place for them to invest.

The majority keeps asserting that the Treasury Department supported this provision back in 2002. I want to set the record straight on that. It is true that Treasury wrote a report then that income-stripping and earning-stripping is a potential problem, but since that 2000 report, the Treasury has worked to update our tax treaties, inserting strong ''limitation of benefits'' language that prevents abuse by denying treaty benefits to companies headquartered elsewhere but who establish a shell company in the treaty country.

The Treasury has never, never embraced the sort of ham-handed policy that the majority is proposing in this bill. And Secretary Paulson made that clear to me yesterday in a letter me sent to me.

Another contention is that, ''Oh, the President's own budget contained this proposal.'' Wrong. The President's budget contained a targeted proposal that would raise over 10 years $2.6 billion.

Mr. DOGGETT's proposal, which is in the farm bill, raises $7 billion over 10 years. Is that the same proposal? Of course not. It's more than double. It's huge. It's broad. It's ham-handed. It will discourage investment in the United States, and we ought to reject it in this bill. It's bad policy; never should have been added to the farm bill; should have come through the Ways and Means Committee, where it's supposed to come, so we could have a good hearing and Mr. DOGGETT and I could debate it. But that didn't happen. We should vote against this bill.

I thank the gentleman for yielding.

Mr. GOODLATTE. Reclaiming my time, this motion to recommit is very straightforward. It takes out the tax increases in this bill, sends it back to the Agriculture Committee. And we would be delighted to work with the leadership that did not work with us before to find a pay-for that works for this.

We went to the Budget Committee at the start of this process in a bipartisan fashion and pointed out that the reforms in this bill cost money, and asked for that money to be forthcoming. It was not.

Now, based upon previous experience, I would not be at all surprised to see a cameo appearance in a moment from the majority leader saying that, because this bill is sent back to committee to report back promptly, that we're killing the bill. We are doing no such time thing. We are doing what is necessary to make sure that this bill is treated in a bipartisan fashion and that the bill is paid for in a way that adjusts our budget fairly to make sure that agriculture and America's farmers and rangers got treated the way they should have been treated at the outset of this process when $60 billion was lost because of the baseline in agriculture.

And then we're asked to make reforms, many of which I support, but this, mark my words, is a tax increase that is not fair to the American people. It puts pressure on companies investing in this country. It will increase taxes on those workers. It will also call into question the credibility of the United States for future investment in this country if we violate treaties, 58 treaties that we have negotiated. And finally, it will cause retaliation against American investment overseas as well.

So I urge my colleagues to vote for this motion to recommit. Send it back. Do the right thing. Do not put America's workers against America's farmers and ranchers. Support this motion to recommit.

Mr. Speaker, in my time remaining, I would point out that this is a tax increase because the chairman of the Ways and Means Committee, when he came to the floor last night, said it was a tax increase. The tax experts I've spoken to say it's a tax increase. Not withstanding what anybody says, it's a tax increase. Don't support it.

Mr. PETERSON of Minnesota. Mr. Speaker, I rise in opposition to the motion.

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

Mr. PETERSON of Minnesota. Mr. Speaker, I recognize the distinguished chairman of the Ways and Means Committee, Mr. RANGEL, for such time as he may consume.

Mr. RANGEL. So, ''the chairman of the Ways and Means Committee said that this was a tax increase.'' What is this, Taxes 101? When you and other people come to me and say that we need to get this great bipartisan agriculture bill out, you didn't go to the chairman of the Transportation Committee. You didn't go to the chairman of the Appropriations Committee. You went to the tax-writing committee.

Now, when you say you want revenue enhances, when you say you want to raise the money to pay for food stamps, it means you have to get it from somewhere. If you're lucky enough, if you work hard enough, you will find that certain people are not paying their fair share of taxes. And you would find that they go out of their way to go to foreign countries in order to avoid paying the United States obligation.

I would be less than honest if I didn't tell you that as far as those people who don't pay any or little taxes, oh, yes, they will consider this a tax increase. Give me some language that I can call it something else. But I'm saying that equity and fair play means if you're not paying what you should pay and we catch up with you, you can run to your accountant and say, ''We gotcha.''

Now, I can understand how philosophically you don't like to talk about taxes. But just, Mr. Ranking Member, when your time expired yesterday, you said on the floor that none of us ever came to you and asked for the money. Now, I don't know where you thought,

when you asked me where do you go to get the money, when I say ''you,'' I mean you by name.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman will suspend. Members are reminded to address their remarks to the Chair.

Mr. RANGEL. I agree with you. But anyway, let me thank all of you that thanked me for making it possible for you to get a bill out. And if something happened on the way to the floor, believe me, politically, I understand it. But for all of you who thanked me, we did the best we could. We catch the devil for it. But if you take a look at foreigners that are avoiding taxes and hardworking farmers that deserve a better break, you explain it; we don't have to.

□ 1330

Mr. PETERSON of Minnesota. Mr. Speaker, I thank the gentleman from New York for that statement. I want to alert the Members of the body that this motion to recommit has the word ''promptly'' in it. What that means is if this goes back to the committee, this kills this bill. It kills the reform that we have done in this bill. It kills the additional nutrition that has been put into this bill, the energy, all the other hard work of this committee.

Now, I am a CPA, and I used to do taxes for a living. I agree with the chairman of the Ways and Means Committee: this is not a tax increase. This is doing what is right for this country.

What we ought to be looking into is why we are having the taxpayers of this country fund people in the Treasury Department and fund people in the State Department to go out and make treaties with other countries so we can have foreign corporations come to this country and avoid taxes.

That is what this is about. If you have a straight-up deal between the United States and Germany, this does not affect you. It only affects you if you set up a corporation in another country that doesn't have a tax rate and go through that process.

Mr. Speaker, you can call this whatever you want. But the truth of the matter is that if you send the bill back to the Agriculture Committee, we do not have the offsets in the Agriculture Committee to do what is in this bill. So you are, in effect, killing this bill. I just want everybody to understand that.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, it is noteworthy that throughout this debate not one company anywhere in America has come forward and said ''if you pass this bill, you raise my taxes,'' because the vast majority of foreign companies and no American companies are impacted whatsoever.

Today, we must choose who to stand with. We choose to stand with the farm and ranch families that need this assistance and the small American businesses that are paying their fair share of taxes. We reject the notion that the only way you can lure a foreign company to come to America is to tell the foreign company that they should pay less taxes than Americans. It is a clear choice.

PARLIAMENTARY INQUIRIES

Mr. WESTMORELAND. Mr. Speaker, I have a parliamentary inquiry, a point of clarification.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WESTMORELAND. Mr. Speaker, is it not true that if indeed this motion passed, that this bill could be reported back to the respective committee from which it was assigned and passed out, and that the bill could be reported back to the House tomorrow?

The SPEAKER pro tempore. The Chair cannot say what the Committee on Agriculture might do or speculate about possible proceedings anew in the committee. The pending motion proposes to take the pending bill from the floor without reaching the question of passage today.

Mr. WESTMORELAND. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WESTMORELAND. Mr. Speaker, I am trying to get a point of clarification from you. The parliamentary inquiry is, is it true that this bill could be reported back to the committee and reported back to this House on the next legislative day?

The SPEAKER pro tempore. The Chair cannot speculate.

Mr. WESTMORELAND. Mr. Speaker, further parliamentary inquiry. Is there any rule that would preclude a bill going back to committee and the committee reporting it back the next legislative day?

The SPEAKER pro tempore. The Chair does not respond to hypothetical questions.

Mr. WESTMORELAND. Further parliamentary inquiry, Mr. Speaker. I am not talking about any bill.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WESTMORELAND. Mr. Speaker, is it true that this bill, this bill, if this motion passes to this bill and this bill is promptly reported back to the committee, is it possible under the rules of this House that this bill could be reported back to this House the next legislative day?

The SPEAKER pro tempore. Once again, that would require an interpretation of the committee's rules. The Chair is not in a position to speculate.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, are there any parliamentary impediments to this bill being reported back on the next legislative day after being promptly reported to the committee of jurisdiction?

The SPEAKER pro tempore. The gentleman may need to review the rules of the Committee on Agriculture.

Mr. DANIEL E. LUNGREN of California. No, Mr. Speaker. I am asking, under the rules of the House, are there any parliamentary impediments?

The SPEAKER pro tempore. The gentleman is not stating a parliamentary inquiry. The Chair has responded to the gentleman's parliamentary inquiry.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I believe you misunderstood my parliamentary inquiry. My parliamentary inquiry was, under the rules of the House, are there any parliamentary impediments to having this bill considered on the next legislative day if it is promptly reported to the committee of jurisdiction?

The SPEAKER pro tempore. Repeatedly the Chair has said, and says again, that the Chair cannot speculate.

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

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 198, noes 223, not voting 11, as follows:

[Roll No. 755]

AYES—198

Aderholt	Camp (MI)	Ferguson
Akin	Campbell (CA)	Forbes
Alexander	Cannon	Fortenberry
Altmire	Cantor	Fossella
Bachmann	Capito	Foxx
Bachus	Carter	Franks (AZ)
Baker	Castle	Frelinghuysen
Barrett (SC)	Chabot	Gallegly
Bartlett (MD)	Coble	Garrett (NJ)
Barton (TX)	Cole (OK)	Gerlach
Biggert	Conaway	Gilchrest
Bilbray	Cooper	Gillmor
Bilirakis	Crenshaw	Gingrey
Bishop (UT)	Culberson	Gohmert
Blackburn	Davis (KY)	Goode
Blunt	Davis, David	Goodlatte
Boehner	Davis, Tom	Granger
Bonner	Deal (GA)	Graves
Bono	Dent	Hall (TX)
Boozman	Diaz-Balart, L.	Hastings (WA)
Boustany	Diaz-Balart, M.	Hayes
Brady (TX)	Doolittle	Heller
Broun (GA)	Drake	Herger
Brown (SC)	Dreier	Hobson
Brown-Waite, Ginny	Duncan	Hoekstra
Buchanan	Ehlers	Hulshof
Burgess	Emerson	Hunter
Burton (IN)	English (PA)	Inglis (SC)
Buyer	Everett	Jindal
Calvert	Fallin	Johnson (IL)
	Feeney	Johnson, Sam

Jordan
Keller
Kind
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
McNerney
Mica
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—223

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hensarling
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Klein (FL)
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
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (FL)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
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
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—11

Clarke
Cubin
Davis, Jo Ann
Emanuel
Frank (MA)
Hastert
Issa
Kucinich
LaHood
Sali
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1354

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. SALI. Mr. Speaker, on rollcall No. 755. I was inadvertently detained. Had I been present, I would have voted "aye."

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

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

RECORDED VOTE

Mr. GOODLATTE. 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 231, noes 191, not voting 10, as follows:

[Roll No. 756]

AYES—231

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

NOES—191

Aderholt
Akin
Alexander
Bachmann
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capuano
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Cooper
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastings (WA)
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Inslee
Johnson, Sam
Jordan
Keller
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McDermott
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Mitchell
Moran (KS)
Moran (VA)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
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 (NJ)
Smith (TX)
Smith (WA)

Stark	Turner	Weller
Stearns	Upton	Westmoreland
Sullivan	Walberg	Wicker
Terry	Walden (OR)	Wilson (SC)
Thornberry	Walsh (NY)	Wolf
Tiahrt	Wamp	Young (AK)
Tiberi	Waxman	Young (FL)
Tierney	Weldon (FL)	

NOT VOTING—10

Clarke	Frank (MA)	LaHood
Cubin	Hastert	Tancredo
Davis, Jo Ann	Issa	
Emanuel	Kucinich	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1402

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2419, FARM, NUTRITION, AND BIOENERGY ACT OF 2007

Mr. PETERSON of Minnesota. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2419, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make other such technical and conforming changes as may be necessary to reflect the actions of the House.

The SPEAKER pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2070

Mr. UDALL of Colorado. Mr. Speaker, I ask unanimous consent that Mr. BARTLETT of Maryland be removed as a cosponsor of H.R. 2070. He was added by mistake.

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

There was no objection.

CONFERENCE REPORT ON H.R. 1, IMPLEMENTING RECOMMENDATIONS OF THE 9/11 COMMISSION ACT OF 2007

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 567 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 567

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 1) to provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. HASTINGS of Florida. 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

I also ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, before yielding to myself, I yield to the gentleman from New York for a unanimous consent request.

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

Mr. MCNULTY. Mr. Speaker, I rise in strong support of both the rule and the conference report.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, House Resolution 567 provides for consideration of the conference report to accompany H.R. 1, to provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States. The rule waives all points of order against the conference report and its consideration.

This is a typical rule for a conference report and was reported out by the Rules Committee by a bipartisan voice vote.

Mr. Speaker, when Americans decided last November that they were tired of the way business was being done in Washington, they elected Democrats to the majority.

We promised them that we would implement the recommendations of the 9/11 commission, and today we are fulfilling that promise in bipartisan fashion. We are showing that compromise can, indeed, yield good policy. Democrats have shown with this bill that that compromise can indeed be positive for America.

There were many who did not want to see Democrats succeed in completing work on this bill. They preferred political posturing over protecting the American public. For them, inaction is an acceptable solution, and obstructionism their plan to get back into the majority.

The American people should take great comfort in knowing that we will not allow them to succeed.

I commend my good friends, the distinguished chairman of the Homeland Security Committee, BENNIE THOMPSON, and the ranking member for their tireless work on this conference report. It was not an easy job, but their diligence and commitment to protecting America persevered.

This product takes significant steps to further protect the American people. Democrats are leading in delivery while fixing the shortcomings in our homeland security network highlighted by the 9/11 Commission.

First, this conference report places a priority on providing homeland security grants based on risk and not political preference. This is especially important to my constituents, as south Florida has seen its recent homeland security grant allocations decreased as political consideration has increased in the process.

When it comes to first responders, the conference report includes $1.6 billion for a first responder interoperability grant program.

The report also invests in rail, transit and bus security, authorizing more than $4 billion for these crucial grants.

Further, this report requires the screening on all passenger air cargo within 3 years. This is, without doubt, the furthest that Congress has ever gone to ensure that the flying public is safe and protected.

Within the next 5 years, the conference report requires the screening of all container ships as they leave foreign shores and head to the U.S. This, too, was another of the 9/11 recommendations.

If America is going to be safe, Mr. Speaker, then Congress must do everything in its power to ensure that cargo coming into our ports has been screened and checked. As someone who represents a district which is within just miles of three major international seaports, I'm pleased that the committee included this provision in the bill. The safety and security of south Florida literally depends on it.

I'm also pleased that the Homeland Security Committee and the House Intelligence Committee, of which I'm a proud member, were able to reach an agreement regarding the public disclosure of total spending in the intelligence community. This was another key recommendation from the 9/11 Commission, and Democrats are again keeping their promise to turn those recommendations into law.

It is a new day in the House of Representatives. With honesty and transparency as our guiding principles, Democrats are working to strengthen and restore faith in our intelligence community. Even more, we are sending the message to the American people that this Congress will no longer allow the intelligence community to operate without proper oversight.

This conference report is another installment of how Democrats are working to protect the American people and hold the Bush administration accountable for its failures and shortcomings.

This is a good conference report and a good rule. I urge my colleagues to support both.

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

Mr. SESSIONS. Mr. Speaker, I rise in opposition to this rule and to the woefully incomplete conference report that the Democrat majority is bringing to the House floor today.

Despite the repeated campaign promises made by Democrat leaders to the American people that they would take action on all of the remaining 9/11 Commission recommendations, that is not what is being done and not what is being brought to the floor of the House today.

It now appears that those claims were nothing more than just a hollow campaign promise because, as anticipated, they have failed to address a key recommendation of the 9/11 Commission.

While the Senate included a simple sense of Congress that congressional operations should be streamlined so that overlapping and duplicative oversight issues could be addressed, even this simple symbolic measure was dropped from the final legislation.

The 9/11 Commission stated: ''Of all our recommendations, strengthening congressional oversight may be among the most difficult and important. So long as oversight is governed by current congressional rules and resolutions, we believe the American people will not get the security they want and need.''

It went on further to say: ''Congress should create a single, principal point of oversight and review for homeland security.''

In the 109th Congress, House Republicans provided the responsible leadership needed on this issue by making the Committee on Homeland Security a standing committee, but there are still 10 other House committees that have overlapping and redundant oversight over the Department of Homeland Security.

House Democrats could have enacted this change with a simple rules change at the start of the 110th Congress. They failed to do so then; and with this legislation, they are once again ignoring this important issue entirely, including a campaign promise.

Thankfully, Mr. Speaker, this conference report is not a complete failure. Thanks to the leadership of President Bush and House Republicans, two important provisions were fixed in this conference report that will help keep Americans safe and improve our ability to combat terror at home.

First, this legislation wisely does not contain a mandate that collective bargaining rights be required for the Transportation Security Administration screeners. This dangerous provision was originally buried in the House Democrat leadership's version of this legislation; and thanks to President Bush's veto threat, it has been removed from the legislation that we are considering today.

The 9/11 Commission did not recommend collective bargaining for TSA screeners. In fact, to the contrary. The commission stressed the need to improve airport security and screening procedures. Collective bargaining would have prevented implementing fluid operations for protecting our country by requiring TSA management to consult with union bosses before making critical homeland security decisions.

As Homeland Security Director Michael Chertoff explained, ''Marines don't collectively bargain over whether they're going to wind up being deployed in Anbar province in Baghdad. We can't negotiate over terms and conditions of work that go to the heart of our ability to move rapidly in order to deal with the threats that are emerging.''

□ 1415

Secretary Chertoff also noted that the proposed negotiations with unions would have seriously threatened operations such as the interception of the London bombing plot or a response to Hurricane Katrina. Thankfully, in what may be the first missed opportunity for increasing the power of labor bosses this year in the House, good sense prevailed and this provision did not survive the legislative process.

Additionally, good sense and Republican-proposed policy prevailed in this conference through the inclusion of a provision to protect vigilant observers who support suspicious terror-related activity. By including these John Doe provisions, my good friend, the Homeland Security Ranking Member PETER KING, won a great victory on behalf of the American people.

As Congressman KING recently noted, in a post-9/11 reality, vigilance is essential to security. Despite the Democrat opposition to this Homeland Security measure, common sense has prevailed and heroic Americans who report suspicious activity will be prevented and protected from frivolous lawsuits. The American people were heard, and our country is safer because of it.

I commend Congressman KING and other Republicans that served on this conference committee for insisting that Congress not let trial lawyers and the fear of litigation get in the way of promoting one of our best and most dynamic lines of defense against domestic terrorism, having everyday Americans report potential threats and terrorist activities to the proper authority.

While the Democrat party may not trust American men and women to use their good sense in reporting suspicious activity, I know as Republicans that's what we will do, and I really do appreciate PETE's efforts for this hard work.

I also appreciate all the hard work that was put into developing the conference reports on both sides of the aisle. I am also pleased to note that this conference report represents the first time that labor bosses and trial attorneys have been denied their every wish on this House floor. Unfortunately, I am not confident that we will see another commonsense bill that puts the safety and well-being of the American people over these special interests any time soon.

I also appreciate the Democrat leadership's attempt at almost fulfilling one of their many unfulfilled campaign promises by bringing this legislation back to the House floor today.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very privileged to yield 3½ minutes to the distinguished chairman of the Homeland Security Committee of this House, my good friend from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Mr. Speaker, it is my privilege, as the first Democratic chairman of the Homeland Security Committee, to rise in strong support of this rule and the underlying bill.

At the direction of the Speaker, I authored H.R. 1, legislation to complete the unfinished business of the 9/11 Commission. It had 200 original cosponsors.

H.R. 1 was the first bill of the 110th Congress. It passed the House by a vote of 299–128; 32 House conferees on a bipartisan basis, including Ranking Member KING, signed the conference report. Late last night the Senate passed it by a vote of 85–8.

It would seem that 6 years after the 9/11 attacks and 3 years after the release of the 9/11 Commission report, Congress is finally embracing what the 9/11 families have been saying all along. It takes more than vigilance for our Nation to be more secure against the threat of terrorism. It takes a willingness to do things a different way.

The 9/11 Commission challenged the administration, Congress and the American people to think a different way and take concrete steps to deter and prevent future attacks. Over the past 3 years, some progress has been made, most notably, the reforms in the intelligence community. However, until today, many of the key recommendations of the 9/11 Commission remain unfulfilled.

The conference report on H.R. 1 ensures that most grant funding is allocated based on risk. It authorizes $1.6 billion for an interoperability grant program to improve communications for first responders. It provides over $4 billion in rail, mass transit and bus security grants to ensure that our at-risk communities have the security they deserve.

Additionally, the conference report on H.R. 1 puts in achievable benchmarks for ensuring that 100 percent cargo carried on passenger planes is screened. It also mandates the screening of all U.S.-bound ships in foreign ports for 5 years, but gives the Homeland Security Secretary flexibility to delay implementation in certain cases.

The conference report requires a new electronic travel authorization system to screen visitors from companies participating in the Visa Waiver Program. This bill also strengthens a board that oversees privacy and civil liberties issues.

It requires the President and Congress to publicly disclose total spending requested and approved for the intelligence community for 2 years. The bill provides civil immunity to those in good faith who report suspicious activities that threaten the safety and security of passengers on the transportation system, or that could be an act of terrorism.

Before I yield back, I want to say on the record that the provisions I authored to give TSA screeners collective bargaining rights and whistle-blower protections was not included in the final bill. Though not an explicit 9/11 Commission recommendation, I believe that giving voice to the eyes and ears in the airports will make America more secure. I will keep working to get them the protections they deserve.

That said, the bill that is being considered today will make America more secure.

I strongly urge a ''yes'' vote on the rule, as well as the underlying bill.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, as many of my colleagues know, I have been working on legislation to temporarily suspend the Visa Waiver Program until our ports of entry are secure with the technology outlined and required by the 2001 PATRIOT Act and the Visa Entry Reform Act of 2002.

For those who don't know, the Visa Waiver Program was established back in 1986 as a temporary program allowing tourists or short-term business visitors to enter the United States for 90 days or less without obtaining a visa. The program was later made permanent by Congress, and it currently includes 27 countries.

The problem with this system is that terrorists are not limited by borders, nationality or even ethnicity. A terrorist with a French passport can be just as dangerous as one from Iran. In short, we need to make sure everyone who enters this country is appropriately screened.

This conference report will expand the Visa Waiver Program simply at the discretion of the Secretary of State.

Many of us read in the news this summer that the failed London and Glasgow bombings are linked to homegrown British terrorists with ties to al Qaeda in Iraq. I don't doubt that the United Kingdom is one of our closest allies, but this goes to show that even our greatest friends can be vulnerable to homegrown terrorists possessing legitimate citizenship documentation and authorized legal passports.

Giving terrorists a free pass of any type into our country only welcomes more strikes on our homeland, and it strengthens these organizations, these terrorist organizations right here in the United States. We cannot afford additional visa waiver countries and provide more opportunities for terrorists to breach a loophole in our security.

How much time does our Nation have before immigration, customs enforcement, our air marshals, the TSA, Transportation Security Administration, misses the next Richard Reid.

In closing, this conference report will not secure our Homeland Security if it expands the opportunity for terrorists to travel to the United States. As a Member of the House Senate Conference Committee, I would not sign a report with language expanding this program.

I urge my colleagues, vote down the rule and the underlying legislation. Let's send it back to the conference and secure our Homeland Security.

Mr. HASTINGS of Florida. Mr. Speaker, I am very privileged to yield 3½ minutes to the distinguished gentleman from California (Mr. LANTOS), who is the chairman of the Foreign Affairs Committee and has worked actively and diligently for the security of this Nation.

Mr. LANTOS. I want to thank my friend for yielding.

Mr. Speaker, I rise in strong support of the conference agreement. Let me express my appreciation for the fine work of the chairman, the Homeland Security Committee, my friend, BENNIE THOMPSON.

When the perpetrators of the 9/11 attacks boarded their flights that crisp September morning, they hoped to crush the American spirit. They were profoundly mistaken.

In the first few weeks following the terrorist attacks, our Nation rallied to help the victims and their families to reconstruct New York City and the Pentagon, but our resolve did not stop there. We steadfastly committed to the long-term goal of preventing future terrorist attacks on our shores.

To accomplish this, we convened some of our best and brightest minds from both the Democratic and Republican parties to map out a comprehensive strategy to prevent another terrorist disaster. With this bill today, we willfully implement the sound recommendations of this bipartisan 9/11 Commission and take concrete steps to strengthen the security of our Nation.

I am pleased that the conference agreement contains several provisions authored by the Foreign Affairs Committee to fight terrorism and to stop the proliferation of dangerous weapons. The conference agreement will boost our efforts to work with other nations to secure nuclear materials and rein in loose nukes more effectively.

It will also increase the visibility of the Voice of America and our other broadcasting services to quickly ramp up their public diplomacy efforts in future crises.

With this bill, we will require the administration to develop a better strategy for cultivating U.S. relationships with three countries crucial to our counterterrorist efforts: Saudi Arabia, Afghanistan, and Pakistan.

Finally, I am gratified that the conference agreement includes provisions from the ADVANCE Democracy Act. This important bill firmly affixes the advancement of freedom and democracy as one of our top foreign policy objectives and requires long-term plans to promote democracy throughout the world.

Recently, the Department of State has begun drafting strategies for Middle Eastern countries. The conference agreement includes a requirement for new written specific strategies for all nondemocratic and democratic transition countries building on the important work the Secretary of State has already been doing in the Middle East. This method ensures that we focus on institutions, not just elections.

As this bill becomes law, our country will begin to turn its thoughts to the sixth anniversary of the September 11 attacks. We will, of course, mourn the victims, honor the heroes, and contemplate the lessons of that event. But we will also renew our efforts to fight extremism and terrorism around the globe. I urge all my colleagues to support this important conference agreement.

□ 1430

Mr. SESSIONS. Mr. Speaker, I yield 4½ minutes to the gentleman from Florida, the ranking member of the Transportation and Infrastructure Committee, Mr. MICA.

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

My colleagues, I have spent some time on transportation security as chairman of the Aviation Subcommittee for some 6 years, helping to craft some of the TSA legislation, working actually with the 9/11 Commission.

First of all, if anyone thinks that this bill is going to make us safer by any of the major provisions in the bill, they are wrong. They are dead wrong. What is unfortunate is they are adopting today in this so-called 9/11 Commission Report many things that will actually take our limited resources and put us greater at risk by diverting those resources to programs that make no sense. And I will try to show you in a few minutes.

First of all, let's look at the major provisions of this bill. First, cargo security, maritime cargo security. Here is a picture of one of the test cargo security maritime screening operations. I brought a little model, I made my own little model to show you how this works. There is the truck going through there. It goes through. You can either have a fixed location for this screening equipment or a portable one; they can move it around. Then the truck goes through the screening like that. And then when it goes through, we have completed that. Then we take the cargo.

Now, if you have been to the ports, and I have been to the foreign ports that they are requiring this procedure for, this cargo goes and it sits on the dock somewhere. It may be days, weeks before it is ever loaded. What a complete farce for cargo containers to go through this exercise.

Then if you have been to the ports, let's try Marseilles, I have been to Marseilles, let's try Livorno. Let's try others. What about this guy who is a dock worker? That dock worker can take this cargo and penetrate it. We have talked to the dock workers and they say that what you are instituting is an absolute joke. And it is not a recommendation. I defy anyone to get a copy of this and look at it.

Page 393 is what they recommend. They said: TSA should expedite the installation of an advanced in-line baggage screening system. You are going to hear somebody tell you that we have done that. Folks, this is how many airports we have done out of 440 airports: five of our major airports in the United States. A total of 18, but five of our major airports; 29 airports handle 75 percent of the air passengers. And that is what they recommended. It is right here. It says: TSA also needs to intensify its efforts to identify, track, and appropriately screen dangerous cargo in both the aviation and maritime sectors.

I am telling you, this is an expensive exercise in diverting limited resources and will put us even greater at risk. The terrorists have to be laughing at us today.

Even worse are some of the other provisions. This lifts the 45,000 caps on screeners. We are paid $5.4 billion for 45,000 screeners. In fact, we should be spending that $5.4 billion on technology that does, I can't reveal the classified results, but it does an incredible job. Instead, we have an army of 16,800 screeners who are hand-checking checked baggage at the airport. A complete farce. And that is a provision.

Here is another provision that is a disaster: require the disclosure in the Intelligence budget, that is almost criminal, in 2007 and 2008 but not I guess not in 2009, to tell the other side exactly what we are doing. So this does a lot of damage.

And then, finally, it creates a whole new bureaucracy. I didn't think the conference committee, and I wouldn't sign the report, could create a bigger bureaucracy. But it did just that.

If you love bureaucracy, you will love this bill. Not only what I just described, but we have had a Department of Transportation that administers transit grants, has done so, has the bureaucracy in place, and can expedite the quick distribution. Instead, we have 185,000 people in the Department of Homeland Security who haven't done this before now are going to set up another bureaucracy in the Department of Homeland Security. This is a great bill; it is a nice bumper sticker thing to go back and say we did something about homeland security. But, folks, we are doing damage.

Mr. HASTINGS of Florida. Mr. Speaker, before yielding to Mrs. MALONEY, who was directly affected in her district in New York during 9/11, I would just say to my friend from Florida that when he and his party were in charge, the question is, what did they do? Did they pass $250 million annually for airport checkpoint screening? Did they pass $450 million annually for baggage screening? Did they do 100 percent screening within 5 years? Did they protect from lawsuits people who in good faith report what they believe are terrorist activities around airplanes, trains, or buses? Did they do stronger security measures? No. They did none of that.

I yield 3 minutes to the distinguished lady from New York, who really knows about 9/11, Mrs. MALONEY.

Mrs. MALONEY of New York. I rise in strong support of this rule and the underlying bill, and I congratulate this Democratic majority and this speaker for making security an absolute priority and for implementing all of the recommendations of the 9/11 Commission and making it a priority.

This bill was H.R. 1, the first bill introduced under the Democratic Congress, and it increases funding in many areas, particularly the interoperability of first responders' phones. The phones did not work on 9/11; the communications did not work. They still do not work. This will move us towards safer responding of our first responders. Over $4 billion for rail and security and trains and buses. And very, very importantly, it calls that our grants, our grants that are based on high threat, on security risks is based just on that, security risks, so that the money goes where it is needed, not in pork barrel politics.

And today marks the end of a very long journey that, along with many of my colleagues on both sides of the aisle, including Representative SHAYS and 9/11 family members, when we joined together and formed the 9/11 Commission Caucus and introduced legislation to implement all of the recommendations. While the bill that was signed into law in 2004 did not include everything in the recommendations that our bill called for, it was a necessary first step in the process, and we are completing that process today.

The first bill was the first bill of major reorganization of our government since 1946. It coordinated all of our 15 different agencies under the National Intelligence Director, and it moved us in the right direction. This bill completes the recommendations of the commission in a bipartisan way. All the members have endorsed this legislation.

I want to note the heroic efforts of the 9/11 family members, including Mary and Frank Fetchet; Beverly Eckert; Carol Ashley; Abraham Scott; Rosemary Dillard; and Carrie Lemack. They have worked selflessly and tirelessly for years to pass this. They are an inspiration to me and this body, and I do not believe these bills would have passed without them.

Particularly, I want to note the provisions in the conference report that strengthen the privacy and civil liberties board more to the way that the 9/11 Commission recommended: a strong board, not the very weak one that the previous majority championed.

This bill establishes a strong, independent board with subpoena power. And this conference report will achieve many more significant reforms. It will make our country safer. I urge my colleagues to support this rule, the underlying bill, so that we will strengthen our homeland security and our defenses against another terrorist attack. It is based on merit. It is based on the 9/11 Commission Report. I urge an ''aye.''

Mr. SESSIONS. Mr. Speaker, I would like to engage the gentlewoman, if I can, since she is an expert on this important piece of legislation if she would. And the question I would like to ask the gentlewoman:

Republicans tried our very best, other than demanding, that the terrorist watch list would be applied to trains and passengers for people like on trains and Amtrak. And I wonder if the gentlewoman can tell me whether that was added in this conference report.

Mrs. MALONEY. It is not in the conference report. It is not in the underlying bill.

Mr. SESSIONS. Reclaiming my time, Mr. Speaker, people stand up and talk about what a great job they are doing to protect this country, but they fail to get the essence because it might be a privacy concern. The fact of the matter is that all the people that are on our trains, Amtrak, that we are spending billions of dollars that are being spent for more security officers; and yet the Democrats fail to do the simplest thing, and that is, at the time you buy a ticket, seeing if you are on the terrorist watch list.

It is incredibly arrogant that this Congress would stand up and say we are doing all we can do, and yet we do not even apply the terrorist watch list to people who would be on our trains.

Mr. Speaker, I yield 4 minutes at this time to the ranking member of the Judiciary Committee, the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Speaker, I thank my good friend and colleague from Texas, Congressman SESSIONS, for yielding. And, Mr. Speaker, I oppose the conference report to H.R. 1, and I oppose this rule that provides for its consideration as well.

Mr. Speaker, while the conference report claims to protect Americans from foreign terrorists, we should be aware that in fact it does just the opposite. Specifically, changes in the Visa Waiver Program can do us great harm.

The Visa Waiver Program enables citizens of certain countries to travel to the United States for tourism or business for stays of 30 days or less without obtaining a visa. To qualify for participation in the Visa Waiver Program, countries must meet certain established criteria which include security standards for their travel documents, and a very low rate of nationals whose visas are denied.

The conference report language needlessly lowers the standards of the Visa Waiver Program. How can we consider the expansion of this program knowing that it has already been abused by two terrorists?

Peter Gadiel, president of 9/11 Families for a Secure America whose son was killed on 9/11, says, ''As family members of Americans who were murdered on 9/11, we are deeply concerned that some in Congress are working to expand the Visa Waiver Program. It is reckless and irresponsible to consider expanding the program in these perilous times, especially to accept countries that do not even meet current standards. Congress cannot and should not pass a law that would leave the door wide open for more terrorists.''

Lowering the standards for the Visa Waiver Program threatens national security and makes a mockery of our efforts to combat illegal immigration. Many illegal immigrants come to the U.S. legally on a temporary basis and never return to their home country. The conference report allows the administration to permit countries with a history of visa overstayers to participate in the Visa Waiver Program, guaranteeing an increase in illegal immigration.

The administration plans to admit countries to the Visa Waiver Program that come nowhere close to meeting current standards. They want to reward countries that have cooperated with us in the war on terror, and we all appreciate the assistance of our allies, but this is no way to conduct foreign policy.

It is irresponsible to lower the standards for the Visa Waiver Program and make it easier for terrorists to get into the U.S. This is no way to protect American lives.

It is bad enough that the administration doesn't enforce many current immigration laws. It is inexcusable that it would intentionally change the law knowing that it will endanger American lives and increase illegal immigration. It is so obvious that this change in the Visa Waiver Program will result in more illegal immigration and the inevitable entry of terrorists that the administration must now take responsibility for the predictable results.

Mr. Speaker, I urge my colleagues to oppose this rule and the conference report as well.

□ 1445

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. HARMAN), who is the chairwoman of the Intelligence Information Sharing and Terrorism Risk Assessment. The gentlewoman and I served on the Intelligence Committee, and perhaps she might be able to educate my friend from Texas regarding watch lists and how difficult it would be in order to have watch lists, as Mrs. MALONEY put it, for 800,000 people on one rail line in New York alone.

Ms. HARMAN. Mr. Speaker, implementing the recommendations of the 9/11 Commission has been a passion for me, to honor the memories of those who tragically and needlessly died on that day, to show respect for their amazing families, and to keep our country safe.

My roles as coauthor of the intelligence reform legislation and lead House cosponsor with Mr. HOEKSTRA on its conference was a personal highlight of my service here, and I'm honored to be a conferee on this bill and to stand with Chairman THOMPSON and Ranking Member KING in support of it.

The report passed the Senate 85–8 last night. Are people seriously going to oppose a bill to implement the recommendations of the 9/11 Commission?

Sure, there's more to do. But here are many terrific things in this bill. Number 1, it improves vertical information sharing between the Federal intelligence officials and local first responders, crucial if we're to prevent future attacks, a growing possibility according to the recently released NIE on terrorism. The next attacks could be anywhere. We need our capable first preventers to have accurate and actionable information.

Second, it will reform the Visa Waiver Program which, I agree, as it currently operates, is a potential loophole. I worry that a terrorist trained in the Pakistani tribal areas and traveling on a British passport could use that program to come here and to enable a homegrown cell to conduct an effective operation against Americans in America. We need to tighten that program, and this bill does it.

There are things that are not in this bill. I still think we need more reorganization of Congress, and I also think that the legislation proposed by all nine Democrats on the House Intelligence Committee last year to provide an expedited emergency warrant process under FISA should be enacted by this House. That's all the reform of FISA we need. We have authority now to listen to foreigners abroad, despite some claims by the other side. The only thing necessary are procedural reforms, and we should enact them promptly.

Mr. SESSIONS. Mr. Speaker, I'm pleased to know how much we're protecting this country and what's included in this bill.

I think what the gentlewoman also forgot to say is that in committee they denied CBP the ability to even look at passengers' names who are coming in on rail from other countries to the United States. Once again, another failure from this Democrat Congress.

Mr. Speaker, at this time I'd like to yield 3 minutes to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON of New Mexico. Mr. Speaker, I would ask my colleagues to vote against the rule for the consideration of this conference report. And if the rule is defeated, this House should turn its immediate attention to a critical problem facing this country.

We have the perfect opportunity here, and the conferees had a perfect opportunity to add the most important action that this Congress must take, before we leave in August, into this conference report, and that is critical reforms to the Foreign Intelligence Surveillance Act.

The problem is what this bill does not do. It is the perfect vehicle, the perfect train leaving the station to get a bill down to the President and get his signature immediately on foreign intelligence surveillance reform. But it's going to go to the President without the most critical piece of legislation that we should be working on. This is our responsibility, to fix the Foreign Intelligence Surveillance Act.

Just yesterday, the Director of National Intelligence, Mike McConnell, wrote to the members of the House Permanent Select Committee on Intelligence, and in his letter he said, ''Simply put, in a significant number of cases, we are in a position of having to obtain court orders to effectively collect foreign intelligence about foreign targets located overseas.''

He went on to say, ''in short, resource allocation is not the fundamental issue we face in this area, but instead a fundamental problem with a law that requires modification to ensure we are protecting America, while respecting the privacy rights of Americans.''

''It is essential,'' he said, ''that the administration and Congress work together and without delay to close the current intelligence gap by amending the FISA statute.''

The responsibility is here in this body to fix this law as quickly as possible, without delay, to make sure that we can listen to foreigners in foreign countries who are using our communications networks to plot to kill us.

This House has failed to act. I, again, call on the leadership of the Democratic Party and to the Speaker of the House, personally, before we adjourn for August, to bring FISA reform legislation to this floor, and I would ask my colleagues to oppose the rule.

Mr. HASTINGS of Florida. Mr. Speaker, I'm very pleased to yield 3½ minutes to the gentleman from Massachusetts (Mr. MARKEY), who is on the Committee on Homeland Security, and the chairman of the Select Committee on Global Warming.

Mr. MARKEY has fought diligently regarding airport screening. The gentleman from Florida isn't in here now that talked about screening as not being something that's important.

Mr. MARKEY. Mr. Speaker, September 11 was a very important day in Boston history. Mohammed Atta and nine other terrorists hijacked two planes with hundreds of people on them 2 miles from my house and flew them into the World Trade Center, killing not only the people in the World Trade Center, but all of the people on those two planes from Logan airport.

For the last 5 years, we've had a fight over whether or not we should screen

the cargo which goes on passenger planes in our country. Yes, each of us has to take off our shoes, our bags have to go through, we have to take off our wristwatches, children's baby carriages have to be inspected. But, believe it or not, then the cargo is placed right under our feet, and it's not screened. Billions of pounds of cargo not screened.

And so this cargo loophole has been fought by the cargo industry, opposed by the Bush administration, but now it is in this legislation. And henceforth, all of the cargo which goes onto passenger planes in our country, placed next to the bags of passengers, placed under the feet of passengers on planes, will also be screened. And so now cargo will have this on it. Screened, safe to place upon those planes. It is a huge moment in security. This bill is historic.

And secondly, although the Bush administration has opposed it, this legislation also includes my language which is going to require the screening of cargo on ships coming into ports in the United States.

Right now cargo with a nuclear bomb in it, which we know is al Qaeda's top goal, to obtain a nuclear weapon from someplace in the former Soviet Union, move it to a port in the world and move that ship with the cargo into New York, into Long Beach, into Boston, and then detonate the nuclear bomb before it is taken out of the cargo hold of that ship, destroying that American city. Because of the language in this bill, that cargo will now be screened in the port overseas before it ever leaves for our country. It will be screened for a nuclear bomb overseas, thwarting the highest objective which al Qaeda has, which is to detonate a nuclear bomb.

Now, I can understand the Bush administration's misgivings about it, and I understand that many of the Senators, Republican Senators will not sign this conference report because of this requirement. I think they're making a historic mistake. This is at the top of the terrorist target list. This is what they want to do to American cities, detonate a nuclear bomb on a ship already docked in a port in the United States before it's ever taken off that ship.

This legislation is historic. I congratulate Chairman THOMPSON. I congratulate the staff. I congratulate the bipartisan nature for the vast majority of this legislation. It is overdue. It is overdue.

We must put in place the defense, now, against al Qaeda returning to finish their plot against us here in the homeland.

Al Qaeda came to Boston to begin this attack. There's no reason to believe they can't return to those very same planes, to those very same docks where al Qaeda came in. They came in through the ports of Boston to, in fact, wreak this catastrophic event on our country.

Vote ''yes'' on this bill.

Mr. Speaker, as the principal author of the air cargo security provision in Section 1602 of the conference report—Screening of Cargo Carried Aboard Passenger Aircraft—I want to make several points clear.

While the House version of the bill used the term ''inspected'' and the Senate version used ''screened'', neither bill actually defined these terms. The language in the final version of the bill does define ''screening'', and it makes clear that screening does not mean what DHS currently considers screening—reviews of manifests, information about shippers (Known Shipper program), etc.

To make clear what is meant by screening, the final bill states that:

The system used to screen 100 percent of cargo carried on passenger planes must provide a level of security on par with the level of security for passengers' checked bags. Specifically, the language states that the system ''shall require, at a minimum, that equipment, technology, procedures, personnel or other methods approved by the Administrator of TSA are used to screen cargo carried on passenger planes to provide a level of security *commensurate with the level of security for the screening of passenger checked baggage*.'' (emphasis added). A 3-year deadline is established to get to 100 percent, with an interim benchmark of 50 percent of cargo within 18 months of enactment.

Screening means an examination of the cargo's contents, not just information about the cargo, consistent with the mandate that the cargo screening must be on par with the security standard for screening of passengers' checked bags. The bill stipulates the cargo screening methods TSA is to use to meet this standard: ''Methods of screening include x-ray systems, explosive detection systems, explosive trace detection, explosive detection canine teams certified by the TSA, or a physical search together with manifest verification.'' These are methods currently used for checked bags.

While TSA may approve additional methods, *they cannot be solely data checks, and must also utilize physical checks*. As the final language makes clear: ''The Committee is also concerned about TSA using data checks of cargo or shippers . . . as a single factor in determining whether cargo poses a threat to transportation security. The Conference substitute, therefore, requires that if such data checks are used, they must be paired with *additional physical or nonintrusive screening method approved by TSA that examines the cargo's contents*.'' (emphasis added).

There has been some discussion in the media about Congress's intent in passing this provision. I want to address these points and make clear the intent of the provision.

One concern that was raised is that as much as 60 percent of air cargo could be exempt from a mandatory physical inspection at airports, under a new program to be called Certified Shipper.

As noted above, the language in the final version of the bill requires that the system for screening all cargo on passenger planes must ''provide a level of security commensurate with the level of security for the screening of passenger checked baggage.'' All cargo on passenger planes must be physically examined before it is loaded onboard, a major departure from current practice. While TSA may be considering a so-called ''Certified Shipper'' program that would require physical examination of all cargo in a location off the airport grounds and then a sealing of the cargo containers with tamper-proof seals, this plan, and any such system developed by TSA, must provide a level of cargo security on par with the level of security for checked bags, which includes the requirement that the contents of all the cargo must be physically checked.

The final version of the bill mandates that the Department of Homeland Security issue a rule to implement a system consistent with the bill's 100 percent cargo screening requirement. Congress, along with stakeholders who have been working to require 100 percent screening of all cargo carried on passenger planes, will be watching TSA's plans closely to ensure that the implementation of the cargo screening mandate in the bill is performed in a manner that complies with the mandate in the final version of the bill. If TSA's system does not ''provide a level of security commensurate with the level of security for the screening of passenger checked baggage'' as required in the bill, it will not be in compliance with the congressional mandate in the final version of the bill, and therefore will be in jeopardy of being halted or modified by Congress to bring it into compliance with the law.

Another concern that has been raised is that companies that participate in the Certified Shipper program would still have to follow security rules, including conducting their own package inspections and putting special tamperproof seals on containers, but packages handled by these companies, which will probably represent the bulk of the air cargo industry, would generally be exempt from mandated electronic, canine or other physical inspections at the airport.

Again, a so-called ''Certified Shipper'' program or any other program that TSA develops to implement the mandate to screen 100 percent of the cargo on passenger planes must meet the standard that it provides a level of security on par with the level of security for passenger checked bags. At this point, it is unclear whether a program that screens and then seals cargo outside the airport perimeter would meet this standard.

In an April 2007 report requested by Representative MARKEY and other Members, the Government Accountability Office (GAO) noted that the Department of Homeland Security is conducting pilot programs to test a number of currently employed technologies used in other areas of aviation and transportation security, as well as new technologies. These pilot programs include an air cargo security seals pilot, which is exploring the viability of potential security countermeasures, such as tamper-evident security seals. According to GAO, TSA anticipates completing its pilot tests by 2008. (GAO–07–660 Aviation Security). Before implementation of any TSA air cargo program relying on seals, a thorough, comprehensive assessment of the effectiveness of such seals will have to be conducted. Again, if such a system does not ''provide a level of security commensurate with the level of security for the screening of passenger checked baggage'' as required in the bill, it will not be in compliance with the congressional mandate in the final version of the bill, and therefore will be in jeopardy of being halted or modified by Congress to bring it into compliance with the law.

Another concern that has been raised is that a program similar to Certified Shipper that is

used by Customs and Border Patrol for ship cargo has frequently been criticized. Auditors have found that companies in this program are sometimes permitted to move their goods more quickly even though there is insufficient proof that they have a robust security system in place.

The program referred to above is called the Customs—Trade Partnership Against Terrorism (C–TPAT). I have criticized C–TPAT for many of the same reasons cited above. In fact, in addition to the air cargo screening requirement, the final version of the bill also includes a requirement that 100 percent of maritime cargo must be screened and sealed overseas before it arrives in U.S. ports. Clearly, with the inclusion of this mandate in the final version of the bill, Congress rejected C–TPAT as a substitute for 100 percent scanning of maritime containers. It did not intend, nor would it permit, a program for screening 100 percent of air cargo that is based on the flawed C–TPAT program.

By establishing the standard that TSA's system for screening 100 percent of cargo on passenger planes must *"provide a level of security commensurate with the level of security for the screening of passenger checked baggage",* the final version of the bill creates requirements much more stringent than the C–TPAT program. C–TPAT uses risk-based process, not mandatory, comprehensive screening. Specifically, C–TPAT security guidelines state that "C–TPAT recognizes the complexity of international supply chains and endorses the application and implementation of security measures *based upon risk* analysis. Therefore, the program allows for flexibility and the customization of security plans based on the member's business model. As listed throughout this document appropriate security measures, *based on risk,* must be implemented and maintained throughout the Air Carrier's supply chains" (emphasis added, http://www.cbp.gov/xp/cgov/import/commercial_enforcement/ctpat/security_guideline/guideline_air_carrier.xml)

The air cargo provision requires 100 percent screening, not risk assessment. The air cargo provision mandates screening of all cargo carried on passenger planes within 3 years. Under the air cargo provision in the conference report, no risk calculation is permitted to determine whether or which cargo to screen; rather, all cargo is presumed to present a risk and must be screened, just as all of passengers' checked bags must be screened under the current policy.

The C–TPAT program relies on data and manifest information, not physical checks. C–TPAT guidelines advise program participants in the procedural security measures they should use for the shipping and receiving of cargo. These procedures rely on data and manifest checks, not the physical screening of the cargo to determine and evaluate its contents. Specifically, the C–TPAT guidelines state that: "Arriving cargo should be reconciled against *information* on the cargo manifest. The cargo should be accurately described, weighed, labeled, marked, counted and verified. Departing cargo should be checked against purchase or delivery orders." (emphasis added)

Whatever system TSA establishes to implement the 100 percent air cargo screening requirement in the bill will be subjected to close congressional scrutiny to ensure that it meets the standard established in the bill; namely, the system must provide a level of security commensurate with the level of security for the screening of passenger checked baggage, as stipulated in the bill. Again, any TSA system that fails to meet this standard will not be in compliance with the congressional mandate in the final version of the bill, and therefore will be in jeopardy of being halted or modified by Congress to bring it into compliance with the law.

Mr. SESSIONS. Mr. Speaker, at this time I'd like to yield 4 minutes to the gentleman from Michigan (Mr. HOEKSTRA), the ranking member of the Intelligence Committee.

Mr. HOEKSTRA. Mr. Speaker, I think the last speaker set the perfect tone for what I'd like to talk about. He talked about the threat from al Qaeda and that high on their list is their desire to explode a nuclear weapon in the United States. I think their quote goes something along the lines, if, by the grace of God, we get access to a nuclear weapon, we will use it.

We know that in their writings they talk about they want to move the violence from what they call the outlying areas of the world, from the Middle East, from northern Africa, from Asia, and they want to move it to the core countries. And they define the core countries as being Western Europe and the United States. It's clear that they want to take every opportunity to attack the United States. And it's great to see one of my colleagues on the other side of the aisle acknowledge that threat. Sometimes I really believe, with the strategies that they are proposing, as to whether that threat is really perceived.

So what are we going to do in this bill?

I find it very ironic that as we move forward with this bill, we're going to give radical jihadists and al Qaeda more information about our Intelligence Community than what they have today. This bill says that we're going to tell al Qaeda, radical jihadists, and our enemies around the world exactly how much we spend in the intelligence community. If that makes us safe or makes us safer, I suppose that the next strategy will be, let's break it down and outline how much we spend in every category. Because if telling them the total number makes us safer, giving them even more detail probably makes us more safe, makes us safer yet.

Why would we want to tell al Qaeda more about what we are doing in the intelligence community?

And then the other question is, while we tell al Qaeda more about what our strategies and tactics are to confront them, we don't deal with the most pressing homeland security issue that we face today. Our intelligence community has significant gaps as we try to listen and determine what their plans and objectives and strategies are.

The Director of National Intelligence recently sent our committee a letter saying significant gaps exist in our intelligence. The National Intelligence Estimate that came out in the last week says that we are at a heightened level of threat. Things are more dangerous perhaps in the United States today than they were earlier this year. We've had this information since the middle of April, that because of changing circumstances and various other issues, this intelligence gap exists. We have this opportunity to change it.

So we know that we are at a heightened threat level. We know that there are gaps in intelligence. We are on the verge of passing this major bill, and we decide we're going to take this opportunity. We're going to use this as an opportunity to give radical jihadists more information about our Intelligence Community. But we are not, we are not going to provide the intelligence community with the legislation and with the opportunity and the authority to go in and listen to foreign intelligence by foreign terrorists who are located outside of the United States. They are in foreign countries.

I would encourage every single one of my colleagues to read the letter that Director McConnell sent to our Intelligence Committee. It is unclassified. You can see clearly in his statement that a gap does exist, that he does need to get a warrant, and that this is about foreign intelligence on foreign terrorists.

□ 1500

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1½ minutes to the distinguished gentlewoman from Texas, my good friend (Ms. JACKSON-LEE) of the Committee on Homeland Security.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished member of the Rules Committee for yielding.

I would like to say to my good friend the provision is simply a 2-year pilot that only indicates the amount of the Intelligence budget. We know how important intelligence is, but I think we need to look at the whole bill of H.R. 1. And many of us sometimes need to be reminded of the enormity of that day.

I am very glad to stand here and support the rule for H.R. 1, the 9/11 conference report, because it emphasizes unique and new approaches to security. How more comforted we are as travelers to know that cargo is being inspected in ports, consumers or those who understand how vulnerable ports are. I know it well. I have one of the larger ports in the United States in my community, the Houston port.

How many of us are more comforted about cargo being inspected in airlines. How many of us are more comforted by the fact that we will have transportation security grants that go directly to the transportation entities like buses, like airplanes, like subways, like mass transit, Amtrak, and others to focus on the traveling public.

How disappointed I am that we didn't recognize the hardworking people who

work for us every day that we could not give collective bargaining rights for the Transportation Security Administration workers. But we are getting better. We are going to do developmental training, professional training.

This is a bill to remind us of where we have come from and where we are going. Interoperability, incident command system.

And, finally, let me just say we lost lives on 9/11 because we were not prepared in terms of the intelligence community. We were not prepared in terms of supporting the law enforcement community. Today we are prepared. We shall never forget.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1½ minutes to the gentleman from Oregon (Mr. WU), who is chairman of the Science Subcommittee on Technology and Innovation.

Mr. WU. Mr. Speaker, I rise in support of the rule and of the conference report.

I was honored to serve on the conference committee. It was a good team effort. And as anyone in team sports knows, it takes a good offense and a good defense to make a good team. This bill takes important steps toward building a good defense, and good defense today is more important than ever because our offense has miscarried so badly.

There we were pursuing Osama bin Laden literally to the ends of the Earth, to Tora Bora, when this administration steered us off that course and into the cul-de-sac of Iraq.

This bill will build a better defense because we need it more than ever. We need this bill not just as legislation but as a reminder to carry forth with the oversight that this Congress has traditionally exerted.

The jurisdiction of my subcommittee and of the Homeland Security Committee over the Domestic Nuclear Detection Office is more crucial than ever as that body chooses technologies to protect this Nation going forward.

Eternal vigilance is the call for the day, and I am committed to exerting that vigilance going forward from this day.

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

Mr. HASTINGS of Florida. Mr. Speaker, at this time I am very pleased to yield 1½ minutes to a distinguished new Member of the U.S. Congress from Pennsylvania who is chairman of the Subcommittee on Management, Investigations, and Oversight (Mr. CARNEY).

Mr. CARNEY. Mr. Speaker, I would like to thank Mr. HASTINGS for the time.

I rise today in support of the rule, certainly.

I find it a little bit odd, perhaps curious, that our friend from Texas on the other side talked about security failures. This talks about fixing security failures. And I am very pleased with this bill and the bipartisan efforts to ensure our Nation's safety and to make our homeland more secure.

Since coming to Congress, one of the first things I have been concerned with is the interoperability question between first responders. The 9/11 Commission in effect cited this as one of the critical weaknesses in our security system. This bill addresses that failure and puts $1.6 billion, in fact, into fixing that and to addressing the problem over 5 years. This is critical for the urban areas and certainly for the rural areas that I represent.

The bill also contains measures to promote information sharing between local, State, and Federal law enforcement officers. This is another recommendation, something we must strengthen.

We have also strengthened efforts to prevent terrorist travel. The bill strengthens the Human Smuggling and Trafficking Center and adds personnel to it, again in direct response to the 9/11 Commission's recommendations.

The bill will also enhance the security in the transportation sector. We must do more to make our transportation infrastructure safe and this does that.

In closing, I urge all my colleagues to support this bipartisan effort to make our Nation safer and to vote in favor of the rule.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1½ minutes to another distinguished member of the Committee on Homeland Security, my very good friend from the Virgin Islands, DONNA CHRISTENSEN.

Mrs. CHRISTENSEN. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of the rule and the conference report on H.R. 1, which implements the recommendations of the 9/11 Commission. And I am proud to be associated with this bill as a member of the Homeland Security Committee and as a member of the conference.

I want to join my colleagues in applauding our committee Chair, BENNIE THOMPSON, for skillfully leading the House conferees and working with the Senate to reach a compromise between the Senate and House negotiators on this legislation that strengthens the safety of all Americans against terrorist attacks and catastrophic disasters.

H.R. 1 was the first bill we Democrats passed when we assumed leadership of this Congress, and this conference report fulfills our promise to fully implement the recommendations of the 9/11 Commission.

With this conference report, we will see greater distribution of homeland security grants for States, territories, and high-risk urban areas based on risk, while still ensuring that all of our districts have funds available for basic preparedness. It creates a dedicated grant program to improve interoperability at local, State, and Federal levels. The conference report requires 100 percent screening of maritime cargo within 5 years, and it also recognizes the important role that the private sector plays in securing our Nation by engaging the private sector to strengthen and secure 85 percent of the Nation's infrastructure.

Mr. Speaker, I also want to congratulate Leader PELOSI and all of our leadership for their steadfast commitment and dedication to making protecting our homeland one of the top priorities for Democrats.

I urge my colleagues to support passage of this conference report.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield at this time 1 minute to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Thank you, Mr. HASTINGS, for this time.

Mr. Speaker, I rise in support of the rule and the bill.

This is an important day in American history. Today the Congress will send to the President a bill that provides the framework for our homeland defense community and takes a giant leap towards that service.

On intelligence, cargo scanning, transportation grants, and a host of other issues, this bill reforms and enhances our existing structure to maximize our security.

In particular, I am pleased that we were able to add the Transportation Technology Center in Pueblo, Colorado, to the National Domestic Preparedness Consortium. As the Nation's premier rail security facility, adding this to the consortium will improve our Homeland Security Department's ability to train first responders.

I want to note the hard work of my colleague JOHN SALAZAR on this important issue, and I want to thank Chairman THOMPSON and the members and staffs of both sides of the aisle in crafting a bipartisan bill that will work for the American people.

Mr. HASTINGS of Florida. Mr. Speaker, I reserve the balance of my time until the gentleman has closed.

I would ask the Speaker how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Florida has 2 minutes remaining; the gentleman from Texas has 5 minutes remaining.

Mr. SESSIONS. Mr. Speaker, I will be asking for a recorded vote on the previous question for this rule. If the previous question fails, I will ask the House to amend the rule to provide for the separate consideration of H.R. 3138, which would amend the Foreign Intelligence Surveillance Act of 1978 to update the definition of electronic surveillance.

Mr. Speaker, our country is facing a serious problem that must be addressed before the House adjourns in August. And to date the Democrat majority has continued to shirk their responsibility

to keep America safe by ignoring the seriousness of this threat.

Today the Rules Committee met to pass a rule for the Eightmile Wild and Scenic River Act; however, this Democrat leadership cannot seem to find time to schedule consideration of legislation that clarifies one very simple and critical thing, and that is that the United States Government will no longer be required to get a warrant to listen to foreign terrorists who are not even located in the United States.

Mr. Speaker, repeatedly Members of this House have come to the floor for weeks and weeks and weeks asking for that ability to make sure we can get this done to protect the American people. The Director of National Intelligence, Michael McConnell, and the Director of the CIA, Michael Hayden, have testified to Congress that under current law their hands are tied. As Director McConnell recently testified, FISA is outdated and has been made obsolete by technology. I might also say, and the laws governing that. And today our intelligence community is forced to obtain warrants to listen to terrorists outside our Nation, and as a result we are actually missing, we are missing, a significant portion of what we should be getting. Mr. Speaker, it is one thing to be asleep; it is a different thing not to even wake up and see what you need to do.

If my colleagues on the other side of the aisle are serious about facing down the threat, they will join me in defeating the previous question so the House will be able to address this very real and serious threat immediately.

Mr. Speaker, I ask unanimous consent to include my amendment and extraneous materials in the CONGRESSIONAL RECORD.

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

There was no objection.

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

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

Mr. Speaker, you do know and every Member of this body does know that the 9/11 Commission Report was published in the year 2004. Since that time an election has occurred. Before that time and even before this 9/11 Commission Report came into existence, President Bush did not even want to appoint a 9/11 Commission. He came kicking and dragging and screaming to even cause it to come into existence. And the extraordinary work that has been done by Lee Hamilton and Governor Kean and the other members of that committee recommended to this body in 2004 that we undertake these measures.

So now we come here, and I ask them, what did you do before that? The answer is nothing.

Mr. Speaker, this body has a responsibility today to pass this rule and the underlying legislation. We can't afford to continue to procrastinate, as my colleagues did since 2004.

Today this new Democratic majority is delivering another piece of our Six for '06 promises. Today this Democratic majority is passing and sending to the President for his signature the 9/11 Commission's outstanding recommendations.

The fact of the matter is that bad people who want to do bad things will always try to find a way to succeed. This conference report ensures that we are doing everything we can here in the United States and abroad to stop that from happening.

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

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

AMENDMENT TO H. RES. 567 OFFERED BY MR. SESSION OF TEXAS

At the end of the resolution, add the following:

SEC. 2. That immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider the bill (H.R. 3138) to amend the Foreign Intelligence Surveillance Act of 1978 to update the definition of electronic surveillance. All points of order against the bill are waived. 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 on the bill equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence; and (2) one motion to recommit.

(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. HASTINGS of Florida. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1515

Mr. THOMPSON of Mississippi. Mr. Speaker, pursuant to the rule, I call up the conference report on the bill (H.R. 1) to provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 567, the conference report is considered read.

(For conference report and statement, see proceedings of the House of July 25, 2007, at page H8496.)

The SPEAKER pro tempore. The gentleman from Mississippi (Mr. THOMPSON) and the gentleman from New York (Mr. KING) each will control 30 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. THOMPSON of Mississippi. Mr. Speaker, I ask unanimous consent that all Members would have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. THOMPSON of Mississippi. Mr. Speaker, it is indeed historic, this conference report we have before us at this point.

Almost 3 years ago, 10 American patriots came forward and spoke with one unified bipartisan voice. What they said in their 567-page report fundamentally changed America's views of its security. Quite simply, Mr. Speaker, the 9/11 Commission did its job and told us what must be done to deter and prevent future terrorist attacks on our Nation.

When Congress didn't do its job to implement their recommendation, the 9/11 Commission stayed vigilant and formed the 9/11 discourse project. They did so, as they explained, because the perils of inaction are far too high and the strategic value of the Commission's findings too important for the work of the 9/11 Commission not to continue.

Unfortunately, the project's December 2005 report card found little progress was being made on addressing known vulnerabilities and gaps in our Nation's security. Still, Mr. Speaker, the 109th Congress did not do its job.

On January 5, however, at the direction of Speaker PELOSI, I introduced H.R. 1, a bill to complete the unfinished business of the 9/11 Commission, with 200 of my fellow colleagues. Today, I'm privileged to present a bipartisan conference report that finally fulfills the recommendations.

This report passed the Senate just last night before midnight by a vote of 85–8. When H.R. 1 is law, Mr. Speaker, Homeland Security grants will finally be allocated based on risk. Targeted communities will get the Federal help they so richly deserve. First responders will have interoperable communications. When H.R. 1 is law, information necessary to uncover terrorist plots will be exchanged between Federal and local law enforcement. Would-be terrorists will not be able to exploit the Visa Waiver Program. Privacy and civil liberties will be central in how we approach homeland security. Our rail, mass transit and aviation systems will be more secure. When H.R. 1 is law, 100 percent of U.S.-bound cargo will be scanned in a commerce-friendly manner.

Though I'm disappointed that collective bargaining and whistle-blower rights for TSA screeners were not included in the final report, I applaud Senator LIEBERMAN and the 42 other conferees who stood with us on this legislation. Their hard work, combined with the leadership of Speaker PELOSI, Majority Leader HOYER, assured that this effort came to fruition.

Frederick Douglass once said, ''The life of a nation is secure only while the nation is honest, truthful and virtuous.'' Thank you to the 9/11 Commission for exemplifying these values. And thank you to the 9/11 families, and everyone else who would not let us forget what was at stake if we did not act.

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

Mr. KING of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, at the outset, let me commend all the members of the Homeland Security Committee, especially Chairman THOMPSON, for the spirit of bipartisanship which did bring the floor to this moment right now, this conference report.

Having said that, I must take exception to a number of the statements that have been made here today, especially by the gentleman from Florida and his statements implying somehow that there has not been a significant amount of accomplishments since September 11, 2001.

Let me just recount some of them that were done prior to this. The enactment of the PATRIOT Act; the reauthorizing of the PATRIOT Act; the Intelligence Reform Act, which created the Director of National Intelligence; just last year, the adoption of the first-ever port security act; chemical plant security; restructuring FEMA; $1 billion for interoperability.

I really don't think it serves a purpose to somehow be suggesting that the Republicans, or any Member of this body for that matter, is holding back or in any way not doing all that is possible to protect our Nation against the threat of Islamic terrorism. For instance, the National Intelligence Estimate, when it was released last week, made a point of stressing that the greatly increased counterterrorism efforts over the past 5 years have constrained the ability of al Qaeda to attack the United States' homeland again and have led terrorist groups to perceive the homeland as a harder target to strike than on 9/11. These measures have helped disrupt known plots against the United States since 9/11.

So, Mr. Speaker, I don't think it does any purpose at all to downgrade the efforts made by this Congress and this administration. This should be a bipartisan effort, and I think a lot of the rhetoric today undermines that.

Having said that, I will be supporting this bill because, on balance, I believe there have been significant improvements made. I hope that next year and the year after and the year after that we continue to make improvements.

Now, there have been some failures. One of the main requirements, main recommendations of the 9/11 Commission was that jurisdiction be consolidated in one committee. That was not done. In fact, anyone who went to the first meeting of the conference committee, it was like the Tower of Babel. We had subcommittees and committees, and ranking members and committee chairmen. I think there were about over 60 people at a conference committee when there should have been four.

Having said that, I believe that this is something to work toward in the future. And I would hope that the Democrats, during the time that they still retain the majority, will work to consolidate that jurisdiction.

But some of the positive steps, on grant reform, I certainly agree with the gentleman from Mississippi on this, and I commend him for this. We did have long, involved preconferencing negotiations. And he worked with me and Senator LIEBERMAN and Senator COLLINS to come up with a grant formula which is far more based on risk than it was before. It's still not perfect, it was still a minimum that's going to be in there, but having said that, it's a significant advance over what we've had in the past, and I applaud him for that. I applaud the other members of the conference committee, and the bipartisan membership of our committee which passed similar legislation in 2005 and 2006, and now it has been brought to fruition. And I give Chairman THOMPSON credit for that.

Also, on another issue, which I'm very pleased is in this bill, and that's upon the issue of giving immunity to those who come forward and report suspicious activity. I want to thank my good friend, Mr. PEARCE, the gentleman from New Mexico who is here today, who was the first to initiate this legislation. Then we passed it here on the House floor in March. And so long as we're in a partisan mood today, I point out that a majority of Democrats voted against that. And last week, a majority of Democrats voted against it in the Senate. And to me it was unfortunate that we had to have 5 or 6 days of intense negotiations before the Democratic leadership finally intervened and brought about the insertion of that language into the conference report. But it is there; it gives immunity to those people who come forward and report what they see on good faith. And we learned on September 11, if you see something, say something.

We know that you cannot have enough FBI agents, you cannot have enough police officers to monitor the actions of Islamic terrorists. We need the eyes and the ears of millions of good Americans, and that's what this language protects.

Before I slow myself down, let me just say that at the conference committee from the other side, I want to commend Senator LIEBERMAN and Senator COLLINS. This was a true bicameral effort. And again, Chairman THOMPSON, we went through a number of, over a period of weeks, preconference negotiations, all of which were conducted in good faith. And I think the product today, again, while not perfect, is another step in the right direction, building on the steps of the previous 5½ years.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, I would like to suggest to Mr. KING that it would have been nice to have four conferees, but it was a 900-page bill, so we had 60. It worked, and I'm happy to see the process go forward.

I would like to yield 1 minute to the chairman of the Intelligence Subcommittee on Homeland Security, the gentlelady from California (Ms. HARMAN).

Ms. HARMAN. I thank the Chairman for yielding to me. I spoke on the rule

about the merits of this bill and commended him for the job that he has done leading the Homeland Security committee in this Congress.

I rise again to clarify something. It seems a shame to me that this good bill is being disparaged. Claims are being made that we have no ability now, under the Foreign Intelligence Surveillance Act, to intercept foreign-to-foreign communications. That is false. Foreign-to-foreign communications are not covered by the Foreign Intelligence Surveillance Act, FISA. We can intercept them, and we should be intercepting them vigorously right now. The question comes up only in circumstances when FISA is triggered because a U.S. person is involved. But in that circumstance, we should still intercept those communications, and we should then be getting emergency warrants, a limited number of individualized emergency warrants when an American is involved. That can happen now under FISA, which has been modernized many times since 9/11. If additional resources are needed to implement the emergency warrant section of FISA, legislation proposed by the Democrats on the Intelligence Committee last year should be enacted.

Mr. KING of New York. Mr. Speaker, I yield 3 minutes to the gentleman from California, the former Attorney General of California, a man who came back to Congress to combat terrorism, Mr. LUNGREN.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I have to say that I am very proud of this House and the work that it has done on a bipartisan basis over the last number of years, the intervening years since 9/11. That's why I was somewhat surprised by some of the comments, certainly from the gentleman from Florida, during the debate on the rule suggesting that nothing has been done since that time until we adopt this bill.

I support this bill. I think it does give us an improved state over what currently exists. But to suggest that we haven't done anything suggests to the American people that the billions of dollars that they have spent, as authorized by this House, the fact of the inconveniences they go through at airports, all the expenditures we've made with respect to increasing protections in aviation, in our ports, transit, and now what we are already doing with respect to chemical facilities is for naught.

And when we make those arguments, we tend to lose the support of the American people because they throw their hands up and say, no matter what you do, it doesn't make anything better. We ought to make it very clear, we are safer today than we were on September 10. We are safer today than we were 2 years ago, 3 years ago, a year ago. Are we safe enough? No. But to denigrate the efforts that have been made by good men and women in this body and the other body, the work that's being done by countless thousands of law enforcement individuals across this country, to denigrate the changes that have been made with respect to the cooperation between the intelligence community, the law enforcement community, and law enforcement communities on all levels, is nonsense. And more than that, it is detrimental to our effort to make this a safer country for the people we represent.

This bill is a good bill. It has its warts like anything else, but it's a good bill precisely because it builds on the achievements we have made over the last number of years.

I want to thank the gentleman from Mississippi (Mr. THOMPSON) for working on our committee in a bipartisan basis, as the gentleman from New York did during his tenure as Chair. I think we have established a good basis for bipartisanship in this committee, and I think we ought to bring that to this floor.

The American people should understand that the further we get away from 9/11 without having an attack on our land, the more difficult it is for us to continue to keep the vigilance up.

□ 1530

But the fact that we have succeeded does not mean the threat has diminished. In many ways, it is stronger, not because we have not done anything, but because the enemy is strong.

So I would say vote for this bill, take pride in this bill, but also take pride in the progress that has been made up to this point.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. OBERSTAR), one of the conferees, as well as the chairman of the House Transportation and Infrastructure Committee.

Mr. OBERSTAR. Mr. Speaker, I compliment Chairman THOMPSON on the superb work he has done as Chair of the Committee on Homeland Security. He is the right man at the right time in the right place. He has approached his responsibility with great sincerity and focus of purpose. He has accomplished a great deal, an enormous amount in his first year as chairman. He has defended the House position on the Homeland Security 9/11 Commission Report to the best of his ability against a rather obstructive other body.

I had great reservations about creating a Department of Homeland Security at its very outset. I opposed formation of the Department in 2002 on operational grounds. Four years later, I still question the Department's effectiveness in managing the responsibilities we have handed to it.

On signing the Homeland Security Act in 2002, the President said, ''Our objective is to spend less on overhead and more on protecting neighborhoods and borders and waters and skies from terrorists.''

In at least one respect, this bill doesn't meet that objective. The conference report authorizes new rail, public transportation, and over-the-road bus security grant programs that will provide historically high levels of funding for those modes of transportation. I am for that. I support those needed investments.

But in the House bill, we recognize that the most efficient way to administer these programs and get the money out to the recipients was to have the Department of Transportation and the Department of Homeland Security share those responsibilities.

The Department of Homeland Security in the House bill was to award grant funds based on risk and select grant recipients and then transfer those funds to DOT, which through the Federal Transit Administration administers $9 billion a year efficiently and effectively on time to transit agencies to disburse those grants with its already effective, award-winning distribution program.

Instead, in the conference, we met with nothing but obstruction from the other body. I offered several fair and sensible compromises: have the Government Accountability Office review the existing grant distribution programs of the two Departments and make recommendations; have the Inspectors General of the two Departments jointly certify that DHS was ready to distribute grant funds efficiently; and monitor and enforce the various grant certifications, including labor protections. That was rejected, as the previous was rejected. I offered for DOT to distribute the grant funds in the early years of the program to allow DHS to get up to speed and get an efficient program running. That was summarily rejected.

Now we are going to have the Department of Homeland Security and the Department of Transportation getting together and signing a memorandum of understanding. That is not going to work. This is a great mistake. It is misguided and works contrary to the best purpose of this Department.

Mr. KING of New York. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Speaker, notwithstanding the excessively partisan comments from the gentleman from Florida that did not serve this bipartisan, bicameral product well, I do want to thank Chairman THOMPSON and Ranking Member KING of the Homeland Security Committee for their hard work to bring this very fine bill together. As a member of the conference committee, I had an opportunity to see firsthand the extraordinary leadership these two gentlemen provided. I thank them for that.

This leadership really came together and really came to the forefront during the debate on the so-called ''John Doe'' provision. I vigorously applaud their efforts to make this immunity grant part of the bill. These provisions were made necessary because of an outrageous lawsuit that attempts to punish airline passengers and crew for

being vigilant. Contrary to what some might think, vigilance on the part of our traveling public is important, especially during a time when terrorists want to attack us both at home and abroad.

Above and beyond the ''John Doe'' language, this bill has noteworthy accomplishments. It allows a greater percentage of homeland security funds to be distributed based upon risk, and it authorizes funds for transportation security.

Further, as ranking member of the Subcommittee on Emergency Communications, Preparedness and Response, I was especially pleased that this report establishes a new grant program within the Department of Homeland Security that will promote the development of interoperable communications.

But while this bill has some good provisions, it does leave some 9/11 Commission recommendations and some 9/11 Commission business undone, especially in two important areas. First, it does not address the issue of congressional jurisdiction over the Department of Homeland Security, and it does nothing to promote the development of a comprehensive screening system for international travelers arriving at our borders.

Had the majority chosen to incorporate my Fast and Secure Travel Initiative into this legislation, we would have dovetailed very nicely with the transportation security provisions contained within the act. Frankly, that second recommendation would have satisfied completely.

Passage of this conference report, though, is another part of our continuing efforts to keep our homeland secure. It is a laudable step. But as you can see, there is still much more to do.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the majority leader of the House of Representatives.

Mr. HOYER. Mr. Speaker, I want to congratulate both Mr. KING of New York and the chairman of the committee, who I know worked very hard together in a bipartisan fashion to get us to a place where we all want to be. Where we all want to be is a safer America, a safer homeland, and safer Americans living here at home.

Mr. Speaker, this is a critically important day for this Congress and indeed for our Nation. We have no higher duty than to protect the American people, defend our homeland and to strengthen our national security. We know, nearly 6 years after the horrific attacks on September 11, 2001, that Osama bin Laden and the al Qaeda terrorist network continue to present a real, serious threat to the American homeland.

In fact, the most recent National Intelligence Estimate released just this month states: ''The group, al Qaeda, has been able to restore key capabilities it would need to launch an attack on U.S. soil: a safe haven in Pakistan tribal areas, operational lieutenants, and senior leaders.'' That is cause for concern for every one of us that represents the 300 million Americans in this country.

Thus, today, with this conference report implementing the recommendations of the bipartisan 9/11 Commission, we will be taking an enormous step forward in hardening our Nation's defense and combating and eliminating the terrorists who seek to harm us.

Let me say my friend, the gentleman from California, the former Attorney General of California, is correct. Steps have been taken, and these are taking additional steps. Unfortunately, as the gentleman knows, when we were assessed by the 9/11 Commission itself, it gave five Fs and 12 Ds to our performance up until last year. That does not mean we didn't do some things. We did some very good things, and we did them in a bipartisan fashion. He is right, we got 9 Cs and two incompletes for failing to implement fully the 9/11 Commission.

Today, we make this top national security priority, the first major bill that we considered in this Congress, H.R. 1, a reality, and I believe we will adopt the conference report which passed the Senate 85–8 with strong bipartisan support, as has been expressed on this floor.

This legislation, among other things, will substantially improve our homeland security by doing the following. I know it has been referenced, but we ought to repeat it, so the American public and all of our colleagues know what we are doing:

Significantly increasing the share of State homeland security grants provided on the basis of risk. Where are we most vulnerable? The gentleman, of course, from the New York area knows that very well. I know it as well, representing the Washington metropolitan area.

Requiring scanning of 100 percent of maritime cargo containers by 2012. The gentleman from New York, Mr. NADLER, has been working on this issue every day since 9/11, and I congratulate him for the efforts he has put in and the efforts that others have put in on this issue.

Requiring screening 100 percent of air cargo within 3 years. If the Transportation Security Administration cannot meet this goal, it must provide classified briefings to Congress on its process.

Withholding assistance to Pakistan for fiscal year 2008 until the President certifies that the Pakistani Government is cracking down on the Taliban. We still have a sanctuary for the Taliban. We still have a sanctuary for al Qaeda. We still have a staging area for al Qaeda. That is not acceptable because it continues to cause us great risk and danger.

Significantly strengthening the Cooperative Threat Reduction, Nunn-Lugar Program, and creating a new National Bio-Surveillance Integration Center which would support Federal efforts to rapidly identify and track biological threats.

Additionally, Mr. THOMPSON and Mr. KING have included in this conference report, it seeks to reduce extremism by enhancing the International Arab and Muslim Youth Opportunity Fund and establishing a Middle East Foundation that will promote economic opportunities, education reform, human rights and democracy in the Middle East.

Let no one, however, be mistaken: this legislation alone cannot immunize our Nation from attack. However, it does represent a very important step forward for our national security.

As former Congressman Lee Hamilton, the cochair of the 9/11 Commission, has noted, and again I quote: ''The bottom line is that when this legislation is enacted and implemented, the American people will be safer.''

That is their expectation of us; that is our duty to them and to the Constitution we have sworn an oath to defend. That must be our objective every day, and it is surely our responsibility.

I congratulate, again, Mr. THOMPSON, who has led this committee; Mr. KING, who has fought so ably over the years to make our country safer; and I urge the support on both sides of the aisle for this very critically important legislation.

Mr. KING of New York. Mr. Speaker, I applaud the bipartisan nature of the majority leader's remarks. I thank him personally.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Mr. Speaker, I rise today to speak on the conference report, H.R. 1. I did not sign the conference report, but I will vote for the bill today.

The bill promises security and offers the hope of closing remaining loopholes in our laws by enacting the remaining 9/11 Commission recommendations. But while on one hand it increases security, on the other it undermines it through a dangerous expansion of the Visa Waiver Program.

Whenever we allow a country to participate in the Visa Waiver Program, we take a risk of admitting foreign citizens without any State Department screening. I realize that the United States should be working toward close relationships with our allies in the war on terror, but it doesn't follow that we should turn a blind eye to those security risks involved with free access to those countries' citizens.

Richard Reid, the shoe bomber, and Zacharias Moussaoui, the 9/11 conspirator, both used this program to slip into our country without close scrutiny. And this bill continues that very troubling program.

Currently, countries must undergo strict evaluation before being admitted into the program. The U.S. does not admit countries whose citizens have a

high percentage of overstaying their visas. However, this bill gives the Secretary of Homeland Security the choice to ignore a country's visa overstay.

The president of 9/11 Families for a Secure America, Peter Gadiel, has said that 9/11 families have grave concerns about Congress expanding the Visa Waiver Program. As part of the Homeland Security Appropriations Act this year, I voted with 76 of my colleagues to eliminate that program altogether.

□ 1545

Reluctantly, I will vote for the conference report today, and I urge my colleagues to pressure the Speaker to adopt a separate bill on the Visa Waiver Program so Americans can be better protected.

Mr. THOMPSON of Mississippi. Mr. Speaker, I am proud to yield 1 minute to the Speaker of the House.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding, and I thank him for making us so very, very proud of his chairmanship, Mr. THOMPSON's chairmanship of this very important committee. Homeland security is as local as our neighborhoods and our front porches and as national as our interests wherever they are threatened throughout the world.

I rise today in strong support of this legislation to make the bipartisan independent 9/11 Commission recommendations into law. With this bill, we will be keeping our promises to the families of 9/11. We will be honoring the work of the 9/11 Commission, and we will be making the American people safer.

I salute the steadfast leadership of so many of our colleagues; as I mentioned, Chairman THOMPSON and the distinguished ranking member, Mr. KING. Thank you for your leadership, Mr. KING, as well. I also want to acknowledge Chairmen LANTOS, DINGELL, CONYERS, OBERSTAR, SKELTON, MARKEY and NADLER, who played an important role in the conference report, as well as all of your ranking members, Mr. KING, on the Republican side.

Mr. Speaker, 3 years ago this week the bipartisan and independent 9/11 Commission released its report outlining urgent and achievable recommendations for securing our Nation. Under the outstanding leadership of Chairman Tom Kean and Vice Chair Lee Hamilton, the 9/11 Commission presented a road map to protect the American people from terrorism.

In assuming power, Democrats promised a new direction for America, and nowhere was that new direction more critical than ensuring the safety of the American people. That is why on the very first day of the new Congress, our very first legislative act was to pass H.R. 1, the 9/11 Commission recommendations. It was our highest priority, to make the American people safer, and we passed it on the first day in our first legislative act.

Today we will pass the final version of this bipartisan bill. We will send it to the President for his signature which we expect he will apply to it. And when we do, we will have done in 6 months what previous Congresses failed to do in nearly 6 years.

We could not have accomplished this without the courage and determination of those whose loved ones were lost on September 11. The families of 9/11 turned their grief into strength and advocacy, and that made America safer.

Implementing the recommendations will fundamentally change the way the President and the Congress deal with matters related to terrorism, making us more unified and more effective. This is because this bill closes loopholes and weaknesses that terrorists seek to exploit and that leave Americans vulnerable.

I know others have addressed these, but in commending the committee in a bipartisan way, I want to highlight some of the important things that make America safer.

Federal funding for homeland security will now be focused on those parts of the country that are at the greatest risk. By securing loose nuclear material abroad, this bill will help prevent terrorists from acquiring weapons of mass destruction. That is a very, very important issue.

Our bill requires that 100 percent of shipping containers be scanned and sealed abroad before they ever reach our shores and move through our waterways and across the country. Mr. NADLER, thank you for your exceptional leadership and your persistence on this matter. 9/11 occurred in your district, and you have been a relentless advocate for safety for all Americans.

It also requires the screening of 100 percent of cargo on our passenger aircraft, a provision again relentlessly pursued by Congressman MARKEY.

We know that lives were lost on 9/11 because our first responders were not able to communicate with each other in real-time. This bill makes a $1.6 billion investment in the equipment for our fire fighters, police and other emergency personnel, the equipment they need to communicate with each other more effectively to protect us and for them to protect each other.

These are just but a few provisions of the bill. Others have referenced a more extensive list; each of them is very important.

Mr. Speaker, as we learned in the National Intelligence Estimate released last week, the threat of terrorist violence against the United States is growing. Al Qaeda is gaining strength, and Osama bin Laden continues to elude capture. There is not a moment to spare to take the steps necessary to keep the American people safe.

With this bill, we are honoring our solemn responsibility to protect and defend the American people. We take that as our oath of office, to protect the Constitution and, in the preamble, to provide for the common defense as a major charge to us. I urge my colleagues to support this legislation and the President to sign it.

I thank my colleagues again, Mr. THOMPSON and Mr. KING, for bringing this legislation to the floor.

Mr. KING of New York. Mr. Speaker, I thank the Speaker of the House for her bipartisan comments, and I yield 2½ minutes to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I rise today in support of the conference report to H.R. 1. I want to commend Homeland Security Chairman THOMPSON and Ranking Member KING and others for their good work on the bill. I support the conference report because I believe it will improve America's security.

I sought a seat on the Homeland Security Committee so I could continue the bipartisan efforts to further strengthen our Nation's homeland defenses. I was disappointed, extremely disappointed, that this bill bypassed our committee earlier this year and was brought to the floor without the opportunity for amendment and time for meaningful debate that these serious subjects deserve.

The conference report is, however, an improvement over the House bill. Although I don't have time to cover all of the provisions, I am pleased that Ranking Member KING's commonsense proposal to provide civil immunity to good Samaritans who report suspicious activity is now included in this measure.

I am heartened that the conference report includes two proposals that I made that were included in the rail and public transportation security bill the House passed earlier this year. The first will require the security coordinators who are developing and implementing rail security plans to be American citizens, which makes sense since U.S. citizenship is required for individuals seeking security clearances for access to classified information and materials.

The second will require the physical testing of rail tank cars used to carry toxic-inhalation hazardous materials to determine how best to secure them from attack, and more accurately, a modeling analysis to better understand the real-world consequences and most effective manner to mitigate the release of such dangerous materials.

Mr. Speaker, I believe this is a good bill that could have been better if we had followed regular order and given Members of the House and the Homeland Security Committee our rightful opportunity to fully review and revise its contents. I hope the majority gives us that opportunity in the future.

I think this bill is a step in the right direction. Therefore, I urge adoption by this body and enactment by the President.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. REYES), the chairman of the House Intelligence Committee.

Mr. REYES. Mr. Speaker, I thank the gentleman for yielding me time, and I

want to congratulate my good friend, Mr. THOMPSON and Ranking Member KING for a great job on this legislation.

Prior to coming to Congress, I served proudly in the United States Border Patrol for 26½ years, including 13 years as a sector chief in Texas. As the only Member of Congress with experience in defending our Nation's borders, I have firsthand knowledge about what is needed to keep America safe.

As a former law enforcement officer, I have long advocated for better communication between agencies in the field. I am pleased that H.R. 1 establishes a stand-alone interoperability grant program which will allow improved emergency communication capabilities among our Nation's first responders.

H.R. 1 also enhances State and local intelligence ''fusion'' centers, places a high priority on border intelligence, and modernizes the Visa Waiver Program, a critical element of our homeland security defense.

I was appointed to the Intelligence Committee before the tragic events of 9/11, and today I proudly serve as the committee chairman. H.R. 1 takes a step to close the gap and implement several 9/11 Commission recommendations, including the declassification of the intelligence top-line funding figure. It requires disclosure of the intelligence top-line for fiscal year years 2007 and 2008, but not until 30 days following the end of the respective years. Starting in 2009, the administration may decide not to disclose the amount if it provides a written justification to Congress.

As the 9/11 Commission found, such declassification of the overall number would not disclose exactly how we are investing in specific capabilities, would not reveal intelligence sources and methods, and would not advantage our enemies. Instead, it simply provides greater transparency to American taxpayers.

The conference report also extends the Public Interest Declassification Board and mandates that CIA declassify to the maximum extent possible the congressionally mandated 9/11 accountability report. These provisions further underscore the high priority supporters of H.R. 1 have placed on striking the proper balance between protecting our most sensitive intelligence secrets and ensuring greater accountability, openness and transparency.

Overall, the report reflects thoughtful legislative drafting, and I strongly urge all of my colleagues to support this conference report.

Mr. KING of New York. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HERGER).

Mr. HERGER. Mr. Speaker, I intend to support the conference report; however, I want to share my serious concerns over a provision requiring all foreign ports to scan 100 percent of commercial cargo destined for the United States.

First, this policy was not recommended by the 9/11 Commission. Instead, it called for selecting the most practical and cost effective ways of improving security focusing on areas of greatest risk. I believe 100 percent scanning would undermine our current risk based approach as endorsed by the SAFE Port Act last fall, which I supported.

We are also putting the cart before the horse given the ongoing SAFE Port Act pilot project that tasked 100 percent scanning at three foreign ports. This is testing our technological ability to scan all cargo and the effectiveness of doing so. Implementing 100 percent scanning could significantly disrupt trade flows and lead to similar mandates or other actions against U.S. exports in our ports.

Finally, I wonder who will pay for this mandate inside and outside the United States. We must monitor developments leading to the implementation of 100 percent cargo scanning in 5 years and assess if legislative changes are needed.

I also will be watching to see how U.S. shippers, importers, retailers, and our trading partners are able to comply with the mandate.

Mr. THOMPSON of Mississippi. Mr. Speaker, I am happy to yield 2½ minutes to the next speaker, who perhaps can answer some of the questions raised by the previous speaker, the gentleman from New York (Mr. NADLER), who has been a champion of inspection and screening ever since he has been here. As the Speaker indicated, his district was hit on 9/11.

□ 1600

Mr. NADLER. Mr. Speaker, I rise in support of this conference report.

The bill contains several critical homeland security improvements that have been mentioned before. I won't mention them because I want to concentrate on the 100 percent scanning that the gentleman from California opposed.

I have pushed for the 100 percent scanning for almost 5 years. The language in this bill is modeled on the language that I introduced 2 years ago, along with Mr. OBERSTAR, in the SOS, Sail Only if Scanned Act, which was then supporter afterwards by Mr. MARKEY.

As we just heard, the Republicans have opposed this. The Republican leadership opposed it, and last year, it failed on practically party-line vote. This year, it passed on a practically party-line vote, and I thank Mr. THOMPSON and I thank our leadership for making sure that this was included in the conference report.

Twelve million containers a year come into our ports. Our risk-based inspection inspects 6 percent of them. That leaves 94 percent of the 12 million containers uninspected, any one of which could have a chemical or nuclear or radiological bomb inside it and we wouldn't know. We must inspect them, or electronically scan them to be precise, before they're put on a ship bound for the United States in the foreign port if we're going to be safe. We can do it.

Yes, this wasn't included in the 9/11 Commission report. This bill improves upon the 9/11 Commission report, and I commend the Democratic leadership of this House and of the Senate for doing that.

We are told it's impractical. It is not impractical. The technologies exist for doing it. There are three or four different technologies that exist for doing it. When we were told last year that the tamper-proof seals didn't exist, General Electric had a van across the street from the Rayburn House Office Building showing three different models of the tamper-proof seals that sold for $50, $100, and $150 at the same time.

This is eminently doable and it must be done. A few years ago, I debated Mr. ROGERS who said we will inspect the high-risk containers. I said, wonderful, they'll put the bomb in the low-risk container. The fact is there is no such thing as the low-risk container. The most reliable shipper with the best record, all it takes is one driver on his way from the factory to the port to have lunch and someone replaces a television set with a nuclear bomb or vice versa in the container.

This is a great step forward. It will greatly enhance the safety of this country. I urge that we adopt this, and I thank the leadership of this House for their steadfastness in supporting this very essential measure.

Mr. KING of New York. Mr. Speaker, I yield 3¼ minutes to the gentleman from New Mexico (Mr. PEARCE) who is the initial author of the John Doe immunity legislation.

Mr. PEARCE. Mr. Speaker, I thank the gentleman from Mississippi and gentleman from New York (Mr. KING) for their work for homeland security because it is truly a bipartisan issue. It was my privilege to serve on the committee with both of them in a previous Congress, and I miss that service during this current Congress.

I rise today to compliment the majority for yielding to the will, the will of the American people, because the provision that does protect John Does from lawsuits was curiously stripped out of the conference report previously. I'm pleased, though, that today's final conference report includes those provisions protecting John Does from lawsuits for reporting suspicious activity.

In March, Mr. KING and I teamed up as the House passed the sense of my Protecting Americans Fighting Terrorism Act as the motion to recommit to the Rail and Transportation Security Act, H.R. 1401, by a 304–121 margin. Again, that was 304 ''yeses'' to 121 ''noes.''

Today, we finally adopt and send this provision, along with this bill, to the President, something that is not only a right step but a critical step.

This provision will make America safer, will make Americans more aware

of terrorist activity and will show the terrorists that we are standing strong in the war on terror.

Ever since 9/11, law enforcement agencies have been telling the American people that they should immediately report suspicious activity that they see. Citizens are on the front line of our domestic war on terror. Our Founding Fathers declared eternal vigilance be the price of liberty.

It was Brian Morgenstern, an alert American, who stopped the Fort Dix terrorists by speaking up and reporting what he saw on videotapes.

It was an alert ambulance crew in June who noticed the Haymarket car bomb in London, England. However, terrorists and their supervisors are trying to use our freedoms against us.

On 9/11, the hijackers knew how the crew on the plane would respond and used that knowledge against them to carry out their attacks. Last November, 6 imams who behaved in manners and methods similar to those 9/11 terrorists were reported to authorities. Now, those six imams are using our courts to terrorize the Americans who reported their behavior.

The John Doe provision in this act will simply help stop this terrible shakedown of alert and responsible Americans. If we are serious about fighting terrorism, if we are serious about protecting Americans and asking them to help protect each other, then we need to pass the provision that is in this bill today.

I know most Americans were shocked to know that this simple, commonsense issue became an issue of partisan sniping. We should have never had to fight over this provision.

Today, we're going to make a choice. The Israelis said it best, There's no room in the world for political correctness. Today, we're going to make that choice, choosing political correctness or securing the American people. We will tell the trial lawyers you cannot terrorize Americans in our courts.

Vote ''yes'' on this conference report. I thank the gentlemen both for their work.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2 minutes to a member of the Homeland Security Committee, the gentleman from North Carolina (Mr. ETHERIDGE).

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

Mr. ETHERIDGE. Mr. Speaker, I rise in strong support of this conference report, the Implementation of the Recommendations of the Bipartisan 9/11 Commission, and commend the chairman, Mr. THOMPSON, and the ranking member, Mr. KING, for their hard work. We would not be here today had it not been for their diligence and hard work and the leadership of our committee. And certainly, as has already been said today, Congress cannot wait for another attack like 9/11 to take the steps to protect our Nation from terrorists, and I thank them for their efforts.

This legislation improves homeland security. It empowers our communities to respond to threats, and it enhances interoperable communications and begins to restore America's moral leadership in the world.

Homeland security begins with hometown security, and local funding provided by this bill makes our entire Nation more secure.

Specifically, the bill provides States with more than $3 billion over 5 years to provide all hazardous preparation and response assistance.

Mr. Speaker, as a former State school chief in North Carolina, and a proud member of the Homeland Security Committee, I am particularly proud that this bill specifically strengthens school security. The legislation emphasizes the need for resources to protect our school children and plan for emergency response for our schools. And it contains a provision that I offered directing the Department of Homeland Security to study this related to school buses and school transportation.

Just last week, the National Intelligence Estimate gave us a stark warning that we cannot afford to be complacent in the face of rising Islamic extremism and threat of terrorist violence.

Mr. Speaker, the American people want bipartisan action and I commend this report.

Mr. Speaker, I rise in strong support of this Conference Report to H.R. 1, and I urge all my colleagues to join me in voting to pass this vitally important legislation to implement the recommendations of the bipartisan 9/11 Commission.

In the immediate aftermath of the tragedy of 9/11, our Federal, State, and local governments worked to improve preparedness and our security. The work that we have done since then has made our country safer, but there is much more yet to do.

Keeping all Americans safe must be the top priority of the government. Congress cannot wait for another attack to take steps to protect our nation from terrorism. The legislation that I hope my colleagues will join me in supporting today improves homeland security, empowers our communities to prepare for and respond to all threats, and begins to restore America's moral leadership throughout the world. It reflects bipartisan work on the part on the part of this Congress and implements many of the recommendations of the bipartisan 9/11 Commission. These provisions will make our Nation stronger and safer.

The bill fixes grant programs for first responders, and takes all-hazards risk-based approach to our homeland security spending. It will provide critical funding and equipment to our communities to implement state homeland security plans, protect mass transportation, and enable first responders to communicate with each other during a terrorist attack or other emergencies. It improves intelligence and information sharing among agencies, and ensures a unified response to all threats. Homeland security begins with hometown security, and these local resources make our entire nation more secure. Specifically, the bill provides states more than $3 billion over 5 years to provide all hazards preparation and response assistance.

Others have spoken about the provisions that provide 100 percent scanning of cargo, prevent the proliferation of WMD, and advance our democratic values—these are vital and important provisions we can all be proud of. As the former State schools superintendent in North Carolina, and North Carolina's only member of the Homeland Security Committee, I am particularly proud of the fact that the legislation emphasizes. the need for resources to protect our school children and plan for emergency response at our schools. It also contains my provision directing the Department of Homeland Security to study risks related to school buses and other school transportation. These details are evidence of the comprehensive nature of this bill, which preserves and strengthens our national response to all threats to homeland security.

Just last week, the new National Intelligence Estimate gave us a stark warning that we can not afford to be complacent in the face of rising Islamic extremism and the threat of terrorist violence. This legislation continues Congress' commitment to keeping America safe.

Mr. Speaker, the American people want bipartisan action to provide real solutions for a safe and secure country, and I urge my colleagues to join me in voting to approve this conference report.

Mr. KING of New York. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. MCCAUL) a former member of the Joint Terrorism Task Force.

Mr. MCCAUL of Texas. Mr. Speaker, I want to commend the chairman and ranking member for their bipartisan spirit on this bill. It was an honor and I was proud to be a conferee to this report.

This is not a perfect bill. We raised concerns at the conference regarding the 100 percent screening for cargo containers, and I don't believe that's a realistic assessment. However, there were enough exceptions to give the Secretary flexibility that I felt comfortable.

Also, the Visa Waiver Program which the terrorists have exploited. However, under this bill, those provisions will be strengthened.

But nearly 6 years after the attacks of September 11, I believe it is now time to implement the 9/11 Commission's recommendations, but I want to focus my remarks at this moment on a unique opportunity we had with this bill and with the conference to address a gaping loophole in our national security, and that is regarding the FISA statute and FISA reform bill.

When I worked in the Justice Department, I worked on national security wiretaps, or FISAs as they were referred to. I believe that intelligence is our first line of defense in this war on terror, and the 9/11 Commission recognized this when they said there were systematic problems with covering communications of potential terrorists.

Just recently, Director McConnell wrote a letter to Chairman REYES of the Intelligence Committee, and I think it's important to know what he said. He said: ''Our Nation faces an intelligence 'gap,' a situation in which

our intelligence community everyday is 'missing a significant portion of what we should be getting' in order to protect the American people.

''Under FISA today, 'we are significantly burdened in capturing overseas communications of foreign terrorists planning to conduct attacks inside the United States.' ''

As the head of the Nation's intelligence community, he says that, ''I am obligated to provide warning of threats of terrorist activity and I have deep concern of the current threat situation.''

Indeed, the National Intelligence Estimate, recently published, concluded that our Nation faces a determined al Qaeda.

''If we are to stay a step ahead of the terrorists and protect the American people,'' he says, ''I firmly believe that we need to be able to use our capabilities to collect foreign intelligence about foreign targets overseas without the requirements imposed by an out-of-date FISA statute.

''Simply put,'' he says, ''in a significant number of cases,'' this is the Director of National Intelligence, ''we are in the unfortunate position of having to obtain court orders to effectively collect foreign intelligence about foreign targets located overseas.''

He says, ''It is essential that the administration and Congress work together and without delay to close the current intelligence gap by amending the FISA statute.''

I will say that every day we waste by not amending the statute and closing this gaping loophole in our national intelligence law, every day we take a risk of another attack on the United States, and I call upon my colleagues on the other side of the aisle to work with us to get this done before we go home for the August recess.

Mr. THOMPSON of Mississippi. Mr. Speaker, I'm proud to yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY), who's also a member of the Homeland Security Committee.

Mrs. LOWEY. Mr. Speaker, I thank the distinguished chairman for your important leadership on this committee and to the ranking member. It's been a pleasure for me to work cooperatively in a bipartisan way.

I rise in strong support of the conference report which will make us safer by increasing the amount of risk-based homeland security grants, screening 100 percent of maritime and aviation cargo and improving intelligence collection and information-sharing capabilities.

I would also like to highlight the title on interoperability grants which completes the three-pronged interoperability proposal I put forward following September 11.

The dedicated grant program will significantly enhance the ability of public safety agencies to plan, build, and maintain communications networks as they will no longer have to make impossible decisions such as whether to purchase personal protective equipment or radios. It will ensure that first responders will have more advance resources than those used by Paul Revere.

This bill is a great victory for first responders.

I rise in strong support of the conference report, which implements many of the 9/11 Commission's recommendations, actions that should have been taken years ago.

As a member of the Homeland Security Committee and the conference committee that resolved differences with the Senate, I know that many of us put a great deal of work into creating this legislation. I would like to thank Chairman THOMPSON and Ranking Member KING for their tireless work. I would also like to thank our leadership for making this the House's top priority.

I would like to briefly outline a few of the many reasons why this bill makes our country safer. First, it mandates 100 percent scanning of all maritime cargo before it enters the U.S. The current system of scanning only some cargo when it has already entered the U.S. is inadequate. Al Qaeda and other terrorist organizations must be prevented from using a maritime cargo container to conceal a nuclear weapon.

Many have stringently opposed this provision and have stated that they will not support the conference report because of the perceived impact on business. I would respond to this argument by stating the job of Congress is to protect the American people, not stand in the way of commonsense security measures to make it easier for the business community to ship containers. The cost to scan each container is minimal compared to the cost of value of goods shipped in each container. And the cost is nothing compared to the consequence of what would happen if terrorists were able to detonate a nuclear weapon in the U.S.

Second, the bill greatly enhances aviation security efforts. Today, a great deal of cargo is placed on commercial aircraft without being screened. The bill closes this security loophole. It also authorizes $450 million per year for in-line explosive detection systems and provides a process for passengers who have been misidentified and placed on the ''no-fly'' or ''selectee'' lists to clear their names.

Third, it augments intelligence collection and information sharing. The bill properly organizes intelligence gathering agencies within the Department of Homeland Security, DHS, to enable them to better communicate potential threats with local first responders. One of the best ways to prevent an attack is to increase our intelligence gathering capabilities. This bill will help to provide assistance to State and local fusion centers and counter-terrorism officials. The excellent work of the New York Police Department's counter-terrorism division to detect and prevent potential terrorist plots exemplifies what can be accomplished by local law enforcement agencies.

Fourth, the bill advances our efforts to identify and protect critical infrastructure, one of the fundamental purposes of the Department of Homeland Security. The conference report includes provisions I proposed to review and update the National Asset Database and the subset National At-Risk Database. It also requires the Department to conduct annual critical infrastructure vulnerability assessments.

These are only four of the many examples of how the bill makes our country more secure. I would like to detail two particular provisions which have been two of my highest priorities since the September 11 attacks—interoperability grants and the first responder funding formula for homeland security grants.

Title III of the conference report completes the three-pronged interoperability proposal I first put forward following September 11. The Department of Homeland Security now has an office that coordinates first responder emergency communications efforts. It is in the process of implementing a national communications strategy, and this bill creates an interoperability grant program.

Communications problems have plagued first responders in every major emergency in the last 15 years. We witnessed this 12 years ago in Oklahoma City. It resurfaced at Columbine in 1999. It slowed our response to Hurricane Katrina in 2005. On September 11, it proved to be a deadly problem.

Of the 58 firefighters who escaped the North Tower of the World Trade Center and gave oral histories to the Fire Department of New York, only three heard radio warnings that the North Tower was in danger of collapse. We will never know how many of the 343 firefighters who died that day while heroically rescuing thousands of workers were in the North Tower. Nor will we know how many of these lives would have been spared if they had had effective, interoperable communications equipment to receive the evacuation order.

The provisions in the emergency communications grant title are long overdue. More than 10 years ago, the Public Safety Wireless Advisory Committee stated that, ''unless immediate measures are taken to promote interoperability, public safety agencies will not be able to adequately discharge their obligation to protect life and property in a safe, efficient, and cost effective manner.''

The 9/11 Commission included interoperability as one of its recommendations and the Public Discourse Project found that the Federal Government had made minimal progress on this priority. This legislation finally responds to the widely acknowledged vulnerabilities posed by poor communications capabilities.

A dedicated grant program, which I first proposed following September 11, will significantly enhance the ability of public safety agencies to plan, build, and maintain communications networks as they will no longer have to make impossible decisions such as whether to purchase personal protective equipment or radios.

This bill will not solve all of our interoperability problems. However, it will help to ensure that in the next emergency, our first responders are not left to the same strategies used by Paul Revere in 1775, which was sadly the case during Katrina just 2 years ago. This is a great victory for first responders.

A second item which I have been fighting for years to improve is the first responder funding formula. Title I of the conference report increases the percentage of DHS grants that are allocated on the basis of risk. For far too long the Department has awarded 40 percent of formula grants to State governments without any consideration of risk. The conference report will eventually lower this amount to 18.52 percent in 5 years.

On four occasions, the House passed legislation to increase the amount of risk-based

funding, including an amendment that I added to the USA PATRIOT Act Reauthorization bill. The compromise we are considering today, while far from perfect, is the product of several years of negotiations between the two chambers. Even with the conference report, I will continue my efforts to improve the manner in which grants are awarded.

As the old saying goes, an ounce of prevention is worth a pound of cure. After September 11, we experienced the cost of not being adequately prepared—the loss of almost 3,000 lives and tremendous economic impact. We must distribute homeland security funding on the basis of risk now so that areas most at risk have the resources to prevent and effectively respond to any potential attacks.

Attacks against New York, Madrid, London, and Mumbai illustrate that terrorists target the areas in which they can inflict the most damage. The Federal Government's efforts to prepare and respond to terrorism should reflect this reality. In addition, Hurricane Katrina highlighted the need to allocate resources to the areas most vulnerable to any type of emergency situation. We cannot afford to use homeland security funding as a type of revenue sharing.

This was one of the most prevalent recommendations from the 9/11 Commission. In 2005, the Commission gave the Federal Government an ''F'' for failing to allocate funding where it is needed. Had the provisions in the conference report been implemented prior to the date the report card was issued, this grade would have been better.

Regardless of the amount of the percentage of risk-based funds, the Department must do a better job calculating risk. In the Fiscal Year 2007 Homeland Security Grant Program allocation process, the Department made many decisions that resulted in awarding what were supposed to be risk-based funds to areas that do not face a high threat of being attacked. I plan on introducing legislation that would improve the manner in which DHS calculates risk and awards funds, strengthening the first responder funding formula provisions in this conference report.

In addition, I am disappointed that the conference report dropped the provisions that would have provided collective bargaining and other worker protections for Transportation Security Officers (TSOs). These provisions were included in both the House and Senate versions of the bill but were dropped from the conference report due to the President's misguided veto threat.

Transportation Security Officers are on the front lines protecting our airports and airplanes. They should be given the basic worker protections enjoyed by other DHS personnel. They perform a crucial and often grueling job that requires training, experience, and patience. We need workers who have mastered the job and will make a career of helping to protect the flying public and our skies.

That is why I am introducing stand-alone legislation today to provide the 42,000 screeners with basic worker protections. This would replace the increasing turnover and dissatisfaction with professionalism and a career path our screeners will pursue long-term. Highly trained and seasoned TSOs are part of our smart, comprehensive, and cost-effective efforts to prevent terrorist attacks and protect America's transportation system.

In its July 2004 report, the 9/11 Commission concluded that we are safer than we were prior to September 11, 2001, but we are not safe. The same is true today. While we will never be able to eliminate all threats or vulnerabilities, the implementation of this conference report is a substantial step forward.

Mr. KING of New York. Mr. Speaker, could I inquire as to how much time remains.

The SPEAKER pro tempore. The gentleman from New York has 6½ minutes remaining, and the gentleman from Mississippi has 11½ minutes remaining.

Mr. KING of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS), a member of the committee and an outstanding spokesman on this issue.

Mr. SHAYS. Mr. Speaker, first, I'd like to thank the 9/11 families for their work on this legislation, their faith in their country, their love for their country. During the debate on the rule, I had to walk out, it was getting so partisan. So I want to thank STENY HOYER for bringing us back to a sound basis for debate and appreciation that this is a bipartisan problem with a bipartisan solution.

Next, I want to thank former chairman PETER KING for his outstanding work as chairman, never making this a partisan issue, and to Chairman BENNIE THOMPSON for their work on a bipartisan basis on this legislation.

□ 1615

As co-Chair of the 9/11 Caucus with CAROLYN MALONEY, we fought hard in the previous Congress to pass the Ensuring Implementation of the 9/11 Commission Report Act, which this legislation is based on. I appreciate the fact that this majority has finally brought this legislation to completion and they should be congratulated.

I particularly want to thank CAROLYN MALONEY for her work helping to create a Department of Homeland Security, her work to help create the 9/11 Commission, her work to help create a Director of Intelligence, and her work now on this legislation, which, frankly, she is not getting enough credit for. She worked on this for a long period of time.

There are many provisions in this bill that we should be proud of: the risk-based grants; the John Doe provisions; the interoperability grants; the intelligence and information sharing; the rail, bus and mass transit security grants; the 100 percent inspection of air cargo, which ED MARKEY championed, and I was his Republican co-sponsor in this effort; and the 100 percent inspection of the maritime cargo. It is important that we do it. We will have to monitor that.

I particularly want to point out the Privacy and Civil Liberties Oversight Board work improvements that CAROLYN MALONEY and I particularly had legislation on. This bill removes the Privacy and Civil Liberties Board from the Executive Office of the President and establishes an independent agency. It grants subpoena power to the board for obtaining information. This was an important provision.

The critical infrastructure provision and the private sector preparedness, the whistle-blower protections. Congratulations, Mr. THOMPSON and Mr. KING on the legislation you have worked on.

Let me conclude by saying this: There are clearly more than one inconvenient truth facing us. The one that Al Gore talks about in global warming is a real concern; it is inconvenient.

There is another inconvenient truth; it's what the 9/11 Commission talked about, and that's Islamist terrorism. This bill is a wake-up to that concern.

Mr. Speaker, as Co-Chairman of the 9/11 Commission Caucus with my colleague, Representative CAROLYN MALONEY, I am grateful the conference report on H.R. 1, legislation to implement most of the remaining 9/11 Commission Recommendations, is on the House floor today.

This legislation will take many important—and overdue—steps toward protecting our homeland, including requiring the screening of cargo on passenger planes; improving cargo screening at our ports; strengthening the Privacy and Civil Liberties Oversight Board; distributing homeland security funds based on risk; and improving interoperability for first responders.

Over a year ago, the 9/11 Public Discourse Project graded the federal government on implementation of the 9/11 Commission recommendations, issuing a failing, near-failing or average grade for action on 27 of their 41 recommendations.

As a result, Representative MALONEY and I introduced the Ensuring Implementation of the 9/11 Commission Report Act, which addressed each of the recommendations and held the appropriate agency accountable for reporting to Congress on its actions.

Having worked to create the 9/11 Commission; co-chaired hearings in my National Security Subcommittee on its recommendations; pushed for enactment of the Intelligence Reform and Terorism Prevention Act in 2004; and co-authored legislation to fully implement the 9/11 Commission's recommendations, I was grateful H.R 1 passed in early January.

This legislation takes additional steps to protect the American public, including provisions to provide civil liability protection to citizens who, in good faith, report suspicious activity that might indicate a terror attack upon our Nation's travel system and to establish an interoperable emergency communications grant program within DHS.

While there is still work to do, such as fortifying our southern border and requiring passports at our northern border, the bottom line is this legislation is an essential step forward.

It is also a testament to the work of Fourth District residents Mary and Frank Fetchet—parents of Brad; and Beverly Eckert—wife of Sean Rooney.

They along with several other family members have worked for more than 5 years to establish the commission, ensure it had the tools it needed to do its job, and pushed for enactment of these recommendations into law. I have been humbled to work with them.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN), a member of the committee.

Mr. AL GREEN of Texas. Mr. Speaker, H.R. 1, Implementing the 9/11 Commission Recommendations Act, took

an act of Congress, a Congress willing to act, and leadership that knew how to act. For this I thank Senator LIEBERMAN, the leadership on the Senate side, Ranking Member KING, the 9/11 families who were very much involved in this process, and I especially thank the chairman of the committee, Chairman BENNIE THOMPSON. He has been thoughtful. He has been brilliant. He has been the glue that has maintained the stability and kept this committee moving forward. Without his leadership, the committee would not have been able to achieve the bipartisanship that has made the difference, such as this legislation that's being implemented.

This legislation, in addition to the risk-based solutions, which are important, don't throw money at a problem, throw money at the solution that deals specifically with the problem, and the risk is where we are going to get the best bang for our buck.

It also deals 100 percent with the cargo screening, and that's important, because it's being done abroad not here in our country, and 99½ won't do.

Finally, I would like to mention that it deals with national transit security centers. I am honored to say that one will be coming to Houston, Texas, and to Texas Southern University. I am honored to have worked with the chairman to have Texas Southern University become involved in this process of finding solutions to security problems in our transportation system.

I thank you for helping us to develop this most extensive and comprehensive piece of legislation that is going to help secure this entire country. I am honored to say that Texas Southern University will be a part of that process.

God bless you.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2 minutes to the gentlelady from the District of Columbia (Ms. NORTON), a member of the Homeland Security Committee.

Ms. NORTON. I thank the gentleman for yielding, but above all, I thank him for a bill of historic dimensions.

Mr. Speaker, if this bill did no more than H.R. 1, enact a 9/11 Commission report, it would be that, and it does a great deal more. It's what we have been trying to do ever since you and I have been on this commission.

Let me point out a couple of things. One of the most criticized parts of homeland security has been what is called the revenue sharing or pork barrel spending we did in just distributing this money all over the country. Your task was to somehow make sure everybody got enough money, while pointing the money to where al Qaeda is pointing the threat. That is exactly what you have done with the base Federal funding for emergency preparedness now going, finally, on the basis of risk and vulnerabilities.

Of course, that means New York City and Washington D.C. are getting more attention than before. But those are not the only jurisdictions. Would anyone not want those two jurisdictions to get most of the attention where al Qaeda is giving most of the attention.

I share with Chairman OBERSTAR the concern that what we put in our bill for the distribution of the transportation security funds was not agreed to by the Senate. So we have another bureaucracy distributing the funds, as we would not have preferred.

But it must be said that you and I sponsored the bill for rail security. Public transportation security could get nowhere. Look what you have in this bill. Where the people are, we have got $4 billion for the first time. We got it for rail, we have got it for public transportation, we got it for buses. Finally, there is a collective sigh of relief.

There is $20 million, I must say, for Union Station. I just want to point that out, because Union Station is 2 seconds away from the Senate of the United States. It's the hub for Amtrak, and it's typical of where your bill looks for where the vulnerability is, where the holes are and shores them up. Your bill will be remembered by history.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

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

Mr. LANGEVIN. I thank the gentleman for yielding. I want to thank the gentleman from Mississippi, the chairman of the Homeland Security Committee for his outstanding leadership on this bill.

Mr. Speaker, the 9/11 Commission provided an eye-opening assessment of how terrorists were able to exploit security vulnerabilities on September 11. It made 41 key recommendations to address these shortcomings. We promised the American people that the Commission's efforts would not be in vain, and today we made good on that promise.

Our threat environment presents unique challenges. While good intelligence will always be the pointy tip of the spear, it will always be critical to our anti-terror efforts. We know that it's not foolproof.

Among the many things that this conference report accomplishes, it fulfills a key commission recommendation by creating a stand-alone program for communications interoperability. It also requires 100 percent advance screening of maritime cargo, which will ensure a weapon of mass destruction never even has a chance of reaching American shores by being smuggled in a cargo container.

I am proud to have served as a conferee on this bill, and I believe we have an excellent final product before us today.

The best way to honor those who died on September 11 is to learn from the lessons of that tragic day and take action. This conference report represents a major step towards that goal of which the American people can be proud.

I thank the distinguished chairman of the committee for his great work on this bill.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. I want to commend the chairman for his leadership on this issue. I am proud to be a conferee, and also Mr. KING of New York for his good work.

Mr. Speaker, I must say, I am very proud to be a member of this committee. Over the last 4 or 5 years, whether it has been on the Republican rule or under Democratic rule, this committee has had incredible oversight. I commend the two chairmen for that.

Congressman DANIEL E. LUNGREN was on the floor earlier. He was very vigorous in oversight. This is another part of the accomplishment here is it's strengthening congressional oversight, the speaker in the chair today, Mr. MURTHA, and Speaker PELOSI created a panel on the Appropriations Committee with HPSCI. This is providing additional oversight. I think it's one of the most important things we can do. But getting this bill finally passed is a great accomplishment. You should be very proud of it.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2¼ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), who is a member of the committee.

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

Ms. JACKSON-LEE of Texas. My appreciation to the leadership of our chairman, Chairman THOMPSON, who has taken the challenge of the 9/11 families, and the 9/11 Commission report more than to his heart. That is why we are here today.

I want to thank the ranking member, Mr. KING, for working with us on many of these challenges and always raising the voice of bipartisanship as it relates to 9/11.

Mr. Speaker, I am very proud, as the subcommittee Chair for Transportation Security in Critical Infrastructure, to have had the opportunity to see some of the elements that are under our subcommittee jurisdiction take a strong stand in the 9/11 conference.

I did this earlier today, but I know that sometimes we need to be reminded of the Pentagon and reminded of this tragedy so that we understand today is an enormously important step towards securing the homeland security.

One of those aspects of securing the homeland security clearly has to do with providing transportation security. I am very proud that in the course of providing transportation security, we now have jurisdiction to issue transportation security grants so that buses and trains, so that the Amtrak system, mass transit, so that highways and byways will have the opportunity for

these jurisdictions to seek out grants specifically to secure areas that might be subject to the acts of terrorists.

Might I also say that we have now interoperability, that we have the ability that so many of our colleagues have worked on to talk to each other. We know the front lines of fighting terrorism has to be that our law enforcement is able to communicate.

We are very glad that this bill emphasizes intelligence sharing, which was one of the downfalls of the tragedy of 9/11. I am more than grateful to know that our families, our families sanctioned this bill, who have been so strong, and I salute them.

Let me also say that in placing language in the bill to provide transportation security grants and training, I am very glad that Texas Southern University will have a center of excellence that I announce and enjoy with my colleague from Texas, and also will be able to train transportation officials in security.

Mr. Speaker, I rise today in strong support of the Conference report to accompany the bill (H.R. 1), to provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States (9/11 Commission). As a Member of the Conference Committee that worked to reconcile the House and Senate versions of this legislation and to produce this report, I believe it represents a vital step toward securing the Nation. I wish to thank the Chairman of the Conference Committee, Senator LIEBERMAN, as well as the distinguished chair of the House Homeland Security Committee, Congressman BENNIE THOMPSON, for their visionary leadership in shepherding this important legislation through both houses of Congress. Unlike the previous Republican leadership, this Democratic Congress has wholeheartedly embraced the recommendations of the 9/11 Commission, a body comprised of ten of the most distinguished citizens of this country.

Today Mr. Speaker, we are here to consider a Conference report that will provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States (9/11 Commission). This Conference report closes many critical gaps identified by the 9/11 commission. In its final report, the 9/11 commission concluded that the United States Government had been unprepared for the 2001 terrorist attacks, and made numerous recommendations for how to safeguard the American people. The legislation passed by the House on January 9 and the Senate in mid-March will implement many of these important recommendations.

The 9/11 commission report noted the need for additional tools for first responders and emergency personnel. The lack of adequate equipment likely contributed to the deaths of 343 firefighters in New York City on September 11, 2001, when police could not communicate effectively with fire fighters prior to the collapse of the Twin Towers. Deficiencies in communication technologies also hindered the effective evacuation and rescue efforts after Hurricane Katrina. I am pleased to say that this legislation authorizes $1.6 billion over 5 years for a grant program to improve emergency communication capabilities for first responders. This legislation also requires States to submit statewide inoperability plans.

Additionally, this legislation calls for the allocation of Homeland Security Grants based on risk. High-risk areas will receive the crucial resources they need to protect their population and critical infrastructure. My home city of Houston, with its 5.3 million residents as well as the Port of Houston, a thriving petrochemical industry, the largest medical center in the world, and an extensive range of commercial assets, is just such an area. The allocation process put in place by this legislation ensures that those areas that face the highest risk of an attack receive adequate funding.

There are numerous other important provisions detailed in this Report. As Chairwoman of the Subcommittee on Transportation Security and Infrastructure Protection, I am extremely pleased with the provisions that will improve the security of our systems of transport. The 9/11 Commissioners gave a "D" grade to the Administration and Congress for their efforts on enhancing air cargo screening. To correct this deficiency, this legislation requires 100 percent screening of all air cargo carried on passenger planes. It also strengthens the explosives detection at passenger screening checkpoints. Additionally, this legislation requires the screening of 100 percent of U.S.-bound seaborne cargo containers loaded in foreign ports.

This legislation authorizes $4 billion over four years for rail, transit, and bus security grant programs, which will be administered under the Department of Homeland Security. In the Conference Committee, I stood by my conviction that DHS is in the best position to administer these grants, and I am pleased that the Department will be responsible for the distribution of these important transportation security grants. Specifically, this legislation provides training for rail and mass transit workers, and it requires security plans for high risk transit and rail companies.

This legislation enhances homeland security while protecting constitutionally enshrined civil liberties. It establishes the Privacy and Civil Liberties Oversight board as an independent agency, extends protection for whistle-blowers, and provides protection from lawsuits to individuals who report suspicious activities. We can protect our Nation without infringing upon the fundamental rights of Americans; we can provide security for our country without eliminating those freedoms that make the United States extraordinary. This legislation protects our rights as it protects our cities, borders, infrastructure, and population.

As I stand on the House floor today, 6 years since the horrific attacks of September 11, 2001, my heart still grieves for those who perished that day. No one could have predicted that attack; when the sun rose on the morning of September 11, none of us knew that it would end in an inferno in the magnificent World Trade Center Towers in New York City, the Pentagon in Washington, DC, and in the grassy fields of Shanksville, Pennsylvania. We can, however, work to identify and correct the shortcomings in our national security structures, and to take the necessary steps to prevent another such attack on our Nation and its people.

I stand here remembering those who still suffer, whose hearts still ache over the loss of so many innocent and interrupted lives. Mr. Speaker, we can best honor the memory of those who perished on 9/11 by working to ensure that such an attack never happens again. I strongly urge the adoption of this conference report.

Mr. KING of New York. Mr. Speaker, I yield 2 minutes to the gentleman from Staten Island, Brooklyn, who lost more residents than any other Member in Congress on September 11.

Mr. FOSSELLA. I thank the gentleman for yielding.

Mr. Speaker, I will be as brief as possible. If there is any issue that we all could come together on, despite the many disagreements that exist, is the notion that the American people should be as best protected as possible. I hope that this bill does just that.

At the outset, let me thank the chairman, and, in particular, my good friend, Peter King, for their tireless work in trying to advance this bill. Importantly, I thank the common sense of Peter King and his tenacity and persistence to ensure things like the John Doe provision remain part of this conference report, so I tip my hat.

The first part, a beneficial part of this program, is finally the UASI program has been authorized into law. At $850 million, I believe that this true threat-based funding formula will bring assistance to the first responders in high-threat areas such as New York City that they deserve.

Second, the bill resizes the Homeland Security Advisory System and makes improvements to information sharing between and among local, State and Federal officials, a goal I worked on with several amendments to the intelligence authorization bill for the last 2 years.

However, let me say I continue to be disappointed of the fact that the 9/11 Commission suggestions are not fully implemented here. Reducing the State minimums from .75 percent to .375 percent and then .35 percent is a step in the right direction but falls short of truly realizing the report's recommendation.

Earlier today we passed the farm bill. Farmers get the money. In homeland security, the cities that deserve and have the highest threat and the most vulnerabilities and the consequences should get the money. I think that's common sense. As a reminder, on page 396 of the 9/11 Commission report, states that the "Homeland Security security assistance should be based strictly on an assessment of risks and vulnerabilities. . . . Federal Homeland Security assistance should not remain a program for general revenue sharing . . . Congress should not use this money as a pork barrel."

□ 1630

Mr. KING of New York. Mr. Speaker, I yield myself the balance of the time.

And let me thank, again, Chairman THOMPSON for his bipartisan effort, thank Senator LIEBERMAN, Senator COLLINS. Let me thank the Republican staff members, Matt McCabe, Kerry Kinirons, Sterling Marchand, Heather Hogg, Mike Power. A special thanks to Mark Klaassen who unfortunately is

going to be leaving the committee, but he has been a tremendous asset. Chad Scarborough, Joe Vealencis, Deron McElroy, Adam Paulson and Lauren Wenger of my staff.

Mr. Speaker, this is a good conference report. I urge its adoption. And, again, I thank the chairman for his cooperation and assistance.

I yield back the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, it is quite clear that there is substantial support for the bill as well as substantial support to get on the vote for the bill.

I would like to thank my colleague, Ranking Member KING, for his support as well as his staff. They have been very good. I would like to recognize the Democratic staff: Jessica Flanigan, Rosaline Cohen, Michael Stroud, everybody. I have something to insert in the RECORD to recognize their value.

Mr. Speaker, it is quite clear that this is a good bill. It is in the best interest of the country. It is completion of the 9/11 vulnerability report. I urge its adoption.

Mr. Speaker, while I commend the work on H.R. 1, I rise today to express my disappointment that the provision to afford our Transportation Security Officers, TSOs, the collective bargaining rights and whistleblower protections they deserve is excluded from the Conference Report. Mr. Speaker, our TSOs are not second class citizens and should not be treated as such.

In 2001, when the Transportation Safety Administration, TSA, was created, Congress vested power to set TSO compensation, leave, and other basic employment rights with the Secretary of Transportation. When TSA was moved to the Department of Homeland Security, this authority remained. While this authority was helpful in getting TSA up and running, the TSOs now need to be treated like all other TSA employees—fairly and equitably. This provision would have restored the labor rights of approximately 43,000 TSOs and provided them with veterans' preference, anti-discrimination protections, retirement, whistleblowing, and collective bargaining rights.

Restoring basic employment rights is critical to recruiting and retaining TSOs. We do not need to look far to see what low morale can do to the health, recruitment, and retention of the Department of Homeland Security workforce. According to a GAO report released this month, TSOs account for approximately a third of the total workforce and their attrition rates are higher than the normal for the Federal Government. It is unfortunate that we are failing to provide the most basic labor protections to our front line workers who perform an important job and work to keep us all safe; rights that are afforded to thousands of workers in the Federal Government.

I commit to my colleagues today that as Chairman of the Committee on Homeland Security I will continue work to ensure that our TSOs are afforded the rights and protections they deserve.

Additionally, Mr. Speaker, let the record reflect that in addition to the staff that I recognized earlier, the following individuals did a service to our Nation in helping the Conference develop legislation to make America more secure.

Michael Stroud
Denise Krepp
Craig Sharman
Tom Finan
Véronique Pluviose-Fenton
Alison Rosso
Jacob Olcott
Chris Beck
Matt Washington
Jeff Greene
Erin Murphy
Michael Beland
Erin Daste
Tamla Scott
Tyrik McKeiver
Stephan Viña
Diane Bean
Brian Turbyfill
Angela Rye

Thank you, Mr. Speaker, for affording me the opportunity to recognize the good work of Majority staff of the Committee on Homeland Security.

Mr. ISSA. Mr. Speaker, today I rise with great concern about what the Conference Report to accompany H.R. 1 does, but I am more troubled by what this report has left undone.

The purported goal of H.R. 1/S. 4 was to implement all of the recommendations of the 9/11 Commission Report. This conference report does not do that. Specifically, this report remains silent on one of the 9/11 Commission's vital recommendations concerning reform of congressional oversight of intelligence.

As you know, Mr. Speaker, the 9/11 Commission Report recommended that Congress should either form a joint House and Senate Committee on Intelligence or that the House and Senate should consolidate their authorizing and appropriating functions for the intelligence community into one committee in each chamber. To this end, I drafted language to offer during the conference on this bill. But, from introduction to floor consideration, under a closed rule, H.R. 1 did not follow regular order. Likewise, the conference was closed to amendment and debate on all but a few provisions, congressional oversight of intelligence not being one of them.

My motion would have included language in the conference report to establish a commission to study the congressional oversight of intelligence. The proposed commission would have examined the impact of the current system of congressional oversight on the intelligence community and specifically addressed at what cost to our national security is the decision not to heed the 9/11 Commission's recommendations.

Unfortunately, I was blocked by the majority from offering my amendment. In fact, the majority refused to hear any proposals on intelligence oversight during the conference. The omission of any discussions regarding the 9/11 Commission's recommendations on this matter is troubling and has led to an incomplete piece of legislation that will leave America less secure. As such, this report, and our work as a Congress, is left unfinished.

Mr. CASTLE. Mr. Speaker, I rise in support of H.R. 1, legislation to implement the recommendations of the 9/11 Commission.

In July of 2004, the 9/11 Commission concluded that the United States Government was unprepared for the devastating terrorist attacks of 2001. In the weeks and months following the release of the 9/11 Commission's report, the U.S. Congress enacted important legislation to overhaul the intelligence community and improve our Government's ability to detect and respond to attacks. The legislation before us today will further expand our nation's preparedness by providing our first responders and emergency personnel with additional tools to enhance security, such as interoperable communication and cargo screening technology.

In fact, I am particularly pleased that H.R. 1 includes my amendment requiring the Department of Homeland Security to assess key foreign rail security practices that are not currently used in the US. While the concept of ''rail security'' is relatively new here at home, security officials in Europe and Asia have decades of experience with terrorist attacks and I have long believed in the importance of leveraging this experience to improve our own system. My amendment, which was approved overwhelmingly by the House and the Senate, will require our government to develop a plan for utilizing techniques such as covert testing of security systems and random screening of rail passengers and baggage. It will also require our government to model U.S. train stations and subway systems after methods used in London to prevent terrorist attacks.

Additionally, while I support the overall purpose of this bill, I am very concerned that Congress failed to use this opportunity to implement several of the 9/11 Commission's other most important recommendations. Specifically, I believe it is inexcusable that H.R. 1 does not include the 9/11 Commission's critical recommendation to reform congressional oversight of the intelligence community. Currently, intelligence funding is concealed in the classified section of the Pentagon's budget, and thus is subject to very little accountability. As a former Member of the House Intelligence Committee, I believe strongly in this 9/11 Commission recommendation and I have introduced H.R. 334 to create an empowered and independent intelligence appropriations subcommittee to oversee intelligence community funding. Unfortunately, the House's Democratic leadership denied my attempt to amend H.R. 1 to include this important provision.

Mr. Speaker, I am very concerned that we have missed a key opportunity to enact all of the 9/11 Report's recommendations. However, the bill before us makes progress to expand security and I commend the conference committee for taking much needed steps to improve rail security in the US. I encourage my colleagues to support this legislation and I call on the leadership in Congress to act immediately to address these remaining national security issues.

Ms. ESHOO. Mr. Speaker, I rise in strong support of the conference report.

This week marks 3 years since the National Commission on Terrorist Attacks Upon the United States, also known as the 9/11 Commission, issued a comprehensive set of bipartisan recommendations to Congress to address the shortcomings in our Nation's intelligence infrastructure that led to the tragic attacks of 9/11.

While Congress acted on some of the recommendations, many of the Commission's most important recommendations sat on a shelf for two-and-a-half years, until the first 100 hours of the 110th Congress.

We acted quickly to pass legislation to:

Ensure homeland security grants are targeted for states and high-risk urban areas based on risk of terrorism;

Improve interoperability of first-responder communications at local, State, and Federal levels;

Provide over $4 billion over 4 years for rail, transit, and bus security grants;

Mandate screening of all maritime cargo within five years and all airline cargo within 3 years; and

Provide sunshine on the activities of the Intelligence Community by requiring the President to publicly disclose the total budget for the intelligence community.

Now that the Senate has also acted and we have the Conference Report before us, I urge my colleagues to pass this legislation and send it to the President's desk for his signature.

These are not partisan issues. Assessing blame for past failures will not help us protect our future. However, refusing to recognize these failures and not take the critical steps to ensure that they don't ever occur again is not acceptable.

The American people owe a great deal to the work of the 9/11 Commission and the inspired leadership of the families of 9/11 victims, without whom the original legislation would not have become law.

These reforms are long overdue and we should not waste another day in enacting them into law.

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to voice my strong support for H.R. 1, which will finally implement in full the recommendations made by the 9/11 Commission. This is an extremely important day for our Nation.

I want to specifically express my support for the inclusion of provisions that protect our privacy and civil liberties. Last Congress, I worked with Representatives CAROLYN MALONEY and CHRISTOPHER SHAYS to introduce the Protection of Civil Liberties Act which would have made the Privacy and Civil Liberties Board an independent agency and granted it the power it needed to fully do its job. I am pleased that the Conference Report works to ensure that the Board will finally be able to fully operate as our country's independent civil liberties watchdog.

The Conference Report before us today gives the Board independence by finally removing it from the administration's control and provides it with the funding necessary to do its job. It authorizes the Board to have access to all the relevant information it needs to carry out its responsibility, and gives the Board more power to subpoena potential witnesses. Additionally, the Board will be required to regularly report to Congress on its activities, findings, and recommendations, and to inform the public of its activities as well.

Clearly, for years our country has been headed in the wrong direction regarding the protection of our civil liberties, and a fully independent Civil Liberties Oversight Board will serve as an important first step to bring our nation back on course. We must not continue to undercut the civil liberties our Constitution guarantees under the false pretense that they cannot be maintained in a post-9/11 world. I strongly believe the American public deserves both security and privacy and, today, action in the House ensures that this can occur. I urge my colleagues to support this vital piece of legislation.

Mr. SAXTON. Mr. Speaker, I rise today to express my support for the conference report of H.R. 1, the 9/11 Recommendations Implementation Act. This comprehensive bill addresses many of our homeland security issues, and as a conferee I am pleased that the conference report includes an important provision that protects those who see suspicious behavior and take the initiative to notify the authorities of their concerns. No one should have to fear prosecution for acting vigilantly and coming forward when they see something that doesn't seem right. If anything, we should be encouraging people to speak up when they see suspicious behavior while waiting to board a plane or shopping in a crowded mall.

Take the alert store clerk in New Jersey who noticed suspicious activities on a tape he was asked to transfer to DVD. This young man was at work, saw something that didn't seem right, and alerted the authorities. As a direct result of his actions, a terrorist strike against a military installation in my district—Ft. Dix—was prevented. This man should be heralded as a hero, not prosecuted like a criminal.

It may have taken some time, but my fellow conferees worked through their differences, and in the end supported the inclusion of this vital provision. Had this language not been included, who knows what untold tragedies could have occurred if observant individuals, afraid of possible prosecution, did not contact law enforcement officials.

Again, I support this important measure and urge my colleagues to vote in support of the conference report.

Mr. WELDON of Florida. Mr. Speaker, today I rise to express my view of H.R. 1, The 9/11 Conference Report. I commend the bipartisan group that worked together on this bill, which on balance is a good bill, although I do have reservations about some provisions of the bill.

There are some very good provisions in this bill, which were not part of the House-passed bill. I am pleased that many of the significant problems in the version of this bill that passed the House in January have been removed from the final conference report that we are voting on today.

This bill no longer contains the provisions that place the collective bargaining policies of Transportation Security Administration, TSA, employees above the homeland security needs of the American people. This was a troubling provision that was included in the original House-passed version of this bill. It was troubling because collective bargaining rights would have interfered with the ability of the Department of Homeland Security and the TSA to impose the best work policies and procedures possible in order to make our Nation safer. It would have interfered with the ability to fully and quickly implement security-based policies.

I am pleased that the Conference Report contains a provision that grants immunity from civil lawsuits to those who report transportation-related suspicious activities. This is a crucial provision that will free American citizens from the fear of reporting activity that they think is suspicious. No one should be subject to a lawsuit because they report suspicious activity.

We cannot allow an atmosphere of fear of litigation to further hamper our ability to thwart acts of terror. If people feel some activity is suspicious, they should feel free to report it to the proper authorities. It is then up to the authorities to determine if it is suspicious enough to investigate. In weighing the rights of Americans, I believe the right to be free from injury or death from terrorists trumps the right of threatening people to conduct their threatening activity with impunity. This provision directly addresses the case of the six Imams who have brought suit against the passengers on their flight who reported their suspicious activity. It is clear to most observers that these individuals were likely fomenting fear in order to create the lawsuit that has resulted. I, and my fellow Americans, will not stand for the patent abuse of our own legal system used against us.

Provisions in the bill enhancing the screening of air cargo carried on passenger airlines is an important provision and one of which I am very supportive. The bill will also implement a program to collect biometric data on those entering the U.S. from visa waiver countries. This will enhance security as will the provision enabling us to take into account visa overstay violations when considering visa waiver country policies.

I agree with these and other provisions in the bill and believe they will enhance national security. However, there are some provisions that have little to do with homeland security and should never have been in this bill. In fact, none of these provisions were included in the recommendations of the 9/11 Commission, and in fact, do just the opposite of enhancing security.

I am greatly disappointed that the Democrat majority chose to include a provision that will disclose to the public, including terrorists, how much money our Nation spends on intelligence gathering. This should never have been included in a bill aimed at securing our Nation. How does disclosing to those who seek to harm the American people make our Nation safer? I will be supporting efforts to ensure that this budget is not revealed and that this is not disclosed.

Additionally, I am concerned that the bill included a provision that allows the administration to increase the scope of the Visa Waiver Program. Currently, individuals from 27 nations are permitted entry into the U.S. without having to go through the security processes related to obtaining a visa. I oppose this provision and will support legislative provisions to limit the administration's ability to expand the program.

Finally, I share some of the concerns raised by my colleagues relating to the provision requiring 100-percent screening of container cargo. I am concerned that there are loopholes and weaknesses in such a system and that simply requiring 100-percent screening may give the American people a false sense of security. There are deficiencies in the screening technologies and, once screened, the cargo can still be tampered with. I believe we need to weigh the implementation of this program and adjust it along the way to ensure that we are using our homeland security dollars as wisely as possible. Even the 9/11 Commission recommended that we base cargo inspections on a security risk assessment rather than a 100-percent screening program. I think they recognized the value of a focused program.

I look forward to continuing to work to address these issues.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, as a member of the Committee on

Homeland Security and a conferee on this legislation, I rise in strong support of the Conference report on H.R. 1, the Implementing Recommendations of the 9/11 Commission Act of 2007.

This report implements several of the 9/11 Commission's key recommendations, including increasing the amount of Homeland Security grant funding that is distributed based on risk.

This extremely important change will ensure that the states at the highest risk for terrorist attacks will have the needed resources to prepare for and respond to attacks.

I am also particularly pleased that this report increases the authorized funding for the Emergency Management Performance Grant program which provides all hazards preparedness funding to States.

I have been a long-time advocate of increasing EMPG funding, to ensure that all of our communities have the ability to prepare for any disaster, natural or man-made.

There are many other excellent provisions in this conference report, including the establishment of an office of appeals and redress at TSA and a Quadrennial Homeland Security Review of the national Homeland Security Strategy.

I urge my colleagues to support this conference report.

Mr. HOLT. Mr. Speaker, I rise in support of this conference report, which seeks to ensure that our government fully implements the recommendations of the 9/11 Commission. While the Congress has previously enacted the majority of the recommendations of the 9/11 Commission, several were not addressed during the last Congress. Moreover, in the years since the Department of Homeland Security was created and the Intelligence Reform and Terrorism Prevention Act of 2004 became law, we've learned a number of lessons about how well—or poorly—these reforms have worked. The bill before us is a partial response to those lessons learned.

This bill authorizes robust funding for a variety of homeland security grant programs, including emergency management performance grants, interoperable emergency communications grants, and the Urban Area Security Initiative Grant Program. The bill also mandates more emphasis on a risk-based approach to the awarding of UASI grants, something that I and others in the New Jersey delegation have long advocated.

Improving the department's ability to spot threats and foil attacks before they happen remains a primary concern of all of us in Congress. Those of us who serve on committees that deal with intelligence issues know that the department's intelligence operation suffers from a lack of clout within both the department and the intelligence community as a whole. The bill offers a partial remedy for this problem by reorganizing the department's intelligence operations and elevating the Chief Intelligence Officer from an Assistant Secretary to an Undersecretary—putting that officer on par with his counterpart at the Pentagon.

I agree with the thrust of this reorganization. However, we shouldn't deceive ourselves: rearranging the department's organization chart is no substitute for the President putting forward highly qualified nominees for this and the many other positions at DHS that remain vacant to this day. While I believe this proposed reorganization will help to rationalize and streamline DHS's intelligence management structure, the President must take action to appoint intelligence leaders who are aggressive and focused—and then hold them accountable for their performance or lack thereof.

Another 9/11 Commission recommendation relating to our intelligence operations concerned declassifying how much we spend per year on intelligence activities.

Those who oppose declassifying the overall budget figure claim it would undermine our security. Declassifying the overall budget figure would simply tell the American taxpayer how much of their money is going towards intelligence programs and activities, something they most certainly deserve to know. Declassifying the overall budget figure would in no way compromise intelligence sources or methods. That is why I was disappointed that the conferees elected to include language that allows the President to postpone or even waive the disclosure of the overall intelligence community budget figure by certifying to Congress that such disclosure would damage national security. This was a needless concession to the President and I will seek to have this provision reexamined next year.

Regarding measures Congress can take to improve its oversight of the intelligence community, I was pleased to see that the report indicates that the Senate is considering following the House's lead in this area. Earlier this year and under the leadership of Speaker PELOSI, the House passed H. Res. 35, which created the Select Intelligence Oversight Panel, which I have the honor of chairing. Our panel contains a mix of members from both the Appropriations Committee and the House Permanent Select Committee on Intelligence. Our charter is to continuously review the operations of the intelligence community and to recommend changes in policies and funding levels where necessary. We just completed our first such review, and the vast majority of our recommendations were approved by the full Appropriations Committee just this week. If the Senate is looking for a model for how to better coordinate its intelligence oversight work, I would highly recommend that they look at the model we're now using here in the House.

I was also very disappointed to see that the conferees dropped language relating to workers' rights to organize and engage in collective bargaining with the department. Most other Federal workers already have this right, and our failure to ensure our airport screeners are allowed to organize and negotiate for better salaries and benefits is wrong and should be revisited next year.

On a brighter note, the bill significantly enhances the power and status of the Privacy and Civil Liberties Oversight Board (PCLOB), whose creation was another key recommendation of the 9/11 Commission.

Currently, the PCLOB is under the direct control of the Executive Office of the President. It has lacked significant funding, something I tried to remedy in the fiscal year 2007 Intelligence Authorization bill by offering an amendment to the bill that would have authorized an annual funding stream of $3 million. Unfortunately, the Republican majority blocked that amendment from coming to the House floor for a vote. This bill solves that problem by authorizing a steady increase in the Board's budget, from $5 million for fiscal year 2008 up to $10 million through fiscal year 2011, and such funds as are necessary from 2012 and beyond.

Another drawback to the current Board is its lack of independence has clearly undermined its ability to act as a true civil liberties watchdog. The bill before us would remove the Board from the EOP and make it an independent agency within the executive branch, and require that all Board members—not just the chairman—be subject to Senate confirmation. The bill also gives the Board real subpoena power, a critical tool for ensuring compliance with the Board's requests for information and testimony from executive branch officials.

Overall, this is a good bill whose enactment would enhance our Nation's security, and it is for that reason that I will vote for it and I urge my colleagues to do likewise.

Mr. DINGELL. Mr. Speaker, 3 years ago, the 9/11 Commission made a series of recommendations to Congress and the administration designed to ensure the safety of Americans while protecting the liberties that form the core of our democracy. This important legislation addresses issues that reach across all aspects of the lives of Americans.

The 9/11 Commission recommended that Congress ensure that first responders be able to communicate with each other across jurisdictions—firefighters with police officers, emergency medical professionals with State officials, local with State and Federal personnel. Title III, Ensuring Communications Interoperability for First Responders, establishes a grant program designed to achieve this important goal. As structured in this legislation, the Department of Homeland Security (DHS) grant program will complement the interoperability program already underway at the Department of Commerce.

Under statute, DHS's expert on all matters relating to emergency communications is the Director of Emergency Communications. Title III of this Conference Report recognizes this statutory directive by ensuring that the Director of Emergency Communications will design and implement the grant programs' policies and guidelines. The Director will be in charge of ensuring that grant program funds are used to establish a forward-looking, nationwide, interoperable system to ensure the safety and efficient functioning of all of our first responders as they respond to natural disasters and other calamities. The Committee on Energy and Commerce looks forward to overseeing this program and receiving continual updates from the Director on the progress of DHS towards achieving nationwide interoperability through this program.

I am also especially pleased that the legislation ensures that the overwhelming majority of the interoperability grant funds will be passed through to localities, because it is at the local level that our first responders are working to ensure our safety and well-being. Importantly, the legislation ties the grant funds to the implementation of statewide plans and a national plan that will act as a road map towards statewide and national interoperability. As we have learned, natural disasters and incidents do not recognize international borders. To help our first responders address trans-border incidents, Title III also establishes border interoperability pilot projects to help us ensure that our first responders are able to communicate with our neighbors to the north and south.

Title IV addresses credentialing workers involved in ensuring America's safety. The Conference Report states that the DHS shall consult with the Secretary of Health and Human Services when developing credentialing standards for healthcare personnel. It is imperative that the Secretary of Health and Human Services not only be involved but also have a leadership role in developing standards for credentialing of healthcare professionals. Failing to utilize the public health expertise of the Department of Health and Human Services to its fullest extent could jeopardize efficient care and support for Americans who have been exposed to a terrorist attack or natural disaster. I look forward to working with Chairman THOMPSON to ensure that the required consultation is to the degree and of the depth merited by the importance of the public health of all of America's people.

I want to thank the gentleman for some important clarifications that have been added to Title IX of the bill, which addresses voluntary national private sector preparedness standards. When we voted on this bill in January, I noted that Section 112(r) of the Clean Air Act establishes a mandatory regulatory program regarding the accidental releases of hazardous chemicals. As part of that program, the owner or operator of a covered facility must prepare and implement a risk management plan to detect and prevent or minimize accidental releases and to provide a prompt emergency response to any such releases. I asked for clarification at that time that the bill's voluntary program was not intended to interfere with this mandatory Clean Air Act program. The conference report before us today provides that clarification. Rules of Construction, as well as requirements for consideration and coordination with other Federal agencies' preparedness programs or standards, have been included in the two new sections of the Homeland Security Act of 2002 that address private sector preparedness. These provisions clarify that the private sector must continue to meet the Clean Air Act Section 112(r) requirements, and that the voluntary preparedness standards are not intended to supersede or interfere with the mandatory Clean Air Act program.

Another important area of concern addressed by this legislation is cargo screening. One of the major security vulnerabilities facing this Nation is the threat from the detonation of a nuclear device smuggled into a port through a cargo container loaded on a ship. It is a nightmare we must prevent. Section 1701 establishes a 5-year goal of 100 percent screening for radiological devices or material in cargo containers leaving foreign ports before they ever enter the waters of the United States. This is a worthy priority, and to ensure adequate flexibility, the DHS Secretary is given authority for 2-year waivers should there be major impediments to its implementation.

Section 1701 also authorizes the DHS Secretary to ''establish technological and operational standards for systems to scan containers; to ensure that the standards are consistent with the global nuclear detection architecture developed under the Homeland Security Act of 2002; and to coordinate with other Federal agencies that administer scanning or detection programs.''

The need for coordination between agencies is essential, particularly given the advanced work carried out by the Department of Energy (DOE) in setting up radiation portal monitors at ports, airports, and rail stations around the world. The DOE's ''Megaports'' program provides radiation detection equipment to key international seaports to screen cargo containers for radioactive materials, including Greece, Bahamas, Sri Lanka, Spain, Singapore, and the Netherlands. Approximately 70 ports worldwide are targeted for implementation, and installation efforts are underway at ports within Belgium, China, Dubai, Honduras, Israel, Oman, the Philippines, Thailand, Jamaica, the Dominican Republic, and Taiwan. Additionally, the Megaports program is teaming with the ''Container Security Initiative'' to implement the ''Secure Freight Initiative'' pilot program at ports in the United Kingdom, Pakistan, and Honduras. The DOE's ''Second Line of Defense'' program installs radiation detection equipment at borders, airports, and feeder ports in Russia, former Soviet Union states, and other key countries. Approximately 350 sites have been identified to receive detection equipment installations.

Even though this legislation authorizes the DHS Secretary to set minimum container scanning technology standards, the Conference Report properly notes that DOE has inherent capabilities to assess, through its cooperative agreements with numerous countries and port authorities, the adequacy of technical and operating procedures for cargo container scanning.

To ensure the smooth continuation of DOE's cooperative relationships with numerous countries and the further expansion of the Megaports program, the Conference Report makes clear that these two agencies shall closely coordinate their activities, and requires that DHS shall consult with DOE prior to the establishment of technological or operational standards that would affect screening activities in foreign ports. As part of the coordination requirement in this section, the Conference Report directs that where the scanning technology standards affect the DOE's Megaports and SLD programs, the Secretary shall invite the DOE to participate in the development and final review of such standards, and the Secretary of Homeland Security shall seek the concurrence of the Secretary of Energy. Should differences arise, I would expect that DOE and DHS would notify the relevant committees of jurisdiction in Congress. The American people are counting on the agencies carrying out cargo screening at our ports and borders to ensure that there are technically sound decisions in setting standards and selecting equipment, and that there is seamless coordination between agencies with responsibility and expertise.

Title XXII makes an important modification to the Department of Commerce's interoperability grant program by including strategic technology reserves as eligible for funding. This modification recognizes the importance of a resilient and redundant network of emergency communications. In Title XXII, Congress also recognizes the expertise of the Federal Communications Commission (FCC) with regard to the Nation's communications and information infrastructure and directs the FCC to conduct a vulnerability assessment. This title also establishes a joint committee and a pilot project to improve communications for emergency medical and public healthcare committee. Title XXII also requires an important report on the progress of the re-banding efforts in the 800 megahertz band. As such, this title recognizes Congress's clear intent that this process proceed as expeditiously as possible so that our first responders in border areas may effectively utilize the spectrum to which they are moving. I also support the changes in Title XXIII because I believe that it will enhance and expedite the ability of our Nation's 911 centers to be able to automatically locate callers whether they are using traditional land line or mobile phones.

I appreciate the Chairman's willingness to work with me, the members of the Committee on Energy and Commerce, and our staff as we have used our expertise to improve the legislation in this Conference Report.

Mr. SKELTON. Mr. Speaker, I rise in support of the ''Implementing Recommendations of the 9/11 Commission Act of 2007.

As a conferee on this legislation, I worked on a number of provisions that strengthen U.S. nonproliferation and threat reduction programs, which the 9/11 Commission emphasized must be a top priority given the threat that weapons of mass destruction (WMD) proliferation and terrorism pose to the American people.

I am particularly pleased that the bill strengthens the Proliferation Security Initiative (PSI), which is an important tool for interdicting illicit transfers of WMD. The bill will help to expand PSI-cooperation with our allies and strategic partners; ensure that the PSI has the necessary budget, resources and structures; and enable Congress to exercise greater oversight of PSI activities.

I also strongly support the bill provision that establishes a high-level coordinator for preventing WMD proliferation and terrorism. This new coordinator will ensure that the U.S. strategy, budget, programs and initiatives, and interagency action are comprehensive and well-coordinated, and will provide leadership that has been lacking and is critical to the effectiveness of U.S. nonproliferation and threat reduction efforts.

Finally, I am pleased that the bill repeals limits on Cooperative Threat Reduction Program assistance, which have impeded the effectiveness of this Department of Defense program in past years; authorizes funding to strengthen and expand Cooperative Threat Reduction and Department of Energy nonproliferation programs; and includes other measures to counter the threat that WMD proliferation and terrorism poses to the American people.

I strongly encourage my colleagues to support this legislation. Our government has no greater responsibility than protecting the American people. By implementing the recommendations of the 9/11 Commission, we are taking real steps to close security gaps and provide a secure future for all Americans.

Mr. GALLEGLY. Mr. Speaker, while there are many good reasons to support this bill I feel I must oppose the bill because of the Visa Waiver provision.

Mr. BLUMENAUER. Mr. Speaker, part of the agenda of the New Democratic Leadership was to pass the ''Implementing Recommendations of the 9/11 Commission Act'', which has been bottled up for years. By doing so, we are taking an important step in improving the safety of all Americans.

This bill brings about a positive change to our current homeland security strategy. It provides a new formula for grant funding distribution based on risks in order to remove the politics from our national security. It contains a

substantial amount of funding for improving communications interoperability among first responders, which will help Oregon as it continues to aggressively address the issue at the local level. It also provides nearly $4 billion over the next four years for rail, transit, and bus security, a matter which I have had a long standing interests. We have seen the devastating impacts of terrorism on these modes of transportation in Europe in recent years and it is crucial that we make investments to protect this infrastructure at home.

These changes and many others recommended by the 9/11 Commission represent an important and long overdue step forward to securing our Nation.

Mr. THOMPSON of Mississippi. I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

Mr. KING of New York. 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 371, nays 40, not voting 22, as follows:

[Roll No. 757]

YEAS—371

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

NAYS—40

Barrett (SC)
Barton (TX)
Bilbray
Bishop (UT)
Blackburn
Campbell (CA)
Cannon
Coble
Culberson
Davis (KY)
Davis, David
Duncan
Flake
Gingrey
Goode
Hoekstra
Inglis (SC)
Johnson, Sam
Jones (NC)
Jordan
King (IA)
Kingston
McHenry
Miller (FL)
Oberstar
Paul
Petri
Price (GA)
Radanovich
Rehberg
Renzi
Rohrabacher
Royce
Sali
Sensenbrenner
Shadegg
Smith (TX)
Sullivan
Wamp
Wilson (SC)

NOT VOTING—22

Baker
Berman
Boehner
Clarke
Cubin
Davis, Jo Ann
Emanuel
Frank (MA)
Gallegly
Gutierrez
Hastert
Issa
Kucinich
LaHood
McNulty
Mica
Miller, Gary
Pence
Peterson (PA)
Stark
Tancredo
Waters

□ 1654

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

Mrs. BOYDA of Kansas, Mr. SCOTT of Virginia, Mr. BOYD of Florida and Mr. TURNER changed their vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber today. I would like the RECORD to show that, had I been present, I would have voted "yea" on rollcall vote 757.

Stated against:

Mr. MICA. Mr. Speaker, I was unavoidably detained and was unable to cast a vote on rollcall 757. Had I been present, I would have voted "nay" on the measure.

Mr. GALLEGLY. Mr. Speaker, on rollcall No. 757, because of a family commitment I was not present for rollcall vote 757. Had I been present I would have voted "nay."

PERSONAL EXPLANATION

Mr. ISSA. Mr. Speaker, on Friday, July 27, 2007, I was absent from the House for medical reasons.

Had I been present I would have voted:

On rollcall No. 748—"aye"—Jackson/Lee Amendment No. 101 to H.R. 2419; on rollcall No. 749—"no"—Rangel Amendment No. 24 to H.R. 2419; on rollcall No. 750—"aye"—Boehner Amendment No. 23 to H.R. 2419; on rollcall No. 751—"aye"—Davis/Kirk Amendment No. 45 to H.R. 2419; on rollcall No. 752—"aye"—Udall Amendment No. 42 to H.R. 2419; on rollcall No. 753—"aye"—Putnam Amendment No. 60 to H.R. 2419; on rollcall No. 754—"aye"—Cooper Amendment No. 95 to H.R. 2419; on rollcall No. 755—"aye"—Motion to Recommit for H.R. 2419; on rollcall No. 756—"no"—Final Passage for H.R. 2419; on rollcall No. 757—"nay"—H. Res. 567, Conference Report on H.R. 1.

PERSONAL EXPLANATION

Mr. EMANUEL. Mr. Speaker, I was absent from the Chamber for rollcall votes 748, 749, 750, 751, 752, 753, 754, 755, 756, and 757 on July 27, 2007. Had I been present, I would have voted "aye" on rollcall votes 748, 749, 751, 752, 754, 756, and 757, and I would have voted "no" on rollcall votes 750, 753, and 755.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2831, LILLY LEDBETTER FAIR PAY ACT OF 2007

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–263) on the resolution (H. Res. 579) providing for consideration of the bill (H.R. 2831) to amend title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans

With Disabilities Act of 1990, and the Rehabilitation Act of 1973 to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 986, EIGHTMILE WILD AND SCENIC RIVER ACT

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–264) on the resolution (H. Res. 580) providing for consideration of the bill (H.R. 986) to amend the Wild and Scenic Rivers Act to designate certain segments of the Eightmile River in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3161, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–265) on the resolution (H. Res. 581) providing for consideration of the bill (H.R. 3161) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008, and for other purposes, which was referred to the House Calendar and ordered to be printed.

RESIGNATION AS MEMBER OF COMMITTEE ON HOMELAND SECURITY

The SPEAKER pro tempore (Ms. HIRONO) laid before the House the following resignation as a member of the Committee on Homeland Security:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 25, 2007.

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

DEAR SPEAKER PELOSI: This letter serves as my intent to resign from the House Homeland Security Committee, effective today. I appreciated the opportunity to serve on this important committee and its jurisdictional prerogatives that affect the safety and security of our nation.

Sincerely,

KEVIN MCCARTHY,
Member of Congress.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. CANTOR. Madam Speaker, I yield to my friend from Florida for the purpose of inquiring about next week's schedule.

Ms. WASSERMAN SCHULTZ. Thank you very much.

Madam Speaker, on Monday, the House will meet at 10:30 a.m. for morning-hour business and noon for legislative business, with votes rolled until 6:30 p.m. In addition to several bills under suspension of the rules, a list of which will be announced by the close of business today, we will consider H.R. 986, the Eightmile Wild and Scenic River Act; and H.R. 2831, the Lilly Ledbetter Fair Pay Act.

On Tuesday, the House will meet at 9 a.m. for morning-hour business and 10 a.m. for legislative business. On Wednesday and Thursday the House will meet at 10 a.m. On Friday the House will meet at 9 a.m. We will consider the FY08 Agriculture appropriations bill, the FY08 Department of Defense appropriations bill, the Children's Health and Medicare Protection Act, and energy independence legislation.

Mr. CANTOR. I thank the gentlelady from Florida.

I notice the gentlelady indicates that the SCHIP bill will be on the calendar next week. As a member of the Ways and Means Committee, I and others worked until 2 a.m. on the package to increase the taxes to pay for the SCHIP bill supposedly coming out of the Energy and Commerce Committee that was supposed to have scheduled to mark up their bill today.

How do you expect this bill to come to the floor next week, and under what kind of rule from the Energy and Commerce Committee?

Ms. WASSERMAN SCHULTZ. We do not yet know what the rule will look like. We will be consulting with the Rules Committee and the Chair of the respective committees and we will be able to determine that at that point.

Mr. CANTOR. I would ask the gentlelady, is it the intention to bring one package with the bill out of Ways and Means and the not yet marked up bill from the Energy and Commerce Committee?

Ms. WASSERMAN SCHULTZ. There are various possibilities being considered, and those decisions have not yet been reached.

Mr. CANTOR. I thank the gentlelady.

I would also like to ask about the energy bill. Would you expect that the energy bill will come to the floor again in one package? Is there a multiple energy bill still floating out there in the committees?

Ms. WASSERMAN SCHULTZ. That is also a decision that has not yet been made. The Rules Committee will be consulted as well as the Chair of the Energy and Commerce Committee.

Mr. CANTOR. I would ask the gentlelady, does she expect the energy bill that comes to the floor to contain CAFE standards?

Ms. WASSERMAN SCHULTZ. We are considering a number of different possibilities, and those decisions, in terms of substance, have not yet been reached.

Mr. CANTOR. Further, Madam Speaker, what day do you expect to begin consideration of the energy bill?

□ 1700

Ms. WASSERMAN SCHULTZ. That decision is still being considered.

Mr. CANTOR. Madam Speaker, I thank the gentlewoman.

Next, you mentioned that the Lilly Ledbetter Fair Pay Act will be on the floor next week, and I am aware that the Rules Committee met today on this bill. I would remind the gentlewoman that it is very rare for the Rules Committee to meet the week before a bill is on the floor, and in today's case that committee met on not just one bill but on three.

I would ask the gentlewoman, Madam Speaker, will the rule granted be open given that Members were not afforded an amendment deadline and the Rules Committee meeting was not noticed until 9:04 p.m. last night?

Ms. WASSERMAN SCHULTZ. The rule for the Lilly Ledbetter Fair Pay Act will be a closed rule.

Mr. CANTOR. I thank the gentlewoman. Again, it is very rare for that to happen, especially when there was absolutely no amendment deadline given to the Members and the notice only coming since 9 o'clock last night.

I would ask the gentlewoman further on the DoD approps bill, you have been talking about having an Iraq vote each week before we leave. Do you anticipate a freestanding bill next week, or do you expect legislation to be confined to a DoD approps bill having to do with Iraq?

Ms. WASSERMAN SCHULTZ. Those decisions have not yet been made, but it is possible that we will consider an Iraq vote sometime during next week.

Mr. CANTOR. Again, I know the gentlewoman may not have the information in front of her. We are trying to get as much information as we can, Madam Speaker, for our Members in order to plan their schedules for next week. And along those lines, the schedule is rather heavy.

Should we expect and should our Members be prepared for legislative business next Saturday?

Ms. WASSERMAN SCHULTZ. In the event that we do not complete the agenda that is ambitious for next week, Members should make plans to possibly be here on Saturday.

Mr. CANTOR. I thank the gentlewoman.

Madam Speaker, I would like to ask about a few things that are out there expected to or at least having been reported to come up but are not yet on the schedule. I would ask, do you expect the patent reform legislation to be added to next week's schedule, as it

was marked up in committee last week?

Ms. WASSERMAN SCHULTZ. While that is still under discussion, it is unlikely.

Mr. CANTOR. I thank the gentlewoman.

Madam Speaker, I would also like to indicate that the Republicans have repeatedly been trying to close the terrorist loophole in our FISA laws with our previous-question votes over the last several weeks. And I would ask the gentlewoman, first of all, why the fix to the terrorist loophole was not put into the conference report that we just voted on, the 9/11 conference report? And after that, what is preventing this important national security legislation from coming to the floor? And I would ask the gentlewoman if it could be added to next week's schedule.

Ms. WASSERMAN SCHULTZ. We are looking at various options to address that concern, and it is possible that will occur next week.

Mr. CANTOR. Again, I would just like to reiterate the concern to the gentlewoman, Madam Speaker, that it was August of 2001 in which, unfortunately, we had experienced an increase in terrorist chatter, and that was in all the reports, and likely, hopefully, never again will that happen to the United States and its citizens, a terrorist attack at all or, God forbid, on that scale.

Given the reports lately and the fact that there is increasing chatter among the various reports coming out of different sources, I would just like to reiterate the importance of that type of legislation to the gentlewoman and the desire on the part of the Republicans to see that legislation come to the floor.

Ms. WASSERMAN SCHULTZ. I thank my friend from Virginia for his comments, and we certainly couldn't agree more on the importance of that. We have been looking at various ways that we can address those concerns. The majority is absolutely concerned about addressing the whole issue of terrorism and making sure that we can close every possible loophole that might be slipped through by a terrorist.

Mr. CANTOR. Madam Speaker, I thank the gentlewoman and ask one final question.

The House approved legislation earlier this month to reform the activities at the FDA, including reauthorization of the Prescription Drug User Fee Act and the Medical Device User Fee Act. Without reauthorization, the FDA will be forced to send out notices to reduce staffing. In other words, we will have to lay off government employees. It is my understanding that the FDA will send these notices as early as August if Congress fails to reauthorize the user fee programs next week.

I would ask the gentlewoman, how does the majority plan to complete these important bills before we adjourn next week?

Ms. WASSERMAN SCHULTZ. We think the gentleman's characterization of the timing of that is a bit of a stretch. We do believe that that is an important issue to address. With the ambitious agenda that we have next week and the priorities that have been laid out, it is unlikely that we will get to the FDA issue next week, but we will be dealing with it as soon as possible.

Mr. CANTOR. I would just respond, Madam Speaker, that there is a projected over 2,000-employee layoff if we in this Congress do not act to make sure that reauthorization occurs, and that is something that I am sure the gentlewoman will agree we do not want to see happen.

Ms. WASSERMAN SCHULTZ. We certainly do not, which is why we plan to make that a priority and deal with it as soon as we possibly can.

Mr. CANTOR. I thank the gentlewoman.

ADJOURNMENT TO MONDAY, JULY 30, 2007

Ms. WASSERMAN SCHULTZ. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 a.m. on Monday next for morning-hour debate.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Ms. WASSERMAN SCHULTZ. Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

U.S. CHARITIES HELP HAMAS

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

Mr. POE. Madam Speaker, it seems the terrorist group Hamas may have been receiving money from a U.S.-based fake charity organization that funds Hamas's reigns of terror in the Middle East, all under the hypocritical name of compassion and goodwill. A Dallas, Texas, Muslim charity has been charged with pouring millions of dollars into a terrorist slush fund that is bent on destroying Israel and the United States.

While the charity denies any wrongdoing, of course, prosecutors say money went straight to Hamas and some of the money went to aid families of suicide bombers. But this self-righteous ''charity'' says they are innocent.

The charity claims they were sending money for humanitarian efforts in Palestine. Madam Speaker, the fanatical terrorist group Hamas is not a humanitarian organization. They kill humanitarians.

If nonprofit organizations in the United States are aiding terrorist organizations in their devastation, destruction, and death, they should be held accountable. If this charity is a fraud, then the money should be confiscated and given to victims of terrorism. And then the charity organizers ought to go to jail.

And that's just the way it is.

SPECIAL ORDERS

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

GENERAL PETRAEUS'S REPORT ON THE SITUATION IN IRAQ

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

Ms. WOOLSEY. Madam Speaker, many of my colleagues are eagerly waiting for General Petraeus's report on the situation in Iraq this September. But I don't know why we are waiting because we have already heard from General Petraeus in September; September of 2004, that is.

On September 26, 2004, General Petraeus wrote an op-ed piece in The Washington Post giving his assessment of the situation in Iraq at that time. I think it would be very constructive for us to review that article, and I would like to read pieces from it.

Near the beginning General Petraeus says: ''Eighteen months after entering Iraq, I see tangible progress. Iraqi security elements are being rebuilt from the ground up. The institutions that oversee them are being reestablished from the top down. And Iraqi leaders are stepping forward, leading their country and their security forces courageously . . . ''

He goes on to recognize that the Iraqis face a violent insurgency, but he says: ''Nonetheless, there are reasons for optimism . . . Iraqi police and soldiers . . . are performing a wide variety of security missions. Equipment is being delivered. Training is on track and increasing in capacity. Infrastructure is being repaired. Command and control structures and institutions are being reestablished.''

And after citing many other examples of progress, the general ended his piece this way: ''I meet with Iraqi security force leaders every day . . . I have seen their determination and their desire to assume the full burden of security tasks for Iraq. There will be more tough times . . . along the way. Iraq's security forces are, however, developing steadily and they are in the fight. Momentum has gathered in recent months. With strong Iraqi leaders

out front and continued coalition support, this trend will continue.''

Obviously, the general could not have been more wrong.

Madam Speaker, we can only hope that when General Petraeus reports to us this September that he will take off his rose-colored glasses and see things more clearly. The American people deserve a full accounting of what is really going on. But it actually looks like we won't get it. Ambassador Crocker has said that the report will be just a ''snapshot.'' So it looks like the White House spin machine is already trying to lower expectations and do preemptive damage control again.

But the damage in Iraq has already been done, and the American people deserve more than spin. What we need is a national security plan that is based on what will actually make our Nation safe. Such a plan must include diplomacy, strong international alliances against terrorism, initiatives to address the root cause of terrorism, and a new approach to foreign policy, an approach that restores America's credibility and moral leadership in the world.

I have proposed such a national security plan. It is called SMART, which stands for Sensible, Multilateral American Response to Terrorism. I invite all my colleagues to learn about it and consider this plan.

In the meantime, the runup to General Petraeus's report continues. I hope that this September he will be more accurate than he was in September 2004. But I am not holding my breath. In fact, I will not breathe easily until all of our troops are home safely.

□ 1715

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

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

THE THREAT FROM RADICAL JIHADISM

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

Mr. HOEKSTRA. Madam Speaker, I rise today to express my disappointment that we're going to go into another weekend not having addressed the threat from radical jihadism.

Just moments ago, this House passed a 9/11 bill supposedly to increase the security and the safety of the United States of America. But since April 12, our national Director of Intelligence, the position that was created in the Intelligence Reform Act earlier in 2004 to specifically provide us with information about the threats to the United States, this organization that was put together to make our intelligence community more effective, the Director of National Intelligence has reported to this Congress now for almost 4 months that there are significant intelligence gaps at the same time while we are a Nation at greater threat than perhaps any time since 9/11.

In a letter that Director McConnell recently sent to the Intelligence Committee in an unclassified version, he highlights a situation in which our intelligence community every day is missing a significant portion of what we should be getting in order to protect the American people. He goes on and says this is about foreign intelligence, about foreign targets overseas, and that to collect this kind of an intelligence, what he needs to do is he needs to get a court order. Now, think about this; we need to get a court order to listen to an alleged terrorist, who may be in Pakistan, may be in Afghanistan, but we know that they're outside of the U.S. borders, so it's foreign intelligence about a foreign terrorist outside of the United States, and we need to go get a court order to listen to that conversation at a time when we know that we are at heightened risk.

Isn't it ironic that as we pass a 9/11 bill, in the 9/11 bill that we passed this afternoon, the 9/11 bill gives al Qaeda and radical jihadis more information about the United States and about our intelligence community than what they had before. The 9/11 bill says we are going to reveal our top-line spending on intelligence. If we believe that revealing our spending at a macro level on intelligence makes us safer, maybe we should just give radical jihadis a breakdown of how we spend all of our money.

So on a 9/11 bill we're going to say, you know, because of leaks in the intelligence community, leaks to the press, we've already told you about our Terrorist Surveillance Program, we've already talked with you and given you details about how we do financial tracking, we've talked to you about interrogations, we've talked to you about prisons and all these types of things, and now we're also going to tell you how much money we spend on intelligence on an annual basis. And remember, just about everybody agrees that the tip of the spear in keeping America safe is how effective our intelligence community is. And now we're going to give them more information about our intelligence community, and at the same time, while our Director of National Intelligence for 4 months has been telling us that there are gaps in our intelligence, significant gaps in our ability to get information about what foreign terrorists may be planning against the United States, at a time when we know that one of their highest priorities is to attack the homeland again.

And this is not only about their intentions to attack the United States, but remember, if there is a foreign terrorist in Afghanistan talking to a foreign jihadist or radical terrorist in Iraq and that communications may in some way come through the United States, that information will not even be available for our combat troops in Iraq or in Afghanistan. Not only are we blind for homeland security, we are also handicapping our troops who are on the front lines each and every day. We're not even getting them the information that they could use on a tactical basis to protect themselves, but also to identify where the radical jihadists are, where al Qaeda might be in Iraq, and what they may be up to in Iraq or in Afghanistan or in the United States or in Western Europe, wherever. And the most concerning thing is that we may not even deal with this before we go on recess next week. This needs to be fixed before we go on recess.

HONORING CAL RIPKEN, JR.

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

Mr. SARBANES. Madam Speaker, I rise today with pride to introduce legislation honoring Cal Ripken, Jr. on his induction into the Pro Baseball Hall of Fame.

My bill would rename as Cal Ripken Way Interstate 395 in Baltimore, which runs into the city and ends near Oriole Park at Camden Yards.

Calvin Edwin Ripken, Jr. grew up in Aberdeen, Maryland. A baseball standout from an early age, he led his little league team to the Little League World Series and was a baseball star at Aberdeen High School.

As a professional, Cal spent his entire career with his hometown team, the Baltimore Orioles. Drafted out of high school, he rose through the minor leagues, joining the Orioles full time in 1982 when he was named Rookie of the Year. He then won American League Most Valuable Player honors and led the Orioles to their third World Series Championship in 1983.

From May 30, 1982, until September 19, 1998, Cal never missed a game. He played in an incredible 2,632 consecutive games, passing Lou Gehrig's record of 2,131 on September 6, 1995, in front of family, friends and fans at Camden Yards.

His career redefined the shortstop position, setting multiple offensive and defensive records, and paving the way for a new generation of players.

Cal's stellar career no doubt makes him worthy of induction into the Hall of Fame. In fact, he was elected to the Hall with the highest vote total ever, the highest vote percentage for any position player, and the third highest vote percentage in history. But the numbers don't even begin to explain what he means to our national pastime.

Baseball fans, and especially parents, are too often disappointed when our American idols fail to live up to our American ideals. Too often, our sports stars are famous for all the wrong reasons, but time and again Cal Ripken,

Jr. has been a source of pride for baseball.

Cal was a spectacular player, but not a flashy one. He played fundamental baseball, always doing the little things and setting the example for how a professional should perfect his trade, and he showed up every day.

From the heights of the World Series Championship in 1983 to the depths of the 21-game losing streak that began the 1988 season, Cal was there every day. After the cancellation of the 1994 World Series, many fans marked September 6, 1995, the night Ripken played in his 2,131st game, as the night that America came back to baseball.

Ripken's commitment to working hard and playing by the rules became known as ''the Ripken way.'' He inspired the people of Baltimore every season with his quiet and unassuming dedication to his work. In fact, I believe that Cal has inspired Americans all over the country.

''The Ripken way'' is in many ways synonymous with ''the American way.'' When you ask people about American values, they often mention dependability, loyalty, humility, and old-fashioned hard work. Cal Ripken embodies these values.

Madam Speaker, I think Tony Kornheiser captured this well in a column that appeared in The Washington Post on September 7, 1995. He wrote, ''When I look at this record, I think I hear the rhythms of America. This celebration of Cal is the fanfare for the common man. Going to work every day, come hell or high water, building a career, providing for a family like our fathers did before us is something we can all relate to. I think America looks at Cal Ripken playing every game, playing them in the same small town where he grew up, putting his hand over his fluttering heart as the ovations pour over him like tidal waves and signing autographs afterward, and says to itself, here is a man I can respect, here is a man with values I admire. You don't often hear that about professional athletes anymore.''

Madam Speaker, if we pass this legislation, when travelers come to visit Baltimore or pass by on their way to another destination, they will not only be reminded of a terrific ballplayer whose name has become synonymous with the Orioles, but also a model American and the promise of doing things ''The Ripken Way.''

I hope my colleagues agree that this is a fitting tribute to one of the best loved and most enduring figures in the history of baseball.

Cal, congratulations on your induction into the Hall of Fame.

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

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

WASTEFUL EXPENDITURES IN U.S. EMBASSY IN IRAQ

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

Mr. DUNCAN. Madam Speaker, the easiest thing in the world to do is to spend other people's money. And it never ceases to amaze how the Federal bureaucracy can rationalize or justify the most wasteful or ridiculous expenditures. But the lavish new embassy we are building in Baghdad and the staffing and expenses for it will just about take the cake.

Here is part of a recent Fox News report: ''It's as big as Vatican City and makes foreign embassies dotting the tree-lined streets of Washington, D.C. look like carriage houses.'' But the barely finished U.S. Embassy in Baghdad is already prime for expansion.

Due for completion in September, the $592 million campus is surrounded by concrete blast walls and features green grass gardens, palm-lined avenues, and volleyball and basketball courts. Available to embassy employees are a PX, commissary, cinema, retail and shopping areas, restaurants, schools, a fire station, power and water treatment facilities, a swimming pool, a recreation center, and the ambassador's and deputy ambassador's residences.

And with months still to pass before it opens, Secretary of State Condoleezza Rice told a Senate subcommittee in May that additional staffing and housing needs have forced officials to add more structures to the now 21-building site. She asked for an additional $50 million from Congress to make that happen. In other words, almost $600 million is not enough. Then the budget for 2006 for the employees was $923 million, not including salaries and expenses for about 600 employees from other Federal agencies and departments than the State Department.

To a recent story from The Washington Post: ''Mention the U.S. Embassy in Baghdad to Lawrence Eagleburger and he explodes.

'' 'I defy anyone to tell me how you can use that many people. It is nuts. It's insane, and it's counterproductive. And it won't work,' says the Republican former Secretary of State and member of the Iraq Study Group.''

Secretary Eagleburger said, ''I've been around the State Department long enough to know you can't run an outfit like that.'' And Secretary Eagleburger was reacting to a staffing level of 1,000, twice the size and 20 to 30 times the budgets we have at our embassies in China, Mexico and Britain.

The Post story quoted a senior State Department official as saying, ''Maintaining an oversized mega embassy in Baghdad is draining personnel and resources away from every other U.S. embassy around the world, and all for what?'' The story also said that counting contractors and Iraqi employees, the staff actually is not 1,000, but a staggering and astounding 4,000.

Madam Speaker, I know that many people in our Federal Government want to think of themselves as world statesmen and to feel real important, but it is both unconstitutional and unaffordable for the U.S. to try to govern or police the whole world. And all this certainly goes against every traditional conservative position I have ever known.

Above all, what we are doing building this Taj Mahal industry in Baghdad and allowing an almost $1 billion budget to operate is as far from fiscal conservatism as you can get.

And finally, Madam Speaker, because a previous speaker mentioned General Petraeus's report, let me add this: There is a very important reason why our Founding Fathers, and throughout the history of this Nation our leaders, have always believed in civilian control over the military. The admirals and generals will almost always give positive or optimistic reports saying progress is being made. We have received positive reports from our top military leaders all through the war in Iraq. It is almost like the generals saying they're doing a bad job if their reports are not positive.

Madam Speaker, we should admire, respect and appreciate our military, and I certainly do. But we should not worship them or feel it is somehow unpatriotic to ever criticize any Pentagon waste or any decision a general might make.

□ 1730

FAILED POLICY IN IRAQ

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

Mr. WYNN. Good evening, Madam Speaker. To varying degrees, Americans realize that it's time to end this war. You hear frustration; you see almost rabid anger. Americans understand we have a failed policy in Iraq. It's not working. 3,600 American troops have been killed; 2,700 U.S. troops have been wounded; 50,000 Iraqis have been killed. This administration is pursuing a failed foreign and military policy.

Now, let me be quick to note: This doesn't mean that our military has failed. Our military has in fact performed very admirably. They have done so despite the inept management of this administration, which has failed to provide them with the adequate armor that they need. Yet our military has fought on. But, again, it is the wrong policy.

First of all, we need to redefine our notions of winning and losing. This is the wrong war, it is in the wrong place, and it is being, as I indicated earlier, handled in the wrong way.

A lot of people are afraid to pull our troops out because they will say we will have lost. No, we will not have lost. We will have been pursuing the wrong policy. It is almost like the British redcoats facing the U.S. revolutionaries in the American Revolutionary

War. They were fighting in the wrong way. We are doing the same thing. We have to face the facts.

Supporters of the war are also saying look, we can't get out because the result will be a catastrophe. Note to the administration: It is already a catastrophe. What we need to do is change direction, with the hope that we can actually fight a war on terrorism and save American lives.

We can't continue to try to mediate Iraq's civil war. It is time to redeploy our troops, to bring them back home. We have in fact a civil war in Iraq. Both sides dislike our military presence. Iraqi insurgents are willing to kill themselves and become martyrs for their cause. We don't really understand this phenomenon. How can you beat an enemy that is willing to kill himself before you do? It doesn't work.

This is not a war in which killing more insurgents will result in ''victory.'' In fact, the National Intelligence Estimates indicate that our presence in Iraq is counterproductive. Iraq has more insurgents now, more militants, more terrorists, more jihadists, if you will, today than they did when we deposed Saddam Hussein. Iraq has become a haven for terrorists, and our military engagement is not reducing the number of insurgents. They are increasing.

Our continued presence in Iraq, more than 4 years, leads many Iraqis to the perception that what we really want to do is control their oil resources. This perception undermines any attempt to promote freedom and democracy. They think we just want the oil.

We have done one good thing through this Congress. We passed a resolution in this House that says we will have no permanent bases. That is the type of message we need to be sending, that we are not there to control your country. But what should we do in the overall battle against terrorism and in Iraq?

First of all, how about some diplomacy? Why is diplomacy always last? From Korea to Iran, here is what we do. We call them names first, and then we, finally, years later, say, well, maybe we ought to talk. Let's try talking first.

It is time this administration took diplomatic engagement to a higher level around the world. We need to take it seriously. We need to abandon this go-it-alone policy.

How about supporting Muslim efforts to promote peace? I think there are countries in the region, Jordan, Egypt, Saudi Arabia, Morocco, who have a vested interest in promoting peace. Let's give them a chance to promote peace. They have the greatest stake in having a peaceful region. There are also international religious leaders who could perhaps mediate a peace. What we do know is that the United States lacks the credibility to promote peace or mediate peace in this region.

Let's turn to the U.N. Why don't we ask the U.N. to promote a peace process in Iraq while we pull our troops out? We need a permanent United Nations emergency peace force. I have introduced such a bill. A permanent U.N. entity that would work in these areas of conflict, both in Iraq, in the Middle East, in Africa, the Sudan, Chad, and on and on. We can use the UN as a vehicle to promote peace and save the lives of American men and women who are in the Army and in our military.

Also we need to introduce the concept of humanitarian aid. Now, we do some, it is true, but how about leading with diplomacy and humanitarian aid? Put a new face on America's foreign policy. More humanitarian aid, building schools and building hospitals, says to the world that Americans really want to be your friend, as opposed to troops beating down your door, going door-to-door.

We also need to keep in mind, although we withdraw our troops, we have not abandoned Iraq. We need to continue to support reconstruction aid. But let me be quick to add, we need reconstruction aid with a lot more congressional oversight. This idea that Halliburton and other companies are just making billions and billions in profits and we don't see anything coming up from the ground in Iraq is unsatisfactory. We need humanitarian aid, we need reconstruction aid, we need congressional oversight to go with it.

In conclusion, we really need to spend our money more wisely to fight the real threat that we have. We know the threat is not in Iraq, the threat is in Afghanistan. What should we do?

First of all, we need greater emphasis on intelligence, to break up these small cells. The attacks we have seen in Britain and elsewhere are done by small cells. We need to interrupt weapons transfers, because that is what is causing the problem. We also need to interrupt these terrorist camps. We need to use our Special Forces intelligently to fight the real war that we have.

Bring our troops home, initiate diplomacy, humanitarian aid, reconstructive aid. We need a sound foreign policy. We don't have it with this administration. But with this Congress continuing to press the fight, we are going to have it.

HIGHLIGHTING PASSAGE OF H.R. 1, IMPROVING AMERICA'S SECURITY ACT OF 2007

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

Ms. JACKSON-LEE of Texas. As usual, let me compliment the Speaker for her leadership and her service to America.

Madam Speaker, I rise today to highlight the passage of the Homeland Security Commission report in H.R. 1, Improving America's Security Act. If I had to give an acronym, I would say R–E–L–I–E–F, it spells relief to the American people.

Now we know that we have a committed and unified war and effort against the war on terror. We have the resources and the mindset, the policy and the unity, six years after 9/11, 6 years after all of us stood awestruck, humbled, seemingly powerless, frightened, saddened and emerged with grief over the loss of so many. Families today still suffer. Children are without parents, husbands are without wives, wives are without husbands, and many, many extended family members.

So my first response is to salute the 9/11 families, for many times they probably were received in less than a jovial manner. But there is something about having that steadfast and courageous point of view that you never give up. You never give up.

Let me thank the chairman of the full committee and the ranking member for working to bring us all together, and the conference and the conferees, of which I was a part of, in understanding that our goal was to be Americans united.

So today I can salute the fact that this bill has passed. There is a greater distribution of Homeland Security Grants to States and high-risk urban areas, a risk-based analysis on how we distribute those funds. Each State is guaranteed a minimum of a certain amount, but it is based on risk. There is a $1.8 billion authorization for FY 2008 to assist States in high-risk urban areas in preparing for terrorist threats. Planning. More planning. More ways of looking ahead.

After we saw the strange video regarding the airport in Arizona where there was not around-the-clock Transportation Security Administration staff screening of people going into the airport, we know that we have to be forever planning and forward thinking. I am glad that solution is being addressed, and I am asking for an inventory as the subcommittee chair, of all airports in America, the top 400, to determine whether we are securing that airport 24 hours a day.

We can always work more smart and more effectively, but I am glad that we have a dedicated interoperability grant program to improve the communications that did not happen on 9/11; firefighters not being able to talk to other firefighters, or firefighters not being able to talk to police officers or Port Authority police. That money is in the bill.

$4 billion over 4 years for rail, transit and bus security grants. What a celebration. We worked very hard to ensure that we would have Transportation Security Grants on those properties, on those vehicles that move Americans across the United States. Every day Americans get up and use some form of public transportation, and we are delighted that we have focused on that.

Might I just say, with the tragedy of the steam explosion in New York, it exploded and a bus exploded. But it is important to note that if you were to have a tragedy on a bus or a train, look at the impact around the area.

I am very glad that the Houston port will now be a beneficiary of the many, many dollars that have been put in to provide more resources for our ports to have 100 percent screening of port cargo that comes into the United States. And it can be done. It won't stop the commerce that so many people are concerned about.

Then, of course, I think it is important to note that we are working with the intelligence community so that we have an exchange of intelligence, because that is the first line of defense, to know what is going on.

But I have one point, Madam Speaker, just to conclude on, and that is to be reminded that we need to consolidate the jurisdiction of the Homeland Security efforts.

The Department of Homeland Security participated in a total of 141 hearings all across the lot, all the different committees. DHS participated in a total of 42 hearings where multiple witnesses from DHS testified. DHS has provided a total of 195 witnesses. DHS has provided approximately 1,554 briefings. We need a single seam of jurisdiction for that particular department.

Then, it is important as we fight the war on terror, that we bring an end to the Iraq war; we begin to deal with political diplomacy; we begin to include the neighboring states around Iraq to take responsibility for safety in the region; we bring our troops home; we provide a safety net, if you will, for remaining Americans, but we include Kuwait, and Qatar and Jordan, all of these nations, Saudi Arabia, who are interested in some resolution to this conflict.

Almost 4,000 dead. Almost 4,000 of our brave men and women are dead. They are our heroes. We should declare a military success, bring our soldiers home and begin a diplomatic healing of that region.

Madam Speaker, let me just say, we have finally moved forward on the fight for real homeland security and the fight against the war on terror.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCNULTY (at the request of Mr. HOYER) for today after 2:30 p.m.

Mr. GARY G. MILLER of California (at the request of Mr. BOEHNER) for today after 4 p.m. on account of illness.

Mr. WAMP (at the request of Mr. BOEHNER) for July 25 until 5 p.m. on account of a family commitment.

SPECIAL ORDERS GRANTED

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

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

Ms. WOOLSEY, for 5 minutes, today.

Mr. SARBANES, for 5 minutes, today.

Mr. WYNN, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

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

Mr. POE, for 5 minutes, August 3.

Mr. JONES of North Carolina, for 5 minutes, August 3.

Mr. DUNCAN, for 5 minutes, today.

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

Mr. HOEKSTRA, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

ADJOURNMENT

Ms. JACKSON-LEE of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until Monday, July 30, 2007, at 10:30 a.m., for morning-hour debate.

OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Neil Abercrombie, Gary L. Ackerman, Robert B. Aderholt, W. Todd Akin, Rodney Alexander, Thomas H. Allen, Jason Altmire, Robert E. Andrews, Michael A. Arcuri, Joe Baca, Michele Bachmann, Spencer Bachus, Brian Baird, Richard H. Baker, Tammy Baldwin, J. Gresham Barrett, John Barrow, Roscoe G. Bartlett, Joe Barton, Melissa L. Bean, Xavier Becerra, Shelley Berkley, Howard L. Berman, Marion Berry, Judy Biggert, Brian P. Bilbray, Gus M. Bilirakis, Rob Bishop, Sanford D. Bishop, Jr., Timothy H. Bishop, Marsha Blackburn, Earl Blumenauer, Roy Blunt, John A. Boehner, Jo Bonner, Mary Bono, John Boozman, Madeleine Z. Bordallo, Dan Boren, Leonard L. Boswell, Rick Boucher, Charles W. Boustany, Jr., Allen Boyd, Nancy E. Boyda, Kevin Brady, Robert A. Brady, Bruce L. Braley, Paul C. Broun, Corrine Brown, Henry E. Brown, Jr., Ginny Brown-Waite, Vern Buchanan, Michael C. Burgess, Dan Burton, G. K. Butterfield, Steve Buyer, Ken Calvert, Dave Camp, John Campbell, Chris Cannon, Eric Cantor, Shelley Moore Capito, Lois Capps, Michael E. Capuano, Dennis A. Cardoza, Russ Carnahan, Christopher P. Carney, Julia Carson, John R. Carter, Michael N. Castle, Kathy Castor, Steve Chabot, Ben Chandler, Donna M. Christensen, Yvette D. Clarke, Wm. Lacy Clay, Emanuel Cleaver, James E. Clyburn, Howard Coble, Steve Cohen, Tom Cole, K. Michael Conaway, John Conyers, Jr., Jim Cooper, Jim Costa, Jerry F. Costello, Joe Courtney, Robert E. (Bud) Cramer, Jr., Ander Crenshaw, Joseph Crowley, Barbara Cubin, Henry Cuellar, John Abney Culberson, Elijah E. Cummings, Artur Davis, Danny K. Davis, David Davis, Geoff Davis, Jo Ann Davis, Lincoln Davis, Susan A. Davis, Tom Davis, Nathan Deal, Peter A. DeFazio, Diana DeGette, William D. Delahunt, Rosa L. DeLauro, Charles W. Dent, Lincoln Diaz-Balart, Mario Diaz-Balart, Norman D. Dicks, John D. Dingell, Lloyd Doggett, Joe Donnelly, John T. Doolittle, Michael F. Doyle, Thelma D. Drake, David Dreier, John J. Duncan, Jr., Chet Edwards, Vernon J. Ehlers, Keith Ellison, Brad Ellsworth, Rahm Emanuel, Jo Ann Emerson, Eliot L. Engel, Phil English, Anna G. Eshoo, Bob Etheridge, Terry Everett, Eni F. H. Faleomavaega, Mary Fallin, Sam Farr, Chaka Fattah, Tom Feeney, Mike Ferguson, Bob Filner, Jeff Flake, J. Randy Forbes, Jeff Fortenberry, Luis G. Fortuño, Vito Fossella, Virginia Foxx, Barney Frank, Trent Franks, Rodney P. Frelinghuysen, Elton Gallegly, Scott Garrett, Jim Gerlach, Gabrielle Giffords, Wayne T. Gilchrest, Kirsten E. Gillibrand, Paul E. Gillmor, Phil Gingrey, Louie Gohmert, Charles A. Gonzalez, Virgil H. Goode, Jr., Bob Goodlatte, Bart Gordon, Kay Granger, Sam Graves, Al Green, Gene Green, Raúl M. Grijalva, Luis V. Gutierrez, John J. Hall, Ralph M. Hall, Phil Hare, Jane Harman, J. Dennis Hastert, Alcee L. Hastings, Doc Hastings, Robin Hayes, Dean Heller, Jeb Hensarling, Wally Herger, Stephanie Herseth, Brian Higgins, Baron P. Hill, Maurice D. Hinchey, Ruben Hinojosa, Mazie K. Hirono, David L. Hobson, Paul W. Hodes, Peter Hoekstra, Tim Holden, Rush D. Holt, Michael M. Honda, Darlene Hooley, Steny H. Hoyer, Kenny C. Hulshof, Duncan Hunter, Bob Inglis, Jay Inslee, Steve Israel, Darrell E. Issa, Jesse L. Jackson, Jr., Sheila Jackson-Lee, William J. Jefferson, Bobby Jindal, Eddie Bernice Johnson, Henry C. ''Hank'' Johnson, Jr., Sam Johnson, Timothy V. Johnson, Stephanie Tubbs Jones, Walter B. Jones, Jim Jordan, Steve Kagen, Paul E. Kanjorski, Marcy Kaptur, Ric Keller, Patrick J. Kennedy, Dale E. Kildee, Carolyn C. Kilpatrick, Ron Kind, Peter T. King, Steve King, Jack Kingston, Mark Steven Kirk, Ron Klein, John Kline, Joe Knollenberg, John R. ''Randy'' Kuhl, Jr., Ray LaHood, Doug Lamborn, Nick Lampson, James R. Langevin, Tom Lantos, Rick Larsen, John B. Larson, Tom Latham, Steven C. LaTourette, Barbara Lee, Sander M. Levin, Jerry Lewis, John Lewis, Ron Lewis, John Linder, Daniel Lipinski, Frank A. LoBiondo, David Loebsack, Zoe Lofgren, Nita M. Lowey, Frank D. Lucas, Daniel E. Lungren, Stephen F. Lynch, Carolyn McCarthy, Kevin McCarthy, Michael T. McCaul, Betty McCollum, Thaddeus G. McCotter, Jim McCrery, James P. McGovern, Patrick T. McHenry, John M. McHugh, Mike McIntyre, Howard P. ''Buck'' McKeon, Cathy McMorris Rodgers, Jerry McNerney, Michael R. McNulty, Connie Mack, Tim Mahoney, Carolyn B. Maloney, Donald A. Manzullo, Kenny Marchant, Edward J. Markey, Jim Marshall, Jim Matheson, Doris O. Matsui, Martin T. Meehan, Kendrick B. Meek, Gregory W. Meeks, Charlie Melancon, John L. Mica, Michael H. Michaud, Juanita Millender-McDonald, Brad Miller, Candice S. Miller, Gary G. Miller, Jeff Miller, Harry E. Mitchell, Alan B. Mollohan, Dennis Moore, Gwen Moore, James P. Moran, Jerry Moran, Christopher S. Murphy, Patrick J. Murphy, Tim Murphy, John P. Murtha, Marilyn N. Musgrave, Sue Wilkins Myrick, Jerrold Nadler, Grace F. Napolitano, Richard E. Neal, Randy Neugebauer, Eleanor Holmes Norton, Charlie Norwood, Devin Nunes, James L. Oberstar, David R. Obey, John W. Olver, Solomon P. Ortiz, Frank Pallone, Jr., Bill Pascrell, Jr., Ed Pastor, Ron Paul, Donald M. Payne, Stevan Pearce, Nancy Pelosi, Mike Pence, Ed Perlmutter, Collin C. Peterson, John E. Peterson, Thomas E. Petri, Charles W. ''Chip'' Pickering, Joseph R. Pitts, Todd Russell Platts, Ted Poe, Earl Pomeroy, Jon C. Porter, David E. Price,

Tom Price, Deborah Pryce, Adam H. Putnam, George Radanovich, Nick J. Rahall II, Jim Ramstad, Charles B. Rangel, Ralph Regula, Dennis R. Rehberg, David G. Reichert, Rick Renzi, Silvestre Reyes, Thomas M. Reynolds, Ciro D. Rodriguez, Harold Rogers, Mike Rogers, Dana Rohrabacher, Peter J. Roskam, Ileana Ros-Lehtinen, Mike Ross, Steven R. Rothman, Lucille Roybal-Allard, Edward R. Royce, C.A. Dutch Ruppersberger, Bobby L. Rush, Paul Ryan, Tim Ryan, John T. Salazar, Bill Sali, Linda T. Sánchez, Loretta Sanchez, John P. Sarbanes, Jim Saxton, Janice D. Schakowsky, Adam B. Schiff, Jean Schmidt, Allyson Y. Schwartz, David Scott, Robert C. ''Bobby'' Scott, F. James Sensenbrenner, Jr., José E. Serrano, Pete Sessions, Joe Sestak, John B. Shadegg, Christopher Shays, Carol Shea-Porter, Brad Sherman, John Shimkus, Heath Shuler, Bill Shuster, Michael K. Simpson, Albio Sires, Ike Skelton, Louise McIntosh Slaughter, Adam Smith, Adrian Smith, Christopher H. Smith, Lamar Smith, Vic Snyder, Hilda L. Solis, Mark E. Souder, Zachary T. Space, John M. Spratt, Jr., Cliff Stearns, Bart Stupak, John Sullivan, Betty Sutton, Thomas G. Tancredo, John S. Tanner, Ellen O. Tauscher, Gene Taylor, Lee Terry, Bennie G. Thompson, Mike Thompson, Mac Thornberry, Todd Tiahrt, Patrick J. Tiberi, John F. Tierney, Edolphus Towns, Michael R. Turner, Mark Udall, Tom Udall, Fred Upton, Chris Van Hollen, Nydia M. Velázquez, Peter J. Visclosky, Tim Walberg, Greg Walden, James T. Walsh, Timothy J. Walz, Zach Wamp, Debbie Wasserman Schultz, Maxine Waters, Diane E. Watson, Melvin L. Watt, Henry A. Waxman, Anthony D. Weiner, Peter Welch, Dave Weldon, Jerry Weller, Lynn A. Westmoreland, Robert Wexler, Ed Whitfield, Roger F. Wicker, Charles A. Wilson, Heather Wilson, Joe Wilson, Frank R. Wolf, Lynn C. Woolsey, David Wu, Albert Russell Wynn, John A. Yarmuth, C.W. Bill Young, Don Young,

EXECUTIVE COMMUNICATIONS, ETC.

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

2707. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-7979] received July 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2708. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's ''Major'' final rule — Final Flood Elevation Determinations — received July 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2709. A letter from the General Counsel, NCUA, National Credit Union Administration, transmitting the Administration's final rule — Share Insurance Appeals; Clarification of Enforcement Authority of the NCUA Board — received July 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2710. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Technical Amendments (RIN: #3133-AD36) received July 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2711. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Uninsured Secondary Capital — received July 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2712. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — EXTENSION OF INTERACTIVE DATA VOLUNTARY REPORTING PROGRAM ON THE EDGAR SYSTEM TO INCLUDE MUTUAL FUND RISK/RETURN SUMMARY INFORMATION [Release Nos. 33-8823, IC-27884; File Number S7-05-07] (RIN: 3235-AJ59) received July 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2713. A letter from the Secretary, U.S. Securities Exchange Commission, Securities and Exchange and Commission, transmitting the Commission's final rule — Regulation SHO and Rule 10a-1 [Release No. 34-55970; File No. S7-21-06] (RIN: 3235-AJ76) received July 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2714. A letter from the Assistant Secretary for Communications and Information, Department of Commerce, transmitting the Department's ''Major'' final rule — Public Safety Interoperable Communications (PSIC) Grant Program — received July 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2715. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less than 60 Feet (18.3m) LOA Using Pot or Hook-and-Line Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 070213033-7033-01] (RIN: 0648-XA70) received July 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2716. A letter from the Assistant Administrator, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Quota Specifications and Effort Controls [Docket No. 070330073-7116-02; I.D. 030507A] (RIN: 0648-AU87) received July 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2717. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish Observer Program [Docket No. 070209029-7118-02; I.D. 112906A] (RIN: 0648-AU58) received July 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2718. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Zone Off Alaska; Deep-water Species Fishery by Catcher Vessels in the Gulf of Alaska [Docket No. 070213032-7032-01] (RIN: 0648-XA83) received July 16, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2719. A letter from the Assistant Secretary, Transportation Security Administration, Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection provided at the Sonoma County Airport in Santa Rosa, California will be equal to or greater than the level that would be provided at the aiport by TSA Transportation Security Officers, pursuant to 49 U.S.C. 44920(d); to the Committee on Homeland Security.

2720. A letter from the Chief Privacy Officer, Department of Homeland Security, transmitting the Department's report entitled, ''2007 Data Mining Report: DHS Privacy Office Response to House Report 109-699,'' pursuant to Public Law 109-295; to the Committee on Homeland Security.

2721. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Revised Payment System Policies for Services Furnished in Ambulatory Surgical Centers (ASCs) Beginning in CY 2008 [CMS-1517-F] (RIN: 0938-AO73) received July 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

2722. A letter from the Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's Annual Report on the Federal Work Force for Fiscal Year 2006, pursuant to 42 U.S.C. 2000e-4(e); jointly to the Committees on Oversight and Government Reform and Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER, GEORGE: Committee on Education and Labor, H.R. 2847. A bill to amend the Workforce Investment Act of 1998 to establish an energy efficiency and renewable energy worker training program; with an amendment (Rept. 110–262). Referred to the Committee of the Whole House on the State of the Union.

Ms. SUTTON: Committee on Rules. House Resolution 579. Resolution providing for consideration of the bill (H.R. 2831) to amend title VII of the Civil Rights Acts of 1964, the Age Discrimination in Employment Act of 1967, the Americans With Disabilities Act of 1990, and the Rehabilitation Act of 1973 to clarify that a discriminatory compensation decision or other practice that is unlawful under such Act occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes (Rept. 110–263). Referred to the House Calendar.

Ms. CASTOR: Committee on Rules. House Resolution 580. Resolution providing for consideration of the bill (H.R. 986) to amend the Wild and Scenic Rivers Act to designate certain segments of the Eightmile River in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes (Rept. 110–264). Referred to the House Calendar.

Mr. McGOVERN: Committee on Rules. House Resolution 581. Resolution providing for consideration of the bill (H.R. 3161) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008, and for other purposes (Rept. 110–265). Referred to the House Calendar.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 1315. A bill to amend title 38, United States Code, to provide specially adaptive housing assistance to certain disabled members of the Armed Forces residing temporarily in housing owned by a family member; with amendments (Rept. 110–266). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. 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; with an amendment (Rept. 110–267). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 2874. A bill to amend title 38, United States Code, to make certain improvements in the provision of health care to veterans, and for other purposes; with an amendment (Rept. 110–268). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SMITH of New Jersey (for himself, Mr. PAYNE, Mr. SCOTT of Georgia, Mr. TOM DAVIS of Virginia, Mr. VAN HOLLEN, and Mr. WOLF):

H.R. 3202. A bill to amend the Foreign Service Act of 1980 to extend comparability pay adjustments to members of the Foreign Service assigned to posts abroad, and to amend the provision relating to the death gratuity payable to surviving dependents of Foreign Service employees who die as a result of injuries sustained in the performance of duty abroad; to the Committee on Foreign Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. PAYNE, Mr. SCOTT of Georgia, Mr. TOM DAVIS of Virginia, and Mr. WOLF):

H.R. 3203. A bill to reform the compensation system of the Foreign Service of the United States, and to amend the provision relating to the death gratuity payable to surviving dependents of Foreign Service employees who die as a result of injuries sustained in the performance of duty abroad; to the Committee on Foreign Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN (for himself and Mr. WAXMAN):

H.R. 3204. A bill to reform the Trade Advisory Committee system to ensure that a broad range of views are represented and accommodated in developing United States trade policy; to the Committee on Ways and Means.

By Mrs. BIGGERT (for herself, Mr. GRIJALVA, and Mr. SARBANES):

H.R. 3205. A bill to amend subtitle B of title VII of the McKinney-Vento Homeless Assistance Act to provide education for homeless children and youths, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ (for herself and Mr. CHABOT):

H.R. 3206. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through December 15, 2007, and for other purposes; to the Committee on Small Business.

By Mr. BOUSTANY (for himself and Mr. DAVIS of Kentucky):

H.R. 3207. A bill to provide mechanisms for developing and implementing a national energy security strategy for the United States; to the Committee on Armed Services, and in addition to the Committees on Foreign Affairs, Intelligence (Permanent Select), 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 Mr. CANNON (for himself, Mr. MATHESON, and Mr. BISHOP of Utah):

H.R. 3208. A bill to amend the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007, to extend the date for which livestock assistance is available for losses due to a disaster; to the Committee on Agriculture.

By Ms. DELAURO (for herself and Mr. COURTNEY):

H.R. 3209. A bill to support the establishment and operation of Teachers Professional Development Institutes; to the Committee on Education and Labor.

By Mr. DONNELLY:

H.R. 3210. A bill to provide medical care and other benefits for members and former members of the Armed Forces with severe injuries or illnesses; to the Committee on Armed Services, and in addition to the Committee on Veterans' 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. ELLSWORTH:

H.R. 3211. A bill to establish an awards mechanism to honor Federal law enforcement officers injured in the line of duty; to the Committee on the Judiciary.

By Mrs. LOWEY:

H.R. 3212. A bill to provide certain personnel management requirements for the Transportation Security Administration, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida (for himself, Mr. BROWN of South Carolina, Mr. LAMPSON, Mr. MARSHALL, Mr. UDALL of Colorado, Mr. MATHESON, Ms. FOXX, Mrs. MYRICK, Mr. GINGREY, Mr. PUTNAM, Mr. BOOZMAN, Mr. BUCHANAN, Mr. GARRETT of New Jersey, Mr. MCNERNEY, Mr. SESSIONS, Mr. WAMP, Mr. BURTON of Indiana, Mr. GOHMERT, Mrs. MILLER of Michigan, Mr. WALSH of New York, Mrs. BOYDA of Kansas, Mr. BARRETT of South Carolina, Mr. ROSS, and Ms. GINNY BROWN-WAITE of Florida):

H.R. 3213. A bill to permit residents of the District of Columbia to be treated as residents of Maryland or Virginia for purposes of obtaining hunting licenses, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PATRICK MURPHY of Pennsylvania (for himself and Mr. MICHAUD):

H.R. 3214. A bill to provide greater accountability in reviewing the national security considerations of free trade agreements; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 3215. A bill to amend title XIX of the Social Security Act to provide medical assistance for certain men screened and found to have prostate cancer under a federally funded screening program; to the Committee on Energy and Commerce.

By Mr. PAUL:

H.R. 3216. A bill to authorize the President to issue letters of marque and reprisal with respect to certain acts of air piracy upon the United States on September 11, 2001, and other similar acts of war planned for the future; to the Committee on Foreign Affairs.

By Mr. PAUL:

H.R. 3217. A bill to limit the issuance of student and diversity immigrant visas to aliens who are nationals of Saudi Arabia, countries that support terrorism, or countries not cooperating fully with United States antiterrorism efforts; to the Committee on the Judiciary.

By Mr. SARBANES (for himself, Mr. HOYER, Mr. WYNN, Mr. CUMMINGS, Mr. BARTLETT of Maryland, Mr. GILCHREST, Mr. RUPPERSBERGER, Mr. VAN HOLLEN, Mr. BARTON of Texas, Mr. DOYLE, Mr. TOM DAVIS of Virginia, Mr. PLATTS, Mr. CASTLE, Mr. SIRES, Mr. BRALEY of Iowa, Mr. OBEY, Mr. WOLF, Mr. GEORGE MILLER of California, Mr. LOEBSACK, Mr. ARCURI, and Mr. YARMUTH):

H.R. 3218. A bill to designate a portion of Interstate Route 395 located in Baltimore, Maryland, as ''Cal Ripken Way''; to the Committee on Transportation and Infrastructure.

By Ms. SUTTON (for herself, Mr. HARE, Mr. BRALEY of Iowa, Mr. INSLEE, Ms. SHEA-PORTER, Mr. HASTINGS of Florida, Mr. WYNN, Ms. WOOLSEY, and Ms. HIRONO):

H.R. 3219. A bill to amend the Animal Welfare Act to prohibit dog fighting ventures; to the Committee on Agriculture, and in addition to the Committee on 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. WAMP:

H. Con. Res. 195. Concurrent resolution expressing the sense of the Congress that a National Dysphagia Awareness Month should be established; to the Committee on Oversight and Government Reform.

By Mr. BROWN of South Carolina (for himself, Mr. WILSON of South Carolina, Mr. BARRETT of South Carolina, Mr. INGLIS of South Carolina, Mr. SPRATT, and Mr. CLYBURN):

H. Res. 582. A resolution recognizing the South Carolina Aquarium's Sustainable Seafood Initiative and the benefits it provides to coastal South Carolina, South Carolina fishermen, South Carolina restaurants, and the consumers of seafood in coastal South Carolina, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KLEIN of Florida (for himself, Mr. LINCOLN DIAZ-BALART of Florida, Mr. LANTOS, Ms. ROS-LEHTINEN, Mr. ROTHMAN, Ms. WATSON, Ms. CARSON, Mr. ACKERMAN, Mr. HASTINGS of Florida, Mr. MEEK of Florida, Mr. FALEOMAVAEGA, Mr. WILSON of South Carolina, Mr. WEXLER, Mr. BURTON of Indiana, Mr. ENGEL, Mr. MORAN of

Kansas, Mr. INGLIS of South Carolina, Ms. KILPATRICK, Mr. RYAN of Ohio, Mr. PALLONE, Mr. WAXMAN, Mr. SCHIFF, Ms. WASSERMAN SCHULTZ, Mr. CROWLEY, Mr. SHERMAN, Mr. COHEN, Mr. INSLEE, Mr. PERLMUTTER, Mr. HODES, Mr. BRALEY of Iowa, Mr. LOEBSACK, Mr. MCNERNEY, Mr. ELLSWORTH, Ms. SUTTON, Mr. WILSON of Ohio, Mr. MAHONEY of Florida, Mr. WELCH of Vermont, Mr. WALZ of Minnesota, Mr. YARMUTH, Mr. KAGEN, Mr. CARNEY, Mr. MARIO DIAZ-BALART of Florida, and Mr. NADLER):

H. Res. 583. A resolution recognizing the remarkable example of Sir Nicholas Winton who organized the rescue of 669 Jewish Czechoslovakian children from Nazi death camps prior to the outbreak of World War II; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

143. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 101 urging the Congress of the United States to oppose the South Korea Free Trade Agreement; to the Committee on Ways and Means.

144. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 78 memorializing the Congress of the United States to enact H.R. 1619 or S. 587, to direct the Department of the Treasury to mint coins to commemorate the Model T Ford; to the Committee on Ways and Means.

145. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 121 memorializing the Congress of the United States to encourage expansion of existing or the construction of new petroleum refineries in the United States to meet our increasing energy needs; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

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

H.R. 21: Mr. DAVIS of Illinois and Mr. ROTHMAN.

H.R. 23: Mr. MELANCON and Mrs. LOWEY.

H.R. 180: Mr. MCCAUL of Texas, Mr. MORAN of Kansas, Ms. HOOLEY, Mr. BISHOP of Georgia, Mr. JACKSON of Illinois, Mr. THOMPSON of Mississippi, Mr. WATT, Mr. SCOTT of Virginia, and Mr. MOORE of Kansas.

H.R. 303: Mr. WHITFIELD.

H.R. 343: Mr. TERRY.

H.R. 371: Mr. CARDOZA and Mr. WU.

H.R. 503: Mr. JACKSON of Illinois.

H.R. 549: Mr. HUNTER.

H.R. 601: Mr. SHAYS.

H.R. 621: Mr. SHULER.

H.R. 643: Mr. THOMPSON of Mississippi and Mr. GRAVES.

H.R. 690: Mr. WALZ of Minnesota.

H.R. 743: Mr. WYNN and Mr. PLATTS.

H.R. 758: Mr. BARROW.

H.R. 767: Ms. BORDALLO.

H.R. 772: Mrs. NAPOLITANO and Ms. SHEA-PORTER.

H.R. 840: Mr. ISRAEL, Mr. GEORGE MILLER of California, and Mr. DONNELLY.

H.R. 869: Mr. PRICE of North Carolina.

H.R. 887: Mr. YOUNG of Alaska.

H.R. 969: Mrs. GILLIBRAND, Mr. RUSH, Mr. CARNAHAN, and Mr. RYAN of Ohio.

H.R. 1014: Mr. EDWARDS, Mr. MATHESON, and Mr. ROGERS of Alabama.

H.R. 1056: Mr. MCHENRY.

H.R. 1110: Mr. BERMAN, Mr. MCINTYRE, Mr. CARNEY, Ms. JACKSON-LEE of Texas, Mr. CARDOZA, Mr. MILLER of Florida, Mr. PETRI, Mr. CUMMINGS, and Ms. KAPTUR.

H.R. 1112: Mr. CONAWAY and Mr. SOUDER.

H.R. 1125: Mr. ROYCE, Mr. BUCHANAN, Mr. EVERETT, and Mr. BLUMENAUER.

H.R. 1134: Mr. KILDEE and Mr. LINCOLN DAVIS of Tennessee.

H.R. 1176: Mr. KUCINICH.

H.R. 1228: Mrs. MALONEY of New York and Mr. BOOZMAN.

H.R. 1283: Mr. SESTAK.

H.R. 1320: Mr. PORTER.

H.R. 1363: Mr. MCGOVERN, Mr. KENNEDY, Mr. LOBIONDO, Mr. RUSH, and Mr. WYNN.

H.R. 1416: Mr. MICHAUD.

H.R. 1459: Mr. TIERNEY.

H.R. 1474: Mr. ELLISON.

H.R. 1512: Ms. LEE.

H.R. 1609: Mr. ARCURI, Ms. LORETTA SANCHEZ of California, Mr. KUHL of New York, Mr. MARIO DIAZ-BALART of Florida, Ms. ROS-LEHTINEN, Mr. ROTHMAN, and Mr. HINCHEY.

H.R. 1644: Mr. MCGOVERN, Mr. BRADY of Pennsylvania, Mr. SCOTT of Virginia, Mr. BACA, and Mr. SARBANES.

H.R. 1663: Mr. SESTAK.

H.R. 1682: Mr. KING of New York.

H.R. 1687: Ms. BERKLEY.

H.R. 1688: Mr. ROTHMAN.

H.R. 1731: Mr. MARKEY.

H.R. 1748: Mr. TIAHRT, Mr. PLATTS, Mr. SESSIONS, and Mr. MORAN of Kansas.

H.R. 1764: Mr. MCHUGH.

H.R. 1774: Mr. BISHOP of New York, Mr. PRICE of North Carolina, Mr. YOUNG of Alaska, and Mr. DOGGETT.

H.R. 1801: Mr. MATHESON.

H.R. 1813: Ms. MCCOLLUM of Minnesota and Mr. CALVERT.

H.R. 1840: Mr. RYAN of Ohio.

H.R. 1843: Mr. PALLONE.

H.R. 1878: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1940: Mr. SHADEGG.

H.R. 1975: Mr. AL GREEN of Texas, Ms. WATERS, and Ms. CARSON.

H.R. 1992: Mr. RAHALL, Mr. PATRICK MURPHY of Pennsylvania, and Ms. SCHWARTZ.

H.R. 2014: Mr. BLUMENAUER.

H.R. 2020: Mr. WAXMAN.

H.R. 2049: Mr. SESTAK.

H.R. 2052: Mr. BOUCHER, Mr. SNYDER, Ms. ZOE LOFGREN of California, and Mr. JINDAL.

H.R. 2063: Mr. TOWNS.

H.R. 2095: Mr. MICA and Mr. SHUSTER.

H.R. 2136: Mr. DAVIS of Illinois and Mr. MARKEY.

H.R. 2138: Mr. CANNON, Mr. SMITH of Texas, Mrs. MCMORRIS RODGERS, Mr. JONES of North Carolina, Mr. BILBRAY, Mr. JOHNSON of Illinois, Mr. CHANDLER, Mr. BRALEY of Iowa, Ms. GIFFORDS, Mr. DAVIS of Kentucky, and Mr. PENCE.

H.R. 2167: Mr. BLUMENAUER.

H.R. 2205: Mr. WALBERG.

H.R. 2208: Mr. MANZULLO.

H.R. 2234: Mr. PLATTS, Mr. MCGOVERN, Mr. MITCHELL, and Ms. DELAURO.

H.R. 2255: Mr. LINCOLN DAVIS of Tennessee.

H.R. 2291: Mr. ROSKAM.

H.R. 2295: Mr. MITCHELL and Mr. ELLSWORTH.

H.R. 2323: Ms. CARSON, Mr. CLEAVER, Mr. DAVIS of Illinois, Ms. DELAURO, Mr. ELLISON, Mr. ETHERIDGE, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. KENNEDY, Mr. LANTOS, Mr. LOEBSACK, Mr. MORAN of Virginia, Mr. RUPPERSBERGER, Mr. RYAN of Ohio, and Mr. SARBANES.

H.R. 2347: Mr. GARRETT of New Jersey.

H.R. 2353: Mr. LOBIONDO.

H.R. 2361: Mr. SKELTON and Mr. PITTS.

H.R. 2365: Mr. SNYDER.

H.R. 2370: Mr. STUPAK.

H.R. 2384: Ms. HIRONO.

H.R. 2405: Mr. MCGOVERN.

H.R. 2411: Ms. HIRONO.

H.R. 2505: Mr. ELLSWORTH.

H.R. 2523: Ms. MATSUI and Mr. ROTHMAN.

H.R. 2567: Mr. PLATTS.

H.R. 2610: Mr. ENGEL.

H.R. 2695: Mr. DAVID DAVIS of Tennessee, Mr. COOPER, Mr. GORDON, Mr. COHEN, Mr. LINCOLN DAVIS of Tennessee, Mr. TANNER, and Mr. DUNCAN.

H.R. 2729: Mrs. LOWEY.

H.R. 2774: Mr. REYES, Mr. HONDA, Mr. ABERCROMBIE, and Mr. GRIJALVA.

H.R. 2818: Mr. CHANDLER, Mr. POMEROY, Mr. ACKERMAN, Mr. BOSWELL, Mr. LINCOLN DAVIS of Tennessee, Mr. MARCHANT, Mr. WALZ of Minnesota, Mr. SESTAK, and Mr. MOORE of Kansas.

H.R. 2826: Mr. LANGEVIN, Mr. ORTIZ, Mr. MARKEY, Mr. MCINTYRE, Mr. HALL of New York, Ms. LINDA T. SÁNCHEZ of California, Mr. GUTIERREZ, Ms. WASSERMAN SCHULTZ, and Mr. CUMMINGS.

H.R. 2828: Mr. POE, Mrs. CHRISTENSEN, Mr. KNOLLENBERG, Mr. BUTTERFIELD, Ms. CARSON, Mr. SKELTON, Mr. PAYNE, Mr. TOWNS, Mr. MEEKS of New York, Mr. SIRES, Mr. HASTINGS of Florida, Mr. CLEAVER, Ms. KAPTUR, Ms. LINDA T. SÁNCHEZ of California, and Mr. SCOTT of Georgia.

H.R. 2840: Mr. JEFFERSON.

H.R. 2881: Mr. WALZ of Minnesota.

H.R. 2885: Ms. HOOLEY.

H.R. 2895: Mr. BARROW, Ms. BALDWIN, Ms. CASTOR, Mrs. EMERSON, Mr. GILCHREST, and Mr. JACKSON of Illinois.

H.R. 2898: Mr. BOOZMAN, Mr. BARRETT of South Carolina, and Mr. ADERHOLT.

H.R. 2905, Mr. FORTENBERRY.

H.R. 2924: Mr. HARE.

H.R. 2940: Mr. UDALL of Colorado.

H.R. 2942: Mr. MCHUGH, Mr. JONES of North Carolina, Mr. INGLIS of South Carolina, Mr. DINGELL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DEFAZIO, Mr. BACHUS, Ms. KILPATRICK, and Mr. HOLT.

H.R. 2949: Mr. LANTOS, Mr. HASTINGS of Florida, Ms. JACKSON-LEE of Texas, Mr. FORTUÑO, Ms. BORDALLO, Ms. NORTON, Mr. ENGEL, Mr. SIRES, Mr. DAVIS of Illinois, Mr. ROTHMAN, Ms. LORETTA SANCHEZ of California, Mr. VAN HOLLEN, Mr. CROWLEY, Mr. BERMAN, Mr. ISSA, Mr. BURTON of Indiana, Mr. DELAHUNT, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 2989: Mr. SOUDER, Mr. THOMPSON of California, Mr. LARSON of Connecticut, and Mr. CROWLEY.

H.R. 2995: Mr. NEUGEBAUER.

H.R. 3005: Mr. TOWNS.

H.R. 3013: Mr. DELAHUNT.

H.R. 3060: Mr. MCNULTY.

H.R. 3087: Mr. BRADY of Pennsylvania, Mr. CASTLE, and Ms. CASTOR.

H.R. 3090: Mr. MARSHALL, Mr. BISHOP of Georgia, Mr. BOSWELL, Mr. BOUSTANY, Mr. BRADY of Pennsylvania, Mr. TANNER, and Mr. WALZ of Minnesota.

H.R. 3098: Mrs. EMERSON, Mr. EVERETT, and Mr. LUCAS.

H.R. 3123: Mr. MARIO DIAZ-BALART of Florida and Mr. MCCOTTER.

H.R. 3125: Mr. SIRES, Ms. SOLIS, Mr. GUTIERREZ, Mr. SCOTT of Virginia, Mr. CONYERS, Mr. LEWIS of Georgia, Mr. THOMPSON of Mississippi, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CORRINE BROWN of Florida, Mr. CLAY, and Mr. SERRANO.

H.R. 3139: Mr. MCINTYRE and Mr. ETHERIDGE.

H.R. 3160: Ms. HIRONO.

H.R. 3162: Ms. BALDWIN, Mr. ENGEL, Mr. CUELLAR, Mr. WYNN, Mr. WAXMAN, and Ms. HIRONO.

H.R. 3167: Mr. MCDERMOTT,

H.R. 3175: Mr. WAXMAN.

H.R. 3178: Mr. CASTLE.

Mr. BRADY of Pennsylvania, and Ms. BERKLEY.

H.J. Res. 28: Mrs. JONES of Ohio and Mr. CONYERS.

H.J. Res. 40: Mr. HODES.

H. Con. Res. 70: Mr. MCCOTTER.

H. Res. 32: Mr. LAMPSON, Ms. LEE, Mr. ENGEL, and Mr. KLEIN of Florida.

H. Res. 34, Ms. WATSON, Mr. CLAY, Mr. THOMPSON of Mississippi, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. BISHOP of Georgia, Mr. WYNN, Mr. LAMBORN, Ms. LEE, Mr. ENGEL, and Mr. KLEIN of Florida.

H. Res. 95: Mr. PASCRELL and Mrs. EMERSON.

H. Res. 111: Ms. DELAURO.

H. Res. 185: Mr. SCHIFF.

H. Res. 231: Ms. GINNY BROWN-WAITE of Florida.

H. Res. 238: Mr. FALEOMAVAEGA, Ms. SCHWARTZ, Mr. HASTINGS of Florida, Mr. LANTOS, Mrs. MALONEY of New York, Mr. MCNULTY, Mr. KLEIN of Florida, Mr. SHERMAN, Mr. ACKERMAN, Mr. MEEKS of New York, Ms. LINDA T. SÁNCHEZ of California, Mr. SCOTT of Georgia, Mr. SIRES, Ms. WATSON, Ms. WOOLSEY, Mr. HINOJOSA, and Mr. CARNAHAN.

H. Res. 259: Mr. GENE GREEN of Texas.

H. Res. 277: Mr. SERRANO, Mr. ORTIZ, Mr. HONDA, Ms. LINDA T. SÁNCHEZ of California, Mrs. CHRISTENSEN, Mr. FURTUÑO, Mr. FILNER, Mr. BECERRA, and Ms. SOLIS.

H. Res. 335: Ms. WOOLSEY.

H. Res. 415: Ms. GIFFORDS.

H. Res. 417: Ms. HOOLEY.

H. Res. 443: Mr. SESTAK and Ms. GIFFORDS.

H. Res. 508: Mr. KLINE of Minnesota, Mr. LATHAM, Mr. CAMPBELL of California, and Ms. BORDALLO.

H. Res. 518: Mr. RAMSTAD, Ms. LINDA T. SÁNCHEZ of California, Mr. AL GREEN of Texas, Mr. LEWIS of Georgia, Mr. BISHOP of New York, Mr. FLAKE, Mr. KING of New York, Mr. JACKSON of Illinois, Mr. BURTON of Indiana, Mr. HASTINGS of Florida, Mr. BERMAN, Mr. CROWLEY, Ms. JACKSON-LEE of Texas, Ms. WATSON, Ms. CORRINE BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FALEOMAVAEGA, Mr. VELÁZQUEZ, Mr. HINOJOSA, Mr. ORTIZ, Mr. BACA, Mr. RODRIGUEZ, Mr. PASTOR, Mr. RYAN of Ohio, Ms. LEE, Mrs. DAVIS of California, Ms. MCCOLLUM of Minnesota, Ms. LORETTA SANCHEZ of California, Mr. DICKS, and Mr. BRALEY of Iowa.

H. Res. 530: Ms. LEE.

H. Res. 544: Mr. TOM DAVIS of Virginia, Mr. WOLF, Mr. HOBSON, Mr. BISHOP of Utah, Ms. ROS-LEHTINEN, Mrs. EMERSON, Mr. TERRY, Mr. MCCOTTER, Mr. BLUNT, Mr. NEUGEBAUER, Mr. GALLEGLY, Mr. CONAWAY, Mr. PUTNAM, Mr. SIMPSON, Mr. LUCAS, Mr. CRENSHAW, Mr. KIRK, Mr. ALEXANDER, Mr. BACA, Mr. HOLDEN, Mr. THOMPSON of California, Mr. HOYER, Mr. BLUMENAUER, Mr. LEWIS of California, Mr. NUNES, Mr. BOSWELL, Mr. CRAMER, Mr. SERRANO, Mr. SCHIFF, Mr. WALZ of Minnesota, Mr. WAMP, Mr. KINGSTON, Mr. COBLE, Mr. FORTENBERRY, Mrs. MCMORRIS RODGERS, Mr. CULBERSON, Mr. HELLER of Nevada, Mr. BROWN of South Carolina, Mr. LEWIS of Kentucky, Mr. WELLER, Mr. BILBRAY, Mr. RYAN of Wisconsin, Mr. PRICE of Georgia, Mr. BOOZMAN, Mr. CAMP of Michigan, Mr. KUHL of New York, Mr. HAYES, Mr. COLE of Oklahoma, Mr. KNOLLENBERG, Ms. FALLIN, and Mr. MCCARTHY of California.

H. Res. 548: Ms. BORDALLO.

H. Res. 549: Mr. WHITFIELD.

H. Res. 550: Mr. TANNER, Mr. MCCAUL of Texas, and Mr. MORAN of Virginia.

H. Res. 572: Mr. BURTON of Indiana, Mr. WALSH of New York, and Mrs. MCCARTHY of New York.

H. Res. 576: Mr. BUCHANAN.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 2070: Mr. BARTLETT of Maryland.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

134. The SPEAKER presented a petition of the Embassy of Mexico, relative to expressing condolences for the shooting at Virginia Tech; to the Committee on Foreign Affairs.

135. Also, a petition of the Natural Heritage Institute, California, relative to commenting on the Modesto and Turlock Irrigation Districts' study plan for the new Don Pedro Hydroelectric Project; to the Committee on Natural Resources.

136. Also, a petition of Resource Capital, California, relative to supporting enhancements to the PCLP program; to the Committee on Small Business.

137. Also, a petition of the City of Miami Commission, Florida, relative to Resolution No. R-07-0202 urging the President of the United States and the Congress of the United States to support increased investments in weatherization to benefit the Nation's communities; jointly to the Committees on Energy and Commerce and Education and Labor.

138. Also, a petition of the City of Miami Commission, Florida, relative to Resolution No. R-07-0196 urging the President of the United States and the Congress of the United States to recognize the economic importance to the nation's cities of federal programs that encourage and support energy efficiency, energy conservation, renweable energy, and 'green building' programs at the local level; jointly to the Committees on Energy and Commerce and Education and Labor.

139. Also, a petition of the City of Miami Commission, Florida, relative to Resolution No. R-07-0267 expressing support of the Haitian immigrants, based on the ''Wet-Foot/Dry-Foot'' Policy; jointly to the Committees on Energy and Commerce and Education and Labor.

140. Also, a petition of Ms. Linda Singer, Attorney General for the District of Columbia, and Mr. Mark L. Shurtleff, Utah Attorney General, relative to expressing support for the District of Columbia Voting Rights Act of 2007, H.R. 1433; jointly to the Committees on the Judiciary and Oversight and Government Reform.