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PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 18, 2007.

I hereby appoint the Honorable ELLEN O. TAUSCHER 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:

Hear us, O God, as we call upon Your holy name and bend our heads in prayer. You can inspire us as You have inspired others throughout the ages.

Make us instruments of peace and towers of strength because of our practice of self-control. Give to Your people, both in government here in this Chamber and living across the Nation, the wisdom to see that no good life can come to us without good discipline. Give us the grace to discipline our speech so that we may speak with honesty and clarity that will only benefit others and not confuse or ridicule others.

Help us to discipline our thinking and our actions so that others may be edified by the way democracy works, accomplishes the will of the people for the lasting good of the people, and gives You glory 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 her approval thereof.

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

Mr. MCNULTY. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

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

Mr. TIM MURPHY of Pennsylvania led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

RECOGNIZING THE 150TH ANNIVERSARY OF COGGON, IOWA

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

Mr. CARNEY. Madam Speaker, I rise today to recognize the 150th anniversary of the town in which I grew up, Coggon, Iowa. Coggon's motto is, ''The One and Only.'' Indeed, there is only one Coggon, but like so many small towns across our country, it is a place people are proud to call home.

I know that the people of Coggon appreciate the genial nature and the proud history of the town. The name Coggon was agreed upon at a banquet held at the Clemons House in 1888. Superintendent T. Spaulding suggested it. He had received a letter from his cousin, William Coggon, and thought the name would be appropriate. At that time, Superintendent Spaulding was supervising the construction of the Illinois Central Railroad through the town. This railroad would later prove to be an economic engine for Coggon, bringing in economic development and encouraging the growth of businesses. And on July 24, 1888, the settlement became Coggon, Iowa.

Today, this small, wonderful town is populated by 745 people. Small towns have been the lifeblood of America. Even now, my own family and I live in Dimock, Pennsylvania, a town with a population of about 70. We take the time to get to know our neighbors, we are a community of values and we work hard to support our families.

Coggon, Iowa is the small town that lives in all of us. I ask my colleagues to join me in recognizing Coggon's 150th anniversary.

COMMENDING GARY LLOYD KNIGHT, DEPUTY GARRISON COMMANDER OF FORT BRAGG, NORTH CAROLINA

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

Mr. HAYES. Madam Speaker, today I rise to congratulate and praise an exceptional individual who has dedicated himself to serving our Nation and the men and women of Fort Bragg, North Carolina. Gary Knight is a remarkable

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person, and I want to acknowledge his accomplishments and efforts as he retires on November 1, 2007 after over 40 years of public service. I am proud to have had the opportunity to work with him closely as Deputy Garrison Commander of Fort Bragg and am honored to call him my friend.

A native of New York, New York, who grew up in rural Georgia, Gary Knight was assigned to Garrison Command as the Deputy Garrison Commander in 1998, where he continues to serve today.

Gary's personal commitment to supporting our soldiers, Army civilians and families in the Fort Bragg community cannot be underestimated. As Deputy Garrison Commander at Fort Bragg, Gary Knight runs the day-to-day operations of the largest military installation in the world. Through his efforts and exceptional performance in support of the Army's finest warfighters, he has forged the Epicenter of the Universe into a more efficient Army installation, which is playing a central role in the global war against terrorists.

Gary Knight is a veteran of the United States Air Force. His many awards include selection as the 1989 Fort Bragg Executive of the Year, the Meritorious Civilian Service Award, the Superior Civilian Service Award, the Commanders Award for Civilian Service, and the Achievement Medal For Civilian Service.

Mr. Knight and his wonderful wife, Diana, an Army veteran and career Civil Servicemember, have four children, Gary, Bobby, Stacey and Melissa, and four grandchildren, Lindsey, Trey, Diana and Madiline.

Madam Speaker, I wish Gary Knight the best on his upcoming retirement and thank him for all he has done for our soldiers and this great Nation.

CHIP PROGRAM IS COST EFFECTIVE

(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. Madam Speaker, President Bush rejected the wishes of the American people, 68 Senators, 43 Governors, and 265 Members of this body when he vetoed the children's health bill.

The reason that so many Democrats and Republicans support the CHIP Reauthorization Act is that it is consensus legislation that was crafted in a bipartisan fashion.

Over the last 10 years, the children's health program has proven to be a popular and successful program, with 6 million children currently receiving quality private health care. It costs less than $3.50 per day to cover a child through the CHIP program. Insuring kids is also cost effective for taxpayers who end up picking up the tab for indigent care in emergency rooms, the most expensive way to care for a child's health. A child is also more likely to succeed in education and life if they have access to health care at an early age, and it certainly benefits our Nation in the long run.

Madam Speaker, I would hope more of my Republican colleagues would work together to recognize the success story of CHIP, and would join us today in overriding the President's veto. We need to ensure that more children have access to quality health care.

HEALTHY HOSPITALS ACT

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

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, yesterday's headlines stated that more people will die from MRSA infections than die from AIDS, but that's just the beginning of the story, for actually some 90,000 people will likely die this year from an infection they pick up in a hospital or receiving health care. Tragic news. We also hear about students in school who have died from MRSA infections. But the point is hospitals are taking actions to reduce its infection rates, and yet Congress is not doing anything to help address this issue.

We can do something about it by passing legislation I've introduced, H.R. 1174, the Healthy Hospitals Act. My legislation would require hospitals to report infection rates. After all, people can find out if their airline is on time; why not be able to find out if your hospital is infection free. Nineteen States currently require reporting, and several other States are considering legislation. Medicare earlier this summer began denying hospitals reimbursement for hospital-related infections.

It is long overdue that Congress act. Let's standardize hospital reporting practices and fight hospital-related infections. I ask my colleagues to please cosponsor the Healthy Hospitals Act.

OVERRIDE SCHIP VETO

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

Mr. WYNN. Good morning, Madam Speaker.

Today, the House will vote to override the President's veto of the SCHIP bill.

At the beginning of this debate some months ago, I said that if America is the greatest country in the world, then we ought to guarantee that all of our children have health insurance. Greatness is not measured by the size of our military industrial complex. Greatness is measured by whether we can provide health insurance for 10 million American children.

Now, the President has said no, but according to all the polls, the American people say yes. Majorities in both Houses have said yes. Governors have said yes. Private charities have said yes, that we ought to provide health insurance for children in America.

This is not a matter of a market fix. Small businesses cannot afford to provide health insurance. Working families, many of them, cannot afford to buy health insurance on the private market.

In addition, this bill provides a guarantee of dental coverage, because in America, the greatest country, children should not die because they don't have dental coverage. The bill provides dental coverage and mental health coverage. It's simple: We're the greatest country. We ought to provide health insurance for all our children.

NATIONAL SAVE FOR RETIREMENT WEEK

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

Mr. SAM JOHNSON of Texas. Madam Speaker, October 21 through October 27 will be National Save for Retirement Week. I hope folks take a few moments next week to look at their personal savings to see what more they can do to save for retirement. Saving for retirement can be an overwhelming task if left to the last minute. Just like most things in life, if you fail to plan, you plan to fail. Retirement doesn't have to be that way. You can choose to save.

To learn retirement planning tips and to complete a ballpark estimate on how much it will cost you to live in retirement, go to the Web site choosetosave.org. It's time for you to start planning your future retirement today. Do it now.

HOUSE REPUBLICANS SHOULD JOIN US IN OVERRIDING THE PRESIDENT'S CHIP VETO

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

Ms. WATSON. Madam Speaker, 10 years ago, the Children's Health Insurance Program was created in a strong bipartisan fashion to ensure more low-income children have access to quality health care. Today, thanks to CHIP, 6 million children who would otherwise be uninsured can see the doctor of their family's choice any time they want.

For the first 8 years of the CHIP program, the number of uninsured children fell significantly, but that changed 2 years ago, and the trend continued last year when 700,000 more children joined the ranks of the uninsured. That was simply unacceptable to many of us here in Congress, and that's why we crafted a final bipartisan agreement that not only continues to provide health care access to 6 million kids who are already in the program, but also to 4 million others who are also eligible for CHIP. If the President had

his way, the number of uninsured children would go up by at least 800,000 over the next year. That is why we need to override his veto today.

SUSTAIN THE PRESIDENT'S VETO

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

Mrs. BLACKBURN. Madam Speaker, today the liberal leadership of this House will attempt to override the President's veto of SCHIP.

For weeks, they have been taking to the airwaves and talking about anybody that opposes this bill is against disadvantaged children. Well, that's just not what this bill is about.

Their bill would change a block grant program to an entitlement; it would provide taxpayer-funded health care to illegal immigrants; it would add more adults and what the IRS calls high-income families to the government health care rolls. It would even remove people from private insurance rolls and place them on the government rolls. And, most important, it's going to move that decision between a doctor and a patient to a bureaucrat. Well, that is what they are for.

I suggest that we show respect for the children of the working poor that this bill was initially set up to address, that we sustain the President's veto. Let's start over. Show the issue the respect it deserves.

□ 1015

OVERRIDE THE SCHIP VETO

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

Ms. LORETTA SANCHEZ of California. Madam Speaker, today we have the opportunity to right a wrong, the President's wrong in vetoing SCHIP reauthorization. Rather than admit that this veto is in error, the Bush administration has embarked on this misinformation campaign.

This legislation does not expand SCHIP eligibility. It does not extend coverage to households with incomes up to $83,000 a year. It does not promote government-run health insurance.

Rather, this legislation has targeted uninsured American children living in poverty, children who already qualify for SCHIP but that don't have health care due to a lack of funding.

One of the most important reforms in this legislation is the creation of an incentive fund, a fund for States to enroll the 4 million children who currently are eligible for the program but are not enrolled.

Further, this legislation phases out the use of SCHIP funds to cover adults. Let's not forget it was the administration who allowed States to put adults into this program. Please, let's get this right. Override this veto.

BROADCASTER FREEDOM ACT DISCHARGE PETITION

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

Mr. PENCE. This summer, some of the most powerful Members of Congress, the House and the Senate, advocated a return of censorship to the airwaves of America in the form of the so-called Fairness Doctrine. I, along with more than 200 of my colleagues, introduced the Broadcaster Freedom Act. It would ensure that no future President could regulate the airwaves of America without an act of Congress.

Yesterday, House Republicans introduced a discharge petition to bring the Broadcaster Freedom Act to the floor of Congress. In 1 day, Madam Speaker, over 125 Members of Congress signed this petition.

The American people should know, if 218 Members of Congress sign this petition, we can have an up-or-down vote on legislation that would keep the Fairness Doctrine from ever coming back.

I urge my colleagues, Republicans and Democrats, if you believe in broadcast freedom, if you believe in the freedom of the press, if you believe that freedom of the press is not a partisan issue, sign the petition. Bring the Broadcaster Freedom Act to the floor of the Congress and freedom will win again in Congress.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 219, nays 187, answered ''present'' 2, not voting 23, as follows:

[Roll No. 981]

YEAS—219

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boozman
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Edwards
Ellison
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gerlach
Giffords
Gillibrand
Gonzalez
Granger
Green, Al
Green, Gene
Grijalva
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Sutton
Tanner
Tauscher
Taylor
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walberg
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Welch (VT)
Wexler
Whitfield
Woolsey
Wu
Wynn
Yarmuth

NAYS—187

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carney
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Goode
Goodlatte
Gordon
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hooley
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)

Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stupak
Sullivan
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

ANSWERED ''PRESENT''—2

Gohmert
Tancredo

NOT VOTING—23

Carson
Conyers
Doyle
Emerson
Gutierrez
Hall (NY)
Hunter
Jindal
Johnson, E. B.
Jones (OH)
Kennedy
King (NY)
Marshall
Miller, George
Mollohan
Peterson (PA)
Ramstad
Reyes
Schakowsky
Waxman
Weiner
Wilson (OH)
Young (AK)

□ 1044

Mr. BURTON of Indiana changed his vote from ''yea'' to ''nay.''

So the Journal was approved.

The result of the vote was announced as above recorded.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 17, 2007.

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

DEAR MADAM SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Mr. William Francis Galvin, Secretary of the Commonwealth of Massachusetts, indicating that, according to the unofficial returns of the Special Election held October 16, 2007, the Honorable Nicola S. Tsongas was elected Representative to Congress for the Fifth Congressional District, Massachusetts.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk.

Enclosure.

THE COMMONWEALTH OF MASSACHUSETTS, SECRETARY OF THE COMMONWEALTH,
Boston, MA, October 17, 2007.

Hon. LORRAINE C. MILLER,
Clerk, House of Representatives,
Washington, DC.

DEAR MS. MILLER: This is to advise you that the unofficial results of the Special State Election held on Tuesday, October 16, 2007, for the office of Representative in Congress from the Fifth Congressional District of Massachusetts, show that Nicola S. Tsongas received 54,328 votes out of 105,985 total votes cast for that office.

It would appear from these unofficial results that Nicola S. Tsongas was elected as Representative in Congress from the Fifth Congressional District of Massachusetts.

To the best of my knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by those municipalities located within the Fifth Congressional District, an official Certificate of Election will be prepared for transmittal as required by law.

Thank you for your attention to this matter.

Very truly yours,

WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

SWEARING IN OF THE HONORABLE NIKI TSONGAS, OF MASSACHUSETTS, AS A MEMBER OF THE HOUSE

Mr. MARKEY. Madam Speaker, I ask unanimous consent that the gentlewoman from Massachusetts, the Honorable NIKI S. TSONGAS, be permitted to take the oath of office today.

Her certificate of election has not arrived, but there is no contest and no question has been raised with regard to her election.

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

There was no objection.

The SPEAKER. Will the Representative-elect and members of the Massachusetts delegation present themselves in the well, including the United States Senators.

Ms. TSONGAS appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 110th Congress.

WELCOMING THE HONORABLE NIKI TSONGAS TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. The Chair recognizes the distinguished dean of the Massachusetts delegation, Mr. MARKEY.

Mr. MARKEY. Madam Speaker, on behalf of the entire Massachusetts congressional delegation, it is my great pleasure and privilege to introduce the newest Member of the 110th Congress, the gentlelady from the Fifth Congressional District of Massachusetts, NIKI TSONGAS.

NIKI TSONGAS is the eldest of four sisters who grew up in a military family bouncing between air bases all across the United States, Europe, and Japan. In 1967, while her father was stationed at the Pentagon, she met her future husband, our late distinguished House colleague, Paul Tsongas, while he was working just across the street as an intern in the office of then Fifth District Congressman Brad Morse.

NIKI was Paul's soul mate and his strongest supporter when he ran successfully to join us here in the House of Representatives in January of 1975 and for the Senate in 1978. She was at Paul's side when he ran for the Presidency in 1992 and when he fought so valiantly against the cancer that finally claimed him in 1997.

Over the years, NIKI TSONGAS has been a social worker, a community leader in Lowell, a lawyer, and an educator. As a community leader, she has had a passion for social and environmental justice, which she brings with her as she arrives in Congress. And through it all, she was an amazing mother to three daughters, Ashley, Katina and Molly.

Lowell and the Merrimack Valley has a strong industrial past, and nobody will better represent the roll-up-your-sleeves, hard work persona of this area like NIKI TSONGAS.

In January, our delegation was proud to cast our votes for the first female Speaker of the House. Today, I am proud to introduce the first female Member of the Massachusetts congressional delegation in 25 years.

I give you the distinguished gentlelady from the Commonwealth of Massachusetts, Congresswoman NIKI TSONGAS.

Ms. TSONGAS. Madam Speaker, it has been a real honor and pleasure and treasure to be sworn in by the first female House Speaker. Thank you so much.

And I want to thank ED MARKEY and the members of the delegation who have been so supportive of me as I have journeyed through this most remarkable campaign. It was hard fought, but here we are. Thank you so much for all of the help you provided. It is my great honor to be part of this most remarkable institution. Thank you.

My race was about a lot of things. But as we approached the end, it was so valuable to me to be able to say that I want to come here and have my first vote cast to be around children's health.

There is nothing more fundamental to the long-term capacity of this country than to take care of its most vulnerable citizens. And so for me to arrive on this day and cast my vote to override the President's veto is something I will always remember, that I was part of this great debate around the future of our country, the generational responsibility we have both to our young and to our old, and to be here on this most remarkable day.

I am going to keep this short. We have a lot of work to do. That is one thing I learned throughout this campaign; people want change. They want us to come to the table, solve problems and move this country forward, and I am happy to be here to be part of that most remarkable opportunity. Thank you.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentlewoman

from Massachusetts, the whole number of the House is 433.

CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mrs. TAUSCHER). The unfinished business is the further consideration of the veto message of the President on the bill (H.R. 976) to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

The gentleman from Michigan (Mr. DINGELL) is recognized for 1 hour.

Mr. DINGELL. Madam Speaker, for purposes of debate only, I yield 30 minutes to my good friend, the distinguished gentleman from Texas (Mr. BARTON).

I will also yield 15 minutes of my time to the distinguished gentleman from New York (Mr. RANGEL) and ask unanimous consent that he be permitted to control that time.

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

There was no objection.

GENERAL LEAVE

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

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

There was no objection.

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

Today we face an awesome responsibility to do what is right for America's children. The debate here is about one thing only: health care for kids. Some have tried to change the subject, obfuscating this debate with misconceptions, half-truths, and outright lies. Whether this is ignorance or malfeasance, allow me to help them understand the legislation.

First, the bill terminates the coverage of adults under the CHIP program. I repeat, terminates.

Second, the bill prohibits the use of Federal funds for illegal aliens. Section 605 plainly states, ''No Federal Funding for Illegal Aliens.''

Third, the bill is fully paid for and will not increase the national debt. In fact, CBO estimates this bill, if enacted, will return money to the Treasury.

The legislation before us would provide health care and health insurance coverage for 10 million needy American children. It provides funding for States to enroll millions of low-income children who are already eligible for benefits yet remain uninsured. Under current law, these boys and girls are entitled to their benefits. Continuing this situation of not providing coverage is a travesty.

I am not alone in this view. Former Surgeons General for Presidents Carter, Reagan, Bush, Clinton and for the current President recently wrote in support of this legislation the following: ''We implore you to not put off the health needs of our Nation's children. Please act today.''

This legislation has the strong backing of the entire medical community, children advocates, educators, school administrators and school boards, as well as insurance companies across the country, and 43 of the Nation's Governors want SCHIP enacted because they know children cannot learn if they are not well.

□ 1100

They also know something else. These are the most vulnerable people in our society. We will be judged how we care for them; but beyond that, this is an investment in the future of the country. More than 300 organizations and a long list of distinguished Americans support this bill.

I urge my colleagues to join in overriding the veto.

Madam Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Madam Speaker, I ask unanimous consent, of the 30 minutes that I control, I yield 15 minutes of that to the ranking member of the Ways and Means Committee, Mr. MCCRERY of Louisiana, to control.

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

There was no objection.

Mr. BARTON of Texas. Madam Speaker, I yield 2 minutes to the distinguished ranking member of the Health Subcommittee of the Energy and Commerce Committee, Mr. DEAL of Georgia.

Mr. DEAL of Georgia. I thank the gentleman for yielding.

All of us would like to see an extension of the SCHIP program, and I think there are some very basic principles on which all of us should agree, principles that should be embodied in a bipartisan piece of legislation. I would suggest there are five.

First of all, we should put the poorest children at the front of the line. That means we should require States actually to enroll 90 percent of their SCHIP and Medicaid-eligible children under 200 percent of the poverty line before they start enrolling children at higher income levels.

Two, no families with incomes above 250 percent of the Federal poverty level should be eligible for Federal SCHIP funds. States that want to go above that should feel free to do so with their own funds; but hardworking, tax-paying families in the Midwest and the Southeast shouldn't be forced to subsidize the health care for children and families in the richer States who are making over $82,000 per year.

Third, no Federal SCHIP funds for adults other than pregnant women beginning in 2009. We should give the States a year to transition their low-income adults to Medicaid, which is where they belong, and stop taking away limited resources from needy children and giving them to childless adults.

Fourth, keep the existing Federal requirement that States actually document the citizenship and identity of all of the applicants for Medicaid and clearly state in the bill that illegal immigrants are prohibited from receiving Medicaid or SCHIP benefits. Being able to write down a Social Security number doesn't actually prove you're a United States citizen. Federal benefits should not go to illegal immigrants.

Fifth, no millionaires in SCHIP. We should simply put a $1 million net asset cap on eligibility for Federal SCHIP funds. If you have over $1 million in net assets, you should be able to afford to pay for your children's health insurance.

Mr. RANGEL. Madam Speaker, I yield myself 2 minutes. After my 2 minutes, I ask unanimous consent to turn the remaining time to Chairman STARK to be able to yield to other people as he sees fit.

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

There was no objection.

Mr. RANGEL. Madam Speaker, let me stand in a sense of bipartisanship, especially to my Republican friends, and remind you that come the next election, President Bush is going to be there at his ranch in Texas, and he will not be with you at the polls.

I say that because by that time the truth will have caught up with the message that the President is giving and most of you are using to sustain the President's veto.

Let me get to the one that I'm most familiar with, this $83,000 ability of people to enjoy SCHIP. No one is more familiar with this than I am. It was the great State of New York that exercised its request for a waiver to ask the President of the United States whether or not a family of four would be allowed to buy in, even though they were making $83,000. And guess what, under existing law, not new law, the President of the United States says, hell, no, you can't do it.

So we've got to emphasize over and over again, you could ask for it for $1 million because it's not an entitlement, it's a block grant, and the Governors can ask for anything they want over 200 percent over poverty, and the President, Republican or Democrat or whoever she might be, will be able to say, no, you're not going to be able to do it. So knock that out.

And for all of the people that are upset with immigrants, legal or illegal,

we're just going to put in big letters so that by the time November gets here that in the bill that the President has vetoed it says no illegal alien can receive the benefits of the bill.

And since you're so against adults receiving benefits, the bill is eliminating adults.

So if you can't be with us today, try to think of yourself in November, and maybe we can work out something.

Mr. MCCRERY. Madam Speaker, I yield myself so much time as I may consume.

Ten years ago, Republicans and Democrats came together to create an SCHIP program with a stable funding source. It was a truly paid-for program. Throughout the process this year, we've been talking about the fact that this SCHIP reauthorization that's before the House today is not paid for. It's paid for only if you accept the budget gimmick that is used to make it appear on paper over the 10-year budget window that the program is paid for.

But I don't think any of us realized just how steep that cliff in the bill is until today, because last night my staff received from the nonpartisan Congressional Budget Office new numbers that show very clearly that under the bill that's before us today, total enrollment in SCHIP is expected to drop by 6.5 million children in the second five years of the program. Does anybody believe that is going to happen? Of course not. But the way the bill is designed, that's what would happen. We know that's not going to be reality.

Under this bill, the way it's designed, Democrats would have people believe that SCHIP enrollment, kids enrolled in this program, will drop to only 1.3 million by 2017.

Under a realistic expansion of the program, which the President has proposed and we support, there would be 2.9 million kids enrolled in the program in 2017. So under this bill that's before us today, you'd have 1.6 million fewer kids enrolled in SCHIP than you would under the President's budget. That's not realistic. We know that's not going to happen.

So how does that problem get fixed after 5 years? Massive tax increases. That's how it gets fixed. This House will be back here having to finance the real costs of the then-existent SCHIP program over the next 5 years, which CBO estimates will require about another $40 billion in revenues over and above the new $35 billion that this bill would impose on the American taxpayers.

So there is a better way. It's the way we created for this program in the first place, a bipartisan, fiscally responsible, truly fiscally responsible program to help kids in need.

I hope that the majority will be willing to join with us, all of us, to create that bipartisan program again when this veto is sustained.

Madam Speaker, I reserve the balance of my time.

Mr. DINGELL. Madam Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. PALLONE), the chairman of the subcommittee, a great expert on the business of health.

Mr. PALLONE. Thank you, Mr. Chairman.

I just keep hearing inaccurate information on the other side of the aisle in an effort to try to sustain this veto, and it's simply not right.

First of all, this bill is totally paid for with a tobacco tax increase. Now, you may not like that if you don't like your tobacco taxed, but that's how it's paid for and it's a good way to pay for it.

Secondly, this idea that the President's alternative will not take kids off the rolls, that is simply not true. With the President's alternative, 800,000 children that are now covered by SCHIP will not have SCHIP anymore.

The President's veto of this bill was a slap in the face not only to this Congress but to the millions of children who, without this bill, will continue to be uninsured or, worse, lose the insurance they currently have.

And this is the truth about CHIP. Just listen up. The bipartisan CHIP proposal is supported by 72 percent of the American people, two-thirds of the Senate, the majority of the House, 43 State Governors, and more than 300 organizations nationwide.

The President is deluding himself if he doesn't think this veto is going to hurt millions of children; and unless we override, there are just going to be a lot of kids who simply cannot go to the doctor and would have to go to the emergency room.

What we sent to the President was a reasonable, bipartisan bill that would cover 4 million previously uninsured low-income children, most of whom are in working families, a total of 10 million. The vast majority of these kids are the very lowest income children who have no other options for care.

The President claims this bill covers rich kids, but it's not true. Senator HATCH who helped write this bill said 92 percent of the kids will be under 200 percent of the poverty level.

The President has also said that this bill opens the door to government-sponsored health care because it encourages families to drop their coverage. Simply not true. CBO said that that is not the case.

The best way to avoid crowd-out is to basically pass this bill. The problem is we continue to get inaccurate information from the other side of the aisle.

I would urge my Republican colleagues today to vote with their conscience, instead of with this misguided loyalty to the President who is out of touch with America's families.

Vote to override.

Mr. BARTON of Texas. Madam Speaker, I yield 1 minute to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the ranking member for yielding to me and appreciate the privilege to address this issue again here on the House floor.

I think we miss the point sometimes on what this is about. This isn't about sometimes the nuances of all of this. This is about where we take this Nation, and I'm seeing this debate in Iowa and across this country.

And what this is about, SCHIP stands for Socialized, Clinton-style Hillarycare for Illegals and their Parents. That's what happens, and it is illegals that are being funded by this because all they have to do is write down a Social Security number.

The CBO, the Congressional Budget Office, has given us a number, $6.5 billion in additional costs that flow over to people that are not citizens because we've lowered the standards. Whatever gets said, that's the language that's in there, and the cost is there, $6.5 billion.

So this is SCHIP, Socialized Clinton-style Hillarycare for Illegals and their Parents. This is the cornerstone of socialized medicine. It's put in place. That's what this debate is about: make people dependent so they don't have individual responsibility and you can have more people dependent upon your votes on the floor of this Congress and less vitality in America.

Mr. DINGELL. Madam Speaker, I yield myself 15 seconds for purposes of responding to the comments just made.

I want my colleagues to take a careful look at the remarks just made and the poster just presented. Every one of those statements is false. There is no treatment in this for illegals. There is no treatment in this for their parents. This is not socialized medicine.

It is supported by the health care industry. It is also supported by the insurance industry. It has no relationship to and it doesn't even look like the Hillarycare thing about which the gentleman complains.

I would note something else. This is a proposal which is a block grant to the States. It is not an entitlement.

Mr. STARK. Madam Speaker, I yield myself 2 minutes.

First of all, I'm just amazed that the Republicans are worried that we can't pay for insuring an additional 10 million children. They sure don't care about finding $200 billion to fight the illegal war in Iraq. Where are you going to get that money? You are going to tell us lies like you're telling us today? Is that how you're going to fund the war?

You don't have money to fund the war or children, but you're going to spend it to blow up innocent people if we can get enough kids to grow old enough for you to send to Iraq to get their heads blown off for the President's amusement.

This bill would provide health care for 10 million children; and unlike the President's own kids, these children can't see a doctor or receive necessary care. Six million are insured through the Children's Health Insurance Program, and they'll do better in school and in life.

□ 1115

In California, the President's veto will cause the legislature to draw up emergency regulations to cut some 800,000 children off the rolls in California and create a waiting list. I hope my California Republican colleagues will understand that if they don't vote to override this veto, they are destroying health care for many of our children in California.

In his previous job as an actor, our Governor used to play make-believe and blow things up. Well, the Republicans in Congress are playing make-believe today with children's lives. They claim they can't afford health care. They say the bill will socialize medicine. Tell that to ORRIN HATCH, CHUCK GRASSLEY, and TED STEVENS, those socialists on the other side of the Capitol. The truth is, the CHIP program allows States to cover children primarily through private health care plans.

But President Bush's statements about children's health shouldn't be taken any more seriously than his lies about the war in Iraq. The truth is that Bush just likes to blow things up in Iraq, in the United States, and in Congress.

I urge my colleagues to vote to override his veto. America's children need and deserve health care despite the President's desire to deny it to them.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to engage in personalities toward the President.

Mr. MCCRERY. I thank the Speaker for that admonition.

Madam Speaker, at this time I would yield 2 minutes to the gentleman from Texas, a member of the Ways and Means Committee, Mr. BRADY.

Mr. BRADY of Texas. Madam Speaker, that gentle reminder is not enough. It is despicable to have a Member of this Congress accuse this President, any President, of willfully blowing the heads, quote, blowing the heads off our young men and women over in Iraq and Afghanistan. Having a brother who is an Army medic and served in Iraq, having spent this weekend with a family who lost their son in Iraq, it is beneath contempt, beneath contempt, to have a Member of Congress stand here and accuse the President of, in effect, assassinating our troops in Iraq and Afghanistan. It is dead wrong. And it is beneath contempt as well that we will sit here silently and allow such a remark to be tolerated, accepted if not embraced. And I will guarantee you, no Member on this side will stand up here and disavow those remarks, unfortunately, today.

It is bad enough that we are playing politics with the war. Now we are playing politics with our kids. The claim that the Republicans don't support this program is equally untrue. We created it. This is a great program. It keeps kids healthy. It helps their families avoid serious illness, keeps them out of our emergency rooms. It is a great program.

When we created it, we did it the right way. We sat down with the President, President Clinton, and we worked out a good plan for kids. And then, more importantly, we believed in it enough to pay for it. We paid for the whole 10 years. This plan does not. It is only half paid for. It is just like these predatory loans; the first years are affordable, and then it balloons beyond what we can pay for it. If we believe in it, let's pay for it now. It allows abuses to continue. It doesn't cover the poor kids first.

My question is, why don't we sit down, why don't we quit playing political games with our kids, sit down with Republicans and Democrats with the White House and find a solution that is right for our children.

Mr. DINGELL. Madam Speaker, I am delighted to yield to the distinguished gentleman from Utah (Mr. MATHESON) 1 minute.

Mr. MATHESON. Madam Speaker, I have long stated that caring for our children is always the right thing to do. Every parent in my State of Utah and in this country knows that access to health care and preventive medicine for our kids is the right thing to do.

It has been 10 years ago that we passed this program. It has helped insure more than 6 million children, and that is a good thing. And we have made that type of progress even as health care costs have gone up and the number of people struggling to get and to pay for health insurance has increased. We made that progress through the Children's Health Insurance Program because it is a model that works. The States do their part, the Federal Government does its part, private insurance does its part, and the families through copays and premiums do their part as well.

At a time when it is often tough to make progress on important issues, why would we want to turn our backs on our kids and stop progress in its tracks?

As Members of Congress, none of us have to worry about this. We all have insurance for our kids. We don't need to worry about being one huge medical bill away from facing bankruptcy. Let's think about the folks who aren't in the same situation that we all have as Members of Congress. The best investment we can make is in our kids. I urge Congress to override the President's veto.

Mr. BARTON of Texas. Madam Speaker, I yield 1 minute to the distinguished gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

There has been a lot of rhetoric today and a lot of talk about polling and how Americans everywhere support this, Governors support this, people at the local level support it.

We have in this country something called representative government. We are sent here and we are given access to figures and numbers that perhaps others don't have. What figures and numbers I am talking about tell us that we cannot sustain the trend that we are on, particularly ramping up a program like this and spending more than we have in the past. We simply can't sustain it, particularly when gimmicks are used in the outyears to pay for it. We know that. Perhaps those who are responding to the polls do not.

George Washington once said: If to please the people we do what we ourselves disapprove, how will we afterwards defend our work?

That is what we are here for, to do what we know is right. When I am told you have got to do what your conscience says, my conscience says that we can't afford this. If we have to use gimmicks in the outyears to pay for it, we simply can't afford to expand this program.

Mr. STARK. Madam Speaker, I would like to recognize for 1 minute a distinguished member of the Ways and Means Committee, the gentlelady from Pennsylvania (Ms. SCHWARTZ) who, unlike the Republicans, has had some experience with the truth and knows that occasionally it hurts.

Ms. SCHWARTZ. The President has rejected legislation to strengthen and expand CHIP for 10 million children of hardworking American families. The President's veto makes it clear that he has chosen to ignore the financial struggles of working families in this country who are unable to afford health care for their children. His veto makes clear that health care for America's children simply is not a priority for him; and the Republicans in this Chamber who support his veto today illustrate that they, like the President, does not understand or have chosen to ignore how well CHIP has worked and how positively it has impacted the lives of millions of American families.

The Nation's Governors, health care providers, children's advocates, insurance executives, labor unions, religious leaders, parents and grandparents all support CHIP's affordable coverage for millions of American children. They know the President's veto is shortsighted, it is callous, and it is wrong.

Today is the day of decision to stand with the President or to stand with America's children. Ten million American children and their families are waiting.

Mr. MCCRERY. Madam Speaker, I recognize for 1½ minutes the distinguished gentleman from California (Mr. HERGER), the ranking member on the Trade Subcommittee of the Ways and Means Committee.

Mr. HERGER. Madam Speaker, all of us support SCHIP and we all want to reauthorize it, but we need to put low-income kids first.

This bill would expand the program to families making more than $60,000 a year. That is not low income. It is a majority of the households in America. There is a better way. Reauthorize

SCHIP and keep it focused on truly needy children, and then tackle rising health care costs that are squeezing middle-class families.

Tax credits could help 10½ million kids from middle-income families gain or keep their health care coverage. Millions more would benefit if families could purchase less expensive health plans from across State lines. Let's defeat this motion and get to work on making health care more affordable for all Americans.

Mr. DINGELL. Madam Speaker, at this time it is my privilege to show the bipartisanship of this bill which is supported by one of every four of our Republican colleagues, including our dear friends Mr. GRASSLEY and Mr. HATCH in the Senate. At this time, I yield to the distinguished gentlewoman from New Mexico (Mrs. WILSON) 1 minute.

Mrs. WILSON of New Mexico. Ten years ago, the Children's Health Insurance Program passed with a Republican Congress and a Democratic President. Now we are trying to reauthorize it with a Democratic Congress and a Republican President. We should be able to do this, and we should be able to do it in a bipartisan way.

The Children's Health Insurance Program has reduced the number of uninsured children in this country and has given them access to primary care. They live healthier lives because of it. This is not a great bill, but it is a good bill; and I have supported this bill, and I encourage my colleagues to support it again today.

In particular, it phases out the participation of adults in this program. This program is for kids, for low-income kids, not for adults. And successive administrations have been approving the admission of adults to the program, and that was not its intent.

New Mexico in particular will benefit from this program because it allows lower income kids to be participants in the program. Because of an anomaly of the original law, New Mexico's lowest income kids are not eligible for this program. I would urge my colleagues to vote in favor of the bill today.

Mr. BARTON of Texas. Madam Speaker, I yield 1 minute to a distinguished member of the Energy and Commerce Committee, Mrs. BLACKBURN of Tennessee.

Mrs. BLACKBURN. Madam Speaker, we do all know what this debate is about, but I think there is still confusion about the context of this bill and the content of this bill. We have heard our colleagues across the aisle saying that it has to do with supporting health care for disadvantaged children. But, unfortunately, that is not exactly what this bill does.

We are all for health care for children of the working poor, but some of the things that this bill is about: It would move a very successful block grant program to an entitlement. It would provide free taxpayer-funded health care to illegal immigrants. It would add more adults than what our own IRS calls high-income families to the government health care rolls. It would remove people from private insurance and put them over on the government rolls. It would, in many cases, replace the doctor-patient relationship with the bureaucrat making the decision.

It doesn't live up to its name. It doesn't live up to what it is supposed to do. How do you pay for it? With budget gimmicks. Look at what happens in 2012. Let's show respect for the issue. Take it back. Sustain the President's veto.

Mr. STARK. Madam Speaker, I yield to the distinguished gentleman from New York (Mr. HALL) 1 minute.

Mr. HALL of New York. Madam Speaker, in a move that defies logic, President Bush made the mistake of vetoing the Children's Health Insurance Program, or CHIP, contradicting an explicit pledge he made during the 2004 campaign to ''lead an aggressive effort to make sure uninsured children receive health coverage, guaranteeing them a healthy start in life.'' Instead of living up to that promise, he is denying millions of children access to high quality, affordable health care.

CHIP is a vital program for both the Nation and the State of New York. Since 1997, it has proven to be a popular, successful program, covering 6.6 million children nationwide, and helping to reduce the number of uninsured children in my State of New York by 40 percent. The bill he vetoed would help 268,000 more of New York's kids.

The President has said that children don't need health care; all they need to do when they get sick is go to an emergency room. I am not sure if that comment was uninformed and irresponsible or simply callous, but I think that parents of New York would like to see the veto overridden.

Mr. MCCRERY. Madam Speaker, I ask unanimous consent that Mr. HULSHOF, a member of the Health Subcommittee of the Ways and Means Committee, be permitted to allocate the remainder of the time on my side.

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

There was no objection.

Mr. HULSHOF. Madam Speaker, I yield myself 2 minutes.

Never in my wildest dreams would I imagine that on a day in August of 1997 that a Democratic President would sign a bill presented by a Republican Congress, and that that would be a high-water mark as far as consensus between a divided government, 10 years ago, the high-water mark of a divided government coming together to create a solution. I was here to help create the bill. In that instance, a Republican Congress worked with, negotiated with, compromised with the President of the other party to create a solution to the problem of children who had no health insurance.

□ 1130

Now, I would say, Madam Speaker, that the 2007 version of the Children's Health Insurance Program is almost unrecognizable from the original bill, and certainly beyond the original intent of that bill.

For instance, New Jersey currently has a planned amendment that would use income disregards which would allow it to raise its SCHIP eligibility levels to 350 percent of poverty. That's about $71,000 for a family of four. And don't just take my word for it. Look at section 114, subparagraph A under the bill. And that would continue under this bill.

Many adults without children would be eligible under this bill. Don't take my word for it. Read subparagraph A of section 112 of the bill. You know, the bill allows States to move them to Medicaid, but allows it to pay.

The Federal Government should not be, in my humble opinion, in the business of paying for States who want to cover childless adults that are grandfathered in this bill. And on behalf of my constituents in Missouri, should I ask them to reach in their pockets then and to pay for health care for a family of four in New Jersey making $70,000 or a family of four in New York making $80,000?

So it comes down to this. In fact, there are still 79,000 kids in Missouri, Madam Speaker, that are still at or below 200 percent of poverty. Those are the kids we need to reach out to to provide health insurance.

So the question at the end of this vote is this, to my friends on the other side, Do you want the politics or do you want the policy?

Mr. DINGELL. Madam Speaker, at this time I yield to the distinguished majority whip, the gentleman from South Carolina, my friend, Mr. CLYBURN, 3 minutes.

Mr. CLYBURN. Madam Speaker, when it comes to the war on terror, the President is always quick to remind members of the international community that they're either with us or against us. There is no neutral or impartial position that can be taken. Well, I'm here to tell my colleagues today that there is no nonaligned position that they can assume on child care. You either support working families with health care for their children, or you don't. It's just that simple.

Now, I've heard the specious claims that SCHIP is a form of socialized medicine. The President did not call it socialized medicine when he promised the American people he would seek to expand the program when he was accepting the party's nomination for a second term. Then again, how can it be socialized medicine when it covers 10 million children and not be socialized medicine for 6 million children?

And the outrageous claim that this Congress is neglecting poor children is inaccurate. We already provide assistance to poor children through Medicaid. SCHIP is designed to provide assistance to those working families whose incomes are too high to qualify for Medicaid and too low to purchase private health care coverage.

If you do not want to provide relief to middle-income families, you should just have the guts to say so. But don't come here to the floor and mislabel this bill as socialized medicine or accuse Democrats of not prioritizing the needs of America's children.

I implore those of you who plan to vote to sustain the veto to reconsider your position. Think of how devastated you would be if your children and grandchildren had to go without basic health care. Imagine the hopelessness and despair you would feel in such a situation.

This is where we are today, because when you cast your votes today, you either stand with our children or you stand against them. There is no in between.

Let's vote to override the President's veto.

Mr. BARTON of Texas. Madam Speaker, I yield 1 minute to a distinguished member of the Energy and Commerce Committee, Mr. WALDEN of Oregon.

Mr. WALDEN of Oregon. Madam Speaker, I rise today to say that I support expansion of the children's health care program, but not in its current form, and here's why. Half of the 1.2 million new enrollees in the expansion of SCHIP under this proposal already have insurance, already have insurance, and that's according to the Congressional Budget Office. When it comes to adults, they cost 60 percent more to care for than kids. This program should be about helping expand coverage to children whose families do not have access to health insurance.

I spent 21 years in small business. I'd never sign a contract that I knew I couldn't keep my word on. This bill is unfunded after year five. In year six, according to the Congressional Budget Office, this program is short about 80 percent.

Beyond that, if we took the million and a half adults off of this program and put them on Medicaid, which they're eligible to do, then that would free up funds that could go to help kids. In fact, I think it's about 780,000 adults in 2012 would still be on this program. That would fund 1,150,000 children who could be put on Medicaid.

Mr. STARK. Madam Speaker, I am delighted to recognize the distinguished gentleman from Illinois (Mr. EMANUEL), the chairman of the Democratic Caucus, who has a brilliant 3-minute speech, and I yield him 1 minute in which to present it.

Mr. EMANUEL. Madam Speaker, Dolores Sweeney, from my district, works for an insurance company that doesn't provide health care for her or her children. She earns a paycheck, not a welfare check. She has three children and would like to buy private health care, but can't afford to do so.

Dolores Sweeney's children are on SCHIP, and without the SCHIP program they would go without health care, or she would have to go without a job.

Our bill does right by Dolores Sweeney and the other 10 million children from working families.

I believe that you care about the poor, but I wonder why you voted to cut $8 billion from Medicaid.

I believe that you think this is excessive cost, but you never said that about the $680 billion for Iraq, no questions asked.

And I believe that you say that this is a taxpayer-funded government-run health care, just like the health care your kids get in the Federal Government program. This is exactly that.

I believe the sincerity of your positions; but time and again, when it came to standing up for poor kids, you cut Medicaid. When it came to excessive cost, you provided $680 billion for the war in Iraq. And when it comes to government-funded health care, if it's good enough for your kids, it's good enough for Dolores Sweeney's children.

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

Mr. DINGELL. Madam Speaker, at this time I reserve my time.

Mr. BARTON of Texas. Madam Speaker, I yield 1 minute to the distinguished Congressman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Madam Speaker, I believe that every child deserves proper health care. I support SCHIP's renewal with increased funding. And I also support its expansion, but I believe it must be done in a responsible manner, a manner that ensures valuable resources target our Nation's most vulnerable children without unnecessarily expanding the program to those who do not need it.

According to the Congressional Budget Office, of the 4 million children who would receive coverage under the current proposal, approximately 40 percent already have private insurance. Our dialogue should focus on our children who are uninsurable, sick children who have exhausted private coverage, and families who cannot afford coverage for their children. Yesterday, I introduced a measure that seeks to achieve this goal.

Congress now has the opportunity to engage in a productive, bipartisan discussion focusing on strengthening the SCHIP program.

Mr. STARK. Madam Speaker, I am delighted to yield 1 minute to the distinguished majority leader, Mr. HOYER.

Mr. HOYER. Madam Speaker, the moment of truth has arrived. And now, our Republican friends have a very clear choice that they must make. They can stand with 10 million American kids who need, deserve and currently are eligible for health insurance under the CHIP program.

They can stand with the bipartisan majorities in the House and Senate who supported compromise legislation to reauthorize CHIP, including 18 Republican Senators and 45 House Republicans.

They can stand with the States' Governors, the American Medical Association, the Association of Health Insurance Plans, pharmaceutical companies, nurses, children's advocates. And most important, they can stand with the American people, 81 percent of whom support expanding the CHIP program to cover more low-income children, according to a just-released CBS News poll.

This poll, of course, was taken long after the American people knew exactly what the terms of this bill are all about. Eighty-one percent, including a large, over two-thirds majority of independents and including over 60 percent of the Republicans polled, believe that we ought to move forward on this bill.

Or, Madam Speaker, House Republicans can choose today to stand with President Bush, who earlier this month broke his own campaign promise to extend insurance coverage under CHIP to millions of additional low-income American children, low-income American children.

They can choose to stand with President Bush, who continues to make inaccurate and misleading claims about the bipartisan bill that he has vetoed; claims that have been repudiated by Senators HATCH, GRASSLEY, ROBERTS and many other Republicans.

Let me remind my Republican colleagues, who I believe want to help children, as the gentleman who preceded me said, here is what President Bush told the American people 3 years ago when he was seeking their votes for re-election at the Republican National Convention, the President of the United States, 2004, seeking re-election, promising what he would do: ''In a new term, we will lead an aggressive effort to enroll millions of children who are eligible but not signed up for government health insurance programs. We will not allow a lack of attention or information to stand between these children and the health care they need.''

That is what President Bush said in 2004 when he was seeking the votes of the American people for re-election. Yet, the President's own proposal that he has made this year would force nearly 1 million children from low-income families who are participating in CHIP to be dropped from the present CHIP program. So his proposal not only does not add the millions that he promised to add in 2004, but it drops over 830,000 children.

In sharp contrast, Madam Speaker, through this bipartisan compromise this Congress has done exactly what the President said he would do if re-elected.

The American people have heard both sides of this issue, and they have disagreed with the President. They stand with America's children, and so must this Congress.

I urge my Republican colleagues, and the reason I say I urge my Republican colleagues, because we believe that there are very few, if any, Democrats who will not vote with the children this day.

Look at the facts. Look into your hearts. Look beyond partisanship and politics. Look at the pictures of your loved ones back in your office and ask, what if they were the ones today who needed health insurance?

Luckily, our children are covered. Our children are covered.

□ 1145

But think of the millions of children to whom President Bush referred to in 2004 that he promised to add to this critical program.

This, I suggest to all of us, is a defining moment for the Congress of the United States. Will we, as the Founding Fathers contemplated, exercise the policymaking authority, or will we once again crumble, complicit in the President's failure to respond to the views of the American public and to our children?

My friends on both sides of the aisle, let us come together. Let us come together and do the right thing for our children and for our Nation. Let's override the President's unjustified veto of this compromise, bipartisan legislation. Let us ensure that 10 million low-income children have the health care coverage they need and deserve. This will not be a partisan victory if we override this veto. It will be a victory for our children and for the President's promise.

Vote to override this veto. Vote for our children.

Mr. HULSHOF. Madam Speaker, I continue to reserve the balance of my time.

Mr. DINGELL. Madam Speaker, at this time I yield 1 minute to the distinguished gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Madam Speaker, this is a moment of truth for millions of American children and the hard-working families who love them. With this vote we can say yes to providing health care to 10 million children.

The Children's Health Insurance Program is pro-family and pro-work.

You know, there has been a lot said over the last 7 years about leaving no child behind. Well, today we can do something about it. The choice is clear: A ''yes'' vote means 10 million children receive better health care. A ''no'' vote will leave millions of children behind without adequate health care.

Our children don't need slogans. They don't even need good intentions. Today, they need our vote. Today, they deserve our vote.

I would ask each Member one question: If this vote meant the difference between your child or grandchild having health insurance or not, how would you vote? How would you vote?

Mr. BARTON of Texas. Madam Speaker, I am proud to yield 1 minute to a distinguished member of the Energy and Commerce Committee, the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Madam Speaker, I listened to one of my colleagues just a moment ago say that this bill should be easy to reauthorize and should be done on a bipartisan basis, and, indeed, it should. But it is not because it has fallen victim to politics. It is victim to overreaching and political exploitation.

This is a program that is supposed to be about uninsured poor children. But the President vetoed it because the majority insisted on expanding it to already insured middle-class children and adults.

We can reform this program and keep it where it is supposed to be, and then we can move on to real health care reform. In his State of the Union address this year, the President proposed an idea to help every uninsured American, a proposal to end the outrageous discrimination by which those who have employer-based insurance get it with pretax dollars but the rest, who don't, have to pay more.

We can do better for all Americans. We can help all the uninsured. And when this veto is sustained today, as it should be, let's reauthorize this program, but then let's reform health care for all the uninsured.

Mr. STARK. Madam Speaker, I would like to yield for the purpose of making a unanimous consent request to the gentlewoman from Texas.

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

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman.

I proudly rise to vote to override the President's veto and to support 10 million children with health care.

Madam Speaker, as the chair of the Congressional Children's Caucus, I rise to announce that I will proudly cast my vote to override the President's veto of H.R. 976, the "State Children's Health Insurance Program (SCHIP) Authorization Act of 2007."

By vetoing the bipartisan SCHIP Authorization Act, the President vetoed the will of the American people. By vetoing this legislation, the President turned a deaf ear and a blind eye to the loud message sent by the American people last November.

I will vote to override the President's veto because I can think of few goals more important than ensuring that our children have access to health coverage. I will vote to override the President's veto because I put the needs of America's children first.

Madam Speaker, this important legislation commits $50 billion to reauthorize and improve the State Children's Health Insurance Program (SCHIP), and it also makes critical investments in Medicare to protect the health care available to our Nation's senior citizens. I strongly urge my colleagues to join me in voting to override the President's veto.

Madam Speaker, SCHIP was created in 1997, with broad bipartisan support, to address the critical issue of the large numbers of children in our country without access to health care. It serves the children of working families who earn too much money to qualify for Medicaid, but who either are not able to afford health insurance or whose parents hold jobs without health care benefits.

Children without health insurance often forgo crucial preventative treatment. They cannot go to the doctor for annual checkups or to receive treatment for relatively minor illnesses, allowing easily treatable ailments to become serious medical emergencies. They must instead rely on costly emergency care. This has serious health implications for these children, and it creates additional financial burdens on their families, communities, and the entire Nation.

This year alone, 6 million children are receiving health care as a result of SCHIP. However, funding for this visionary program expires September 30. Congress must act now to ensure that these millions of children can continue to receive quality, affordable health insurance.

As chair of the Congressional Children's Caucus, I can think of few goals more important than ensuring that our children have access to health coverage. It costs us less than $3.50 a day to cover a child through SCHIP. For this small sum, we can ensure that a child from a working family can receive crucial preventative care, allowing them to be more successful in school and in life. Without this program, millions of children will lose health coverage, further straining our already tenuous health care safety net.

Additionally, through this legislation, we have an opportunity to make health care even more available to America's children. The majority of uninsured children are currently eligible for coverage, either through SCHIP or through Medicaid. We must demonstrate our commitment to identifying and enrolling these children, through both increased funding and a campaign of concerted outreach. This legislation provides States with the tools and incentives they need to reach these unenrolled children without expanding the program to make more children eligible.

In my home state of Texas, as of June 2006, SCHIP was benefiting 293,000 children. This is a decline of over 33,000 children from the previous year. We must continue to work to ensure that all eligible children can participate in this important program. To this end, Texas Governor Rick Perry signed legislation in June which, among other things, creates a community outreach campaign for SCHIP.

In addition to reauthorizing and improving the SCHIP program, this legislation also protects and improves Medicare. Due to a broken payment formula, access to medical services for senior citizens and people with disabilities is currently in jeopardy. Physicians who provide health care to Medicare beneficiaries face a 10 percent cut in their reimbursement rates next year, with the prospect of further reductions in years to come looming on the horizon. The budget proposed by the Bush administration does not help these doctors, or the patients that they serve.

This is extremely important legislation providing for the health coverage of 11 million low-income children, as well as protecting the health services available to senior citizens and persons with disabilities. President Bush was wrong to veto this legislation. I stand strong with the children of America in voting to override his cruel veto.

Mr. STARK. Madam Speaker, I yield 1 minute to the distinguished gentleman from Pennsylvania.

Mr. SESTAK. Madam Speaker, I rise today in support of a bill that I do understand has expanded dental care and I do understand puts mental parity more on a par with physical disability.

But I must rise today because that number of nearly 4 million children uninsured is almost too large for me to comprehend that we haven't done something before, based upon when my daughter, struck with a malignant brain tumor and given 3 to 9 months to live at age of 4, and you all provided me, as a 31-year military veteran, with the opportunity for her to live.

But what I was most struck by was her roommate when she began her chemotherapy. A young 2½-year-old boy, where we listened and could not help in that small room hear social workers come and go for 6 hours as they tried to determine whether that young boy, struck with acute leukemia, whose parents did not have health care, would have the same opportunity as you gave my daughter; that this Nation gave them the time for not just quality of life but for life.

I rise in support of this bill to give all children what you gave me as a member of the Armed Forces.

Mr. HULSHOF. Madam Speaker, I am pleased to yield 2 minutes to an individual who is now the ranking member of the Health Subcommittee, who also helped create the Children's Health Insurance Program back in 1997, the gentleman from Michigan (Mr. CAMP).

Mr. CAMP of Michigan. I thank the gentleman for yielding.

First, I would like to make one point perfectly clear: Republicans support health care for low-income children.

Second, I want to address something that was said on the floor the last time we considered this issue. It was said that failing to cast a ''yea'' vote would give new meaning to the phrase ''suffer the little children.'' However, it's the failure of this legislation to refocus benefits on low-income children that gives new meaning to the phrase ''suffer the little children.''

If, as the verse continues, it is to these children ''that the Kingdom of God belongs,'' then why is this children's program failing to serve so many children? How is it that in my home State of Michigan 87,000 eligible children don't have health care while 39,000 adults are in the program?

How is it that in Minnesota 87 percent of the enrollees in this children's program are adults?

How is it that this low-income program is covering families in New Jersey making more than $70,000 a year? No wonder New York wanted to go over $80,000.

Ladies and gentlemen, the answer to these questions is clear. The majority does not want a low-income children's plan. They want what Hillary Clinton called for in 1994, the first step towards nationalized, government-run, controlled health care.

We should not be diluting this children's program, and we should not be diverting money away from these low-income kids.

I am proud to have offered yesterday the Kids First Act, a bill that would return this program to its roots, insuring low-income children, covering an additional 1.3 million American children, does not raise taxes, and is fully funded. This is the kind of legislation we should be debating instead of continuing this senseless stalemate that uses children as political pawns.

I urge my colleagues to vote against this veto override, and more importantly, I urge my colleagues to quickly compromise on this important issue and ensure that low-income American children have health care coverage.

Mr. DINGELL. Madam Speaker, I would just note that my good Republican colleagues have ignored one fact that is important, and that is that every time that there is an inclusion of anybody over the level of 200 percent of poverty, it is on an express waiver granted by the Republican White House.

Madam Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Madam Speaker, I would like to yield 1 minute to the distinguished member of the Energy and Commerce Committee, Dr. BURGESS of Denton, Texas.

Mr. BURGESS. I thank the gentleman for yielding.

Madam Speaker, I come to the floor of the House today to say that I support the reauthorization of the State Children's Health Insurance Program. It's a good program that deserves to be reauthorized. I wasn't here when it was first passed in 1997, but I believe in the original intent of this program.

Madam Speaker, I believe it is critical to focus on the most important recipients of this program: That's the poor children, poor kids first.

Madam Speaker, this debate is not about money; it is about freedom. And it is also critical to remember to focus on what is necessary to do to cover the poor kids. And every opportunity for expansion, every opportunity for expansion based on income set-asides, expanding covering adults, expanding covering people in the country without the benefit of a Social Security number, every time we expand the benefit, we limit the benefit for the poor and the near poor, the initial population that we were supposed to be covering. We can't cover those other populations at the expense of people that we are required to take care of.

Finding more of the truly eligible children is hard work. It's hard work, but it's the right thing to do. Hard work first. It is the right thing to do.

Mr. STARK. Madam Speaker, I am pleased to yield 1 minute to the distinguished member of the Ways and Means Committee, the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Madam Speaker, today we must override the President's veto because it is the right thing to do for our children.

We have a mission, an obligation, and a mandate to provide health insurance for all of the children and override the President's veto.

We can spend millions and billions of dollars on war, but we cannot take care of health care for our children? It would be a shame and a disgrace not to take care of the little children.

We must take care of the children. ''Suffer the little children.'' They need our help and they need it now. Override this veto.

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

Mr. DINGELL. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from New Hampshire (Ms. SHEA-PORTER).

Ms. SHEA-PORTER. Madam Speaker, as Senator GRASSLEY wrote in a letter to The Washington Post, it's fine to have a philosophical debate over the merits of this program, but opponents should be intellectually honest about what the bill does and does not do.

Despite this, the President and a few supporters are still clinging to a series of distortions and spin to try to mislead the public. The President keeps talking about families earning as much as $83,000. If this were true, I would have voted against this program. And as for the exception for New Jersey, the $72,000 was requested by a Republican Governor and approved by President Bush's administration. Some of the President's supporters have claimed we didn't provide a way to pay for this bill, but we did. As Americans, we want our children to be healthy and productive.

The irony did not escape me that while the President was attacking SCHIP, I was sitting in a hearing of the Armed Services Committee, of which I am a member. The topic was waste and fraud in Iraq, billions of dollars. Like I said, the irony did not escape me, and it did not escape most Americans.

We must override this veto.

PARLIAMENTARY INQUIRY

Mr. BARTON of Texas. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. BARTON of Texas. Madam Speaker, is it acceptable under the rule that we are operating under, as long as we control time, to recognize a Member more than once as long as you control the time?

The SPEAKER pro tempore. Recognition is within the discretion of the Chair.

Mr. BARTON of Texas. I'm not sure I understand. Let me rephrase my question.

The SPEAKER pro tempore. Is the gentleman seeking to have another Member recognized that has already spoken?

Mr. BARTON of Texas. I want to recognize myself now and then recognize myself later in the debate, because my speakers aren't here. Is that acceptable, Madam Speaker?

The SPEAKER pro tempore. In controlling time the gentleman may speak more than once and may yield to another more than once.

Mr. BARTON of Texas. Madam Speaker, I yield myself 1 minute.

Madam Speaker, one of the things that has been talked about in this debate is that the pending bill before us does not allow illegal aliens to receive benefits, and there is a section in the bill, section 605 that says that. But it has no enforcement. And in another part of the bill the requirement for citizenship verification is repealed, and the substitution for that is a requirement that a beneficiary or potential beneficiary simply show a Social Security number.

□ 1200

And as we all know, there are millions of fraudulent Social Security numbers floating around. So when we actually do get down to negotiating the conference after this veto is sustained, I hope that my friends in the majority will work with us in the minority to make sure that illegal aliens do not get benefits and that we have the appropriate enforcement mechanism in the bill that we send to the President.

With that, I reserve the balance of my time.

Mr. STARK. Madam Speaker, I am delighted to recognize a member of the Ways and Means Committee, the distinguished lady from Nevada (Ms. BERKLEY) for 1 minute.

Ms. BERKLEY. I thank the gentleman for yielding.

Madam Speaker, coming from a State with one of the highest percentages of uninsured children, I know how important it is that we succeed in overriding the President's veto today.

I think it's absolutely shameful that in the United States of America, in the 21st century, in a country of such great abundance, we have to override a Presidential veto to provide essential health care to kids from lower-income, hard-working American families.

Passage of this bill is essential to ensure continued coverage for the more than 30,000 kids currently receiving their health care by the SCHIP program in Nevada. And the bill will also enable Nevada to reach out to the nearly 70,000 children currently eligible who remain uninsured and not in the program because of a lack of funding.

I urge my colleagues to vote to override this veto. It's a shame that he vetoed this bill in the first place.

Mr. HULSHOF. Before yielding to my friend from Texas, I yield myself such time as I may consume to respond to a previous speaker, the gentlelady from New Hampshire, who said that she would have voted against the original bill had she known or had she believed that, in fact, a family of four making $80,000 would qualify their children. Well, in fact, I would point the gentlelady to section 114, subparagraph A of the bill that allows income disregards.

And I would say to the distinguished chairman of the Energy and Commerce Committee, who pointed out that, yes, it was the administration that granted the waiver, there are some on this side who would suggest the administration has approved unwise waivers in the past. But even this administration has indicated to a particular Governor that before we allow this waiver to occur, in the instance of New Jersey, so many additional enrollees would have to meet the intent of the SCHIP program, to which the Governor said, ''I don't have to abide by that.'' And I find that a bit difficult to swallow as we then discuss whether this should be the law of the land.

I am now pleased to yield 1 minute to the distinguished gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Ten years ago, a Republican Congress created SCHIP to provide health insurance benefits to children who are uninsured, who are Americans, and whose parents represent the working poor. Yet today, once again, this Democrat Congress will try to do something else, and that is, give these same benefits to adults, to illegal immigrants, to those who are already insured, and to some of the wealthiest among us. These are the facts.

Although the program was designed for those up to 200 percent of poverty, we know today there are families of up to $82,000 of income receiving these benefits. Although the program was designed for children, we know almost 20 States now serve more adults than children. Although the program was designed for Americans, the Democrats strip out proof-of-citizenship measures. And although the program was designed for the uninsured, CBO said this will have the effect of taking 2 million off and putting them on a government insurance program. That is wrong.

Mr. STARK. Madam Speaker, at this time, I am delighted to recognize the gentlelady from Arizona (Ms. GIFFORDS) for 1 minute.

Ms. GIFFORDS. Madam Speaker, I rise today on behalf of the 179,000 children in the State of Arizona who need Congress to stand up for them.

Ten million American children need SCHIP, known as KidsCare in my home State of Arizona, because it changes their lives. For example, when Collin Bollinger was born, his mother, Sherry, did not have health insurance. Sherry was gainfully employed, but she could not afford her company's high insurance premiums and did not qualify for Medicaid. After Collin's second birthday and a series of ear infections, Sherry scraped and borrowed enough money for private insurance to cover Collin at the high cost of $150 per month. At times, Sherry chose her son's health care over paying the rent and having a full dinner.

Then she discovered the KidsCare program; her premiums then fell by 90 percent per month. With the money that Sherry saved, she could even afford her own health insurance. Now Collin is a straight A student. He plays football at Cienega High School and leads a happy and healthy life. His mother credits KidsCare.

Mr. BARTON of Texas. Madam Speaker, I just have two speakers left, the distinguished minority leader and myself. I'm prepared to do the mini-close. I assume that Ms. PELOSI is going to close for the majority, so we're kind of in a holding pattern here.

The SPEAKER pro tempore. The Chair will recognize for closing speeches in the reverse order of opening: Mr. HULSHOF, Mr. STARK, Mr. BARTON, and then Mr. DINGELL.

Mr. DINGELL. Madam Speaker, I would observe that here we have three speakers before we're prepared to close. And if you would permit, Madam Speaker, the Speaker, Ms. PELOSI, will close for us.

Madam Speaker, at this time, I'm delighted to yield 1 minute to the distinguished gentleman from North Carolina (Mr. SHULER).

Mr. SHULER. I thank the distinguished gentleman.

Madam Speaker, every night when we sit down, we talk to our children, we say our prayers, my wife and I, we thank God for the many blessings He has bestowed upon us, some of those blessings that we don't even recognize so much every single day, like having health care for our children. But there are children and parents every day for whom that is a constant reminder.

And here we have questions about what is important, how many children will it be. My children, age three and six, they talk about and they pray that God will bless all children. We talk about, across the aisle, I am pro-life. My distinguished colleagues across the aisle talk about being pro-life. It is time they start being pro-life today and start by overriding this veto.

Mr. DINGELL. Madam Speaker, at this time, I yield 1 minute to the distinguished gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. I thank the Chair of our Energy and Commerce Committee.

Madam Speaker, we have a health care crisis in our country. And the President vetoing the SCHIP bill has made bad policy based on bad information. We've heard it from the floor today from the minority.

The President should know we target low-income children below 200 percent of poverty. The President should know that we focus SCHIP on children and phase out parents and childless adults that were allowed by this administration to be covered. The President should know that the bill covers 4 million children who are eligible for SCHIP but not enrolled. The President should know that we do not cover illegal alien children. It's frustrating, when we have a health care crisis in our country, that we can't cover the children.

When the White House asked Congress just recently for a special $190 billion for the war in Iraq, over and above the hundreds of billions we've already spent, why can't we find much less than that for covering 10 million

low-income children, parents who are working in this country?

We have a health care crisis, and the Republican minority and the President have turned their back on that crisis, especially to the children.

Mr. Speaker we have a health care crisis in our country. In vetoing our SCHIP bill, the President has invoked a bad policy based on bad information.

The President should know we target low-income children below 200 percent of poverty.

The President should know we focus SCHIP on children, and phase out parents and childless adults that were allowed by his administration.

The President should know the bill covers 4 million children who are eligible for SCHIP but not enrolled.

The President should know this does not cover undocumented children. Under the President's proposal, 6 million of our children eligible for SCHIP would remain without health insurance.

And, an additional 700,000 children currently in the program would join them in the ranks of the uninsured.

If the President is so concerned about adults and middle income families in the SCHIP program, he should sign this bill which effectively addresses those concerns.

America's low-income children shouldn't suffer because the President can't get his facts straight.

More than 8 in 10 Americans support this legislation to expand SCHIP for children.

When the White House asks Congress for a special $190 billion for the war in Iraq, over and above hundreds of billions already spent why can't they find much less to cover 10 million low-income children.

This is the people's House, and it is our duty to override this veto and listen to the American people.

Mr. STARK. Madam Speaker, I yield myself 1 minute.

I hope that we can find, as we close today and we come to this vote, enough people on both sides of the aisle who will vote to override the veto. It doesn't make much sense. There is no cost, there are no illegal aliens, there are no rich people, unless the Republicans choose to make it possible for them. It's a bill that is paid for, unlike the war, which the Republicans don't mention.

What are you going to do for that 200 or 300 billion bucks, folks, that you're spending to kill these kids when they grow up? You can't answer that, can you? You look at your shoes, look up here, you don't know.

So you don't even want to talk about $200 or $300 billion to kill innocent Iraqis and young men and women. There is no Member of this House that has an enlisted child over there. There is no risk for you guys.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. STARK. I yield myself an additional 30 seconds.

The fact that we don't want to talk about killing children that we send to die in a war and spend $200 billion, we're going to shuffle on, calling things ''socialism,'' Madam Speaker. And we're going to talk about if we only had a chance to do this a little better to make sure that illegal aliens were treated a little less fairly than they are now, we might vote for it. It's too bad. It's too bad they're voting to harm children for a bunch of really petty grievances that they have in the minority. I hope they will change their minds and vote to override the veto.

Mr. HULSHOF. Madam Speaker, I yield myself 1½ minutes.

With all respect, Madam Speaker, I don't need to be lectured to by a Member who did not even support the original Children's Health Insurance Program.

The fact is that we reached compromise 10 years ago. And I recognize that the chairman of the Health Subcommittee can ram through a bill when you've got the votes, as the original bill was done, without any input from anybody else, that it's my way or the highway. And I recognize that when you have the votes, that's one way you can try to enact legislation.

So my question still stands, after this veto is sustained, Do you want the politics or do you want the policy? I hope the latter. Because I guarantee you we can have a meeting of the minds.

Mr. CAMP and I, Mr. BOUSTANY, in fact, introduced the Kids First Act that would reauthorize this program. It's similar to the alternative in the Senate that would increase State allotments by $14 billion over the next 5 years, that would allow 1.3 million new low-income children to be covered, that reimburses States at their Medicaid matching rate, fully offsets the bill without raising taxes, bolsters current provisions to provide premium assistance to kids who have access to private coverage so that we can better coordinate public and private programs to prevent the crowding-out effect.

So once this political effort is done, I hope we can have a meeting of the minds.

Mr. DINGELL. Madam Speaker, at this time I reserve my time. I have one more speaker and then the Speaker who will be closing for us.

Mr. BARTON of Texas. Madam Speaker, I yield myself 4 minutes.

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

□ 1215

Mr. BARTON of Texas. Madam Speaker, what we have today is a classic case of a Washington, DC, nonintersecting conversation. Since the President vetoed this bill several weeks ago, my friends on the majority side have spent 2 weeks encouraging outside groups and perhaps their political arm, I am not sure about that, to spend millions of dollars in television and radio ads bombarding targeted Republicans to get them to change their vote.

Now, that is only the sixth time in history that we know of that a veto has not been brought to the floor immediately on the President's veto. The result is going to be that when we get to the vote in the next hour or so, the next 30 minutes or so, the President's veto will be sustained. Then, hopefully, we will have the real bipartisan negotiations that should have started 6 or 7 months ago.

It is interesting to me that we are still having a misunderstanding about the basic facts. And the reason is, we have never had a legislative hearing in either the Ways and Means Committee or the Energy and Commerce Committee. We have not had a subcommittee markup in either of the jurisdictional committees. And we really didn't have a markup at full committee, because the original bill for SCHIP was a 500-page mammoth bill that we got at midnight the day before it was supposed to be marked up in the case of the Energy and Commerce Committee.

But once we do sustain the President's veto, we are going to have these negotiations I hope. And first we are going to talk about the kids. Both sides are talking about the kids. Well, here are the facts. Under current law, every child in America who is below 100 percent of poverty is covered by Medicaid. Both parties support that. Under current law, every child in America who lives in a family between 100 and 200 percent of poverty is covered by SCHIP if they will sign up. Now, there are some children and families that won't sign up. In Dallas, Texas, I am told that only 33 percent of the eligible SCHIP children are actually in an SCHIP program. That is a travesty. We ought to do something together to reach out to those children and those families to make sure that they either have SCHIP coverage or private insurance, that they have something. We can work together on that on a bipartisan basis.

Now, once you get above 200 percent of poverty, we have a difference of opinion. The original House bill said go to 400 percent of poverty. That bill is dead. The bill before us goes to 300 percent. It is a legitimate policy argument: If you want to go above and expand the program, how much do you expand it above 200 percent? Do you go to 300 percent? Do you go to 250 percent? The Republican alternative is, let's cover the lowest income kids first. Once we get 90 percent of those kids covered below 200 percent of poverty, let's let States go to 250 percent. That is the Barton-Deal alternative that we have the discharge petition on. But that is a legitimate policy argument.

Now, let's talk about illegal aliens. Under current law, you are not supposed to cover a child of an illegal alien. But they are covered because there is no verification enforcement system. In the pending bill, they have section 605 that says no benefit shall go to children of illegal aliens. But that is

all it says. There is no enforcement mechanism. There is no enforcement mechanism. That is something we can work on in the conference. That is something we can work on together to really put some enforcement to make sure that SCHIP benefits are for citizens and legal residents. We can work on that.

Let's vote to sustain the President's veto, and then let's work together to get a program that really is for the kids, not for adults, that really is for citizens, and that we can afford.

Well, Madam Speaker, there they go again. Once again, we are being forced by the Democratic Leadership of the House to vote on a bill that exists almost exclusively to help Democrats score political points against the President.

We're going to sustain the President's veto today, and we're going to do it because the President did the right thing by vetoing this poorly written expansion of federalized health care that leaves the poorest kids behind. Anybody who cares about needy children can vote against this bad bill proudly.

I'm both proud and concerned that Republicans had no part in writing this legislation. Proud because this bill is an embarrassment. Concerned because we're all supposed to be legislating on behalf of children, and as everybody knows, no Republican Member of this House was even asked for an opinion, much less invited to participate in writing the Democratic SCHIP bill.

I don't even think the Democrats who wrote it understand what they've done. I challenge the supporters of this bill to look people in the eye and say that they understand all of the provisions that are actually in this bill. Because I have some questions for you.

Madam Speaker, it would be a compliment to say that the so-called process which produced this bill is an abuse of our democratic system of Government. It was so much worse than garden-variety abuse. It was pathetic. Yet, I'm sure that some will show up here with a handful of talking points from your Democratic staffers who actually constructed this legislation, and you will explain to us that it is not an abomination at all, but a wondrous triumph of bipartisanship.

Give me the name of one Republican in the entire House of Representatives who directly participated in these discussions. Name just one.

I know that the authors of this bill certainly did not consult with either Mr. DEAL or myself, I know that they have not included any Members of the Republican Leadership in the House; and I'm not aware of a single Republican Member of the Energy and Commerce Committee or the Ways and Means Committee being invited to participate in this process.

And although we were excluded from the negotiations and the Democratic Leadership has repeatedly refused to hold a legislative hearing on this bill, we have learned a few facts from the official projections produced by the Congressional Budget Office, and from what I've read, this bill isn't something that I could ever support.

For example, we know that the vast majority of the people added to the SCHIP program under the Democrats' bill will either already have private health insurance or they live in families with incomes too high to be eligible for SCHIP coverage today.

In fact, the Congressional Budget Office projects that H.R. 976 will lead to over 1.2 million new enrollees will be added to SCHIP as a result of an ''expansion of SCHIP and Medicaid eligibility to new populations.'' This means that these 1.2 million children live in families whose incomes are too high to qualify for the current SCHIP program. On the other hand, CBO projects that only 800,000 currently SCHIP eligible kids will be enrolled as a result of H.R. 976. This means that 50 percent more higher-income kids will be enrolled than currently SCHIP eligible kids.

And who will be paying for this expansion of SCHIP eligibility to higher-income families? Well, according to the Congressional Research Service, the vast majority of the $70 billion in additional tobacco tax revenues will come from low-income families. In fact, the Congressional Research Service said that tobacco taxes are ''the most regressive of the federal taxes.''

So, with H.R. 976, the Democrats really are taxing the poor in order to give to the rich.

In their defense, I guess it is difficult for the Democratic Leadership to know exactly what is in their own bill since it has neither been subject to a single legislative hearing nor conferenced by the House and the Senate.

Madam Speaker, I wonder if someone can explain to me why the Democratic Leadership decided to wait until just days before SCHIP expires to bring their reauthorization to the House floor. We have known for well over 10 years that the current SCHIP authorization would expire on September 30, 2007, and the Democratic Leadership in the House and the Senate have known since early November of 2006 that they would be in charge of actually producing a bill to reauthorize this vital health care program for low-income, uninsured children. Yet, here they were, a full 10 months later, jamming a bill through the House with fewer than three legislative days before the entire program expires and children's health care stops.

Well, Madam Speaker, I was not sent here by the 6th District of Texas to be quiet and do what the gentle lady from San Francisco instructs me to do. I was sent here to represent my constituents' best interests and I demand the ability to do what I have sworn to do.

We all know that the President promised to veto this version of the bill, so why did we waste precious time on a bill that we all know didn't stand a chance of ever becoming law?

While we are down here on the floor participating in this Theatre of the Absurd, the Democratic Leadership is in the back rooms trying to figure how they will extend the SCHIP program for another 6 months or a year. We all know this to be a fact, but I guess the Democrats want to pick a fight with the president so they can pretend that he is against children, and only then will they permit everybody to do the right thing and extend SCHIP.

Madam Speaker, I'm sorry it's come to this. The pettiness of this transparent political strategy to damage and weaken the president is a new low.

I'd hoped that we would not engage in this game, and it's still not too late to stop it. We could start debating how to best extend the SCHIP program so that we can actually do the job people sent us here to do. We still have a chance to write a responsible, long-term reauthorization of the SCHIP program. Now, it's true that writing a solid, bipartisan bill will not give the Democrats the ''political victory'' that they are hoping for, but that's the price that Democrats will have to pay. Given that millions of needy children are depending on us, it doesn't seem like a big price.

I am ready to start today to sit down with the Majority and reach a compromise bill so we can reauthorize this program expeditiously. Short 6-week extensions are irresponsible. We can and should come up with a compromise that can be signed into law and that ensures that low income children continue to have access to the SCHIP program. We should not drag this political process out any longer than today. Let us dispense with politics and commence with legislating.

Here's a way that will get me to call the President and urge him to sign up fast.

Require that States find and enroll 90 percent of the kids under 200 percent of the Federal Poverty Level before they go looking for more people with higher incomes.

States should be free to spend their own money, of course, but Federal taxpayers in 49 States shouldn't be made to subsidize the health care premiums for one State making $80,000 a year.

No adults except pregnant women, please. No more childless couples and, beginning in 2009, and Medicaid-eligible adults should move to Medicaid.

Let's preserve the requirement that States document the citizenship and identity of Medicaid applicants. Just writing down a Social Security number doesn't make you a citizen.

A bipartisan effort could pass this bill in a week, and doing so would make sense to poor kids, their families and nearly everybody outside the Democratic Congressional Campaign Committee.

Mr. HULSHOF. Madam Speaker, I yield the balance of my time to the ranking member of the Ways and Means Committee, my good friend, the gentleman from Louisiana.

The SPEAKER pro tempore. The gentleman from Louisiana is recognized for 1½ minutes.

Mr. MCCRERY. I thank the gentleman for yielding.

Madam Speaker, I have with me, I am going to submit this for inclusion in the RECORD, a page from a report from the Congressional Budget Office that we received last night. This one page puts the lie to the assertion that this bill is paid for, at least in any terms that a reasonable person would agree that the bill is actually paid for. What this sheet says, in 2012, under the March 2007 baseline, CBO estimated 3.3 million people, not just children, 3.3 million people would be covered. Under the President's proposal, in his budget, CBO estimated 4 million people would be covered in 2012. If the current program with all the exceptions and waivers were continued, CBO says that in 2012, 5.3 million children will be covered. CBO says under the bill on the floor in 2012, 7.8 million people would be covered. But then they say, in 2017, 5 years later, under the President's budget, 2.9 million people would be covered. Under the current program, with all the exceptions and waivers, 5.6, and

under this bill, 1.3 million people. So you go down from 7.8 million to 1.3 million over 5 years, and you are telling me that that is going to take place? It is not. You know it. And you are going to have to pay for it to the tune, the CBO says, of $40 billion.

CBO PROJECTIONS OF SCHIP AVERAGE MONTHLY ENROLLMENT (BY FISCAL YEAR, IN MILLIONS) [1] [2]

	2008	2012	2017
March 2007 Baseline [3]	4.1	3.3	2.1
President's FY 2008 Budget [4]	4.9	4.0	2.9
Maintain current programs [5]	5.0	5.3	5.6
H.R. 976, CHIPRA [6]	NA	7.8	1.3

[1] The figures in this table include the program's adult enrollees, who account for less than 10 percent of total SCHIP enrollment. These figures represent the average number of individuals who could be covered in a typical month. The total number of individuals enrolled at any time during the year would be about 170 percent of these figures. These figures do not include enrollment in the U.S. territories.

[2] These enrollment figures are for SCHIP only. Relative to the baseline, the President's proposal and maintaining current programs would reduce Medicaid enrollment by shifting some children to SCHIP. In 2012, CHIPRA would also shift some children from Medicaid to SCHIP; however, in 2017 the reduced SCHIP funding levels under an extrapolation of CHIPRA would cause a shift in children from SCHIP to Medicaid. CHIPRA would increase Medicaid enrollment overall by providing financial incentives to states to enroll additional children.

[3] Title XXI of the Social Security Act authorizes SCHIP through 2007. Consistent with statutory guidelines, CBO assumes in its baseline spending projections that funding for the program in later years will continue at its 2007 level of $5.0 billion.

[4] The Administration proposes funding of $5.0 billion in 2008, $5.3 billion in 2009, and $6.5 billion in each of fiscal years 2010 through 2012.

[5] Assumes increases in funding sufficient to account for increases in health spending per enrollee and the projected number of enrollees (due both to population growth and increases in the number of uninsured). Also assumes no change in eligibility rules or benefit packages after 2008.

[6] CHIPRA authorizes SCHIP through 2012. For budget scoring purposes CBO has projected spending under CHIPRA through 2017, based on the funding level at the end of 2012—an allotment of $3.5 billion per year. The 2017 enrollment figures shown there reflect that extrapolation.

Note: SCHIP = the State Children's Health Insurance Program, CHIPRA = the Children's Health Insurance Program Reauthorization Act of 2007, as cleared by the Congress on September 27, 2007.

Mr. STARK. Madam Speaker, I would like to recognize the gentlewoman from Colorado for 1 minute.

And pending that recognition, I would just like to point out that under the Republican plan, by 2017 we probably will have killed 20,000 soldiers in Iraq spending $200 billion.

Mr. BARTON of Texas. Madam Speaker, I ask that the gentleman's words be taken down.

□ 1230

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

The Clerk read as follows:

''I would just like to point out that under the Republican plan, by 2017 we probably will have killed 20,000 soldiers in Iraq spending $200 billion.''

The SPEAKER pro tempore. The words do not descend to personality within the meaning of rule XVII. Nor do they engage in such inflammatory rhetoric as might otherwise breach decorum.

The words are not out of order.

The gentleman from California may proceed.

Mr. STARK. Madam Speaker, I yield the balance of my time to the gentlewoman from Colorado (Ms. DEGETTE).

The SPEAKER pro tempore. The gentlewoman from Colorado is recognized for 1 minute.

Ms. DEGETTE. Madam Speaker, I stand with the 81 percent of Americans who support this bipartisan compromise bill that gives health care to 10 million poor children in this country. It builds upon the strong foundation of SCHIP and covers almost 4 million additional children.

You can use whatever words you want to talk about this bill, but here's the truth and here are the real facts: the bill does not cover adults, the bill does not cover people who are here illegally, and it does not cover the wealthy. It is fully paid for.

We in Congress should hang our heads in shame if the wealthiest country in the world refuses to provide basic health care to the children of our land. Let us rekindle the bipartisan spirit of the past and join together to reauthorize the State Children's Health Insurance Program. Let us put the working families of this country first. Let us override this veto.

Mr. BARTON of Texas. Madam Speaker, I want to yield our last minute to the distinguished minority leader from the State of the current number one college football team in the country, Ohio State, Mr. BOEHNER of Ohio.

Mr. BOEHNER. Madam Speaker, I am disappointed that we have reached this point. I think all of us know that Democrats want to renew the SCHIP program and Republicans want to renew the SCHIP program. We haven't been afforded the opportunity to sit down and work together to resolve the differences we might have in order to keep this important program alive and available to children in America who deserve and need good health care coverage. I hope that that opportunity to sit down and work together comes today after this vote.

In 1997, Republicans and Democrats worked together to create the State Children's Health Insurance Program. We worked to ensure that low-income children without health insurance come first. But I think all of us know that is not what has happened.

Today, there are 500,000 eligible low-income children for this program who are not covered. Yet there are some 700,000 adults around America who are covered under the Children's Health Insurance Program. I think the numbers speak for themselves. In Minnesota, 87 percent of the people on the Children's Health Insurance Program are adults. In Wisconsin, 66 percent of the people on the Children's Health Insurance Program are adults.

Madam Speaker, what we have been working towards is trying to find a way to say that we ought to insure poor children first. I know States have all kinds of ideas about how to expand this program, but let's not let this become another Washington program that starts with one principle in mind and then becomes something for everyone. Why can't we refocus the program to ensure that we help those poor children who do not have health insurance before we get into insuring adults and people beyond the low-income folks that we are trying to help?

I think the President vetoed this bill because, frankly, I think the majority sent it to him to ensure that it was vetoed. There were no conversations in this House between Democrats and Republicans on what this bill would ever look like. I don't think there was ever any intention that this bill be sent to the White House to be signed into law.

It is a point that I have made here before, and I am going to make it again: the American people are tired of all the political games. They want us to find some way to work together to resolve our differences and to help move America forward. What we have seen over the last several months on this bill, and especially the last two weeks, is an example of the political games that the American people are tired of.

Madam Speaker, when you begin to look at Congress's approval ratings, it shouldn't come to anyone's surprise in this Chamber that they are very low. And why are they low? Because I think Americans are tired of the rhetoric, they are tired of the political games, and they want us to find some way to work together to address their needs and their concerns.

Two weeks ago, when the President vetoed this bill because we didn't put poor children first, we could have had this vote right then and there. We could have had the override vote. Then we could have sat down and begun to resolve our differences. By now we could have had them resolved and we could actually be here today on a new bill that makes sure that the poor children who don't have health insurance actually get it.

Madam Speaker, what I would say to all of my colleagues is that I would hope that the political games will come to an end.

On behalf of House Republicans, I again extend this invitation to all of you: let's sit down and work together in a bipartisan manner to resolve our differences. Secondly, let's make sure that we put poor children first.

Mr. DINGELL. Madam Speaker, before I yield to our Speaker to close, I yield myself 30 seconds.

Madam Speaker, I will submit for the RECORD a letter from Peter Orszag, Director of the Congressional Budget Office. That office notes several things. First of all, one, this bill actually saves money for the Treasury; two, it is fiscally responsible; three, it is fully paid for.

The bill also covers approximately 10 million children in 2012, but it authorizes that only through 2012. In my Republican colleague's comparison with events in the year 2017, those comparisons are both impossible and bogus. I would note that the legislation covers 4 million more children than the administration's proposal.

CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 18, 2007.

Hon. JOHN D. DINGELL,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: In response to questions that we have been asked about the enclosed enrollment table that CBO circulated yesterday regarding the State Children's Health Insurance Program (SCHIP), two points are worth noting. First, as indicated in footnote 2 of the table, the enrollment figures are for SCHIP only. The Children's Health Insurance Program Reauthorization Act (CHIPRA) would also raise enrollment in Medicaid by 1.3 million in 2012 relative to the baseline. Second, as indicated in footnote 6 of the enclosed table, CHIPRA authorizes SCHIP only through 2012, and the figures for 2017 are therefore based on an extrapolation of CHIPRA beyond the legislation's authorization window. Under that extrapolation of CHIPRA through 2017, SCHIP and Medicaid enrollment combined would rise relative to the baseline.

If you have any further questions, please feel free to contact Keith Fontenot at 226–2800.

Sincerely,

PETER R. ORSZAG,
Director.

Enclosure.

CBO PROJECTIONS OF SCHIP AVERAGE MONTHLY ENROLLMENT (BY FISCAL YEAR, IN MILLIONS) [1] [2]

	2008	2012	2017
March 2007 Baseline [3]	4.1	3.3	2.1
President's FY 2008 Budget [4]	4.9	4.0	2.9
Maintain current programs [5]	5.0	5.3	5.6
H.R. 976, CHIPRA [6]	not available	7.8	1.3

[1] The figures in this table include the program's adult enrollees, who account for less than 10 percent of total SCHIP enrollment. These figures represent the average number of individuals who could be covered in a typical month. The total number of individuals enrolled at any time during the year would be about 170 percent of these figures. These figures do not include enrollment in the U.S. territories.

[2] These enrollment figures are for SCHIP only. Relative to the baseline, the President's proposal and maintaining current programs would reduce Medicaid enrollment by shifting some children to SCHIP. In 2012, CHIPRA would also shift some children from Medicaid to SCHIP; however, in 2017 the reduced SCHIP funding levels under an extrapolation of CHIPRA would cause a shift in children from SCHIP to Medicaid. CHIPRA would increase Medicaid enrollment overall by providing financial incentives to states to enroll additional children.

[3] Title XXI of the Social Security Act authorizes SCHIP through 2007. Consistent with statutory guidelines, CBO assumes in its baseline spending projections that funding for the program in later years will continue at its 2007 level of $5.0 billion.

[4] The Administration proposes funding of $5.0 billion in 2008, $5.3 billion in 2009, and $6.5 billion in each of fiscal years 2010 through 2012.

[5] Assumes increases in funding sufficient to account for increases in health spending per enrollee and the projected number of enrollees (due both to population growth and increases in the number of uninsured). Also assumes no change in eligibility rules or benefit packages after 2008.

[6] CHIPRA authorizes SCHIP through 2012. For budget scoring purposes CBO has projected spending under CHIPRA through 2017, based on the funding level at the end of 2012—an allotment of $3.5 billion per year. The 2017 enrollment figures shown there reflect that extrapolation.

Note: SCHIP = the State Children's Health Insurance Program CHIPRA = the Children's Health Insurance Program Reauthorization Act of 2007, as cleared by the Congress on September 27, 2007.

At this time it is with great pleasure and privilege that I yield the balance of my time to our distinguished Speaker for purposes of closing.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 minute.

Ms. PELOSI. Thank you, Madam Speaker. I thank the gentleman for yielding. I commend him for his exceptional leadership on this issue.

The issue of health care for Americans has been a signature issue for the Dingell family. Mr. Dingell, the distinguished chairman's father, was the author of legislation for access to health care for all Americans. He continues that tradition. He was in the chair the day and gaveled the vote on Medicare. So thank you for your years of experience and leadership, and, again, your leadership on this important issue of insuring our children.

This isn't about an issue; this is about a value. Thank you, Mr. STARK, thank you, Mr. PALLONE, for your leadership, and thanks to the distinguished Chair of the Ways and Means Committee, Mr. RANGEL, for his important and relentless leadership on this issue.

My colleagues, as I listen to the debate today, I hear a lot of subterfuge and distractions; but the fact is that this is a discussion about America's children and it is a discussion about America. There is no industrialized country in the world that anyone respects that does not provide health insurance for its children. We are the exception. This is not a designation to be proud of.

But the American people in their wisdom have this not as an issue, but as a value, as an ethic. That is why I am so proud of what has transpired since we took our first vote on this bill. That day I said we could establish ourselves as ''the Children's Congress,'' and we did. Work remains to be done to bring that to fruition.

In the meantime, across our country, Democrats and Republicans, Governors and mayors, people who work with children or have the responsibility of delivering a system of health care have been advocating for this reauthorization of SCHIP that we have before us today. Every organization you can name, from AARP to YWCA, and everything in between, the American Medical Association, Catholic Hospital Association, Families USA, every organization you can name is supporting this legislation.

I am so proud, because earlier this week Easter Seals representatives covered the Hill with hundreds of advocates visiting Members' offices. We were pleased to hear from the president of Easter Seals, President James Williams, who said, ''Without health care coverage, our early intervention in other programs for children cannot be successful.'' That is why the Easter Seals organization was here.

□ 1245

He was very eloquent in his advocacy, but no more eloquent than the young children who were here to tell us their stories.

Today, representatives of the March of Dimes, over 400 of them, are visiting offices on Capitol Hill. And Jennifer Howse, president of the March of Dimes, has stated that SCHIP ''is the health insurance lifeline for millions of low-income children who have no other way to obtain coverage.''

Our country has put poor children first; that's called Medicaid. The poorest of the poor children in our country are able to receive health care through Medicaid.

I wish you could have heard the stories of some of the parents who told us, Bethany's parents who were in the other day. The press asked them if they were afraid their family would come under attack because they were lobbying for SCHIP. They said we are already under attack, but we are proud to come forward to support this initiative. We are not proud of the fact that we are low income, they said. We are trying very hard to lift ourselves up into the middle class. We work very hard not to be on Medicaid, but to be among the working poor, it is not something that we brag about, but SCHIP is something that we need.

So when the President wants to have 4 or 5 million children instead of 10 million children in his initiative, is he the one, the decider, who wants to go to that family and say, Your child is out? Bethany had heart problems from birth. She was 2 years old in July. They have been told by some people as they lobbied, The baby is better now; you don't need SCHIP anymore. Well, she does.

They said, We are not just lobbying for Bethany; we are lobbying for all of the children.

As far as the March of Dimes is concerned, and I am proudly wearing their pin, they deal with children with birth defects, and it might interest you to know that one of eight children in America each year is born prematurely, around half a million babies born prematurely. Many of those children, I am not saying all, but many of those children have ongoing conditions and preconditions that bar them from

getting any health insurance. Those children need SCHIP. They are in the category that makes them eligible.

And that category does not include people earning $83,000 a year. So while some of you may use that as an excuse not to vote for the program, I hope you know intellectually it is not a reason to vote against this initiative. There are currently no children enrolled in SCHIP with family income of 400 percent of the Federal poverty level, $83,000 for a family of four. In fact, 91.3 percent of the children enrolled in SCHIP are in families of four that make less than 200 percent of poverty. And 99.95 percent, just a hair under 100 percent of them, are in families under 300 percent of poverty.

So this is a sad thing. We are asking people who are working hard and playing by the rules, they are taking care of their families. They could have stayed out of work and stayed on Medicaid, but that is not what we are encouraging people to do in our country. We are encouraging them to move on and upward. And these families have to come forward and say why they have not attained the American Dream of enough wealth to afford $1,200 a month in health insurance premiums, and that's a big order.

I am so pleased, though, that with the work they have done, Easter Seals, Red Cross and all of the organizations I mentioned earlier, and the Governors and mayors, et cetera, that now 82 percent of the American people support this initiative. If I said it before, I want to say it again.

And let me also say that there are some myths about SCHIP. Well, I don't think that they are myths; I think they are excuses not to vote for the bill. I mentioned one of them. Another one is about illegal aliens.

Clearly, the bill states ''no Federal funding for illegal aliens.'' It says it, but it is also the law of the land. Illegal aliens do not get benefits, so don't use that as an excuse to deprive 10 million children in our country who are eligible for enrollment in SCHIP that they shouldn't get it.

This has been a bipartisan effort, and some of what has been said about SCHIP is simply not true. But don't take it from me. Senator ORRIN HATCH, former Chair of the Health Committee in the Senate, now the ranking member, said: ''I believe that some have given the President bad advice on this matter because I believe supporting this bipartisan compromise to provide health coverage to low-income children is the morally right thing to do. If we were truly compassionate, it seems to me, we would endorse this program.'' Senator ORRIN HATCH, Republican of Utah.

Senator CHARLES GRASSLEY, former chairman of the Finance Committee, another committee of jurisdiction and now the ranking member said: ''The President's claims about SCHIP are flatly incorrect. The SCHIP bill is not a government takeover of health care. Screaming 'socialized medicine' during a health care debate is like screaming 'fire' in a crowded theater. It is intended to cause hysteria that diverts people from looking at the facts.'' Senator GRASSLEY, Republican Senator from Iowa.

So, my colleagues, we have a decision today to override the President's veto, which would be, in my view, the right thing to do for our children and for our country. It is not about compassion. It is about fairness. It is about fairness. And this is a bill again that has been bipartisan in its development and required enormous sacrifice from the Democrats in the House of Representatives. We had a much higher goal. This is what is achievable for the children. It should have been signed by the President. There is no reason that he has given that is consistent with the facts.

And so I urge my colleagues to think about the children, to think about Bethany and think about a little boy, Zeke, who was in my office this morning. He is the ambassador of the March of Dimes for 2007. He is 8 years old, born prematurely at a pound and a half, and now going out and speaking on behalf of the needs of other children.

The President is isolated in this. Don't join him in his isolation. Come forward on behalf of the children and let's truly send a signal that we are about the future. I tried to do that when I was sworn in by being surrounded by children. It was a spontaneous moment, but it was one that was clear in its message: We are gaveling this House to order on behalf of the children.

There is nothing more important that we have to do in our work than make sure that our children are healthy and safe. Today we have an opportunity to do that. Let's not miss that opportunity. Let's give a vote for the children and against the President's veto.

Mr. CONYERS. Madam Speaker, I rise to voice my strong support for overriding the President's veto of the State Children's Health Insurance Program Reauthorization. This bipartisan legislation would provide health coverage for 10 million of our most vulnerable children. It is supported by over 80 percent of the American public, as well as bipartisan majorities in the House and Senate and 43 of our Nation's Governors.

The fact that the President and the House Republican leadership continue to oppose this critical, life-saving legislation is difficult to comprehend. All of the excuses that they have trotted out for blocking this bill—that it would cover the rich, or illegal aliens, or that it would institute ''socialized'' medicine—have been exposed as false. This bipartisan program puts poor kids first, as reflected in the fact that 90 percent of families covered by SCHIP live under 200 percent of the poverty level. It bars coverage of illegal immigrants, as is spelled out clearly in the bill's text. In fact, the bill does not even cover legal immigrants. Finally, the SCHIP reauthorization does not institute ''socialized'' medicine. Seventy-seven percent of children in the SCHIP program are covered by private insurance companies, and the American Association of Health Insurance Plans, as well as the American Medical Association and PhRMA, all support this bill. The Republicans' other excuse for opposing this bill—that we can't afford it—is disingenuous. This legislation is fully paid for with a tobacco tax. I also find it interesting that those who raise the cry of ''fiscal responsibility'' when it comes to a few billion dollars for poor children do not seem to have any objections to providing hundreds of billions for the President's disastrous war.

Having revealed that the Republicans' stated reasons for opposing this legislation are patently false, one is forced to wonder what is actually motivating them. I believe that the President and his supporters are blocking this legislation because they are afraid. They are afraid of SCHIP because it demonstrates that health care guaranteed by the government is workable, it is affordable, and it is popular. They worry that if SCHIP is expanded, even more Americans will begin to demand that the government guarantee health care to all our citizens, not just to poor children. After all, every other industrialized nation does so, while spending less than we do and while achieving better health outcomes for its citizens. The Republicans will apparently use every means at their disposal to ensure that health care in this country remains a privilege for those who can afford it, rather than a right guaranteed to all.

Madam Speaker, today's vote raises a moral question. Simply put: will we, as a nation, take responsibility for ensuring that all our children have necessary health coverage? All other issues raised in this debate are obfuscations meant to hide the fact that the party claiming the mantle of ''family values'' is in fact unwilling to back that slogan with substance. There is only one vote today that truly supports America's families. It is a vote to override this shameful veto.

Mrs. CHRISTENSEN. Madam Speaker, I rise today for one main reason: the 10 million low-income children in this Nation whose health, health care and wellness are very much at stake. This is especially true today as the House votes on whether to override the President's inhumane, unethical and irresponsible veto of the Children's Health Insurance Program.

We honored the promises we made to this Nation when we not only passed the Children's Health and Medicare Protection Act, the CHAMP Act, but when we exercised the art of compromise and passed a bipartisan CHIP bill that, though more modest than the CHAMP Act, still represented a respectable step in the right direction. In fact, the CHIP bill that so many of us stood behind would have provided health insurance coverage to nearly 4 million currently uninsured, low-income children. Unfortunately, despite our tireless efforts, the President opted to veto the bill that would have reduced the number of uninsured children in this Nation by nearly half.

Madam Speaker, we can and should do better, not only because we promised to, but because this Nation's children deserve it. We cannot and should not shortchange the most vulnerable among us, and we cannot and should not relent in our efforts to ensure that our Nation's low-income children have reliable

access to the health care services and treatments that they will need to be healthy and to pursue their life's destinies.

Madam Speaker, today we have yet another opportunity to reach across the political aisle and stand together to do the right thing for America's children. As I know my colleagues on both sides of the aisle well know, the children who are currently enrolled and would be newly enrolled in CHIP are not undocumented residents; they are legal American citizens. Efforts to try to derail our intention to override the veto by inundating CHIP in an immigration debate are both unconscionable and inaccurate.

And, the children who are and would be covered by CHIP also are not children from wealthy or even middle-income families who could otherwise afford health insurance. The mythical $83,000 CHIP family is just that: a myth. They are no more real than the weapons of mass destruction we invaded Iraq to find.

The reality, however, is that more than 9 in 10 children enrolled in CHIP are from families with incomes that are below 200 percent of the Federal poverty level. That means, Madam Speaker, that CHIP kids are coming from families earning less than $41,300 a year for a family of four. These are not financially comfortable families. And, these are not families living lavishly off the backs of taxpayers. These are hardworking American families whose children's health care needs often exceed their financial means. They deserve better and their children deserve better, and we ought to override this veto to ensure that the CHIP program captures these kids and keeps them from joining the ranks of the uninsured.

It is has never been lost on me or my colleagues in the minority caucuses that CHIP is a key minority health issue. In fact, 8 in 10 currently uninsured African-American kids and 7 in 10 Hispanic children are eligible but not enrolled in the program. Without health insurance, children suffer worse health outcomes and are less able to enjoy their childhoods because of illnesses that are often preventable. Overriding the President's veto, therefore, not only will help reduce uninsurance among our Nation's most vulnerable children and improve their health, but also will help us reduce the racial and ethnic health disparities that plague our health care system.

I urge all of my colleagues to override the President's veto. We not only can and should do better, but we should demand that the President do more for our children. Let's do it now for all of America's children.

Mr. WELDON of Florida. Madam Speaker, I rise as a supporter of the State Children's Health Insurance Program, SCHIP, which focuses on covering children in families at or below 200 percent of the poverty level, $41,000 per year. I have voted to extend this program and to provide additional resources to ensure that those living in families below 200 percent of the poverty level, $41,000, have access to affordable health insurance through the SCHIP program.

Before sharing my concerns over the bill that was vetoed by the President and that we are voting on today, I would like to share with my colleagues an overview of the SCHIP reauthorization bill that I am joining in introducing today. Our bill will provide families with health care choices, health care transferability and health care security.

The bill I have cosponsored would ensure that all children between 100 percent and 200 percent of poverty are eligible to enroll in SCHIP. In addition to being able to enroll in SCHIP, these families could also decide to use their SCHIP credit to pay for the additional costs of enrolling their children in the parent's employer provided health plan. For those making between 200 percent and 300 percent of the poverty level, our bill would provide a $1,400 per child health care tax credit. This credit would be refundable for those who have tax liability less than the amount of the credit. Parents could use this credit to pay the additional costs of enrolling their children in an employer provided health care plan or in another state licensed health care plan. This plan borrows from the proposal put forward by a broad range of organizations that run the political spectrum—from the liberal Families USA, to the Chamber of Commerce, and the American Medical Association, AMA.

The biggest question remaining after this vote is taken today is whether or not our House Democrat colleagues will do something that they have by and large failed to do so far with regard to SCHIP: invite House Republicans to participate in developing the legislation. To date, House Democrat leaders have abused the rules of debate to totally shut Republicans out of the legislative process.

Two weeks ago, rather than having an up or down vote on the President's veto, the Democrat majority chose to put off the final vote for two weeks in order to engage in political posturing and partisan attacks. Today we are holding that vote and the outcome today is no different than what it would have been two weeks ago. So, why the delay? Solely for partisan posturing. Madam Speaker, our children deserve better and it is time to stop using them as political pawns. Unfortunately, recent press reports are filled with quotes from Democrat leaders stating that they want to keep this alive as a political issue, calling for ''repeated votes'' and temporary extensions of SCHIP over the next year, rather than approving a long-term bipartisan bill that secures SCHIP coverage for those it was intended for—children in low-income households with family incomes of less than 200 percent of the poverty level.

I would now like to address once again, why I cannot support the bill before us. This bill: 1. Fails to place a priority on first enrolling uninsured children in households earning less than $41,000 per year, 200 percent of the federal poverty level; 2. Expands government SCHIP subsidies to those making far more than the Federal poverty level; 3. Spends half of the additional SCHIP dollars to enroll children in the government SCHIP program who are already enrolled in private insurance; and 4. Uses budget gimmicks—like booting millions of children off of the program in 2012—in order to fool the public into believing they can fund the program for the next 5 years.

It is fiscally irresponsible to expand this program by enticing millions of children in families earning far above the poverty level to drop private coverage and enroll in the SCHIP program that cannot be sustained. In August, House Democrat leaders forced an earlier version of SCHIP through the House that cut over $150 billion from Medicare and moved that money into SCHIP so that they would have a way to pay for millions of new SCHIP enrollees over the next 10 years, including millions of currently insured children from middle and upper middle class families.

Their plan to cut Medicare was rejected not only by Republicans but by the U.S. Senate, and most importantly by the public at large. The bill that the President vetoed is a bait and switch. This nearly triples the size of SCHIP over the next 5 years—including enrolling millions of children currently insured by private plans—only this time they have chosen to hide from the public how they plan to pay for the program for the next 10 years. They ramp up the annual SCHIP budget to nearly $14 billion a year, and then they simply leave it to a future Congress to find a way to continue paying for the massively expanded SCHIP program. And they hand the bill to future generations of Americans. It turns out that their nearly tripling of the Federal cigarette taxes still leaves them tens of billions of dollars short. Americans should be on notice that in 2012 the Democrats will ask for another $180 billion to continue SCHIP for another 10 years.

Particularly troubling is that by significantly expanding SCHIP enrollment eligibility to those far above the poverty level, the Congressional Budget Office, CBO, estimates that millions of new SCHIP enrollees will be children that move from private coverage to the SCHIP program. By moving children from private insurance onto the government program, this bill essentially enrolls 5 uninsured children for the price of 10. Enticing millions of children to drop private coverage and sign up for SCHIP is shortsighted and irresponsible, particularly given the multibillion dollar SCHIP budget shortfall that hits in 2012.

What we should be doing is focusing this program on enrolling uninsured children in households earning less than $41,000 per year. Madam Speaker, our children and the American taxpayers deserve better than what the Democrat leadership has put before us today.

In February of this year, States that had overspent their SCHIP funding grants came to Congress begging for more money to ''insure uninsured poor children.'' The root problem in many of these States was the fact that they had used their Federal grant to enroll children in the SCHIP program who were neither poor nor uninsured. New Jersey, for example had used their grant to enroll children in families with incomes of more than $72,000, even though there were and still are over 150,000 children in New Jersey in households earning less than $41,000 who are uninsured.

I offered an amendment in February that would have refocused SCHIP to make sure that children in families under 200 percent of the poverty level were covered first. My amendment was rejected by the liberal majority on the Committee, who Stated that they had no intent to refocus SCHIP on lower income children. Rather, they planned to continue expanding the program to those well above the poverty level—to include adults and illegal immigrants—as a step toward universal government-run health care. A recent op-ed in the Washington Post, by liberal columnist E.J. Dionne Jr., removes any doubt of this goal by writing: ''This battle [over SCHIP] is central to the long-term goal of universal coverage.''

While the press releases about today's bill focus on uninsured low-income children, the language in the bill is about much more than uninsured low-income children. If the bill before us was focused on low-income uninsured

children, I would be voting for it. The bill before us does the opposite. It repeals recent rules requiring States to ensure that at least 95 percent of those under 200 percent of the poverty level are insured under their State SCHIP programs. Democrat leaders in Congress have responded to the rule by arguing that there is no way to ensure a 95 percent enrollment rate of uninsured children in households earning less than $41,000 per year. They argue that since they cannot achieve the goal we should simply expand the program to those in households earning more than $60,000 a year or more.

They use budget gimmicks to say that their bill is balanced and paid for through higher cigarette taxes. The Heritage Foundation has estimated that the amount of money Democrats estimate they will raise from higher cigarette taxes comes up billions of dollars short and that over the next 10 years they will have to find 22 million new smokers to bring in the amount of cigarette tax revenue they hope to raise. It is also noteworthy that lower-income Americans pay a higher percentage of cigarette taxes, but it is middle-income Americans that will receive most of the expanded SCHIP benefits under this bill.

I am also concerned over provisions included in the bill that repeal the requirement that individuals must prove citizenship in order to enroll in Medicaid and SCHIP. This opens the program to fraud and the enrollment of illegal immigrants. In 2006, the Inspector General, IG, of the Department of Health and Human Services found that 46 States allowed anyone seeking Medicaid or SCHIP to simply State they were citizens. The IG found that 27 States never sought to verify that enrollees were indeed citizens. The Congressional Budget Office (CBO) estimates that repealing this requirement will cost $1.9 billion.

And finally from a Florida perspective, Florida taxpayers come up short. Florida taxpayers will send $700 million more to Washington than we will receive back in SCHIP allocations. Where will Florida taxpayer dollars end up going? Residents of California, New York, Texas, New Mexico, Arizona and New Jersey will be the biggest recipients of Florida tax dollars. Yet, Florida has a higher rate of uninsured children than several of these.

Florida voters will also be asked to foot part of the bill for a $1.2 billion earmark inserted into the 300-page bill at the last minute by the powerful chairman of the committee for his home State of Michigan.

Madam Speaker, let's open up the legislative process and develop a strong bipartisan bill. It is time to end the politics around this issue and ensure that low-income children have access to this program.

Mr. RAMSTAD. Madam Speaker, I rise to urge my colleagues to vote to override the President's veto of H.R. 976, which extends and expands the State Children's Health Insurance Program, SCHIP.

We have a moral obligation to cover all our children so every child in America can grow up healthy. It's the right thing to do; it's also the cost-effective thing to do.

The great Minnesotan Hubert H. Humphrey once said that a key moral test of government is how we treat those who are in the dawn of life, the children. We must not flunk this moral test.

My home State of Minnesota started covering children through its medical assistance program even before SCHIP was created, but we still have far too many children without coverage—73,000 kids.

That's why I strongly support extending and expanding SCHIP. I also hope we can work together to provide greater access to private insurance coverage for America's children and other uninsured Americans.

I urge my colleagues to support overriding the veto. We cannot afford to wait any longer. It's time to break down the barriers to health care for our kids. It's time to reauthorize SCHIP. It's time that all kids have a chance to grow up healthy.

This legislation passed both the House and Senate with strong bipartisan support, and it deserves to become law.

Let's put children's health first and do the right thing. Let's override the veto of the SCHIP reauthorization and reduce the number of uninsured children by at least 70 percent.

There is no better investment than to invest in the health and well-being of America's children.

Mr. BISHOP of Georgia. Madam Speaker, since its inception in 1997, I have been a steadfast proponent of SCHIP, known in Georgia as PeachCare for Kids, and I rise today to urge my colleagues to join me in sustaining this successful program by voting to override the President's veto.

Let me first say that, while my support of children's health care has been unwavering, this is not a perfect bill. Like many of my colleagues, some provisions in the bill concern me. But let us not let ''perfect'' be the enemy of the ''good.''

On health care, our country faces a tremendous challenge, and while disagreement still impedes finding creative solutions to encourage responsibility for health care to solve problems of access for adults, it is our moral imperative to rise up and meet these challenges for our Nation's children. Furthermore, as Members of this body, it is our solemn duty to protect the youngest and most vulnerable among us. This legislation presents us with such an opportunity.

It is disappointing to see the administration throwing up so many roadblocks. Indeed, this administration has proven its willingness to ''rise up and meet'' other challenges. Beyond that, it has proven its willingness to sign blank checks for a military operation with an ever-changing, increasingly expensive mission. For the past 4½ and years we have been engaged in an overseas conflict that has taken a large toll on this country—in terms of both human life and taxpayer money. While it is of utmost importance to ensure our troops continue to have every dollar, dime, nickel, and penny they need to fight this war, we must not neglect our domestic priorities.

The SCHIP reauthorization asks the administration to rise up and meet the challenge of one of those domestic priorities. Plainly, the bill asks for just 41 days worth of Iraq war funding to embark on a clearly-defined, targeted, and morally justifiable mission—providing American children from low-income families with comprehensive health care.

That's right—just 41 days worth of Iraq war funding would pay for the entire SCHIP bill. Just one week of the Iraq war would pay for 1.7 million children. That's enough to cover all the children eligible for SCHIP in Georgia, as well as several other States. One week of war funding would do all that.

To my colleagues opposing this legislation, let me reiterate something many know very well: the President, recently, asked for compromise legislation.

This bill, in fact, represents a compromise, as evidenced by its broad bi-partisan support. Forty-three of our Nation's Governors, including Governor Sonny Perdue of Georgia, support this legislation, as do 270 organizations representing millions of Americans, 68 Senators and a majority of Congress.

I urge my colleagues to join the bi-partisan majority and vote in favor of overriding the President's veto.

Mr. ETHERIDGE. Madam Speaker, I will vote to override the President's veto of H.R. 976. As the only former State schools chief serving in Congress, my life's work has been to provide for a better future for the next generation, and health care is critically important to that effort. There is no doubt that the State Children's Health Insurance Program, or SCHIP, has served this Nation well and must be reauthorized and expanded. The Congressional Research Service reported this week that, at current funding levels, 21 states would run out of SCHIP money before the end of the current budget year, and funding for North Carolina would only provide coverage for needy children through May 2008.

In North Carolina, over 250,000 children who would otherwise have gone without insurance have been served by North Carolina's Health Choice. The services they get through Health Choice—regular checkups and preventative care, doctor and hospital visits when they are sick, and ongoing dental and vision benefits—make sure that North Carolina's children are as healthy and productive as possible and grow up to fulfill their best potential. Untreated illnesses can have long-term consequences, and ensuring access to health care, as SCHIP does in North Carolina and across the country, allows children to remain healthy and strong and head off expensive treatments down the road. As a nation, we must follow through on the promise of SCHIP to protect our most vulnerable citizens.

SCHIP is not government-run medical care as some have falsely claimed. SCHIP is an effective initiative to extend health insurance to working families who otherwise cannot afford to send their children to the doctor when they are sick. In North Carolina, this has meant providing a physician-directed managed care system modeled on health insurance for children of state employees and teachers. North Carolina has about the best child health programs of any state, providing seamless cost-effective care for thousands of at-risk children, each year reducing costs and becoming more effective at providing health care.

The funding increase in H.R. 976 is necessary to address shortfalls in the current SCHIP funding plan, and to allow states to reach more eligible but uninsured children. The bill expands health care coverage to 10 million children in America over the next five years. In North Carolina the $35 billion in this legislation translates into 210,000 covered children, an increase of 90,000 children. Only kids aged 6–17 with families below 200 percent of the poverty level are covered by SCHIP in North Carolina. Even if some of these children have had private insurance for some of the time, their parents only were able to afford it by cutting back on other necessities. We owe it to these children to ensure

that they are continuously covered and can get the health care they need when they need it. I wholeheartedly support the increased funding and the guidelines for states in this legislation.

I have withheld my support for this bill in the past due to my concerns about the bill's funding mechanism, and I continue to be concerned about the impact of a tobacco tax increase on North Carolina's rural communities. I am working with the leadership of the House of Representatives to craft an effective disaster relief package that will assist North Carolina's farmers and help to counter any negative impact. As the Chairman of a key Agriculture Subcommittee, I will continue to work to address the needs of farm country, including finishing the Farm Bill with a real safety net for farm families and pursuing disaster relief for drought-stricken regions like North Carolina. Should the veto override fail, I will continue to urge the Congressional leadership to write a new bill that funds SCHIP without placing the burden of funding on the backs of North Carolinians.

After careful consideration, I will vote to override the President's veto, and I urge my colleagues to join me in voting for the children of America's working families.

Mr. STEARNS. Madam Speaker, for the last two weeks the Democrats have continued their political games. They have failed to correct the inherent flaws in this legislation and at a closer section by section look it is clear this legislation contains numerous errors.

Section 101: provides an appropriation of $9 billion in 2008, 25 percent more than governors of both parties have told CMS would be necessary to fully fund SCHIP next year.

Section 211: provides a new citizenship documentation option, but what this new provision does is completely erase the stricter citizenship requirements enacted in the Deficit Reduction Act. The Social Security Administration states that this provision will not guarantee that applicants who use false Social Security Numbers will be identified thus clearly opening the door for millions of illegal aliens becoming enrolled.

I hope the other side stops using these children as political pawns and crafts sound legislation that does not throw away tax dollars for votes.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of overriding the President's veto of the Children's Health Insurance Program Reauthorization Act of 2007.

I was deeply disappointed that the President exercised his veto pen on a bicameral and bipartisan bill. Not so long ago, the President pledged to expand coverage of CHIP to include eligible children who are not yet enrolled in the program. In his September 2004 speech to the Republican National Convention, the President stated—and I am quoting here, ''We will lead an aggressive effort to enroll millions of poor children who are eligible but not signed up for the government's health insurance programs. We will not allow a lack of attention, of information, to stand between these children and the health care they need.'' With this veto, the President has reversed course and turned his back on America's children.

The CHIP Reauthorization Act would reauthorize and improve the very successful Children's Health Insurance Program for 5 years. This bipartisan bill would preserve coverage for the six million children currently enrolled who otherwise would have access to health insurance while extending coverage to 3.8 million children who are already eligible, but not enrolled in the program. The bill also includes guaranteed dental coverage and mental health parity in the CHIP program. By reauthorizing this very important program, we will strengthen CHIP by improving the quality of health care children receive and at the same time increase health insurance coverage to one of the most vulnerable segments of our society.

This legislation is paid for. It increases the tobacco tax by 61 cents to a total of one dollar. Increasing the tobacco tax will save billions in health costs and is one of the most effective ways to reduce tobacco use, especially among young children. In short, raising the tobacco tax will prevent thousands of children from starting to smoke and the proceeds of the tax will be used to provide health coverage for children. That is a win-win result.

Madam Speaker, we should do the right and moral thing and override this veto. I strongly urge my House colleagues to override the President's veto on this bipartisan legislation.

Mr. EVERETT. Madam Speaker, I rise today to express my opposition to this attempt to override the President's veto of the Children's Health Insurance Program Reauthorization Act (H.R. 976). This bill expands a good program far beyond its original intent, and opens the door to government controlled healthcare. The SCHIP program was created 10 years ago under a Republican led Congress to fill a gap of uninsured, low-income children whose families fell into a salary bracket too high to receive funds under Medicaid. This bill, however, takes this money and gives it to adults, illegal immigrants, and children whose parents are currently making up to $82,000 a year. This bill would encourage more and more children to move from private health care to health care coverage from the Federal government. According to the Congressional Budget Office, as many as two million children would make this shift.

The Liberal spin machine has tried to frame the veto as ''anti-children'', while denying the American people the facts. This bill would cost the American people $60 billion over 5 years. This is a $35 billion increase over the current program, and is $30 billion more than the President said he would support. Even the funding sources of this bill have been hidden from the general public. This bill would add a 61 cent tax to every pack of cigarettes, which the Democrats claim will curb smoking among children. This line of thought, however, is intrinsically flawed by the fact that 22 million new smokers will be required to pay for the cost of this bill. How can anyone be anti smoking when they need the very revenue it creates to pay for the healthcare of children? In addition, in 2012, the funding for this program will all but disappear. After a 5-year campaign of signing up as many middle-class children, adults and illegal immigrants as possible, program funds will be cut by 80 percent. This will cause millions of children to be dropped from their healthcare programs, or require an even more extensive funding expansion and burden on the taxpayers.

While supporters of H.R. 976 claim the bill does not allow Federal payments for illegal residents, it severely weakens Federal law to leave those individuals a gaping loophole. Existing law requires documentation proving one's citizenship in order to be covered under Medicaid and SCHIP, however, this bill would merely require a name and social security number. According to Social Security Administration Commissioner Michael Astrue, a Social Security number would not keep someone from fraudulently receiving coverage under Medicaid of SCHIP if they claimed they were someone that they were not.

Two weeks after the President vetoed the bill the Democrat Leadership has decided to play politics and gamble on the health of these children before having this override vote. This stalling tactic has done nothing but shorten the time we have until this program expires. I am proud to sustain the President's veto and I sincerely hope that my friends on the other side of the aisle care about these children enough to create a bill that everyone can stand behind, as it was when the program first began. I urge a ''no'' vote on the motion to override the President's veto.

Mr. SAM JOHNSON of Texas. Madam Speaker, I rise today to support the President's veto. It is important for the American people to understand that this debate is not about whether or not to reauthorize the Children's Health Insurance Program, but how we reauthorize it. This bill completely misses the mark. It is a massive expansion of a government-run program that takes resources away from the very children it was meant to help.

In this country there are millions of low-income uninsured children who are currently eligible for government help, but are not enrolled. I firmly believe it is our responsibility to cover the neediest of America's kids first.

The bill the President vetoed did just the opposite.

The Democrats' bill diverts money away from those who need it the most in order to cover kids who already have private health insurance. One in every three kids covered under this bill already has private health insurance coverage. Because the Democrats care more about how much they can expand taxpayer funded entitlement programs rather than helping those who actually need help, I will vote to sustain the President's veto.

Out of respect to the American taxpayer and the uninsured kids who need our help—Congress can and should pass a more fiscally sound bill that puts the poorest kids first.

Mr. LANTOS. Madam Speaker, I rise today in support of reauthorizing a program that has proven to be crucial to the lives of children across the Nation. The State Children's Health Insurance Program—or SCHIP, as it is known—provides access to health care for 6.6 million children. Through bipartisan efforts, Congress is trying to expand eligibility to nearly 4 million additional underserved and uninsured kids, but the President a few weeks ago decided to ignore the will of the people and veto the bill to renew this popular, worthy and socially responsible program.

I can't overstate how extraordinarily troubling this veto is. Rather than spending the $3.50 a day it would cost to provide health insurance for these children, the President instead has cynically claimed the mantle of fiscal responsibility. Had he not already presided over the largest increase in government spending since the New Deal, this claim might not ring as hollow as it sounds. Let's be clear: the President has chosen insurers and tobacco companies over the well-being of more than 10 million children and their families.

This is the wrong issue and the wrong time to pander to business interests.

Madam Speaker, it is unconscionable that American families must choose between buying a warm coat for the winter and having their children immunized. No American families should have to choose between putting food on the table and getting a life-saving operation for their son or daughter.

We go back to our respective districts and meet the people who are forced to make these sorts of decisions on a daily basis. We feel and see the utter insanity of vetoing $3.50 a day for health coverage for our neediest children. As members of the House of Representatives, we speak directly for the American people and we come to the floor to vote with their hopes and wishes foremost in our minds.

Each day that we fail to provide basic health care to kids, is a day we have failed as leaders.

Congress is The People's House, and we have a duty to represent the needs of the American people, not of multi-billion dollar international insurance companies. This administration has sided with big business too many times and at too heavy a cost to the little guy.

Republican President Calvin Coolidge once said, ''The business of America is business,'' and it seems that the current President agrees with him. I say that this Congress' business is the people's business. I urge my colleagues to override the President's veto and allow an entire generation of America's children to grow up healthy.

Ms. SCHAKOWSKY. Madam Speaker, the day is finally here. Today, the American people will see what this body is really made of and where members stand on the issue of children's healthcare. Is this body willing to stand up to the President and override his veto? Or are my colleagues on the other side of the aisle going to fold like a house of cards and follow this President right off a cliff?

The choice is easy—you are either for healthcare for 10 million children or you are not. You can equivocate all you want and come up with an excuse that is politically expedient, but when it comes down to it, there is no way to hide from your vote.

When that voting board lights up this afternoon, we will know and remember those who let 10 million children and their families down. The President and most of the Republicans in Congress will tell you that we can't afford this bill, but don't let them fool you. This bill is fully paid for, unlike the half a trillion dollars that we have already spent in Iraq.

And keep in mind, the members that vote against this bill today are going to turn right around and vote for $190 billion more dollars for the war in Iraq. Unfortunately, it's the children that end up with the short end of the stick. The children the President is refusing to insure today are the same ones that will be forced to foot the bill for the war in Iraq tomorrow.

But you have a chance to make things right today, to set the record straight. You can show your constituents and this country that you care about the millions of uninsured American children more than continuing this disastrous war.

Please, don't let these children down. They need your vote. Vote to override this misguided veto.

Mr. SCOTT of Virginia. Madam Speaker, I rise today in support of the vote to override the President's veto of H.R. 976, the Children's Health Insurance Program Reauthorization Act. While the bill vetoed by President Bush was a watered down version of the bill passed by the House, it was at least a step in the right direction.

The SCHIP bill that Congress sent to the President was a bipartisan effort that renews and improves the Children's Health Insurance program, providing health care coverage for 10 million children. This bill preserves coverage for the 6 million children currently covered by SCHIP and expands coverage to nearly 4 million more uninsured children.

Madam Speaker, two-thirds of Americas' uninsured children are currently eligible for SCHIP or Medicaid but are not enrolled for various reasons. This bill gives states the resources and incentives to enroll, those children.

The President's budget proposal would have increased SCHIP by $5 billion over the next 5 years. This increase fails to cover the costs of simply maintaining the current SCHIP enrollment of 6 million children. In fact, according to the Congressional Budget Office, over the next 5 years, the President's budget would result in over 1 million children losing their SCHIP coverage.

Madam Speaker, the SCHIP reauthorization is supposed to be a bill to expand coverage, not reduce it. I urge my colleagues to support this bill.

Mr. KUCINICH. Madam Speaker, I rise in support of the vote to override the President's veto of SCHIP. I do so because the President's objections to government health insurance for low income children are outrageous.

That said, I still believe, the bill's failure to provide coverage for legal immigrants is reprehensible. All children deserve health care coverage. Health care is a right, not a privilege. The denial of a lifesaving service based on an arbitrary length of citizenship is simply wrong.

It is the responsibility of Congress to address the main difficulties that prevent legal immigrant children from gaining access to health care. This bill does exactly the opposite. Thus I felt compelled to vote against the bill after the Senate negotiators refused to provide health benefits to legal immigrant children. Negotiating away health care for 400,000–600,000 children as a political compromise is not acceptable.

The President has vetoed the bill because he calls it a step toward socialized medicine. This perennial straw-man is trotted out when meritorious arguments are lacking. In fact, SCHIP uses private doctors and private health care plans. More importantly, however, the President is fond of ignoring the volumes of literature showing that government-run health insurance programs that use private hospitals and doctors like Medicare and Medicaid, deliver higher quality care at lower costs with higher rates of satisfaction than private insurance plans. According to a 2007 article in the journal, Health Affairs, administrative costs of private plans were about twice as much as those for Medicaid. Medicare's overhead costs are approximately 3 percent while those of the private sector are closer to 31 percent.

That is one of the main reasons that H.R. 676, the Expanded and Improved Medicare for All Act, is the best cure for our health care ills. It captures the enormous savings to be had if Americans had health care provided through Medicare and uses them to cover everyone for all medically necessary services with no copayments, no deductibles and now premiums. That is how wasteful private insurance is. Providing cheaper coverage through the private sector simply leaves Americans with dangerously weak coverage. About 50 percent of all bankruptcies in the U.S. are related to medical bills. Of those with medically related bankruptcies, about 75 percent had insurance before they got sick. Their so-called ''coverage'' did not cover them. They were, in fact, underinsured. The President chose to ignore this crisis by vetoing a bill that would have not only covered uninsured children but provided better coverage for many who are one illness away from losing their money and their home.

The provisions in the bill would make substantial and crucial progress in providing health care for all American children. It would provide coverage for 3.8 million more children than are covered now and preserve coverage for 6.6 million more. It would help ensure Ohio can expand its program to include an additional 20,000 children. It targets the lowest-income uninsured children for outreach and enrollment, ensures dental coverage and mental health parity.

The President was fundamentally wrong to veto the SCHIP bill. He needs to understand the economic and moral realities behind SCHIP. I cast my vote to express that.

Mr. UDALL of Colorado. Madam Speaker, I will vote to override the Presidents veto of this urgently needed legislation.

Dr. Martin Luther King, Jr. said ''of all the forms of inequality, injustice in health care is the most shocking and inhumane.'' H.R. 976 does not end health care inequality, but it would have provided continued coverage for children not covered by Medicare but whose parents cannot afford to buy insurance and whose employers do not provide it.

These children—currently 6 million of them—are now eligible for coverage under the Children's Health Insurance Program (CHIP)—but that program is set to expire and the President should have accepted this compromise legislation. Because the President does not accept this bi-partisan compromise bill, these 6 million will no longer have access to quality, affordable health insurance.

This legislation would assure continued coverage for those now enrolled and would provide coverage for an additional 4 million children who currently qualify, but who are not yet enrolled under CHIP.

I believe that health care should be a right, not a privilege, and this act is a step in the right direction toward that goal. So, I support this bill although I wish it went further.

Despite claims by some, this bill does not change the basic nature of the CHIP program. Instead, it maintains current eligibility requirements for CHIP. The majority of uninsured children are currently eligible for coverage—but better outreach and adequate funding are needed to identify and enroll them. This bill gives states the tools and incentives necessary to reach millions of uninsured children who are eligible for, but not enrolled in, the program.

Earlier this year, I voted for the ''CHAMP'' bill to extend CHIP. The House of Representatives passed that bill, and I had hoped the Senate would follow suit. It would have increased funding for the CHIP program to $50 million, instead of the lesser amount provided

by this bill. The CHAMP bill would have also addressed major health care issues, first by protecting traditional Medicare and second by addressing the catastrophic 10 percent payment cuts to physicians who serve Medicare patients.

However, the bill vetoed by the President represents a compromise between the House and the Senate and deserves support today. It will pay for continued CHIP coverage by raising the federal tax by $0.61 per pack of cigarettes and similar amounts on other tobacco products. According to the American Cancer society, this means that youth smoking will be reduced by 7 percent while overall smoking will be reduced by 4 percent, with the potential that 900,000 lives will be saved.

H.R. 976 has the support of the American Medical Association, American Association of Retired Persons, Catholic Health Association, Healthcare Leadership Council, National Associations of Children's Hospitals, American Nurses Association, US Conference of Mayors, NAACP, American Cancer Society Cancer Action Network, and United Way of America.

It is imperative that we vote to override this veto in order to protect those that are most vulnerable in our society by increasing health insurance coverage for low-income children. I hope that we have the opportunity to take up the other important Medicare issues addressed in the CHAMP bill soon.

Ms. ESHOO. Madam Speaker, I rise in strong support of this effort to override the President's veto of H.R. 976, the Children's Health Insurance Program (CHIP) Reauthorization bill.

Virtually everyone with a stake in public health and health care is calling for this bill to be passed. There are 270 groups supporting this bill: 43 Republican and Democratic governors, including Governor Schwarzenegger, the American Medical Association, AARP, America's Health Insurance Plans (AHIP), the Healthcare Leadership Council, and Catholic Charities, among others.

There are at least 10 million reasons to insure the children of our Nation because 10 million children don't have healthcare coverage today.

The bill provides dental care, mental health benefits, and other medically necessary benefits that are part of the program.

The bill provides coverage to expectant mothers.

The bill allows States to provide assistance for CHIP-eligible kids to secure private insurance through a parent's employer-sponsored coverage.

The bill is fully funded by a 61-cent per pack increase in the tax on cigarettes.

The opponents of this bill are hiding behind the thinnest arguments.

They say there are only 500,000 uninsured kids who are eligible for CHIP that we need to enroll. This is incorrect. According to the Urban Institute, there are more than 6.6 million low-income children who qualify for CHIP but are yet to be enrolled. This bill provides States with the resources and incentives to ensure these kids get the coverage they're eligible for.

The President says the program will cover children in families with incomes of up to $83,000 a year. Senator GRASSLEY, the Ranking Republican on the Senate Finance Committee, disputes this charge, saying "the president has been served wrong information about what our bill will do." In fact, the bill provides incentives for States to enroll children below 200% of poverty and any State that chooses to provide more generous coverage must get approval from the Administration.

Opponents assert that the bill increases taxes on "working people." The truth is it increases taxes on smokers. Not only does this help pay for the program, but according to the Institute of Medicine, by increasing the tobacco tax, there will be a decrease in tobacco use, particularly among young people.

Opponents assert the bill will cover adults not children. Although the program has been used to cover adults in the past, this practice will be phased out over the next two years.

Opponents assert that the bill gives coverage to undocumented aliens. There is nothing in the bill that would provide such coverage. In fact, the bill says, "nothing in this act allows federal payment for individuals who are not legal residents."

The moment has arrived for the House of Representatives to override the President's veto of the Children's Health Insurance Program, and when we do, we will stand next to the children and on the side of a brighter future for them and our entire country.

Mr. MCDERMOTT. Madam Speaker, this is the choice we have to make today. We stand up for our children and their future or we stand down with the President and tobacco companies. Good health or no health for millions of poor and disadvantaged children across America—that is what's at stake today.

The President will spend $50 billion in 5 months on a war in Iraq, but he won't spend $35 billion over 5 years on poor and vulnerable kids. We pay for SCRIP but we will keep paying for the war for decades to come. We take care of our children while the President passes his war costs on to our children, and grandchildren.

We can vote to provide access to quality, affordable health care for our Nation's children by voting to override this veto, or we can vote to sit back and watch the economic security of our working families erode day by day, as this Administration has done.

The President said he is using his veto pen on SCRIP to show he is relevant, but with the stroke of a pen he has merely shown he is irresponsible with the health and welfare of America's future.

Let's set a good example for our children and support a bipartisan, fiscally responsible, health care bill that will get us one step closer to universal coverage for all Americans.

Mr. MCGOVERN. Madam Speaker, in Massachusetts, we have begun to address the crisis of the uninsured. We believe health care is a right, not a privilege for the wealthy.

The president's veto of the bipartisan SCHIP compromise abandons 11 million children, including 90,500 Massachusetts children. That is unacceptable.

I wish President Bush would take the time to meet hardworking families like the O'Neils of Fall River. They were just blessed with their first child, Sean. Dad works several jobs while his wife recovers her health.

But the cost of all those doctors' visits and immunizations add up. Thanks to SCHIP, Sean is a happy, healthy baby.

But thanks to the President's veto, my proactive State exhausted its SCHIP allotment on October 1. Even with the extension, all of its funds will be gone by January 11.

To justify his position, the President has decided to distort what this good bill actually does. It doesn't cover well-off families. It doesn't cover illegal immigrants. What it does do is give a hand to millions of families who are struggling to provide health care for their kids.

I simply don't understand the President's priorities. He's more than happy to sign bills giving billions of tax breaks to oil companies and multi-millionaires, but he won't sign a modest, fully-paid-for bill that helps millions of low-income children? He's willing to spend hundreds of billions of dollars—none of it paid for—in Iraq but is unwilling to sign a bill that is paid for and will keep children from losing their health care?

That makes no sense to me.

This bill has the support of the medical community, children's advocates, and even the insurance industry. There is simply no reason for the President to reject it, other than partisan politics.

I will continue to fight for this important program, and I urge all of my colleagues, Republican and Democrat, to do the same.

Mr. ORTIZ. Madam Speaker, this is a defining moment for the state of health care in this Nation . . . a defining moment for this Congress . . . and a moment when the country will watch this government take sides.

The State Children's Health Insurance bill is one of the best pieces of bipartisan legislation the House has considered in a decade. It lays bare the most significant difference between what this Congress supports and what the President—and those who stand with him in support of his veto—supports.

Supporters of SCHIP stand with working families and children . . . opponents here in Congress—and the President—stand with insurance companies. The President's veto cut off health care for over 120,000 kids in Texas.

There's just no lipstick to pretty up this pig. The President's veto was downright mean. He leaves a legacy of a war he won't pay for and children he won't give health care to. Being for war and against kids is an awful record and a horrible legacy.

Those who stand with the President today in sustaining his veto of this bipartisan bill will bear the ridicule of that record the next time they face the voters.

Those who do an unpopular thing—knowing it is the right thing to do—are rewarded by history. History will accurately note that those supporting the President in this veto are doing the bidding of the health insurance companies, at the expense of our children. Those supporting the President's veto are doing the wrong thing for the wrong reasons.

Congress created SCHIP in 1997 with broad bipartisan support. This year, 6 million children have health care because of SCHIP. The program has worked well in Texas. This has been an excellent investment for our nation, given that health care costs without insurance would be much more expensive.

The President highlighted his support for SCHIP while running for re-election in 2004. Today he—and those who stand with him in sustaining this veto—show their true colors: say one thing in political campaigns, do another when the moment comes to record your vote . . . when the rubber hits the road.

I urge my colleagues to override this veto. We are the last hope of children and families all over this country. They are watching us—all of us.

Mr. RODRIGUEZ. Madam Speaker, today the House of Representatives has an historic

opportunity to provide health insurance for 10 million children from low-income families. In fact, when the House takes up a motion to override the President's veto on the State Children's Health Insurance Program (CHIP) Reauthorization Act, it will be the second time in as many months that Congress votes to provide low-income, working families with health insurance for their children.

This legislation, passed by Congress in September, is an essential step in providing better access to healthcare for the 47 million uninsured individuals in this country, 5 million of whom are children. One could argue that the state of Texas, which has the highest percentage of uninsured individuals of any state in the Nation, needs this bill the most. Texas is home to a staggering 1.4 million children who lack even the most basic health insurance.

The CHIP Reauthorization that President Bush vetoed provides health insurance for 10 million underprivileged American children. The bill adds $35 billion for the CHIP program over the next 5 years. It maintains coverage for the 6 million children who are already enrolled, and allows for an additional 3.8 million who are already eligible for the program to start receiving benefits.

Instead of supporting this modest expansion, President Bush wants to increase funding for CHIP by a mere $5 billion over the next 5 years. Such a proposal would not allow for any new eligible, uninsured children to enroll in the program. In fact, according to the nonpartisan Congressional Budget Office, President Bush's proposal would result in 840,000 children losing their CHIP coverage.

We cannot in good conscience enact a program that will push children from the CHIP rolls. I will stand behind the Congressionally-passed CHIP authorization and hope that my colleagues in the House of Representatives join me and override the President's veto today.

Ms. WOOLSEY. Madam Speaker, it's disappointing that the Administration and many Republicans can't get their priorities in order and support an expansion of SCHIP. The Administration's veto of H.R. 976, the Children's Health and Medicare Protection Act, shows just how far its priorities are from the rest of this country.

The Administration said it's too expensive. Yet the Administration has had no trouble spending half-a-trillion dollars on the occupation of Iraq. The Administration's priorities are clear: Unlimited money for occupation, no money for kids. Currently, we're spending about $14 million dollars per hour on the occupation. That means we could provide medical, dental, and mental health care to more than 10,000 low-income children for the cost of just one single hour in Iraq.

This bill was an opportunity for us to stand up and say that 10 million of our Nation's children deserve health coverage and access to dental and mental health services. In California, that would have provided 607,000 additional children with health insurance. By vetoing this bill, the Administration has turned its back on these children.

Additionally, the Administration has abandoned its promise to our Nation's military service members and their families. This legislation amends the Family and Medical Leave Act, the landmark workplace protection legislation passed 14 years ago, to provide the spouse, child, parent, and next of kin of an injured service member with six months of unpaid, job protected leave to care for their wounded loved one. This language is identical to the bipartisan bill, H.R. 3481, the Support for Injured Servicemembers Act, which Chairman GEORGE MILLER and I have championed in the House and Senators CHRISTOPHER DODD and HILLARY RODHAM CLINTON have fought for in the Senate. We have a moral obligation to honor our military families, who should never have to choose between keeping their jobs and support and meeting the needs of their loved ones. As the Chairwoman of the Workforce Protections Subcommittee, I believe we can no longer afford to deny these dedicated men and women the urgently needed protections included in this bill.

Children are 25 percent of our population but 100 percent of our future. I look forward to working with my fellow Members to continue to protect the health and well-being of our Nation's most valuable resource: its children.

Mr. WILSON of South Carolina. Madam Speaker, despite all the rhetoric about the State Children's Health Insurance Program which was created by Republicans, the fact remains that we all want low-income children to have access to health care. The only difference is that Republicans have stood by the principle of covering poor children first and not covering adults, illegal aliens, and those already covered by private insurance.

The President's SCHIP proposal provides an increase of $5 billion to cover those who are currently enrolled and the 500,000 children eligible but not yet covered. The billions more in spending that the Democrats are requesting will use taxpayer dollars to provide health care for individuals SCHIP was never meant to cover. Additionally, the Democrat proposal pulls the rug out from underneath these children when funding to the program is drastically cut in 2012.

When you take the Democrat legislation at face value and look past the political rhetoric and the demagoguery, the Republican proposal to promote SCHIP is best for families and children.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is, will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, the vote must be by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 273, nays 156, not voting 4, as follows:

[Roll No. 982]

YEAS—273

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fossella
Frank (MA)
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
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
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)
Petri
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Richardson
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
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—156

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier

Duncan
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Price (GA)
Putnam
Radanovich
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)

NOT VOTING—4

Carson
Jindal
Johnson, E. B.
King (NY)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

□ 1317

So (two-thirds not being in the affirmative) the veto of the President was sustained and the bill was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. KING of New York. Madam Speaker, due to the sudden circumstances regarding my mother's health, I will not be present during today's rollcall vote on the override of the Presidential veto of the Children's Health Insurance Program Reauthorization Act (H.R. 976). If I were present, I would vote "yea."

The SPEAKER pro tempore (Mrs. TAUSCHER). The veto message and the bill will be referred to the Committees on Energy and Commerce and Ways and Means.

The Clerk will notify the Senate of the action of the House.

LEGISLATIVE PROGRAM

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

Mr. BLUNT. I yield to my good friend, the gentleman from South Carolina, for the purpose of inquiring about next week's schedule.

Mr. CLYBURN. I thank my friend for yielding to me.

Mr. Speaker, on Monday the House will meet at 12:30 p.m. for morning-hour business and 2 p.m. for legislative business, with votes rolled until 6:30 p.m. We will consider several bills under suspension of the rules. A list of those bills will be announced by the close of business tomorrow.

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. for legislative business. We expect to consider H.R. 1483, the Omnibus Parks and Public Lands Act; H.R. 1011, Virginia Ridge and Valley Act; H.R. 505, Native Hawaiian Government Reorganization Act; H.R. 3685, Employment Nondiscrimination Act; and H.R. 3867, Small Business Contracting Act. On Friday, there will be no votes in the House.

Mr. BLUNT. I thank the gentleman for that information. There are really a couple of bills I wanted to ask about that I wonder when and if they are going to be coming back. As the gentleman knows, we only have a few more weeks of legislation outside of what we might have to do on the appropriations bills.

Yesterday, I spoke on the floor, and others did, in opposition to the FISA bill, the Foreign Intelligence Surveillance Act bill, that was on the floor yesterday. We quit in the middle of that debate. I am wondering if the gentleman has any information on when that bill may come back to the floor or if you have any information that it wouldn't be coming back.

I would yield.

Mr. CLYBURN. I thank the gentleman for yielding. We do expect the bill to come back to the floor, and it is under discussion as to when that will be.

Mr. BLUNT. I thank the gentleman for that. I would say that we would be interested in trying to continue to work to get a bill on the floor on this important issue that a broad base of Members of the House on both sides could support. And as we were able to talk about earlier today, I would hope that we would have a chance maybe to look at that bill one more time.

The other bill that got a lot of attention this week was the bill that was reported out of the House Foreign Affairs Committee on Armenian genocide, and I wonder if my friend has any sense of the status of that bill.

I yield to the gentleman.

Mr. CLYBURN. I thank the gentleman. We are still looking at that bill, and we expect next week to have some announcements about it.

Mr. BLUNT. I thank the gentleman for that information. We are very interested in that bill.

On the bill that we just voted on, a vote that would have been pretty easy to predict, I believe, 2 weeks ago, I noticed just this week that the Governor of New York said that he would be willing to accept new language in that bill that would eliminate his State's ability to cover families at over 400 percent of the poverty level. I would suggest that that is one of the compromises that would really be helpful, if we could eliminate that level that appears to only initially apply to the State of New York. Last week, when Mr. HOYER and I discussed this, he suggested that if the veto was sustained, that his view was that we should have an opportunity to work together on a bill that could come to the House floor. And I am wondering if the gentleman has any information on how the majority intends to move forward now on that bill.

I yield to the gentleman.

Mr. CLYBURN. I thank the gentleman. I can tell the gentleman that we are serious about extending coverage to 10 million children. I think that the issue you just raised is an issue that has been talked about quite a bit, especially in the media, for the last 2 or 3 days, and I suspect that that is one of the things that we would be taking a look at in order to try to bring some resolution to. I think, so long as we can maintain the intentions to cover 10 million children, everything else will be under discussion.

Mr. BLUNT. I would particularly think that that would be the topic I just raised, where families of four could make up to $83,000 a year and still have their children insured by taxpayers, would be one of the areas that, if we could deal with that issue, that would be a significant step on the bill, maybe not the only step necessary. But if we could now get in a situation where we could do what the vast majority of the House said they wanted to do just a few weeks ago when we definitely went on record saying we don't want this State Child Insurance Program to go out of existence but we want to do what we can to be sure that it is meeting the real goals of the program.

□ 1330

That would be helpful. And any efforts that we can collectively make to where we work together on this would be, I think, helpful in reaching a conclusion. And I think this too: unfortunately, I don't think many minds were changed in the last 2 weeks, and we lost 2 weeks that we could have been talking. But that's behind us now, and I'm hoping we move forward.

The other major topic that I wanted to ask a question about today to my friend was on appropriations. I've been asking every week since we started the new fiscal year, or approached the new fiscal year, when we were going to have some bills on the floor or to go to conference, rather, on bills. On the Military Quality of Life bill, the Senate Democrats have been named to the conference. The Senate Republicans have been named to the conference. The House Republicans have been named to the conference. And I'm wondering if the gentleman has any sense of when we might actually see something now begin to happen on these appropriations bills.

I yield to the gentleman.

Mr. CLYBURN. I thank the gentleman for yielding.

I wish I could give you some good sense of where we are with all of that. As you know, these discussions are taking place. The rules are a little bit different with the Senate than they are with us. We've done our work here on the House side. I would hope that those conference committees will get ready real soon. I'm sure that we'll take them up as soon as they are ready, and I hope that will be very soon. I have no sense as to when that will be. I'm very hopeful, like you are, I'm sure, that it will all be between now and November 16.

Mr. BLUNT. Well, I appreciate the gentleman's view on that. I am hopeful. I think we've got a handful of bills that have been approved now by both the House and the Senate, bills reported over to the House from the Senate; and my view is that we're beyond the time when we should have been reaching some conclusions on these bills, and urge the majority to work with the minority and find a way to get these bills done.

I think in the Mil Qual Veterans area there was a substantial increase. There's been an increase every year for the last dozen years. But a substantial increase to the tune of like $18.5 million a day in benefits to veterans and military families; and every day we let that go by just complicates the delivery of those services. And I hope we can move forward.

Mr. Speaker, I yield back my time.

ADJOURNMENT TO MONDAY, OCTOBER 22, 2007

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

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

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

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

There was no objection.

COMMUNICATION FROM STAFF MEMBER OF COMMITTEE ON APPROPRIATIONS

The SPEAKER pro tempore laid before the House the following communication from Greg Lankler, Staff Assistant, Committee on Appropriations:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, October 18, 2007.

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

DEAR MADAM SPEAKER: I am submitting this letter pursuant to Rule VIII of the Rules of the House of Representatives. On October 11, 2007, I received a grand jury subpoena issued by the U.S. District Court for the Central District for California. After consulting with the Office of General Counsel, and based on the information currently available to me, I have determined that the ad testificandum aspect of that subpoena is not consistent with the rights and privileges of the House, and the duces tecum aspect of the subpoena seeks records that are not material and relevant.

Sincerely,

GREG LANKLER,
Staff Assistant.

INTERNET GAMBLING REGULATION AND ENFORCEMENT ACT OF 2007

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

Mr. SARBANES. Mr. Speaker, I rise today to enter a letter cowritten by my Maryland Attorney General which raises concerns about the impact that the Internet Gambling Regulation and Enforcement Act of 2007 would have on the power of the States to make and enforce their own gambling laws. In my view, the letter raises questions that merit the consideration of my colleagues.

SEPTEMBER 28, 2007.

DEAR CHAIRMAN FRANK AND RANKING MEMBER BACHUS: We, the Attorneys General of our respective States, have grave concerns about H.R. 2046, the ''Internet Gambling Regulation and Enforcement Act of 2007.'' We believe that the bill would undermine States' traditional powers to make and enforce their own gambling laws.

On March 21, 2006, 49 NAAG members wrote to the leadership of Congress:

''We encourage the United States Congress to help combat the skirting of state gambling regulations by enacting legislation which would address Internet gambling, while at the same time ensuring that the authority to set overall gambling regulations and policy remains where it has traditionally been most effective: at the state level.''

Congress responded by enacting the Unlawful Internet Gambling Enforcement Act of 2006 (UIGEA), which has effectively driven many illicit gambling operators from the American marketplace.

But now, less than a year later, H.R. 2046 proposes to do the opposite, by replacing state regulations with a federal licensing program that would permit Internet gambling companies to do business with U.S. customers. The Department of the Treasury would alone decide who would receive federal licenses and whether the licensees were complying with their terms. This would represent the first time in history that the federal government would be responsible for issuing gambling licenses.

A federal license would supersede any state enforcement action, because §5387 in H.R. 2046 would grant an affirmative defense against and prosecution or enforcement action under and Federal or State law to any person who possesses a valid license and complies with the requirements of H.R. 2046. This divestment of state gambling enforcement power is sweeping and unprecedented.

The bill would legalize Internet gambling in each State, unless the Governor clearly specifies existing state restrictions barring Internet gambling in whole or in part. On that basis, a State may ''opt out'' of legalization for all Internet gambling or certain types of gambling. However, the opt-out for types of gambling does not clearly preserve the right of States to place conditions on legal types of gambling. Thus, for example, if the State permits poker in licensed card rooms, but only between 10 a.m. and midnight, and the amount wagered cannot exceed $100 per day and the participants must be 21 or older, the federal law might nevertheless allow 18-year-olds in that State to wager much larger amounts on poker around the clock.

Furthermore, the opt-outs may prove illusory. They will likely be challenged before the World Trade Organization. The World Trade Organization has already shown itself to be hostile to U.S. restrictions on Internet gambling. If it strikes down state opt-outs as unduly restrictive of trade, the way will be open to the greatest expansion of legalized gambling in American history and near total preemption of State laws restricting Internet gambling.

H.R. 2046 effectively nationalizes America's gambling laws on the Internet, ''harmonizing'' the law for the benefit of foreign gambling operations that were defying our laws for years, at least until UIGEA was enacted. We therefore oppose this proposal, and any other proposal that hinders the right of States to prohibit or regulate gambling by their residents.

Sincerely,

DOUGLAS GANSLER,
Attorney General of Maryland.
BILL MCCOLLUM,
Attorney General of Florida.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. Res. 106

Mr. KUHL of New York. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor on House Resolution 106.

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

There was no objection.

HONORING THE LIFE OF RON PRESCOTT

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

Ms. WATSON. Mr. Speaker, I regret that the Los Angeles Unified School District in California lost one of its most prestigious leaders. Ron Prescott died a week ago, and for over 30 years he represented the district in Sacramento, California, the capital.

Ron Prescott, over the years, was voted one of the top lobbyists for children. He was charismatic, he was diplomatic, but most of all, he was dedicated to the children of our State, and particularly the second largest school district.

Ron Prescott had a way of influencing you to do the right thing. When there were several attempts to break up the unified school district, it was Ron that saved our district.

When you needed to know the facts on funding for certain programs, it was Ron who was there with the facts.

He was never the kind to be obnoxious, but the kind that you could understand. He was always clear. He was always factual. He was always committed.

We have lost a great educator. We mourn his loss.

HONORING THE LIFE OF ERNEST WITHERS

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

Mr. COHEN. Mr. Speaker, earlier this week, Memphis, Tennessee and the Nation lost a great photographer and a great public personage in Ernest Withers. Ernest Withers died at the age of 85. He was a gentleman who was at the right time at the right place with the camera that took the picture that showed the civil rights movement, showed the history of Memphis, Tennessee and its progress from segregation to integration to a city that's one of America's great cities today.

Mr. Withers was one of the first African Americans hired as a police officer in the city of Memphis in 1949. He left that profession and went into photography. And whenever there was an event, Mr. Withers was there. He took a picture of B.B. King and Elvis together on Beale Street. The King and the King together on Beale, back in about 1956, when B.B. was thin enough that you wouldn't recognize him, and Elvis was thin too.

He had pictures of Dr. King and the civil rights movement. He covered Oxford, Mississippi; he covered Medgar Evers. He covered all of the major civil rights events that came throughout the mid-South.

He was published in People Magazine and the New York Times, and Ebony and Jet, and was honored by the Memphis College of Art with an honorary degree in 1992, and by the Missouri School of Journalism for his great work in photography.

He'll be missed in Memphis, and his collection needs to be maintained and made available to all citizens for remembrance of what went on during the civil rights era. He'll be missed by all of us. He'll be remembered in history books and museums.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. Res. 106

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that my name be removed from House Resolution 106 as a cosponsor.

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

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT NARCOTICS TRAFFICKERS CENTERED IN COLOMBIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–65)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the emergency declared with respect to significant narcotics traffickers centered in Colombia is to continue in effect beyond October 21, 2007.

The circumstances that led to the declaration on October 21, 1995, of a national emergency have not been resolved. The actions of significant narcotics traffickers centered in Colombia continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States and to cause unparalleled violence, corruption, and harm in the United States and abroad. For these reasons, I have determined that it is necessary to maintain economic pressure on significant narcotics traffickers centered in Colombia by blocking their property and interests in property that are in the United States or within the possession or control of United States persons and by depriving them of access to the U.S. market and financial system.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 18, 2007*.

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.

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

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

□ 1345

PREVENTABLE INFECTIONS OCCURRING IN HEALTH CARE SETTINGS

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

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, in the news headlines yesterday and today, we learned that more people die from an infection called MRSA than die from AIDS. The news, however, is much worse than this. And that is, if you look at the amount of preventable infections that occur in health care settings, it actually is more like 90,000 people die, will die this year from preventable infections in health care settings, and over 2 million cases will occur.

The cost to our health care system in America is over $50 billion. As we look at the cost of health care and how families cannot afford it, it is important that this Chamber take into account what we can do to reduce costs and fix the system and not just finance the system. And this is one of those areas.

Now, recently, the Center for Medicare Services, CMS, also said that they would move towards not funding treatment of preventable infections in hospitals. Now, although that is an important move, and one that will save a great deal of money and one that we believe will help motivate health care centers to take more action, it still does not help with a couple of issues. One is that there's not a universal system across America where citizens can find out what are the infection rates within certain health care settings. And those are important because when one is selecting a hospital for care or going to a clinic, it would be good to know what those infection rates are.

You know, for example, it's mandated by law that airlines have to report their on-time rates for when they depart or arrive at the gates at an airport. However, you cannot find that information about the safety levels of the hospital which you may be going for treatment or surgery, and we need to make that available.

Nineteen different States require some level of this, but, quite frankly, it is a hodgepodge of different requirements. Some report to the Department of Health. Some report some diseases and not others. And we need to make this uniform across the Nation so that patients can tell and that it is an important aspect of helping people to understand before they go into a hospital.

Now, the thing about this is these infection rates are preventable. You have issues such as MRSA, methicillin-resistant staphylococcus aureus; pneumonias; urinary tract infections; and others that could be preventable by a couple of important procedures: washing hands; wearing gloves for procedures; sterilizing equipment; cleaning up before and after procedures, including patients' rooms and other areas;

making sure that visitors to the hospital follow these same procedures; wearing a hospital gown or other clothes so that patients do not get exposed from one doctor visiting one room to the next. Some countries even require visitors to wear masks and a gown and to scrub. I understand in the United Kingdom they require the doctor to make sure they scrub and not wear jewelry room to room and to put on a different gown as they go to each room so that diseases are not spread. These are important steps that can take place. However, we don't have any kind of universal reporting system in this country.

My bill I introduced called H.R. 1174, the Healthy Hospitals Act, would help to make this uniform. And that is it would require the Secretary of Health to come up with a system of reporting and hospitals would give their information and there would be an annual report to Congress of best practices to reduce these deadly diseases.

It is tragic that more people die from infection they pick up at a health care center each year than all of our soldiers who died in Vietnam. And if we saw this as the emergency that it is, if, for example, we had heard that a plane crashed somewhere and a couple hundred people died, we would know that all sorts of Federal agencies would be all over that investigating that. If the next day another plane crashed and a couple hundred more died, an uproar would be across America as to what is happening to airplane safety. If it happened a third day in a row, probably we would shut down the airports. But here, when someone dies every 5 minutes, new infections occur all the time, we do not take this kind of action. And we need to see this as an emergency, particularly because there has been a number of hospitals which have tackled this problem and have solved this problem and have virtually eliminated some of their infection rates. We need to do this as a nation.

In addition, my bill, H.R. 1174, would also provide, from the savings that come from reducing these infections, a grant program to hospitals that have been able to massively reduce or eliminate their infection rates.

We need to gather together as a Congress and no longer ignore this problem, which is leading to so many deaths. We need to acknowledge those hospitals and health care settings that are leading to major changes and cleaning this up and also help those hospitals that are not. We can no longer hide from this problem when we see in the news the number of deaths that are occurring there, and even now so many have this, the things that are occurring in schools as well.

We have to take vigorous action as a nation to save these lives. And I would hope that my colleagues would sign on as supporters of this bill.

PRESIDENT'S VETO OF CHIP REAUTHORIZATION

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

Mr. CUMMINGS. Mr. Speaker, I am deeply saddened that we have failed to override the President's veto of legislation to reauthorize the Children's Health Insurance Program. This action represents a misstep of historic proportions.

It also saddens me that several Members on the other side applauded when this body failed to override the President's veto. By voting against this bipartisan, bicameral legislation, some Members of Congress have turned their backs on more than 10 million poor children who need health insurance now.

Let me be clear. The legislation that was vetoed today was an excellent piece of legislation, and our children will be worse off without it. The continuing resolution that we passed will temporarily cover children who are currently enrolled in CHIP, but the uncertainty surrounding the program's future leave our children's futures uncertain. Some States are already indicating that they will make cuts to the program if they cannot rely upon a steady Federal funding stream.

Further, the continuing resolution fails to address many of the critically important measures that we included in the reauthorization. Notably, dental, mental, and vision coverage are all absent.

We need no greater reminder of the need for these provisions than the recent death of Deamonte Driver, a 12-year-old boy from my home State of Maryland who died when an untreated tooth infection spread to his brain. Yes, he died.

Those who voted against this bill have ignored the calls of more than 81 percent of the American people and members of the Democratic and Republican Parties who support the initiative. Because of their lapse in judgment, 4 million uninsured children, 65,500 of them from my home State of Maryland, will be denied the coverage that Congress intended to grant them. Further, my colleagues who voted against this bill have shut the doctor's office door on approximately 6 million children who currently rely on CHIP for health insurance.

It chills the conscience to think of all those children who will be forced out of care.

It is particularly upsetting to consider how this will affect children with chronic disease who rely upon the CHIP benefit to get the care they need to simply survive. Lives are in the balance.

Bipartisan coalitions, including the National Governors Association and the United States Conference of Mayors, recognize the unique moral obligation we have with this legislation. Earlier this week, Mayor Sheila Dixon of my hometown of Baltimore held a press conference to call on Congress to override the President's veto. She also joined 20 mayors from across the country in signing a letter making the same appeal. Unfortunately, some of our colleagues in this Chamber stubbornly failed to acknowledge the reality that so many of us have clearly seen.

Mr. Speaker, I could talk about the benefits of reauthorizing CHIP as I have in the past statements before this Chamber, but today I will take a different approach by letting my Republican colleagues speak for me. Specifically, Mr. Speaker, I will associate myself with the following comments:

Republican Senator CHUCK GRASSLEY of Iowa said, ''This is not a government takeover of health care. This is not socialized or nationalized medicine or anything like that.''

Republican Senator ORRIN HATCH of Utah called the bill ''an honest compromise which improves a program that works for America's low-income children.''

Republican Congressman DON YOUNG of Alaska said, ''Issues such as the health and well-being of our Nation's children are nothing to play politics with and nothing to scrimp on.''

Republican Congressman VITO FOSSELLA of New York said the bill ''will put millions of young people on the road to a longer and healthier life.''

And, finally, Republican Congressman WAYNE GILCHREST from my home State of Maryland expressed his support for the bill, noting, ''It focuses on the lowest income kids and fixes a lot of problems with the current program.''

Mr. Speaker, I deeply regret that the President and some of our colleagues lack the foresight to recognize the critical importance of passing the CHIP reauthorization. We simply must regroup and pass this vital piece of legislation.

Access to quality care is not a privilege; it is a right. We cannot afford to play politics with our children's lives.

FISA MONTH

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I found the comments of my friend from Maryland very interesting. I would just remind the Speaker and all who have looked on the vote today about the veto of SCHIP that when we passed the continuing resolution, we passed a continuation of SCHIP. So no children should be affected adversely during these weeks as we work to reach the compromise that the President has said he is working for.

Mr. Speaker, I thought this should be called the ''FISA Week,'' Foreign Surveillance Intelligence Act Week. But now because of the actions of the majority, we were not able to vote on that

particular bill as it was presented to us earlier this week. We already knew we would be prohibited from offering any amendments, as the Rules Committee granted a closed rule.

So let us call this the ''FISA Month,'' since we now know there is consideration for bringing the FISA bill back next week and the importance of FISA, foreign intelligence surveillance, cannot be overestimated.

Yesterday, the Speaker of the House took the floor in the debate on the rule and, in a diplomatic or parliamentary tour de force, managed to contradict the United States Constitution, every decision made by the United States Supreme Court on this issue, and the decisions made by the appellate court of FISA, the FISA Courts. And that was when she suggested that the Constitution does not grant any inherent authority to the President to involve himself or direct, that is, foreign intelligence. As a matter of fact, every Supreme Court decision since the beginning of the Republic has recognized that. With respect to exclusivity of the law, every Supreme Court decision has recognized that such a law cannot be exclusive, as does the FISA Court, the appellate court under the FISA structure itself.

Interestingly, however, when we do look at FISA, the bill that was brought forward to us as a result of a manager's amendment's being incorporated into the bill presented to us, it contains this language: This deals with the situation in which we have, everyone agrees, a constitutionally permitted wiretap or otherwise means of collecting communications between Osama bin Laden, a terrorist target in a foreign country, a foreigner in a foreign country. We have every right to gather that information under the law. There's no disagreement. But here is what happens under the bill presented to us:

If the electronic surveillance referred to in that paragraph dealing with what we presume to be foreign-to-foreign communications inadvertently collects a communication in which at least one party to the communication is located inside the United States or is a United States person, the contents of such communication shall be handled in accordance with minimization procedures adopted by the Attorney General, and, now, this is the important language, ''that require that no contents of any communication to which a United States person is a party shall be disclosed, disseminated, or used for any purpose or retained for longer than 7 days unless a court order'' is given, ''or,'' further it says, ''unless the Attorney General,'' and this requires him specifically, ''determines that the information indicates a threat of death or serious bodily harm to any person.''

Now, why is this unfortunate? It is unfortunate because it changes the way we handle minimization in the criminal justice context. If we have a legal wiretap on a mafioso member and he happens to call his sainted mother or a priest or someone else, and that, therefore, is someone who was not under the wiretap, you don't have to go back to a court to get another court order in order to use whatever he said, that is, the mafioso member, against his interest. And here we would say that if in this conversation Osama bin Laden said something that didn't implicate the American but did give us information as to where Osama bin Laden was located or where Osama bin Laden was going to move, we would be prohibited from using that information, disclosing that information, disseminating that information, or keeping it for more than 7 days unless we went to a court for a new court order.

That is nonsense. That gives Osama bin Laden more protection than an American citizen in the United States who is being investigated for a criminal offense. That is nuts. Not only is it nuts, it is dangerous to the American people because it creates a situation in which we would be blinded about information which would give us an ability, first of all, to find out what the dots are and then to connect the dots as to what the threat is against the United States. There is no rationalization for it, but it is part and parcel of what we have heard from the other side that we need to give now habeas corpus rights to those people we found on the battlefield around the world who are unlawful enemy combatants. It is part and parcel of a program that puts us at risk.

I would ask us to consider it seriously next week.

□ 1400

CONGRATULATING CHESHIRE HIGH SCHOOL GIRLS SWIM TEAM

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

Mr. MURPHY of Connecticut. Mr. Speaker, you know, we live in a world that's hard to reconcile sometimes. Now, our focus often is on the evil that exists in this world, but all too often we let that focus overwhelm the counterbalancing good things that happen in our communities every day. And I rise today to recognize that strange, delicate symmetry in my hometown of Cheshire, Connecticut.

This week, the Cheshire High School girls swim team broke the record for the longest dual-meet winning streak in American history with their 235th straight victory. As you can imagine, this is a pretty remarkable record to break. In fact, the girls on this record-breaking swim team that broke the record on Monday night weren't even alive when that streak began some 21 years ago.

I wasn't there Monday night, unfortunately, but hundreds of parents and friends and siblings and supporters were in attendance, and I heard that the record-breaking night was pretty magical. But strangely, something else happened that night, something that the girls probably didn't even notice or seek out. Monday night, the girls swim team at Cheshire High School transcended statistics and records and wins and losses. And the most important marker that they set down that night was not as the best swim team in the country, but as a bright, beaming emblem of a resurgent community with so much to celebrate.

You see, my town has been grieving over the past several months. And it's hard to figure out what else to do when you wake up one morning and find out that three of your neighbors, a mother and her two young, vibrant daughters, lost their lives in an unspeakable act of barbarism. It becomes difficult, impossible even, to square the wonderful, serene existence of life in a quiet small town with the random and brutal acts of violence that left Dr. William Petit mourning the unexplainable loss of his family.

How do you reconcile the two? How do you wake up, even for those of us who didn't know the family personally or live in that neighborhood, and pretend that the veil of safety and goodness that always seemed to envelop Cheshire, Connecticut, was still there after that? I thought about little else in the days and weeks following that incident, and I know that I wasn't alone.

But then the unexpected happens. And I know it sounds silly to even talk about a murder and a swim team in the same sentence and, frankly, of course, the two are incomparable, but therein lies the problem. There is no and there will be no one clear moment when we collectively decide that the moral order has been restored in our community. And so we're left to seek out those moments that simply remind us of why we love Cheshire in the first place and why we have confidence that our community will heal, that we will persevere, and that we will recover. This week is one of those moments.

I didn't grow up in Cheshire, so I certainly can't claim to know the town like those who call it their birthplace, but I did know a good thing when I found it. And Tuesday morning, when I heard that the record had broken, I couldn't help but wonder whether it wasn't just a coincidence that a national record 21 years in the making matured at the very moment that a burst of good news was most needed in our community. And I couldn't help but think about how this streak, which started two decades ago and has been the careful construction of hundreds of girls and thousands more family members, friends, supporters and coaches stands as a testament to the strength, persistence and spirit of our little town, not just on one night, but over the span of decades.

And so, yes, one unspeakable act can and probably should shake the confidence and faith of a community. And

nothing will ever repair that damage, certainly not for the Petit family, and probably not entirely for the community that they call home.

And so we're left to look for those moments of triumph, those instances of community reaffirmation that remind us why Cheshire is such a special place to live. Well, we found one this week.

And so, Mr. Speaker, I rise today to congratulate the Cheshire High School girls swim team and to thank them for everything that they have done. Cheshire is a pretty special place to live, and Monday night reminded us of why that is.

CALLING FOR A SECURITY SUMMIT AT O'HARE AIRPORT

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

Mr. KIRK. Mr. Speaker, today's USA Today reports on a major security failure at two of our Nation's largest airports, Chicago's O'Hare and LAX. In a simulation conducted by the Transportation Security Agency, screeners at LAX missed 75 percent of hidden explosives and bomb parts carried through the security by undercover TSA agents.

Screeners at Chicago's O'Hare missed these items 60 percent of the time. According to the report, bomb materials were packed away in toiletry kits, briefcases and CD players. Now, more than 6 years after September 11, we have to fix the security failures at major hubs like O'Hare and LAX.

Security officials should call a security summit, bringing together local leaders and the Departments of Homeland Security and Transportation to schedule intensive retraining for TSA screeners, new testing standards, and accountability for lapses in security.

Much of our safety and a great deal of our economy depends on the security of O'Hare Airport. We can do this. And a security summit to fix this glaring security problem would help.

POST OFFICE BOX 1142 RESOLUTION

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

Mr. MORAN of Virginia. Mr. Speaker, from 1942 through the end of the Second World War, a top secret military intelligence service operated clandestinely on the shores of our own Potomac River. At Fort Hunt Park, along the GW Parkway, a secret installation operated silently in the shadows of our Nation's Capital.

Known only by its mailing address, P.O. Box 1142, the men and women at this post provided the military intelligence that helped bring an end to World War II and gave the United States an early advantage in the Cold War.

P.O. Box 1142 was an interrogation center. Throughout the war and its aftermath, the post processed and interrogated nearly 4,000 of the most important German prisoners of war.

The men who performed the interrogations were drawn from across the country. The shared attribute is that they all spoke fluent German to be able to interact with their captives. Many were Jewish, to ensure their loyalty to America's mission. And most had friends and family battling on the front lines against Nazi Germany. To them, the war was personal and would impact their lives forever.

Despite these circumstances, their interrogations never resorted to torture, used violence, or implemented cruel tactics to obtain the vital information required to support our Nation at war. Instead, their most effective interrogation technique was to start a dialogue to develop trust with their captives. They all talked with their captives, played card games, took walks, discussed their lives, and ultimately obtained the necessary information from their captives. Despite the apparent simplicity of these methods, these interrogations resulted in the discovery of most of Germany's secret weapons programs.

P.O. Box 1142 learned about research to develop the atomic bomb, the jet engine and the V–2 rocket, all technologies that became essential informational components in waging the Cold War. The detainment and interrogation of high-ranking German officials, such as Reinhard Gehlen, who ran the German intelligence operations, advanced our military intelligence operations well beyond the Soviet Union's capabilities.

In advancing the Nation's interests and uncovering vital secrets, the interrogators at P.O. Box 1142 never resorted to tactics such as sleep deprivation, electrical shock, or waterboarding. Their captives were never sexually abused, humiliated, or tortured. They never resorted to the methods that have recently branded our Nation so negatively. As a result of the war on terror, I'm afraid that America is now haunted by lasting images of Abu Ghraib and Guantanamo Bay. The current intelligence community can learn from the men of P.O. Box 1142. For all our sake, I hope it's not too late.

Despite the vital work that the interrogators at P.O. Box 1142 performed, their activities remained closely held secrets by those who worked at the post. Many of these men never told family or loved ones. It wasn't until park rangers from the GW Memorial Parkway uncovered declassified documents and met former officers of P.O. Box 1142 that the operations that occurred at Fort Hunt Park during World War II became known.

Under the encouragement of the National Park Service, these park rangers identified veterans of P.O. Box 1142. They conducted professional oral history interviews. The deeper the park rangers dug, the more obvious it became they had discovered a remarkable story that had remained unrecognized by the officers because of their oath of secrecy.

After 2 years of work, the National Park Service decided it was time for the men of P.O. Box 1142 to finally be acknowledged. On October 5 and 6, the National Park Service held the first-ever reunion of the veterans of P.O. Box 1142 at Fort Hunt Park. The veterans raised the American flag in the post's original flag pole setting and memorialized the grounds.

Today, I'm proud to play a small part in giving justified credit for the tremendous work performed at P.O. Box 1142. Along with my northern Virginia colleagues, Congressmen TOM DAVIS and FRANK WOLF, I'm introducing a long, overdue resolution to honor the men of P.O. Box 1142.

Mr. Speaker, I extend my appreciation to these veterans. The Nation owes a great debt to them for their sacrifice to our Nation during a time of war for their pursuit of critical intelligence, while maintaining the highest level of integrity and America's moral values, and for their intrepid actions that have, until very recently, gone unacknowledged.

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

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

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

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

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

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 1396

Ms. WOOLSEY. Mr. Speaker, as a sponsor of H.R. 1396, and because we inadvertently transposed some numbers, I ask unanimous consent that Representatives NITA LOWEY, RICHARD NEAL, and ARTUR DAVIS be removed as cosponsors of H.R. 1396.

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

There was no objection.

THE PRESIDENT'S PRIORITIES

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

Ms. WOOLSEY. Mr. Speaker, all too often we've seen this administration turn a blind eye toward the priorities of our very country. While the administration has consistently failed to demonstrate restraint when it comes to escalating the occupation of Iraq, it has cold-heartedly insisted on denying the children of struggling working families with health insurance in the name of fiscal discipline. Once again, the values of the administration are glaringly out of step with the values of the American people.

The administration will not stand for accountability, transparency, or dissent when it comes to ending the occupation of Iraq. They will, however, support another blank check, resulting in more lives lost and more of our priorities left unfunded.

Earlier today, the House voted on overriding the President's veto of the children's health insurance reauthorization, or SCHIP. When the President vetoed SCHIP, he argued that the appearance of fiscal responsibility was more important than the health of 10 million of our children in this Nation. But when we learned that insuring 10 million children in America for 1 year costs the same as 40 days in Iraq, it is clear that the administration does not have its priorities straight.

Mr. Speaker, supporting our service men and women is certainly our absolute responsibility. Our Nation has an obligation to those who sacrifice and defend us during times of war. However, our servicemembers in Iraq were sent into combat without adequate training, without state-of-the-art body armor and equipment, and without assurances that their tours of duty will not be overextended. The glaring failures in Iraq show that not only is the Bush administration defunding our Nation's priorities to continue the occupation, but that it is allowing much of that money to be wasted.

The Inspector General has reported that $8.8 billion appropriated for Iraq's reconstruction cannot be accounted for. Media sources have recently reported that the administration is constructing a $600 million American Embassy located in the Green Zone in Iraq. This embassy, which is the largest in the world, in fact, it is larger than the Vatican, this embassy will include grocery stores, a movie theater, tennis courts and a social club.

It will require $1 billion a year to keep it up and to be maintained. Instead of our children's health care, the priorities of the Bush administration seem to be waste, fraud and abuse.

Mr. Speaker, when the administration vetoes a bipartisan investment in health insurance for our Nation's children, it rejects the priorities of the American people. When the administration spends billions on constructing and maintaining an embassy in Iraq while Iraq's infrastructure collapses around them, it compromises the safety of our troops abroad. And when the administration refuses to end the occupation in Iraq, it assures that countless generations will suffer for their mistakes.

Mr. Speaker, the priorities of the American people are clear. They want to provide health care for children. They want to promote peace and protect our troops. They want us to fully fund the efforts to bring our troops home. They want us to do it now.

□ 1415

THE FREE FLOW OF INFORMATION ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Indiana (Mr. PENCE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PENCE. Mr. Speaker, I come to the floor weary but well after a week in which I have had the privilege of being involved in not one but two debates over the very freedoms enshrined in the first amendment of the Constitution of the United States. I am humbled as someone who not only has been charged with public duties in representing the good people of eastern Indiana here on the floor of the Congress, but I am humbled as someone who, from my youth, has been fascinated with the freedoms enshrined in the first amendment of the Constitution of the United States.

This week, I had the privilege of seeing legislation that I authored 3 years ago come to the floor of this Congress and be adopted in overwhelming and bipartisan measure. It was legislation known as the Free Flow of Information Act that I first introduced in the last Congress in partnership with Congressman RICK BOUCHER of Virginia, and our journey over these last 36 months brought us to that moment, this Tuesday, where we were able, through regular order, through a thorough process of committee hearings and markups and amendments on the floor, to see the first Federal legislation concerning the freedom of the press to be adopted by this Congress, a sense that freedom was enshrined in the first amendment and added by Congress to the Constitution itself.

What was especially gratifying to me was that we did it in a bipartisan way. Because I want to say as a recurrent theme this afternoon that on this floor there are many differences of opinion, but freedom is not a partisan issue in the House of Representatives. And the freedom of the press and the freedom of speech proved this week not to be a partisan issue, when 398 of our colleagues came together across the partisan divide to say ''yes'' to a free and independent press.

I come before this Chamber today, Mr. Speaker, to say ''thanks'' and to say how moving it was for me to play some small role in putting what I believe was a stitch in a tear in the fabric of the first amendment, freedom of the press. In that legislation known as the Free Flow of Information Act, we created for the first time a privilege, a qualified privilege for reporters to keep information and sources confidential.

Now, this was not a radical step. Some 33 States already have statutes that protect a reporter's privilege. But it was the first time that it has succeeded in passing the House of Representatives on the Federal level. And we await action by the Senate on similar legislation and hope for a conference committee and resolution of the matter that it might be sent to the President. We also hope, despite concerns expressed by the administration, that we can continue to shape this legislation, continue to work with the good men and women in the Department of Justice Criminal Division to dial it in in such a way that would make it possible for this President to sign this legislation.

I come before you today not just because I was privileged to co-author legislation that protected a reporter's right to the freedom of the press and a free and independent press enshrined in the Constitution, but also because I have authored one other piece of legislation about which we have taken action this week which is also about freedom of the press. It is called the Broadcaster Freedom Act. It is principally my purpose for coming before the Chamber today. But in each case, I want to begin by saying, Mr. Speaker, that I see the two as inextricably linked, that the work that Congressman RICK BOUCHER and I with, now, 390-plus of our colleagues to strengthen a free and independent press for those who engage in the business of reporting the news, we were attempting to do just as vigorously and just as effectively for those who commentate on the news. Because it has been the subject of commentators, especially commentators on talk radio in America, about which there has been much discussion and much consternation since this summer. And as I will expand further, there has been what I would characterize as, both on Capitol Hill and off Capitol Hill, troubling discussion about returning censorship on the airwaves of America by reimposing what used to be known as the Fairness Doctrine on radio and television broadcast outlets in this country.

I want to begin by stitching these two projects together because I think they are linked. Back in southern Indiana, we like to say ''what is good for the goose is good for the gander.'' The press freedom that our Founders enshrined in the first amendment for those that engage in reporting is also the same freedom I would argue that protects those that are engaged in commentating. We tend to forget that opinions that we hear, left, right and center, on radio and television are

every bit as much protected by the first amendment freedom of the press than those who are typing copy and bylines that appear on the front page of the Indianapolis Star, the Muncie Star Press, the New York Times or the Washington Post. And the business of reporting and the business of commentating are two time-honored traditions in the practice of American press that I have been able to be a part of strengthening and defending this week.

As I said, now on the first, the creation of a reporter's privilege, we were able to come to the floor and pass that legislation out of the House in strong bipartisan measure. On the second, we took action this week to file a, Mr. Speaker, what is known as a discharge petition at the Calendar here in the House of Representatives to enable the Broadcaster Freedom Act to come to the floor for an up-or-down vote.

I want to explain to my colleagues and to anyone else looking on the import of that discharge petition and why I believe it is every bit as important that we have a vote on the Broadcaster Freedom Act as I believed it was important that we have a vote on the Free Flow of Information Act.

Let me take a half step back and say once again what a joy it was for me on both of these measures to be doing freedom's work here on the floor of the Congress. Because we debate many things in our various committees and responsibilities here, some foreign, some domestic, and some having to do with spending, some things as mundane as roads and bridges and potholes, but as we saw today with our newly elected colleague, Congresswoman TSONGAS from Massachusetts, every one of us takes a very simple oath. We raise our right hand, as she did in this Chamber today, in a moment I was privileged to attend as a new colleague. We raise our right hand and we take an oath to support and uphold the Constitution of the United States and to protect her against all enemies, foreign and domestic. It is at the very center of what we are here to do. In the first amendment of that Constitution, this Congress is specifically enjoined. We are, in effect, commanded by our Founding Fathers to make no law abridging the freedom of speech or of the press. It was an application of that principle, a principle that I believe is a principle of limited government, because I happen to believe in my heart of hearts, as I said during the debate over the Federal media shield bill this week, that as a conservative who believes in limited government, I think the only check on government power in real-time is a free and independent press. There is actually nothing more consistent with my belief in limited government than my vigorous defense and advance of the interests of a free and independent press.

Now, that being said, while we have the success on the one, we need an up-or-down vote on the other for reasons that I want to describe. But I want to be clear on the point that I believe this is all tied up in our duty that each one of the 435 Members of this Congress embraced in taking that oath of office. Because I can't help but feel that whether it was the erosion of an independent press and a rising tide of reporters being threatened with subpoenas, subpoenaed, and even being put into jail that was encroaching on that injunction in the first amendment, I also believe that much of the talk about restoring regulation and outright censorship to the airwaves of America, particularly the radio airwaves of America, is also violative of that specific language in the first amendment.

Now, about the Fairness Doctrine. The American people love a fair fight, and so do I, especially where the issues of the day are debated. But I would submit that in a free market, fairness should be based on equal opportunity, not equal results. And the fairness doctrine, as it was applied to 4 decades in American radio, was a doctrine that, while it was perhaps borne of the best intentions, it was not about the equal opportunity in a wide range of ideas, but it was about dictating results on the airwaves of America. Here is where it came from.

The Radio Act of 1929 was passed into law by this Congress, perhaps well-debated in this very room. When it became law there were, quite frankly, Mr. Speaker, very few radio stations in America. I don't know the exact number off the top of my head, but radio at the time of the Depression was in its infancy. By the time that the Federal Communications Commission got around to passing the regulations that came to be known as the Fairness Doctrine in 1939, there was virtually no television in America, and radio was still in its infancy. Many communities in America, having no indigenous radio station at all, but the regulations folks then came along and said, look, there is a limited number of radio stations in America, in 1929 to 1939, and so the thought was because they are, the airwaves belong to the public, that, in effect, the Federal Communications Commission ought to make sure that both sides of controversial issues is debated fairly and evenly. It sounded reasonable enough at the time, I suspect, and while it rubs against my more libertarian instincts, I will say, there may have been a legitimate basis for the Fairness Doctrine in 1929, less so, but maybe in 1939, because of the scarce number of radio signals that were there. But from 1939 to 1987, for 4 decades, the Fairness Doctrine reined on the airwaves of America.

□ 1430

As we learned in those 40-some-odd years, there is nothing fair about the Fairness Doctrine. The elements of this regulation that were designed to ensure that both sides of the argument were heard ended up having the effect of ensuring that in most cases, on most radio stations, no sides of the argument were heard.

The reality is that from 1939 to 1987, when the Federal Communications Commission struck down the Fairness Doctrine on its own, there was virtually nothing like what has come to be known left, right and center as American talk radio today. In fact, it is almost inarguable that the dynamic forum that has emerged as talk radio today virtually began with the repeal of the Fairness Doctrine in 1987.

So the first part of this debate, Mr. Speaker, is we don't need to wonder what American broadcast radio would look like if the Fairness Doctrine were re-imposed. We have four decades of experience. We know precisely what the public airwaves would look like if we returned to this arcane rule of content regulation.

Truthfully, I think the most likely outcome is not that radio stations that carry Rush Limbaugh would also carry Alan Colmes. The reality is, faced with recordkeeping, red tape, potential legal fees that would attach to a Fairness Doctrine challenge filed with the FCC, and potential loss of their license, most of the 2,000 radio stations today that carry talk radio simply wouldn't carry it any more.

Now why do I know this? Let me be a little bit autobiographical for a second, Mr. Speaker. Before I was elected to Congress in the year 2000, I made a living in radio. I had a call-in talk radio show heard exclusively in Indiana. It was carried on 20 different radio stations, from 9 a.m. to noon. I tell people sometimes I was Rush Limbaugh on decaf. I was conservative, but wasn't in a bad mood about it. We had all different sides on. But I would bring my cheerful conservative perspective to bear across the airways of heartland Indiana every day.

Mr. Speaker, I started in radio in little old, no pun intended, Rushville, Indiana, in 1989, a little tiny show that aired from 6 to 6:30 p.m. That gave rise to a weekend show, and that gave rise to a daily show, and then I was in syndicated radio for the better part of 7 years. It was a blast. I enjoyed it. When the opportunity came for me to go into public service, I was torn because I so enjoyed the opportunity to get in front of that microphone and talk to Hoosiers every day about the things that were important to them and share my philosophy of government.

My wife and I ultimately felt a calling in our life to public service. We stepped forward. I never looked back. But I lived in the business for a long time. I spent a lot of time driving around to little radio stations across Indiana and dropping off tapes to station managers and asking them if they would carry what we conveniently entitled ''The Mike Pence Show.''

So I know these radio station owners, and I know that a lot of them run these stations on a shoestring. The reality is, and the reason why, when the Fairness Doctrine was in effect, there were 200 talk radio stations in America, and after the Fairness Doctrine was repealed, there are now 2,000 talk radio

stations in America, is because, quite frankly, when the Fairness Doctrine was in effect, most radio stations just said we can't deal with the controversy, the recordkeeping, the making sure that we live up to Federal regulations. For heaven's sake, we can't live with the risk that somebody would file a complaint with the Federal Communications Commission and we would possibly lose our license.

I saw in the years immediately following the repeal of the Fairness Doctrine radio station owners beginning to awaken to the fact that they could put commentators on the airwaves and enjoy freedom and let nothing other than the marketplace itself choose who was going to succeed on their radio station. As my friend, the former majority leader, Dick Armey, loves to say often, and I give him credit for the phrase, freedom works.

The truth is, after the Reagan administration struck down the Fairness Doctrine, we saw an explosion of talk radio. Frankly, most of the talk shows that have succeeded on a national level reflect a center right philosophical perspective. The truth is, Mr. Speaker, that in many of the largest markets around the country, some of the most popular talk show hosts are self-described liberals, or progressives and I say more power to them.

The truth is that the reality of American talk radio today is as diverse as the American people. And yet, and now I shift on the reason for the Broadcaster Freedom Act and the reason for us taking the extraordinary measure of filing a discharge petition on the floor of the Congress, I say with a heavy heart that some on Capitol Hill are calling for a return of the Fairness Doctrine to the airwaves of America.

Mr. Speaker, I will offer some quotes, with great respect to colleagues in this Chamber and the next. Senator RICHARD DURBIN said, as quoted in The Hill on June 27: ''It's time to reinstitute the Fairness Doctrine.'' The Senate majority whip, DICK DURBIN of Illinois, went on to say: ''I have this old-fashioned attitude that when Americans hear both sides of the story, they are in a better position to make a decision.''

Senator DIANNE FEINSTEIN told the same publication that she is, in fact, ''looking at'' reviving the Fairness Doctrine. She told Fox News on Sunday, June 24, that she was reviewing the Fairness Doctrine ''because talk radio is overwhelmingly one way,'' in her words. Senator JOHN KERRY, the former Democratic nominee for President of the United States, and easily one of the most respected and powerful Members of the United States Senate, told the Brian Lehrer radio show on June 26: ''I think the Fairness Doctrine ought to be there. I also think the Equal Time Doctrine ought to come back.'' He went on to say: ''I mean, these are the people who wiped out one of the most profound changes in the balance of the media, is when conservatives got rid of the equal time requirements. And the result is that, you know, they have been able to squeeze down, squeeze out opinions of opposing views, and I think it's been an imposing transition in the imbalance of our public.''

Mr. Speaker, three of the most powerful Members of the United States Senate this summer, in the wake of the collapse of the amnesty bill that the Senate was attempting to move, expressed with frustration the need to return Federal regulation of the airwaves of America. American Spectator recently reported that according to two Members of the House Democratic Caucus, Speaker NANCY PELOSI and STENY HOYER, they will ''aggressively pursue reinstatement of the so-called Fairness Doctrine over the next six months.'' That was reported on May 14.

When I brought an amendment to the floor this summer that would just buy a 1-year moratorium to the re-imposition of the Fairness Doctrine, while 107 of my Democratic colleagues voted with us, none of the Democratic leadership or any of the leadership of the powerful committees of jurisdiction voted with us to prevent the Fairness Doctrine from returning.

Mr. Speaker, there are other examples of distinguished colleagues who have every right to hold the views they hold. I do not question their integrity or their sincerity; I just disagree with them vigorously. I do not accept the conclusion of the Center for American Progress, run by the former chief of staff of the Clinton administration. John Podesta, one of the most highly regarded thinkers in the modern Democratic Party today, runs a think tank. That group published an extensive cross-tabulated report this summer from their Center for American Progress entitled: ''The Structural Imbalance of American Talk Radio.'' While their proposal did not specifically call for the Fairness Doctrine, frankly, it called for much worse. It called for a whole new range of regulations involving ownership and consent on the airwaves of America.

So before anyone dismisses our efforts in trying to bring the Broadcaster Freedom Act to the floor of the House of Representatives as just more politics, let me say that I believe that it is imperative that the American people know that the next President of the United States, whoever he or she might be, could reinstate the Fairness Doctrine without an act of Congress unless we pass the Broadcaster Freedom Act.

Now, let me get to the legislation and make a few other comments about our extraordinary measure in the discharge petition that we filed this week. The legislation itself is very simple. The Broadcaster Freedom Act, which I introduced with Congressman GREG WALDEN that is cosponsored by every single Republican Member of the House of Representatives, and one Democrat, I am very happy and proud to say, a formal journalist himself, Congressman JOHN YARMUTH of Kentucky, the Broadcaster Freedom Act simply says this, Mr. Speaker: it says that the Congress takes away from the FCC the power to re-impose the Fairness Doctrine without an act of Congress.

Now why is that necessary? Well, I hasten to remind my colleagues and anyone looking in that the FCC did away with the Fairness Doctrine in 1987. They were doing away with a regulation that they created. Therefore, if the FCC were to change its mind, it could bring back the Fairness Doctrine without ever consulting the Congress. The truth is, the next President of the United States is, whoever he or she might be, were they sympathetic to the opinions expressed by Senator RICHARD DURBIN, Senator JOHN KERRY, and others that we need to re-impose the Fairness Doctrine, re-impose provisions of regulations like equal time and other things, that President, whoever he or she might be, could make virtually one appointment to the FCC and restore the Fairness Doctrine like that. I think the American people have a right to know that. The Broadcaster Freedom Act essentially says we are taking that power away from the FCC to re-impose the Fairness Doctrine. It's just that simple and no more complex than that.

Mr. Speaker, why do we need to do this? Then I will talk a little bit about what we are doing tactically and strategically to get an up-or-down vote. The reason we are doing it, I think, frankly, is because who's against fairness? I have to tell you that I was not terribly surprised when a recent national poll done by the Rasmussen polling firm found that 41 percent of those surveyed said they would be willing to require radio and TV stations to offer equal amounts of conservative and liberal commentary, and only 41 percent said they opposed.

So literally the American people, as we stand today, having not had this national debate, are fairly evenly divided on what I believe amounts to censorship of the airwaves of America. But, again, it's because of that pernicious word ''fairness.'' We have seen an entire cable television network built on the catch phrase ''fair and balanced.'' Yet, as I said at the outset of my remarks on the House floor today, there is nothing fair about the Fairness Doctrine. The reality is that were we to bring back this archaic rule to the airwaves of America, we would see talk radio as we know it either greatly diminished or essentially vanish from the American political debate.

So the Broadcaster Freedom Act I think is an effort to run to the sound of the guns on behalf of freedom. I hope that my colleagues who know me well know that I bring the same sincerity of purpose to this mission as I brought to the legislation that I coauthored that we passed this week to create a qualified privilege for reporters in the Free Flow of Information Act. To me, it's all about that constitutional principle of a free and independent press.

Mr. Speaker, while I will say that despite the fact that the Broadcaster

Freedom Act is cosponsored by 203 Members of Congress, despite the fact that the principles of broadcast freedom that were enshrined in the Pence amendment this summer that essentially created a 1-year ban on re-imposing the Fairness Doctrine passed by 309 votes, we are yet to see any action either at the committee level or on the floor calendar for consideration of the Broadcaster Freedom Act.

□ 1445

And I want to tell you, and I will talk a little technical here, Mr. Speaker, I am a regular order kind of a guy. I like legislation to go through subcommittees and committees and have hearings. I think the American people work their will when Congress is moving in the ordinary processes designed to vet and draft and redraft legislation.

And so it is an extraordinary thing for me to say that we ought to have a petition that brings the Broadcaster Freedom Act straight to the floor. In fact, in keeping with that principle, the rule that we wrote is an open rule. I would be more than willing to have several days of debate about broadcast freedom on the floor of this Congress. I would be more than willing to entertain as many amendments to the Broadcaster Freedom Act as Members wanted to propose. This is not an effort to silence the debate; it is an effort to have a debate about the freedom of American commentators on the public airwaves of America to engage in speech in a manner consistent with the first amendment.

And so this week, as I have been alluding, I along with now, I believe, the count this afternoon is about 140 Members of Congress, including all of the Republican leadership, we filed what is called a discharge petition that, if it is signed by 218 Members of Congress, will bring the Broadcaster Freedom Act to the floor of the Congress for an up-or-down vote.

While I would hope that my colleagues in the Democrat majority, while I would hope that the distinguished Speaker of the House, NANCY PELOSI, might even be looking in on my remarks today and may ultimately decide MIKE is right, we ought to have a debate and a vote on the Broadcaster Freedom Act and the discharge petition would not be necessary, I am getting the impression that is not likely to happen.

And so we have taken an extraordinary measure, and as I said, I, along with the Republican leader, JOHN BOEHNER, the Republican whip, ROY BLUNT, conference chairman, ADAM SMITH, and others are now calling on our colleagues in a spirit of good will to say: Give us an up-or-down vote on the Broadcaster Freedom Act on the floor of the House of Representatives, because I want to make a very bold statement about this legislation. And having just seen legislation that I coauthored get 398 votes on the House floor Tuesday, I hope people don't think that I am talking through my hat.

I want to say with confidence that if the Broadcaster Freedom Act was brought to the floor of the House of Representatives, I believe it would pass overwhelmingly, because every time freedom gets an up-or-down vote on the floor of Congress, freedom wins.

I go back to this summer, as I said, I introduced an amendment, the Pence amendment to the appropriations bill that funded the FCC. I didn't know how it would do. I introduced the amendment to deny any funding to the FCC in the next year to bring back the Fairness Doctrine. It was a way of starting this conversation. My gosh, it passed; 309 Members of Congress voted for the Pence amendment. It was overwhelming, including 107 backbench Members of the Democratic majority. I am sincerely grateful for that, but that was a 1-year moratorium.

The truth is we have a Presidential election just around the corner. We will have a new administration in Washington, DC, and many of the leaders of the Democratic Party on Capitol Hill are calling for a return of the Fairness Doctrine, so now is the time for us to permanently do what 309 Members of Congress voted to do for a year, and that is to ensure the ongoing freedom of the airwaves of America by passing the Broadcaster Freedom Act.

Again, I want to say I am absolutely positive it would win, and I am positive it would have an overwhelming bipartisan vote because, as we learned this week with the Free Flow of Information Act, every time freedom gets a vote on the floor of the people's House, freedom wins.

Let me close, and I notice from the clock it is coming up on the time for me to give a tour to 100 eighth graders from Dearborn County, Indiana, and I can't be late for that. But let me say, bringing back the Fairness Doctrine would amount to government control over political views expressed on the public airwaves. Plain and simple.

I say with great respect to those who think we ought to return to those 4 decades where the Federal Government thought it was its role to regulate the debate that took place on the airwaves of radio and television, I say with great respect to them, I think there is a great danger when we unleash the power of the Federal Government to corral, to organize, to minimize or categorize or prioritize the American political debate. It is the essence of my belief that as messy as freedom is, it is the freedom of the American people that has created the most powerful and the most prosperous Nation in the history of the world.

I really believe with all my heart that at the end of the day, that as messy and as painful as it sometimes is for those of us in positions of public power, that the very well-being of the Nation is tied up in those of us in this body standing for the freedoms enshrined in the first amendment.

I was asked by a reporter yesterday at a press conference, Mr. Speaker: What if all of talk radio, monolithically talk radio reflected a liberal world view, would you still be doing this?

And I stepped to the microphone confidently and I said: Well, let me tell you, a lot of people think a lot of the national news media is fairly liberal. And I agree. An awful lot of the people that report on the network national news and some of the leading newspapers in America are quite liberal in their viewpoints.

Mr. Speaker, that didn't stop me from coauthoring the Free Flow of Information Act to protect the right of reporters in the electronic news media and the print media to keep sources confidential. And I appeal to my colleagues, men and women of good will all, who voted with us this summer for broadcast freedom, to join us again and sign this discharge petition.

I said on the House floor yesterday, if you support broadcast freedom, sign the petition. If you oppose the Fairness Doctrine and the archaic notion of the Federal Communications Commission regulating the airwaves of America as it did for 4 decades, sign the petition. I said if you cherish the dynamic national asset, left, right, and center that has become American talk radio since 1987, sign the petition. And ultimately, if you don't agree with any one of those positions but you just think that broadcast freedom ought to get an up-or-down vote on the House floor, I say to my colleagues, sign the petition because it is imperative to me, and the American people understand, that if 218 Members of this body sign that piece of paper, we will get an up-or-down vote on the Broadcaster Freedom Act, and I am positive we will send the Fairness Doctrine to the ash heap of broadcast history where it belongs.

I have every confidence that Republicans and Democrats in overwhelming numbers will reject the Fairness Doctrine, will adopt the Broadcaster Freedom Act, and we will be able, like we did on Tuesday of this week, to know that we set aside politics and we stood together as a Nation behind that blood-bought freedom of speech and freedom of the press that is enshrined in the first amendment.

Lastly, let me quote President John F. Kennedy, who was a boyhood hero of mine. When I first became involved in politics, it may surprise some of my colleagues to know that I was the Youth Democrat Party Coordinator in Bartholemew County, Indiana. I am probably the only Republican in Congress who has a bust of John F. Kennedy in my campaign headquarters. But as a fellow second generation Irish American, I still find him a deeply inspirational figure.

It seems to me John F. Kennedy expressed some words that speak to our time about this debate. He said: "We are not afraid to entrust the American people with unpleasant facts, foreign

ideas, alien philosophies, and competitive values. For a nation that is afraid to let its people judge the truth and falsehood in an open market is a nation that is afraid of its people.''

Let me say that one more time because it literally could be a part of this debate over the Fairness Doctrine today. President John F. Kennedy said: ''We are not afraid to entrust the American people with unpleasant facts, foreign ideas, alien philosophies, and competitive values.'' Let me stop there.

You listen to talk radio today, it is almost as if John F. Kennedy had listened to it. There are an awful lot of unpleasant facts for people in power that get mentioned on talk radio. A lot of foreign ideas. Occasionally some downright alien philosophies. If you listen to late-night talk radio, there are sometimes literally alien philosophies, and there certainly are competitive values.

But John F. Kennedy went on to say: ''A nation that is afraid to let its people judge the truth and falsehood in an open market is a nation that is afraid of its people.''

You know, America is a Nation of freedom and strong opinion, and our government must not be afraid to entrust our good people with all the facts and all the opinions necessary to make choices as an informed electorate. That is what democracy is all about. Now, is it comfortable for men and women in power who work in this rarified air of this marble building, no. But is it freedom? Is it what our Founders intended when they enshrined a free and independent press in the first amendment of the Constitution? You bet it is. I mean to tell you, our Founders did not enshrine the freedom of the press in the first amendment because they got good press. Our Founders enshrined the freedom of the press in the first amendment of the Constitution because they understood that a free and independent press is the only check on government power in real-time. And our Founders whose faces, some of which are chiseled into the wall or painted on canvasses in this Chamber, believed in limited government and they believed in holding people like me and the other 434 Members of Congress who work in this Chamber accountable to a free and vigorous debate among the American people.

So I just come to the floor today to say thank you to my colleagues, thank you for standing for a free and independent press this week in the Free Flow of Information Act. I am deeply humbled and grateful for the work of my coauthor and colleague, the gentleman from Virginia (Mr. BOUCHER) as we passed the first Federal legislation protecting a reporter's right to keep a source confidential in American history. It passed the House this week. It passed by 398 votes.

I also want to thank my colleagues who stood with me this summer against broadcast censorship, voting for my amendment to ban the Fairness Doctrine for 1 year, 309 Members, 107 Democrats in the Congress joined us, and I thank them for that.

I want to thank the 203 colleagues, all of the Republicans and one Democrat, who have cosponsored the Broadcaster Freedom Act that would send the Fairness Doctrine to the ash heap of broadcast history forever.

Now I want to close on this last legislative day of the week with a challenge.

□ 1500

I want to challenge my colleagues to sign the petition that's at the counter to bring the Broadcaster Freedom Act to the floor of the Congress for an up-or-down vote; and I say again, Mr. Speaker, to you and to my colleagues and to anyone who might be looking in, if 218 Members of Congress sign the discharge petition for the Broadcaster Freedom Act, we will bring this legislation to the floor of the Congress and it will pass.

I say that having been through literally thousands of votes on this House floor, many of which I didn't know the outcome before I showed up, some of which I had to wait a long time for the outcome, longer than I should have. But this one I say with confidence and with humility and with gratitude, if the Broadcaster Freedom Act that would do away forever with the Fairness Doctrine comes to the floor of the House of Representatives, it will pass with bipartisan support because freedom is not a partisan issue on the floor of the Congress.

I believe we proved this Tuesday with the Free Flow of Information Act what we will prove the day the Broadcaster Freedom Act comes to this floor, that every time freedom gets an up-or-down vote in the House of Representatives, freedom wins.

So I urge my colleagues, but especially those who supported broadcast freedom earlier this year, sign the discharge petition for H.R. 2905 and bring the Broadcaster Freedom Act to the floor of the Congress; 218 Member signatures will make it possible for the American people to have their say and send the Fairness Doctrine forever to the ash heap of broadcast history where it belongs.

Let's bring the Broadcaster Freedom Act to the floor. Let's let freedom reign, and let's do it together as we did this Tuesday, Republicans and Democrats, standing for the freedoms enshrined in the first amendment, the freedom of the press, the freedom of speech, the Broadcaster Freedom Act.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the majority leader.

Mr. MEEK of Florida. Mr. Speaker, it's an honor to be before the House once again.

As you know, the 30-something Working Group, we come to the floor maybe once, twice, three times, if we can, a week to not only share with the Members the good things that we are doing but also some things that we are going to have to work together on, bills that we're going to have to work together on on behalf of America.

We've been able to do quite a bit this session, Mr. Speaker, and accomplish a lot in this first session. We have had record-breaking roll call votes never taken before. I think it's somewhere around 980 votes, I mean, not even counting the votes today, that have been taken here in the House that have never been taken in the history of the Republic, since the mid-70s. I believe it was 1975 or 1974 that held the record for roll call votes, and this year is not over yet, and we still have a lot of business to conduct.

I can't help but, Mr. Speaker, come to the floor and talk a little bit about what happened with the children's health care bill. I know just an hour ago we voted to override the President of the United States, and that's something that the Congress has the opportunity to do. The President decided to veto the children's health care bill. The Congress said that we would override. The Senate had the votes but the House, we weren't able to do it today. It wasn't because of Democratic Members of Congress, why we weren't able to override, and it wasn't because of 44 Republicans who voted with Democrats to override the President. It was 154 Republicans who decided to stand with the President and not voting for the override.

Now, we fell 13 votes short. What does that mean? I'm not here today to start calling names and pointing fingers, but I'm here today to make sure that the Members know that the good thing about America is that you have the second chance to do the right thing, and the Members had a second chance to do the right thing and failed to do so. The 13 Members or so failed to do so because they voted against the original bill that came before us that the President vetoed, but on the override they had the opportunity to say the right thing, and they didn't do it.

And within that 154 or within that 13, I just want to identify some of the States that will not receive health care or children's health care from the CHIP bill.

In California, 1.8 million kids have been denied health care. State of Florida, my very State, my State that I represent, those Members that voted, the 13 we fell short, voted against 616,000 kids. In Georgia, 467,000 for those Members that voted against the SCHIP bill override. Illinois, 435,000; Indiana, 199,000. And I'm just using round numbers here, Mr. Speaker. Iowa, 72,962; Kentucky, 112,000 will be denied health care because Members of the other side, 13 Republicans, said we needed to be able to close the gap, did not vote with us today to override the

President. In Maryland, 185,000; and Ohio, 338,000. In Pennsylvania, 312,000 will not be able to receive health care because we fell short of 13 votes. We did not get it from the Republican side of the aisle.

South Carolina, 122,000 children will be denied health care. In Texas, 966,000 will be denied health care. In Utah, 74,000 will be denied health care. And in Wisconsin, 94,000 will be denied health care, and in Wyoming, 12,000 will be denied health care because we did not have the said votes we needed to have, 13 votes on the Republican side that we needed to override.

Now, there were a lot of things said about the SCHIP bill, and a good part of the day and some 2 hours and change was devoted to both sides having an opportunity, Democrats and Republicans, to discuss their support or lack of support for overriding the President on this veto.

Mr. Speaker, I just want to kind of point out here, this picture is going to end up being one of my National Archives pictures when I, you know, relinquish them and I let them go. I kind of keep things as I come to the floor. There are certain charts, and as you know, Mr. Speaker, I do love charts and I'm glad because they illustrate not only for the Members but they illustrate a period of time in American history which now we're living in right now.

This picture was taken when a majority of the Republican Caucus went down and went to the White House and stood with the President on the first bill that we passed to put the heat on the Iraqi Government as it relates to the politicians there in Iraq living up to its responsibilities so that our U.S. troops don't have to continue to do patrols in the streets of Iraq, to be able to do exactly what the President called for as it relates to benchmarks or timelines, that certain things are supposed to happen or else. We put that in legislation, and the Republican Conference ran down there and had a press conference with the President saying we're standing with the President.

Well, today some of the folks in this photo here stood with the President, and they're within the 154 that voted against the SCHIP bill override. It's so unfortunate that the kids that I just called out and thousands and millions of other kids are going to be denied health care. Poor kids, they're going to be denied health care.

We also have, Mr. Speaker, something that I think is very, very important. Our obligation here is to make sure the children have health care and that the good people of the United States of America have access to health care, and I'm getting more and more concerned about folks being more loyal to the President, more loyal to special interests on the minority side than, in my opinion, being loyal to some of the constituents that need our assistance; and I think that's very, very important.

I think it's important also to note that this goes beyond politics, because I believe those that voted and within the 13 because I'm glad I'm not in that number of the 154 Republicans that voted against this override. They're going to have to, within that, the 13 that was needed to override the President decided not to, and I think that there's been some career decisions that have been made.

Obviously, I mean, everyone knows that I'm a Democrat, but if I was an independent or I was a Republican or I was someone that was thinking about voting one day and taking part in this democracy of ours as it relates to the ballot, if a Congressman came up to me and said, guess what, one day I'm going to have the opportunity to vote for health care for poor children that go to school with your kids that live in your neighborhood, folks that work either in your business or people that work with you at work, I'm going to deny them health care, not once but twice, vote for me on Tuesday. There's no way in the world I know a Member did not give that speech and will not give that speech, but today walked in here, slipped the voting card in here, voted ''no'' and left and went home for the weekend.

This was the close of business. It was the last vote that we took. It was a major vote. We took a Journal vote earlier today. There were only two votes, approving the Journal and voting to override the President of the United States on denying poor children health care. So no one could have gotten confused about, oh, maybe I pushed the wrong button or what have you.

I just want to make sure that the Members understand that this is about serious business here, and I'm going to tell you the American people voted for a new direction. Matter of fact, this reminds me of the old days when we had the rubber-stamp Congress, and I want to make sure my staff bring the rubber stamp down from my office because we haven't had it down here probably only once in the 110th Congress, but I'm going to make sure it gets down here to the floor before I leave the floor because I can tell you, you can't go wrong with friends like that illustrated here in this picture, you can't go wrong.

The President should feel comfortable, as far as I'm concerned should write a handwritten note saying thank you for sticking with me but not sticking with the poor children of the United States of America. Ten million children we're talking about insuring.

The President says, well, you know, maybe 1 million or 2 million or 3 million or 5 million, that's my proposal or what have you, going back and forth. The bottom line is without even a real discussion, without even a real discussion the President is willing to move forward on saying that we should be in Iraq forever, and I think that's a real issue for the people of the country. I think that's a real issue because when you look at article I, section 1 of the U.S. Constitution, I mean, the Congress has a lot to do.

But what happens as it relates to not only the funding of the war in Iraq but also as it relates to policy, as we look at this issue of Iraq but we're having all this discussion about Iraq and then we try to do something domestic, major something domestic and reauthorizing a program that provides children's health care, and when you look at it, when you look at it here, Mr. Speaker, one day of funding in the war in Iraq costs $330 million and could insure 270,000 kids. One week in Iraq, one week, we're not talking about, you know, one year, we're talking one week, $2.3 billion insures 1.8 million kids.

□ 1515

One month in Iraq, $10 billion, that is $10 billion, that is with a capital B, 1.8 million kids can receive health care. And 37 days in Iraq, $12.2 billion spent, 10 million kids can receive coverage.

Now, it is all right and the President is saying, why are you even asking the question? Why are you even questioning my wisdom for even saying that we should continue to fund the war in Iraq? But meanwhile, we are sitting back here and kids are getting the veto again.

I think it is important for the Members to understand what is going on here. And I think that the reason why a lot of average Americans have a great level of frustration with Washington, DC is the fact that we can do something 10,000-plus miles away from continental United States for children that we will not even do for children here in the United States of America. Now, that is a problem.

Now, I don't have a problem. I have been to Iraq three times. I have been to Afghanistan. I have been a little bit of everywhere as it relates to the Middle East, because that is a big concern as relates to our issues that we have not only diplomatically but also as it relates to safety and that we have to engage in dialogue. But I have a problem, Mr. Speaker, of what I know and what is actually happening here on this floor.

Now, again, I am glad this chart is here now. When we start talking about having your back, I mean, the Republican conference which is a number, I am not going to generalize because 44 of the members of that conference voted with the children of America today, with Democrats, and overriding the President of the United States; but the majority, the 154 that voted against were part of the same group. Again, I am going back to the President. The President is not running again for election, but I can tell you this much; that, I can tell you that it is very, very important that we pay attention to the pattern that is taking place. Yes, we have a Democratic majority in the House, we have a Democratic majority in the Senate, but I

think it is important for us to take note of the consistent voting loyal to the President. This is not a loyalty contest. People weren't elected to be loyal to any given party. They are elected to make sure that their constituents and the people of America get what they need out of their government. And when we look at this, foreign debt doubles under President Bush on the $1.9 trillion in 6 years between 2001 and 2006. Forty-two Presidents that I have here, Mr. Speaker, 42 Presidents, 224 years, $1.01 trillion, from 1776 to the year 2000, was only able to borrow from foreign nations $1.01 trillion. So the President has already trumped, with the former rubber-stamp Republican Congress in the last Congress. But it is in another form now, Mr. Speaker. It is in the form to where you see, saying, well, we no longer have the majority. The American people have taken that from us. The American people have taken that from us. Now we are in the business of stopping the new direction Congress that Republicans, Independents, Democrats voted for a new direction because they were concerned about the Republican rubber-stamp Congress following the President of the United States, the rubber-stamp Congress that was here, following the President of the United States to the new Congress, now saying, well, we have enough votes to stop the two-thirds that is needed to override the President, so that is going to be our new stance, Mr. President. We are with you all the way.

Well, I can tell you this much, Mr. Speaker and Members. I think it is important for many of those Members in the 109th Congress that followed the President, the Pied Piper, saying, let's go this way, let's vote this way, stick with me, I am going to lead you. And, guess what? Many of them are at home right now reading the paper about what is happening here in the Capitol dome because they are no longer, they are no longer in Congress. Now, some of them were friends, some of them I knew personally. That is fine. But on the policy end, they were following the President and found themselves unelected.

Now, if this was a political discussion, Mr. Speaker, I would, I would go somewhere and I would go somewhere reading the newspaper or taking a break or something, or maybe reading a good book right now or on the plane going back down to Florida. But this is about politics. Because I would just allow the 154 that voted against the override to continue to vote like they had been voting if it was about politics, because the American people will make sure that they rise up come some given Tuesday in another year from now and vote those individuals out of Congress because they are voting against children's health care.

Saying all of that, I think it is important to say where we are right now in not only history but in the present. If it was just politics, I would just go sit down, but it is not about politics. It is about children's health care. I must shed light on this and we must continue to put the pressure on. I commend the Speaker for holding her ground on this issue. I want the Speaker to continue to hold her ground on this issue because we cannot backslide on making sure that poor children have health care; not something that looks like health care, but actually has health care, so that they can be healthy and do the things that they have to do.

I tell you, Mr. Speaker, as I was in my office preparing to come to the floor, I was just reading some of the clips. I am glad the rubber stamp has made it down to the floor, and I will address the rubber stamp, I will come back to it.

It says on the headline of the New York Times, and this is hot off the press here, it says: The House Fails to Override Child Health Care Bill Veto. And the bottom line is is that the vote to override was 273–156, or 13 votes short of the necessary two-thirds majority of those voting. The bill was originally approved about a couple weeks ago, September 25, 265 voting for it and 159 voting against it.

Now, you know, one thing that this administration is not used to, Mr. Speaker, and some of our friends on the Republican side of the aisle are not used to is a bill coming to the floor already paid for. They are used to rubber stamping and saying, put it on the credit card for the next generation to pay for. I have a 10-year-old son and I have a 12-year-old daughter, and guess what? I care about their financial future. I don't want them in debt. I don't want to have them to turn around and, Mr. Speaker, having to pay to Japan, to China, to the U.K., to the Caribbean, to Taiwan, to OPEC nations, to Korea, to Hong Kong, to Germany of money that the President and the rubber-stamp Republican Congress before this Congress did because all they did was say, oh, that is fine, you want tax cuts, special interest billionaire, kazillionaire. We want to go into a new stratosphere of how many subsidies we are going to give you. We are going to do it. And guess what? We are not even concerned how we are going to pay for it. We are going to borrow from foreign nations. We are going to put it on the backs of those Americans that are not even eligible to vote right now, those Americans that were born since I have been on the floor here that are going to have to pay the bill. And in a new direction Congress, Democratic Congress, we said we weren't going to do it, and we haven't done it. And here we are again. This is a new form of the Republican rubber-stamp minority that is standing with the President all the way.

I am glad this rubber stamp is down here, because I spent a lot of time, Mr. Speaker, here on the floor with many of my colleagues. I think this stamp here one day will be properly placed somewhere in a glass case because this is what used to be. The President said, let's give tax breaks to super-wealthy corporations, record-breaking oil subsidies. Boom. No problem. Rubber stamp. It is going to happen. So shall it be written, so shall it be done. Those days are over.

But now it is in a new form. We are going to stand with you when it comes down to overriding some of the major issues that Americans care about. A, this war in Iraq as it relates to the policy that we should be passing that so many Americans are very frustrated with, the fact that the Congress and the President has not been able to come through with policy that will eventually bring our men and women home, will eventually bring our combat troops home, because we will be providing technical assistance in the region for some time. But we are losing a number of our young people and our middle-aged folks that are reservists that have been deployed longer than any other fighting force in the past and we are still here going back and forth. And the reason why we are going back and forth is the fact that we don't have the necessary votes on the Republican side to be able to override the President. And the Senate, the procedural 60 votes that you need to bring certain issues are not there, because there is only a 51 majority Democrats there. So I think it is important, not only do we report the news, but we also talk about how we can do better.

Now, I come to the floor with a clear mind and a clear heart and ask my colleagues on the Republican side of the aisle: We fell 13 votes short of providing poor children health care today. I ask, as we started to look at this issue again, and another vote will be coming up in weeks, that one goes within their soul and within their heart and think about voting in the affirmative so that we can pass the bipartisan health care opportunities for young people that we have done.

Now, this was a bipartisan bill. You know, you listen to the President, you think, oh, the Democrats sent me a bill. Well, I guess the 45 Republicans that voted with us on the original bill and the 44 that voted with us today, I guess they are Democrats, too. Or maybe they are just Members of Congress who say that it is their responsibility to make sure that poor children in their district and within the country have health care. Boy, that is something. And so I think it is very, very important that we move down and move in that direction.

I will put that rubber stamp off to the side because I never want to see those days again, but I wanted to bring it down to the floor because I thought it was fitting today that we do that.

I think it is important that we highlight the fact that there are a number of polls that have been out on this issue and who has said that Americans are in full, almost full support of expanding the children's health care bill.

Eighty-one percent in the CBS poll have said, I am for health care and expanding it for poor children; 81 percent, 15 opposed. And I think that is something to look at, and I think that is something that Members should pay very, very close attention to.

I also, Mr. Speaker, I think what is important, as we started looking at what is to be done in the very near future, we have to look at the fact that we have families, we have children, we have policymakers in the States that are counting on a children's health care program. We have doctors that are concerned about the lack of health care that children already are experiencing here in the United States, and so when we started talking about reauthorization, we started talking about expanding to more kids, they are happy but now they are concerned. We have over 170 organizations that deal with children and good government and support, still in support, of overriding the President on the health care bill on the SCHIP bill that he vetoed. That is history now. But I think it is important that, I want to encourage those Members that voted for the override, I want to encourage those Members on the Republican side, the 44 that voted with Democrats to override the President, to stay encouraged. To stay encouraged, because so many times we know about the glory, Mr. Speaker, but we don't necessarily know about the story. And right now we are writing the story on providing health care to poor children in the United States of America. And I say to children of the United States of America, because you have some Members here that are willing to vote for kids in Iraq and other places that have health care but not willing to vote for our own children here in the United States to get health care. And I think it is important that as we start to build this story, there is some good chapters and some bad chapters. And I think the good chapters that can be added to this story of getting to the glory part where we are able to have expanded benefits for children and also expanded coverage for children to provide health care for the next 5 years, or as long as we can get it at that number, for some Members who voted to not allow those children to have health care to come to the side of allowing them to have health care.

□ 1530

Voting in the affirmative for children's health care, now maybe the vote would have been a little different if this was 2008 and their constituents were paying very close attention to every vote that their Congressman or Congresswoman would take here on this floor.

But, you know, the good thing about it, some may say that, but I believe that the American people are paying attention to what's going on here. I also believe that the American spirit will rise up. I said that last Congress; and a lot of folks said, yeah, you know, that's fine. The attention span, you know, of the average person is probably about, you know, a week or two or what have you. When it falls off the screen of the Today Show and other shows, it'll just kind of drift off.

But I can tell you this much: last Congress there were votes that were taken that the American people remembered. And I think it's important that folks understand that that will happen this time around.

And I'm not in the business of making sure that folks no longer serve in Congress. That's not my piece. I'm here to represent the people of the 17th Congressional District and the people of the United States of America to the best of my ability.

But I think that it's important because this is not politics, it's policy making, that those that voted against it be a part of a good chapter and allowing people to be able to have health care.

I want to commend the March of Dimes, all of the affiliates throughout the country that wrote their Congressmen and -women to vote in the affirmative to override the President.

I would like to thank those 501(c)(3) organizations. The lifeblood of their effort is through volunteers throughout America, and when they come in to volunteer for the March of Dimes, when they come in to volunteer for the Children's Defense Fund, I mean, all the different groups that are out there to do what they do on a daily basis that help this country be what it is today, I thank those individuals, because I don't want them to lose faith in the fact that we're not going to have their back. We're going to have their back. When I say ''we,'' those of us that voted to override the President today.

I don't wake up every morning saying, hey, you know, I'm getting ready to go to the Capitol. We're going to override the President on a bill, on the children's health care bill or on making sure that we have sound policy in Iraq. I don't wake up on those days saying that I look forward to that opportunity. I don't look forward to that opportunity. I'd much rather us work in a bipartisan way to where we can move in that direction.

Well, let's look at the bill. The SCHIP bill received, I believe, 45 votes and the first time it came through here, that's bipartisan. Received, I believe, 14-plus votes in the Senate. Someone correct me if I'm wrong. That's bipartisan, Republican Members coming over and voting with Democrats to be able to move that bill through the process. That's bipartisan.

It gets to the President, all of a sudden it's partisan. Democratic Congress sent, no, it was a bipartisan Congress that sent him a children's health care bill. In the Senate, ORRIN HATCH, I mean, major Republicans are over there saying that the President's wrong and they had the votes, and they still do, to override the President of the United States. They have the votes over there.

In the House, we had a majority of votes, beyond a simple majority. We went well into, fell short 13 votes because Republican, on the Republican side of the aisle, 154 Republicans decided to stick with the President and not with the poor children in the United States of America.

I say all of that to say this: we would not have accomplished as much as we've accomplished, when I say ''we,'' the 110th Congress, if it wasn't for a bipartisan spirit and allowing, not only Democrats, but also Republicans to have bills that they should feel good about when they vote for those bills.

Now, we talked about minimum wage passed on this floor. It was offered when we were in the minority in the last Congress, but never made it to the floor, never made it to a committee hearing.

The 9/11 recommendations, 9/11 Commission, great Americans put together a great document. It was a book, one of the best-selling books. And the President said he wasn't going to sign that. In a bipartisan way we passed that. Sent it to the President. He had to sign it.

And all of these signing opportunities, I don't call them ceremonies. You know, they usually kind of happen like on a Friday, you know, folks leaving town, about to go to Camp David, not going to make a big deal on his way out, just sign it into law instead of celebrating the bipartisan spirit we have here in the Congress and sending that legislation on.

Cutting student loan interest rates in half. That meant $4,400 in the pockets of the individuals that have taken out the loans. And who are they? Children or young people that are trying to educate themselves to help us to be a stronger America and a more professional America so we can compete against other countries. It's not all about lock and load and shooting at someone. It's about making sure that we continue to stay the economic superpower of the world and to be able to provide the leadership in the world as it relates to a shining example of how one can educate him or herself and become all they want to be in the industry that they want to be, or provide a job to allow other Americans to work.

The President said he wasn't going to sign that. Thank you to the American people, thank you to the Members going back, talking to their constituents, thank you for all of those mothers and grandparents that wrote and e-mailed and said this is wrong, and that we want, if you want, you know, there's so many times we feel that we know what to do best here in Washington, D.C. because we understand what you need.

Well, guess what? $4,400 in the pockets that they don't have to pay on interest rates, because the student loan companies were pocketing those dollars. We allowed those dollars to stay in the pockets of those individuals paying on the interest rate on those student loans; and they know what's best.

And guess what? I'm talking to independent voters too. I'm talking to Republican voters too. No one said, well, you know, based on my card, do I get it or not? No, not even based on your income. You get a student loan, you can be an individual punching in and punching out every day making the minimum wage, or you can be a family, a single parent, or you can be a two-parent household with a gross income of $200,000, a household income of $200,000 and you still get that $4,400. And I think it's important, the President said he wasn't going to do it; he did it.

Now I'm asking the Members of Congress to stand in there on behalf of these children, not by their doing, but due to the fact that parents are trying to provide a way of life for them, and their only penalty is the fact that they can't afford health care. That's the only penalty that they have.

We have children that we're sending up to the military academies who cannot pass the tests, not the academic tests, not the fact that they didn't have the GPA to go to the Air Force Academy or to be able to go the Citadel or what have you. It's because they couldn't pass their physical because they didn't know they had a situation that could have been corrected to where they can be one of our best and brightest within our military and they're not able to do it because they don't have what they need to have.

The school lunch program started in World War II because kids were not healthy enough to be able to go into the military because they didn't have the very nutrients that they need to be able to function and grow up here in America. And that's the reason why we have that program today.

So when we started looking at things in a broader picture, I think it's very, very, important, Members, that we pay attention to the present. The 109th, 108th Congress I was a Member of. Before that, my mother was here 10 years prior to my arrival here in Congress. I paid very close attention to her movements, member of the Appropriations Committee, spent a lot of time trying to help a lot of people here in the United States of America. I am glad that it was a broad perspective versus a small perspective of saying, well, I need to stand with a person, with the President of the United States because he said he should not have his veto overridden. And I want to thank, he has a very good legislative staff that comes down here and talks to the Members and says, you know, you need to stick with the President, stick with the President.

Meanwhile, we had all these volunteers on the side of overriding the President, on the side of children's health care, that spent their own money, Mr. Speaker, to come here to Washington, D.C., walk the Halls. Thank God the Speaker had enough wisdom and the majority leader had enough wisdom to say we're going to postpone the vote to allow those most affected, those that can afford to come to Washington or go to the district office of Members of Congress and the Senate and say please vote on behalf of children's health care because the President's wrong.

It's nothing wrong with being wrong sometimes, but not all the time. And I think it's important that when we look at this whole children's health care bill, I'm reading some articles about, well, you know, the Congress and the President, they need to sit down and come together on the line of compromise. And you know something? In Iraq, the President stands right at one point here on an issue and says this is it; this is what I'm going to do; this is how I'm going to do it and have enough Republicans to be able to stand with him so we can't be able to, well, if we pass a bill it will not be successful because he will veto the bill and it will come back here and then we'll fall 13 votes short. He stands firm, and then we have to end up having to work out some sort of compromise.

I'm going to tell you, I hope that this story, like I said, you have the story and the glory of everything. I hope as we continue to write this story and providing children the kind of health care, poor children the kind of health care that they deserve, that we stand. And when I say ''we,'' the Democrats, the Democratic Caucus that voted to override the President, and the 44 Republicans that voted with us to give us the numbers that we needed.

And it's not just what I'm saying. It's what the CONGRESSIONAL RECORD is saying. And it's what roll call vote No. 982 says. It says that 44 Republicans and 229 Democrats voted in the affirmative, a total of 273 versus 156 who voted against. So I think it's very, very important that we look at this and that Members pay attention to what's happening.

What side of history do you want to be on? What side of opportunity do you want to be on? And I think that's something that the Members are going to have to take into strong consideration.

I'm happy that the President signed bills that he said he wasn't going to sign. But it wasn't only because of our doing. It was because the American people mobilized and said, well, I know I am going to have my opportunity on a given Tuesday every other year to vote for my representation in Washington; but they mobilized to say that I have faith in this democracy and I'm going to continue to talk to Members of Congress of the importance of the children's health care bill.

And I'm asking for those Americans that took that time out to come to Washington, D.C., called, e-mailed, wrote letters, I want to commend them for doing the work that they did. It was the same group, the same volunteerism that came up out of the ground, literally, when the President wanted to privatize Social Security, and a good majority of Republicans on that time was in the majority, rose up and said, well, we want to go with the President on the private accounts and privatizing. It was that same volunteer American spirit that stopped that movement.

So we can make something good happen here on behalf of children that are needing health care.

As I move into the close here, Mr. Speaker, and as I was here on the floor and I was listening to the Speaker close, I think that it's important the value of Members playing a very strong role in facts, not fiction. And I was proud to see, you know, there's a lot being said and people were saying different things. And there were some folks that said that, you know, on the Republican side, well, there's going to be funding for illegal aliens in the SCHIP bill. Well, that's not the case. That just wasn't the case.

And I'm glad that the Speaker brought this chart down here, and I asked for this chart when I came to the floor because I thought it was very, very important. Section 605, page 255, right here, right here, and I think it's important, maybe we put it on www.speaker.gov for not only the Members to see this and highlight it like this. So you go down to line 16, section 605, no Federal funding for illegal aliens. Period. So as I look through the CONGRESSIONAL RECORD, Mr. Speaker, with my highlighter I could go through almost, when I hear from my colleagues on the other side of the aisle, because they had very little to hold on to, I mean, how do you wake up in the morning and you say, well, I'm waking up this morning to deny 10 million children health care. Poor, at that. That's what I'm waking up to do this morning.

□ 1545

Or do you say ''I'm waking up this morning to stand with the President on denying 10 million poor children health care''? Or do you say, ''Well, maybe I can come up with this one: Somebody said it and I'm going to continue to say it, illegal aliens are going to receive health care from this bill, so that's the reason why I can't vote for it'' when the law says that it doesn't?

I mean, I hope that the volunteers continue to talk to the 154 Republicans that voted against this. ''Well, families that make $83,000,'' that is not the case and the facts are right here. ''These very wealthy families are going to get a government benefit,'' that is not the case. And I think it's important that we continue to shed light on this.

I think there should be some sort of meter here on the floor, to be honest with you, fact versus fiction, so that as Members come to the floor and they start talking and the meter starts moving over to the fiction side of it, then other Members will know how to judge what's accurate and what's not accurate. I think that would be very important because I think there will be

better policymaking and there will be fewer excuses why people didn't vote for certain bills.

I am not going to say that I'm mad. I'm just saying that I am disappointed. But the good thing about it, 14 years in public service, some of those years in the State legislature in Florida, 5 of those years, going on 6, here in Congress, there are votes that I remember. And this will be one of the votes that I will remember for the rest of my public career as long as the people from the 17th District will have me here from Florida, the day that we fell 13 votes short, not because of the lack of effort, not because we did not have the bipartisan spirit blowing through the air conditioning ducts here in the Chamber, not because there wasn't bipartisan input in the writing of the legislation need it be House or Senate, but because 13 Members out of 154 decided not to vote in affirmation.

I think it is also important to note, Mr. Speaker, that as we leave and we come back here, I believe, on Monday and we will be voting at 6:30, I hope that the Members engage their constituents on their vote, need it be against or for providing health care to poor children. I think that there should be a line of questioning as one walks through the airport when they get back home. Some of those volunteers out there should ask, ''Congressman, how did you vote on overriding the President when he vetoed health care for 10 million poor children here in the United States?'' I just want to make sure that one can answer that question with great accuracy. They may miss their flight or their connecting flight or they may even miss the ride home because it's going to be a long discussion. How can you be on the other side of 270 organizations that are not partisan organizations, that are nonpartisan organizations, that are 501(c)3s, that are doctors, that are nurses, that are children's organizations, the different organizations and associations that have been created to be here for this very time to educate all of us on those disparities as it relates to health care, to expand the opportunity for 10 million children to have health care and deny it?

There was a bunch of name calling here in Washington, D.C. The President called it socialized medicine. What is socialized medicine? To sit up here and say ''socialized medicine'' after running up a $1.19 trillion debt from foreign nations on a war and other things, tax cuts for the superwealthy, that more than 42 Presidents before him and $1.01 trillion from 1776 to 2007 couldn't do.

You take out your veto pen only one time, one time in the first term when we had a Republican Congress, one time, and that was on stem cell research. And now, all of a sudden, you have a veto pen connected to your index finger in your right hand, walking around, waiting on bipartisan bills passing through this Congress, Democrats and Republicans voting on these bills and sending them to you. And as soon as they get there, you want to veto them and then say something like the Congress is not doing what it's supposed to do.

When I was in the 109th Congress, I would already be home. We would probably vote 1 or 2 days out of the week and then we would go home. Now we're putting in the work, broke the record, 982 roll call votes and the year is not even over yet and we have a lot of work to do. Meanwhile, we have to take these votes to try to override the President. We could have been focused on another issue here today. We could have been focused on some of the appropriation bills that we were waiting to get through the process that we can't get through the process at this point.

So, Mr. Speaker, I'm glad that I had the opportunity to come down to the floor on this Thursday evening. I look forward to continuing to work with the bipartisan coalition, with the volunteer coalition in moving this issue forward. I look forward to listening to what Members are going to say in the press as to the reason why they voted for health care for children, which I am pretty sure can be a one-liner, versus those of the 13 votes that we fell short here on this floor in overriding the President and the 154 that voted against today, the dissertation that they have to write on the reason why they voted against children's having health care today.

I want to thank the work of not only the members of the committee but the staff here in working so hard here in Congress in trying to provide the health care that is needed.

I close with this, what I shared maybe about 20 minutes ago, Mr. Speaker: In the legislative process there's a great story. At the end, there is glory once we are able to provide 10 million children with health care. So as we write this story, the good thing about America is its okay to say maybe I took the wrong vote and I have made some mistakes. I will tell you, Mr. Speaker, I have made some mistakes the years I have been in public service thus far, going on 14 years. I have taken some votes and later I said next time I have the opportunity, I'm going to vote the right way. I know more because I studied a little bit more. I have heard some input from both sides. And that's just the human spirit. I mean, that's fine. That happens. But when you have so much information and it is so clear and the evidence is there to show that we have States that are going to be running close to their program ending and children are not going to have health care and we are sitting here trying to override the President and we fall short 13 votes not because of the lack of will, not because of the lack of desire, it's because of whatever reason that those Members of Congress decided not to override the veto. The Senate has the votes to override. In the House we did not have it, and 154 of my Republican colleagues voted against our doing that. And I think that is very important to note. Again, it's not politics; it's just the facts. And the facts are what they are. And when that roll call vote took place today, which I am pretty sure you will see printed today, roll call vote 982, it may very well be the vote that may give us some new Members of Congress here that may very well provide the kind of leadership that we need. But we cannot wait on that to happen because children will be denied health care, poor children will be denied health care.

Mr. Speaker, it was an honor to address the House, and I want to thank the majority leader for allowing me to have the hour.

I know that the story will continue. We look forward to the glory. And I want to ask those that are pushing to continue to push, and I believe we will make it to where poor children will be able to receive the health care that they deserve and this country should provide.

SCHIP

The SPEAKER pro tempore (Mr. MITCHELL). Under the Speaker's announced policy of January 18, 2007, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to address you here on the floor of the United States House of Representatives.

There have been a number of times that I have come down here to convey a message to you and the American people. And after having listened to the gentleman from Florida and his 30–Something colleagues, my material has just gotten so massive, I'm not sure I can rebut all that in the time that I have, let alone convey the message that I came here to convey, Mr. Speaker.

First of all, there seems to be great confusion on the Democrat side of the aisle about the difference between health insurance and health care. They seem to believe, or at least would like to have the American people believe, that kids in America are being denied health care.

This debate about SCHIP has never been about health care. I would draw this comparison: You will hear often in the debates in this country about people are pro-immigrant or anti-immigrant. And when I say that, Mr. Speaker, people draw up an image about being pro-immigrant and anti-immigrant. Some people think illegal immigrants; some people think, appropriately, legal immigrants. When we say ''immigrant,'' we should imply legal immigrant, and when we talk about illegal immigrants, we should say so.

The same goes with health care and health insurance. To interchange the terms and, I think, willfully inform the

American people that this debate is about health care and to stand on the floor of the United States Congress and convey a message, Mr. Speaker, to the American people that there are kids in America that are not getting health care is not an accurate statement. And the gentleman from Florida, if he would examine his words and the meanings of the language, would know it's not an accurate statement.

This is a debate about how many Federal dollars we are going to extract from hardworking Americans to put into federally subsidized health insurance, hopefully for kids. That's what SCHIP is about. But it is not even about all kids, because today, under the current program, the program that was drafted up in 1997 and became law in 1998, was created by a Republican Congress, and it was created in the immediate aftermath of welfare reform.

Remember welfare-to-work? We had generations of people that had become so dependent on welfare that they forgot about working. We needed to move them off of welfare, and we called it ''workfare'' part of the time.

We also recognized that people that were low income, the working poor, when you would take them off of welfare, they didn't have enough funds to fund the health insurance for their children, so we created the State Children's Health Insurance Program. That's SCHIP. It's 10 years old now today and we are talking about reauthorizing it. That is federally funded health insurance premiums for kids.

But this program, even under the current law, has morphed into a program that if you go up to Minnesota and take a look, 87 percent of the recipients of SCHIP are adults. And most of those adults are not parents; they are single adults. And if you go to Wisconsin, 66 percent of those who are on SCHIP are adults. They have changed this program and they have morphed it away from being a program that was about health insurance premium subsidy for kids. That's a discussion they can't name.

And I challenge anyone over here, stand up now, I will yield to you. Name one kid in America that doesn't have access to health care, one health care provider that slammed their door in the face of a kid in America or anyone in America because they didn't have health insurance.

No. We take care of everyone's health care needs in America. That is not the crisis. If it was, you can bet the PELOSI side of the aisle would have marched them down here and maybe brought them up into the well for a photo op. But that population of this country doesn't exist. Everyone in America has access to health care, legal or illegal, for that matter.

□ 1600

And every child especially has access to health care.

Now, we would prefer that they all have health insurance because we believe that those who have health insurance do a better job of going for their regular check-ups, and the medical providers will track their cases and be able to monitor them and be able to get early warning signs of chronic diseases or illnesses, and be able to maintain their health in a far more effective fashion for two reasons.

One is it improves the quality of life for the children in this country, and the other is it saves money. That's why we established the SCHIP program in the first place. But it wasn't designed to take hard-earned taxpayer dollars and put them into the pockets of people who could afford health insurance for their own children; and especially it wasn't designed to be able to put the Federal incentive in place to push kids off, to talk kids off, to put an incentive so that their parents made a decision or their employer made a decision not to insure them when they were already insuring them.

And yet if you look at the numbers, the Congressional Budget Office, the nonpartisan Congressional Budget Office that the gentleman from Florida would have to acknowledge gives us the most objective number we have, says that under this proposal that the President appropriately vetoed and that this Congress refused to override would take 2 million kids today that are funded with private health insurance and push them off of that onto the government roll.

Now, why would we want to do that? What would be our incentive? If nobody's going without health care, if we have kids that don't have health insurance that are getting health care, why would we create a program or why would we grow a program that's going to take 2 million kids off of the private rolls and put them on the government? You have to be somebody that believes in socialized medicine to advocate for such a thing.

And when Republicans bring a policy that recruits more of the uninsured to go on the rolls at 200 percent of poverty and below, where I have voted and consistently supported this program and voted to appropriate funds to this program, both as a State senator and as a Member of Congress, 200 percent of poverty, I can take you to where it is in my State today, that's an example I know to be fact, we can always discuss what's fact and what isn't, but in my State today a family of four, that's mom and dad and two kids, qualifies for SCHIP, that in Iowa we call it Hawk-I, premium subsidy if they're making less than $51,625 a year, Mr. Speaker. Now, that's probably a little above what's middle income for a family of four in the State of Iowa.

And so if we've already gone above the line of where the median is, this Pelosi Congress passed this SCHIP legislation, not over here at 300 percent of poverty, passed it over here at 400 percent of poverty, Mr. Speaker. That was the vision of the San Francisco values that have been brought here to the gavel in the chair where you're seated right now, 400 percent of poverty. Now, was there a clamor from the public that we should take their tax dollars and subsidize health insurance premiums for already insured kids that families were making over $103,000 a year? I didn't have a single letter that said so. I got a few that said, I think we ought to have socialized medicine. I think the Canadian plan is pretty good, the British plan is pretty good. The European model is all right.

They disregard the long lines and the poor care. They disregard the fact that when you go to socialized medicine you have companies created in Canada for the purpose of facilitating access to American health care systems, companies that have sprung up because the Canadian is barred from having any special pass to go in front of the line; they all have to get to the back of the line. And so people don't always live long enough to get to their health care provider in places like Canada. That's what I want to avoid.

And the companies in Canada that are created will set up this package and it will be, well, if you need a hip replacement, here's how we will do this. We will set it up so you can go to a clinic for a check-up, and we'll fly you down to whatever city it might be, let's pick one, let's say Minneapolis, and there we will give you a hotel room, or let's go to the Mayo Clinic, that's even better, in Rochester. We'll fly you down there. Here's the package; here's your hotel room; here's what it's going to cost you to go to the clinic; here's the surgeon, here's the anesthesiologist; here's the whole package.

Now you figure out you can write the check to take the weekend tour to go down to the Mayo Clinic in Rochester and get your new hip replacement and go back to Canada, because they can't get access to health care there because they have socialized medicine. That's what this debate is about, Mr. Speaker. It's about laying the cornerstone for socialized medicine in the United States of America.

Here we are in a country where every kid, every person, every adult, legal or illegal, has access to health care, and we would like to increase the numbers of insured. But a Nation that has the highest quality health care in the world, one who is the most innovative of all nations in the world, the ones that has produced more new pharmaceuticals, more new surgical techniques, more new medical technology than any other nation, however you want to measure it, as a percentage of our GDP, as a percent of our population, measure it just as the sum total of the contribution to health care in the world, this country's medical practitioners and providers are the ones that have done that.

And this cornerstone to socialized medicine that is attempted to be laid here by this Pelosi Congress undermines that innovativeness, that service, that quality that we have. And

that's why 150-some of us voted ''no'' on overriding the President's veto. That's why the President vetoed it, because your health care, Americans, is more important than the political demagoguery that's going on here on the floor of the United States Congress.

The confusion between health care and health insurance, this debate is about health insurance, it's about us on the Republican side wanting to increase the percentage of covered kids under SCHIP under the 200 percent of poverty here, those that are not covered now that can be and still qualify, and us, as Republicans on this side, wanting to roll down the numbers of adults that have found their way into this system to be 87 percent of the recipients in Minnesota, 66 percent in Wisconsin, and a dozen or so other States that have crossed this line.

That's a standard that we're for, and it's something that they are opposed to. They won't speak up to the real issue that's here, Mr. Speaker, but this isn't about health care. It's about Federal subsidy of health insurance; it's about taking dollars out of people's pockets.

And so at this level over here, Mr. Speaker, I will submit that it works this way: we have this thing called the alternative minimum tax, which was created to tax the wealthy. They weren't paying enough tax, so Congress created a new tax, the alternative minimum tax. And under this SCHIP proposal there will be, the one that passed Congress the first time, that's over here, 70,000 families in America would qualify for SCHIP subsidy, Federal taxpayer funding, and still have to pay the alternative minimum tax, the tax on the wealthy, at the same time they're being subsidized and they can't afford the health insurance for their kids.

Now, figure that out. Think about how the circle has crossed. One circle over here is those that are so poor they need help, and the other circle over here is those that are making so much money we've got to give them an extra tax. But when you cross those two circles together, Mr. Speaker, and where they cross, that crescent in the middle, is 70,000 families, 70,000 families paying the alternative minimum tax and qualifying for Federal benefits for health insurance. I think that tells you that the loop for socialized medicine would be closed with this, and that's another reason the President vetoed it.

Another subject matter that was brought up by the gentleman from Florida is this subject of the billions of dollars that are spent on the global war on terror, and of course he would focus it on Iraq, which is a battle ground in the global war on terror, billions of dollars. And the argument is we can spend billions of dollars on the war, but we can't spend $35 billion subsidizing health insurance for middle-income and upper-income children of those parents that are middle- and upper-income.

Now, think about this: How cynical would you have to be to draw a diabolical argument that here we spend money over here on the war, if we've got enough money for the war, we surely have enough money for health insurance for these kids? I mean, if that's the case, if the gentleman from Florida is drawing a legitimate comparison, then you have to look at the resources over there for our soldiers, sailors, airmen and marines and say, well, I'm sorry, we're going to have to take $35 billion out of your resources and put them over here to subsidize health insurance for these kids, these kids that are getting health care, by the way.

So how many fewer bullets, how many fewer bullet-proof vests, how many MREs, how much tank fuel or aircraft fuel, how many repair parts for a Blackhawk helicopter, how much surveillance equipment out there we would have to sacrifice to take away from those soldiers to fund this Pelosi plan for SCHIP? That's the other side of the argument.

So if they're sincere, and I have heard Member after Member, Democrat after Democrat, come to this floor and go to the media and send out press releases that we're spending money on the war, we ought to be able to spend the money on the kids, well, if this is a zero sum game, then how many bullet-proof vests do they want to take away from our soldiers? How many Humvees? How much armor protection personnel? How much training, how much communication, how much human intelligence would we be willing to take away and how much risk would we be willing to put our soldiers through so that we could justify this program?

I think when they're confronted with the reality of that argument, they would have to confess that they would never allow an amendment on the floor that would cause them to have to put up a vote and go on record to make that decision. But they will ask you to believe that somehow, that because we spend money on war, that gives justification to create a socialized medicine program here. We know what the agenda is: it is socialized medicine.

And then I would argue, also, that to lay this thing out clearly, I'm going to go down through these, if I can, Mr. Speaker. This is a bit of a surprise package, I'm not sure what's underneath here, but we'll go with what we have, and that is, how do we fund this SCHIP according to the Pelosi plan?

Well, we're doing it with an increase on tax on cigarettes. Right now, the Federal tax is 39 cents a pack. This bill that the President vetoed, that this Congress refused to override, adds 61 cents a pack to cigarettes. So now the Federal tax will be $1 a pack. The States can do whatever they want. The idea is if you raise the price of cigarettes, people will smoke less. Well, that's kind of a good thing, I would think, Mr. Speaker.

But if we're going to fund this SCHIP program, these $35 billion worth of increases, then over this period of time, as we see here in this chart that is laid out, it takes it out to 22.4 million new smokers have to be recruited in order to fund this expansion of this socialized medicine program of laying the cornerstone by SCHIP; 22.4 million new smokers. Now, that runs directly against the belief, and probably to some degree of fact, that the more it costs, the less people will smoke. So we add $1 a pack, and now we have to still raise, and even though the price goes up by a 156 percent increase, we still have to recruit 22.4 million new smokers. Now, I don't want to be involved in that, Mr. Speaker. I don't want that on my conscience. I don't want to have to bring Joe Camel back and run him through the schools so we can get new smokers to fund insurance for these kids.

And another thing I would add is that, if this is about the kids, every dollar that is added to this program is added to the national debt. Now, who is going to pay that national debt? Somebody that's 58 years old or somebody that's maybe 8 years old? And I'm going to say that the ruse that this is about the kids, while at the same time pushing that $35 billion into the national debt and asking those same kids that you say you're trying to help to pay the debt they incurred, I think is where the real hypocrisy lands, Mr. Speaker. 22.4 million new smokers? Not a very sound plan.

This chart tells you what happens when you start raising the premium subsidy up for health insurance. When you get up here to this level and you get to 400 percent of poverty, which this Congress passed, then 95 percent of the kids that are on private health insurance will drop off of that private health insurance and they'll go on government. So even if they're making $1 million a year, 95 percent of those kids go to the government premium side.

If you take it on down to 400 percent of poverty and below, it's 89 percent. And as we go down lower to where we are now, it's 50 percent. I contend that, if the parents have a job and the health insurance is with the job and the employer has put a health care package out, their health insurance package out there that includes the family, and most do, why would you put a program in place that's going to cause the employer to do this calculus: I don't know why I'm paying for that if the government will pay for that. I'm going to offer a proposal here that's going to save me money. I can take that and put it in my bottom line as an employer and call it profit and tell my employees, we're going to sign you up for SCHIP.

I had a conversation with my son and daughter-in-law a couple of weeks ago. They blessed us with two little beautiful granddaughters, so they're a perfect model family of four. And I said here in Iowa, where this number right here, Mr. Speaker, if this bill had been overridden today that the President vetoed, in Iowa, a family of four would qualify for SCHIP funding at $77,437.50,

to be precise. Now, that's that family of four, that's my son and granddaughters and daughter-in-law. The calculus is pretty easy for them. They just say, well, we're self-employed, I guess we could do this. We could set our wages up to make sure that we don't break the cap on SCHIP and the kids would be funded then by the government, wouldn't they? And I said, I don't want to hear about that.

□ 1615

It was a bit of a levity kind of a conversation because they are going to take care of their responsibility and they have and they will continue to do that. But if that can be figured out in 5 seconds in the kitchen of my family, think how it can be figured out in every boardroom across America that will see an advantage here to push the kids, the children of their employees, off of their own privately funded health insurance, put them on the government-funded one, and put the profit, the savings, in their bottom line. You know that is going to happen. The people that will be the most believers of that have to be those on the other side of the line that don't believe in much for ethics and the free enterprise system that we have.

That is how that is going to work. You push people off health care and so you get to this, Mr. Speaker, and this is what this is really about, SCHIP. Some might think that is for the State Children's Health Insurance Program. But I will submit that the real motive behind this, we have Presidential debates going on and candidates all over this country concentrated in my State, New Hampshire, and others, and you can feel and sense they have been pushing health care 6, 7, 8 months to bring this debate to a head, and a delay in this Congress in coming to the negotiating table so we can actually extend this program in a responsible fashion is partly rooted in the Presidential politics and in the partisan politics in this Congress. I think the majority of it is rooted in that. So I will submit SCHIP really stands for Socialized Clinton Style Hillary Care for Illegals and Their Parents. And I hope the camera is on this so it doesn't get missed. SCHIP, Socialized Clinton Style Hillary Care for Illegals and Parents.

By the way, I did not get to that illegal component that was laid out by the gentleman from Florida. Well, one can point to language in the bill that says ''you don't get to send any of this money to people who are otherwise deportable.'' That language is in the bill. But, Mr. Speaker, I will inform you, this body, the people in this country, that there is additional language in the bill that weakens the citizenship standards that exist today, not just for SCHIP, but for Medicaid as well. We have citizenship requirements for Medicaid that you have to demonstrate, you have to prove your citizenship. And of those conditions that will be producing a birth certificate and another document, a photo ID perhaps or a passport or a list of other documents that demonstrate your lawful presence in the United States and your eligibility for SCHIP and for Medicaid; those are current law requirements. This bill that says in one paragraph ''this money can't go to illegals'' says in another paragraph ''but if you know how to write down a Social Security number, that will be all that is required.''

The Social Security Administration has put out information that says you cannot verify citizenship by a Social Security number. There are millions of Social Security numbers that are not numbers for citizens. There are millions out there that are nonwork Social Security numbers, and there are millions out there that have been given to people that are here on work visas, student visas, visitors, you name it, for one reason or another, so they can get a driver's license or buy insurance, or maybe qualify for a benefit, millions of Social Security numbers that do not connote citizenship. And the only standard that is left, that is required in this current bill is you have to submit a Social Security number. And it is implied, it might even be specific, that it be a valid one. But we know how well that works when we have 20 million illegals in America and we have somewhere between 7 and 12 million working illegals in America, many, in fact most of them, using phony Social Security numbers. So if they can get a job and that number can report their wages every week and we can't figure out where they are, how in the world can anyone over hear say, ''well, none of this money is going to go to illegals'' when the Congressional Budget Office has made it clear and issued their report that the net cost to taxpayers because of the opening up of the citizenship standard is 6.5 billion, that is with a B, $6.5 billion, Mr. Speaker.

There isn't an argument on this that is seriously grounded in the facts. We take our facts from the Congressional Budget Office.

So I will roll this together. In my State, currently a family of four qualifies for hawk-i, SCHIP funding, for their health insurance. This isn't health care, remember; it is health insurance, at $51,625 a year. A family of four. That is off the Web page of Governor Culver, by the way. And if this bill had passed, it would have qualified that same family of four at $77,437 a year. But this Congress first passed 400 percent of poverty, which would have qualified that same family of four at 103,250 or so dollars in that legislation, over $100,000, and not a fiscally responsible peep out of the Speaker, out of the Democrat side of the aisle that I heard, out of my Governor. No one stood up for the taxpayer on that side of the aisle. That is because they are actively engaged in laying the cornerstone for socialized medicine.

I will continue, 2.0 million children, taken off of their own private insurance, nudged off, because the government will pay for it, why would you pay for it? If it is free or you have to write a check, which line are you going to get into? There will still be a lot of patriotic Americans who will get into the ''I will pay for my own line.'' God bless you for that. That is, by the way, 2.0 million children. That is a Congressional Budget Office number, the highest standard we have here; $6.5 billion for illegals to go on Medicaid and SCHIP? That is a Congressional Budget Office number.

You can't convince me that this isn't going to legalize access to health care services for illegals who, if we had the voucher delivered by ICE, the Immigration Custom Enforcement, would be compelled to pick them up and send them back to their own country. Think about that. If we made the couriers for vouchers for SCHIP to be ICE, they would have to come along and say, ''Well, okay, here's your voucher, but you're not going to be able to cash it in because I am sending you back home again because that is the law.''

How bizarre is it to hear the rhetoric coming out of that side of the aisle? These are the facts, Mr. Speaker. It weakens the citizenship requirement. It is a net loss to my State of $226 million, more tobacco tax paid sent to Washington, we get $226 million less. Bad deal, Governor Culver. You ought to understand that. That is also a number that is put out by a government office, and that is the Centers for Disease Control produced a number of a minus $226 million just for Iowa. Other States did worse. Other States were net gainers. The tobacco tax, 156 percent increase, and then, Mr. Speaker, not forgetting about the 22.4 million new smokers that we will need to get this program funded.

So, all in all, Republicans have taken care of this. We created this program. State Children's Health Insurance Program is about providing help in health insurance premiums for the children in lower income families that don't qualify for Medicaid. It is about the transition off of Medicaid on to private, on to self-reliance, on to all the dignity that comes with carrying your own load, helping transition gradually and easily off on to that. It is about that.

It is about protecting and preserving our private health care system that is the best in the world. That is where we are on this side of the aisle, Mr. Speaker. That is where the President is on this. The other side of the aisle is about laying the cornerstone for socialized medicine, because once you get 95 percent of the people dependent on a program, they consider it an entitlement. Democrats know that. The Democrat leadership knows that at least. And that, I believe, Mr. Speaker, is the strategy.

I don't know how, when they come back with the next argument that was laid out by here by Bill Clinton that they wanted to lower Medicare eligibility to 55 years old, then you look at

this universe of people, people collecting SCHIP today at age 25, remember all those adults in places like Minnesota and Wisconsin, up to age 25, and if we lower Medicare eligibility to 55, now who is paying the bill for all the health insurance and health care in America? Well, it would be those folks between the ages of 25 and 55, Mr. Speaker. And don't you think that side of the aisle knows the resentment that will build when someone writes their own check for their health insurance premium and their check for the alternative minimum tax and their check for their income tax and they realize that they are paying for theirs and everybody else's. If they can't say no to this, then they are going to come back to us and say, ''Give us the Canadian plan. I give up. I capitulate. Because I just can't fund it both ways. You have made it too easy for too many people. Now it is too hard for me.''

That will be the calculus among the American people. That will be what ultimately closes this and builds this socialized medicine that they are trying so desperately to build. And by the way, there is no provision to fund this thing past these years that I have shown here, Mr. Speaker. That cliff in the funding drops off. It drops down to a very small percentage of the overall revenue stream. The reason is they believe that they will have a President and a majority in the House and in the Senate that will have given us the full-ride socialized medicine. So they don't have to worry about funding this through this program. Watch as this unfolds. Bill Clinton stood back in this well September 22, 1993, and he gave about an hour speech, 12 pages long, that lays out the game plan. Now his wife is poised to carry out the balance of it.

I stand here in resistance to socialized medicine or laying the cornerstone for it, but I stand with my colleagues in protecting the kids in America, protecting their freedom, protecting an investment in them. I refuse, I refuse to put this burden as a national debt upon those same kids and ask them to pay it when they get to be the age of adults.

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

SPECIAL ORDERS GRANTED

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

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

Mr. CUMMINGS, for 5 minutes, today.

Mr. MURPHY of Connecticut, for 5 minutes, today.

Mr. MORAN of Virginia, for 5 minutes, today.

Mr. WYNN, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

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

Mr. POE, for 5 minutes, today and October 25.

Mr. JONES of North Carolina, for 5 minutes, today and October 25.

Mr. TIM MURPHY of Pennsylvania, for 5 minutes, today.

Mr. FRANKS of Arizona, for 5 minutes, today.

Mr. DANIEL E. LUNGREN of California, for 5 minutes, today.

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

Mr. KIRK, for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 25 minutes p.m.), under its previous order, the House adjourned until Monday, October 22, 2007, at 12:30 p.m., for morning-hour debate.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> ''I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.''

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 110th Congress, pursuant to the provisions of 2 U.S.C. 25:

NIKI TSONGAS, Massachusetts, Fifth.

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, Laura Richardson, Ciro D. Rodriguez, Harold Rogers, Mike 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, Niki Tsongas, 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:

3772. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Fluazinam; Pesticide Tolerance [EPA-HQ-OPP-2007-0234; FRL-8152-4] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3773. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Charles L. Johnson II, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3774. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Michael W. Wooley, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3775. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement Vice Admiral Ronald A. Route, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

3776. A letter from the Secretary, Department of Defense, transmitting letter on the approved retirement of General Ronald E. Keys, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

3777. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting letter on the approved retirement of General Paul V. Hester, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

3778. A letter from the Regulatory Specialist, Department of the Treasury, transmitting the Department's final rule — Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks [Docket ID OCC-2007-00014] (RIN: 1557-AD02) received October 3, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3779. A letter from the Acting Deputy Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — The Individuals With Disabilities Education Act Multi-Year Individualized Education Program Demonstration Program (RIN: 1820-ZA41) received October 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

3780. A letter from the Acting Deputy Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — The Individuals With Disabilities Education Act Paperwork Waiver Demonstration Program (RIN: 1820-ZA42) received October 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

3781. A letter from the Acting Deputy Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — Technical Assistance on Data Collection-Technical Assistance Center for Data Collection, Analysis, and Use for Accountability in Special Education and Early Intervention — received October 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

3782. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Definition of Cogeneration Unit in Clean Air Interstate Rule (CAIR), CAIR Federal Implementation Plans, Clean Air Mercury Rule (CAMR); and Technical Corrections to CAIR, CAIR FIPs, CAMR, and Acid Rain Program Rules [EPA-HQ-OAR-2007-0012; FRL-8483-7] (RIN: 2060-A033) received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3783. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Indiana; Redesignation of Central Indiana To Attainment of the 8-Hour Ozone Standard [EPA-R05-OAR-2007-0173; FRL-8484-2] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3784. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; Commonwealth of Virginia; Control of Total Reduced Sulfur From Pulp and Paper Mills [EPA-R03-OAR-2005-VA-0012; FRL-8484-4] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3785. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri; Transportation Conformity [EPA-R07-OAR-2007-0912; FRL-8483-3] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3786. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans Kentucky: Performance Testing and Open Burning [EPA-R04-OAR-2005-KY-0004-200733, FRL-8482-5] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3787. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Georgia: Redesignation of Murray County, Georgia 8-Hour Ozone Nonattainment Area to Attainment for Ozone [EPA-R04-OAR-2007-0549-200742; FRL-8482-4] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3788. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans and Operating Permits Program; State of Iowa [EPA-R07-OAR-2007-0718; FRL-8483-1] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3789. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation of the Mercer County Portion of the Youngstown-Warren-Sharon, OH-PA 8-Hour Ozone Nonattainment Area to Attainment and Approval of the Area's Maintenance Plan and 2002 Base Year Inventory [EPA-R03-OAR-2007-0344; FRL-8484-3] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3790. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Virginia; Control of Particulate Matter From Pulp and Paper Mills [EPA-R03-OAR-2005-VA-0011; FRL-8484-5] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3791. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-12, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Australia for defense articles and services; to the Committee on Foreign Affairs.

3792. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-24, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Australia for defense articles and services; to the Committee on Foreign Affairs.

3793. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-05, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Egypt for defense articles and services; to the Committee on Foreign Affairs.

3794. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-03, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Saudi Arabia for defense articles and services; to the Committee on Foreign Affairs.

3795. A letter from the Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-04, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to United Arab Emirates for defense articles and services; to the Committee on Foreign Affairs.

3796. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-08 concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Kuwait for defense articles and services; to the Committee on Foreign Affairs.

3797. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Inspector General's semiannual report for the period October 1, 2006 through March 31, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

3798. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Migratory Bird Permits; Removal of Migratory Birds from Buildings (RIN: 1018-AV10) received October 5, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3799. A letter from the Chief Justice, Supreme Court of the United States, transmitting a copy of the Report of the Proceedings of the Judicial Conference of the United States, September 19, 2006, pursuant to 28 U.S.C. 331; to the Committee on the Judiciary.

3800. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the 2006 annual report on the activities and operations of the Public Integrity Section, Criminal Division, pursuant to 28 U.S.C. 529; to the Committee on the Judiciary.

3801. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting a report of the Bureau of Justice Assistance entitled, ''Fiscal Year 2005 Annual Report to Congress,'' pursuant to 42 U.S.C. 3711; to the Committee on the Judiciary.

3802. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting a copy of a draft bill to amend the reporting requirements of Title III of the Omnibus Crime Control and Safe Streets Act of 1968; to the Committee on the Judiciary.

3803. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report on ''data-mining'' activities pursuant to Section 126 of the USA Patriot Improvement and Reauthorization Act of 2005, Pub. L. 109-177; to the Committee on the Judiciary.

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. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 3224. A bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams; with an amendment (Rept. 110–386). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 3247. A bill to improve the provision of disaster assistance for Hurricanes Katrina and Rita, and for other purposes; with an amendment (Rept. 110–387). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 1483. A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes, with an amendment (Rept. 110–388). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 505. A bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity (Rept. 110–389). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 3564. A bill to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States through fiscal year 2011, and for other purposes (Rept. 110–390). 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. TIM MURPHY of Pennsylvania:

H.R. 3884. A bill to amend title 18, United States Code, to provide for punishment for killing a member of the Armed Forces of the United States; to the Committee on the Judiciary.

By Mr. TIM MURPHY of Pennsylvania:

H.R. 3885. A bill to suspend temporarily the duty on standard grade ferroniobium; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY (for herself and Mr. CANTOR):

H.R. 3886. A bill to optimize the delivery of critical care medicine and expand the critical care workforce; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANTOS (for himself, Mr. SMITH of New Jersey, Mr. CONYERS, Mr. WOLF, Mr. GEORGE MILLER of California, Ms. ROS-LEHTINEN, Ms. ZOE LOFGREN of California, Mr. PITTS, Mrs. MALONEY of New York, Mrs. DRAKE, Mr. NADLER, and Mr. HASTINGS of Florida):

H.R. 3887. A bill to authorize appropriations for fiscal years 2008 through 2011 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat forced labor, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MUSGRAVE (for herself, Mr. PRICE of Georgia, Mr. FEENEY, Mr. WALBERG, Mr. BOEHNER, Mr. BLUNT, Mr. CANTOR, Mr. PUTNAM, Mr. KELLER, Mr. TERRY, Mr. ROSKAM, Mr. THORNBERRY, Mr. SESSIONS, Mr. CHABOT, Mr. DAVID DAVIS of Tennessee, Mr. HELLER, Mr. KLINE of Minnesota, Mr. PENCE, Mr. CARTER, Mr. GOHMERT, Mr. WELDON of Florida, Mr. WESTMORELAND, Mr. PITTS, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. ISSA, Mr. BARTLETT of Maryland, Mr. SMITH of Nebraska, Mr. HOEKSTRA, Mrs. SCHMIDT, Mr. BROWN of South Carolina, Mr. COBLE, Mr. MILLER of Florida, Mr. BURTON of Indiana, Mr. GINGREY, Mr. BOOZMAN, Mr. SMITH of Texas, Mr. GARY G. MILLER of California, Mr. CRENSHAW, Mr. WAMP, Mrs. CUBIN, and Mr. FRANKS of Arizona):

H.R. 3888. A bill to provide for a 5-year SCHIP reauthorization for coverage of low-income children, an expansion of child health care insurance coverage through tax fairness, and a health care Federalism initiative, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and 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 Mr. BOOZMAN:

H.R. 3889. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to conduct a longitudinal study of the vocational rehabilitation programs administered by the Secretary; to the Committee on Veterans' Affairs.

By Mr. LANTOS (for himself, Ms. ROS-LEHTINEN, Mr. KING of New York, Mrs. MALONEY of New York, Mr. SMITH of New Jersey, and Mr. PITTS):

H.R. 3890. A bill to amend the Burmese Freedom and Democracy Act of 2003 to waive

the requirement for annual renewal resolutions relating to import sanctions, impose import sanctions on Burmese gemstones, expand the number of individuals against whom the visa ban is applicable, expand the blocking of assets and other prohibited activities, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROWN of South Carolina (for himself and Ms. BORDALLO):

H.R. 3891. A bill to amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation; to the Committee on Natural Resources.

By Mr. DAVIS of Illinois (for himself, Mr. CUMMINGS, Mr. WYNN, Mr. KUCINICH, Mr. MORAN of Virginia, Ms. NORTON, Mr. JEFFERSON, Mr. SARBANES, Mr. LYNCH, and Mr. BRALEY of Iowa):

H.R. 3892. A bill to establish the Federal Labor-Management Partnership Council; to the Committee on Oversight and Government Reform.

By Mr. ALLEN (for himself and Mr. MICHAUD):

H.R. 3893. A bill to promote the deployment and adoption of telecommunications services and information technologies, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BEAN:

H.R. 3894. A bill to amend the Truth in Lending Act to establish requirements for providing negatively amortizing mortgage loans to first-time borrowers, and for other purposes; to the Committee on Financial Services.

By Ms. DELAURO (for herself, Mr. WAXMAN, Ms. WOOLSEY, Mr. MORAN of Virginia, Ms. SCHAKOWSKY, Mr. EMANUEL, Mr. GEORGE MILLER of California, Mr. HINCHEY, Ms. MCCOLLUM of Minnesota, Ms. ZOE LOFGREN of California, Mr. GRIJALVA, Mr. MCGOVERN, and Ms. KAPTUR):

H.R. 3895. A bill to amend the Federal Food, Drug, and Cosmetic Act to extend the food labeling requirements of the Nutrition Labeling and Education Act of 1990 to enable customers to make informed choices about the nutritional content of standard menu items in large chain restaurants; to the Committee on Energy and Commerce.

By Ms. DELAURO (for herself, Mr. WEINER, Mr. ISRAEL, Mr. HARE, and Mr. WELCH of Vermont):

H.R. 3896. A bill to facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Development Corporation, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Financial Services, and Ways and Means, 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. DONNELLY:

H.R. 3897. A bill to amend the Internal Revenue Code of 1986 to permanently extend the deduction for environmental remediation costs; to the Committee on Ways and Means.

By Mr. FOSSELLA (for himself, Mr. KING of New York, Mr. TANCREDO, Mr. KUHL of New York, Mr. FEENEY, Mr. POE, Mr. BUYER, Mr. BAKER, Mrs. MYRICK, Mr. MARIO DIAZ-BALART of Florida, Mr. TERRY, and Mr. PITTS):

H.R. 3898. A bill to impose travel and other related restrictions on heads of state of countries that are state sponsors of terrorism who are attending events at the United Nations in New York City; to the Committee on Foreign Affairs.

By Mr. HUNTER:

H.R. 3899. A bill to provide a civil action for a minor injured by exposure to an entertainment product containing material that is harmful to minors, and for other purposes; to the Committee on the Judiciary.

By Mr. HUNTER:

H.R. 3900. A bill to amend the Internal Revenue Code of 1986 to exempt from tax income from domestic manufacturing activities; to the Committee on Ways and Means.

By Mr. KIRK (for himself and Mr. ROSKAM):

H.R. 3901. A bill to require the Secretary of Agriculture, acting through the Deputy Chief of the State and Private Forestry organization, to provide loans to eligible units of local government to finance purchases of authorized equipment to monitor, remove, dispose of, and replace infested trees that are located on land under the jurisdiction of the eligible units of local government and within the borders of quarantine areas infested by the emerald ash borer, and for other purposes; to the Committee on Agriculture.

By Mr. LOEBSACK (for himself, Mr. HARE, and Mr. SARBANES):

H.R. 3902. A bill to amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants for the renovation of schools; to the Committee on Education and Labor.

By Mr. MATHESON (for himself, Mr. HILL, Mr. GORDON, and Ms. BEAN):

H.R. 3903. A bill to amend the Consumer Product Safety Act to require the development of a multi-stage product testing process to ensure compliance of children's products with consumer product safety standards, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MCCARTHY of New York:

H.R. 3904. A bill to amend the Public Health Service Act with regard to research on asthma, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCDERMOTT (for himself, Mr. ENGLISH of Pennsylvania, Mr. SMITH of Washington, Mr. WELLER, Ms. WATSON, Mr. BURTON of Indiana, Mr. BLUMENAUER, Mr. CROWLEY, and Mr. MEEK of Florida):

H.R. 3905. A bill to provide for an additional trade preference program for least developed countries, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Foreign Affairs, and 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 Mr. MURPHY of Connecticut:

H.R. 3906. A bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for State and local sales tax, the deduction for qualified tuition and related expenses, the deduction for mortgage interest premiums, and the modifications to the dependent care credit; to the Committee on Ways and Means.

By Mr. MURPHY of Connecticut:

H.R. 3907. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for small businesses; to the Committee on Ways and Means.

By Mrs. MUSGRAVE (for herself, Mr. HOEKSTRA, Mrs. BACHMANN, Mr. HERGER, Mr. PITTS, Mr. SHADEGG, Mr. GOODE, Mr. WESTMORELAND, Mr. CANTOR, Mr. DOOLITTLE, Mr. DAVID DAVIS of Tennessee, Mr. WALBERG, Mr. FORTUÑO, Mrs. MYRICK, Mr. FEENEY, Mr. CAMPBELL of California, Mr. PENCE, Mr. KLINE of Minnesota, Mr. BARTLETT of Maryland, Ms. FOXX, Mr. PRICE of Georgia, Mr. GOHMERT, Mr. CARTER, Mr. BARRETT of South Carolina, Mr. BILBRAY, Mr. KING of Iowa, Mr. LAMBORN, and Mr. MCCOTTER):

H.R. 3908. A bill to direct the Architect of the Capitol to ensure that the Pledge of Allegiance to the Flag and the national motto ''In God We Trust'' are each displayed prominently in the Capitol Visitor Center on a permanent basis and to prohibit the Architect from removing or refusing to include language or other content from exhibits and materials relating to the Capitol Visitor Center on the grounds that the language or content includes a religious reference or Judeo-Christian content; to the Committee on House Administration.

By Mrs. TAUSCHER (for herself and Mr. CASTLE):

H.R. 3909. A bill to require a report on the size and mixture of the Air Force intertheater airlift force; to the Committee on Armed Services.

By Mr. VAN HOLLEN:

H.R. 3910. A bill to amend title 5, United States Code, to allow any Federal employee who has performed sufficient service to entitle such employee to the maximum annuity percentage allowable under the Civil Service Retirement System to terminate retirement deductions from pay; to the Committee on Oversight and Government Reform.

By Mrs. SCHMIDT (for herself, Mr. OBERSTAR, and Ms. GINNY BROWN-WAITE of Florida):

H. Con. Res. 239. Concurrent resolution recognizing and honoring birthparents who carry out an adoption plan; to the Committee on Education and Labor.

By Mr. CANTOR (for himself and Ms. BERKLEY):

H. Res. 756. A resolution condemning the Wakf's digging activities at the Temple Mount site and deploring the destruction of artifacts vitally important to Jewish, Christian and Muslim faiths; to the Committee on Foreign Affairs.

By Mr. ANDREWS (for himself, Mrs. MALONEY of New York, Ms. JACKSON-LEE of Texas, Mr. BOUCHER, and Mr. COHEN):

H. Res. 757. A resolution requiring the House of Representatives to take any legislative action necessary to verify the ratification of the Equal Rights Amendment as part of the Constitution when the legislatures of an additional three States ratify the Equal Rights Amendment; to the Committee on the Judiciary.

By Mr. BLUNT (for himself and Ms. BERKLEY):

H. Res. 758. A resolution urging Palestinian Authority President Mahmoud Abbas, who is also Chairman of his Fatah party, to officially abrogate the 10 articles in the Fatah Constitution that call for Israel's destruction and terrorism against Israel, oppose any political solution to the Israeli-Palestinian conflict, and label Zionism as racism; to the Committee on Foreign Affairs.

By Mr. WAXMAN (for himself, Mr. ENGEL, Mr. BERMAN, Ms. SCHWARTZ, Mr. WEXLER, Mr. HASTINGS of Florida, Mr. LEVIN, Mr. CANTOR, Mr. ROTHMAN, Mr. SCHIFF, Mr. HONDA, Mr. BUTTERFIELD, Mr. LEWIS of Georgia, Mr. CROWLEY, Mr. NADLER, and Mr. ACKERMAN):

H. Res. 759. A resolution recognizing the 40th Anniversary of the Mass Movement for Soviet Jewish Freedom and the 20th Anniversary of the Freedom Sunday Rally for Soviet Jewry on the Mall in Washington, D.C;

to the Committee on Oversight and Government Reform.

By Ms. CASTOR (for herself and Mr. REICHERT):

H. Res. 760. A resolution supporting the goals and ideals of Children's Health Month; to the Committee on Energy and Commerce.

By Mr. WOLF:

H. Res. 761. A resolution expressing the sense of the House of Representatives regarding the violation of the human rights of United Nations Special Rapporteur on Trafficking in Persons, Sigma Huda, and others, by the caretaker government of Bangladesh; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

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

H.R. 39: Mr. LARSON of Connecticut.
H.R. 121: Mr. WALSH of New York.
H.R. 136: Ms. GINNY BROWN-WAITE of Florida.
H.R. 138: Ms. GINNY BROWN-WAITE of Florida and Mrs. CUBIN.
H.R. 139: Mr. PAUL.
H.R. 460: Mr. CAPUANO.
H.R. 468: Mr. HASTINGS of Florida.
H.R. 503: Ms. WASSERMAN SCHULTZ.
H.R. 510: Mr. LATHAM.
H.R. 688: Ms. GIFFORDS.
H.R. 719: Mr. FEENEY.
H.R. 826: Mr. BURTON of Indiana.
H.R. 871: Mr. LANTOS.
H.R. 891: Mr. ALTMIRE, Mr. BISHOP of New York, and Mr. GERLACH.
H.R. 946: Mrs. LOWEY and Mr. FILNER.
H.R. 1108: Mr. DICKS.
H.R. 1174: Mr. STEARNS, Mr. SESTAK, Mrs. BLACKBURN, Mr. BROWN of South Carolina, Mr. EHLERS, Mr. JONES of North Carolina, Mr. CALVERT, Mr. MARIO DIAZ-BALART of Florida, and Mr. BOUSTANY.
H.R. 1222: Mr. HARE.
H.R. 1223: Mr. HARE.
H.R. 1244: Ms. SCHAKOWSKY and Mr. CUMMINGS.
H.R. 1275: Mr. OLVER.
H.R. 1304: Mr. KENNEDY and Mr. BACHUS.
H.R. 1314: Mr. PICKERING.
H.R. 1418: Ms. SHEA-PORTER.
H.R. 1419: Mr. WATT and Mr. RYAN of Wisconsin.
H.R. 1422: Mr. CAMP of Michigan.
H.R. 1459: Mr. BAKER.
H.R. 1552: Mr. CLAY and Mr. SCHIFF.
H.R. 1576: Mr. PRICE of North Carolina and Mr. BOUCHER.
H.R. 1584: Mr. WATT.
H.R. 1609: Mr. PETERSON of Minnesota and Mr. MILLER of North Carolina.
H.R. 1619: Mr. CALVERT and Mr. AL GREEN of Texas.
H.R. 1644: Mr. PASCRELL, Mr. MILLER of North Carolina, Ms. DEGETTE, and Ms. KILPATRICK.
H.R. 1655: Mr. HINCHEY and Ms. BERKLEY.
H.R. 1665: Mr. ROGERS of Kentucky and Mr. LAHOOD.
H.R. 1747: Ms. GINNY BROWN-WAITE of Florida.
H.R. 1783: Mr. LOBIONDO and Ms. ZOE LOFGREN of California.
H.R. 1881: Mr. CLAY, Mr. SESTAK, and Mr. SERRANO.
H.R. 1971: Mr. COSTELLO.
H.R. 1976: Mr. PASCRELL.
H.R. 2016: Ms. SOLIS, Mr. HONDA, Ms. KILPATRICK, Mr. SPRATT, and Mr. KENNEDY.
H.R. 2045: Mr. MARKEY.
H.R. 2070: Mr. JACKSON of Illinois.
H.R. 2091: Ms. CLARKE and Mr. CARNEY.
H.R. 2123: Ms. ROS-LEHTINEN.
H.R. 2138: Mr. SALI.
H.R. 2164: Mr. GARY G. MILLER of California.
H.R. 2169: Mr. PATRICK MURPHY of Pennsylvania, Mr. HALL of New York, and Mr. SESTAK.
H.R. 2234: Ms. SLAUGHTER.
H.R. 2280: Mr. BARROW.
H.R. 2329: Mr. PLATTS and Mr. CHANDLER.
H.R. 2392: Mr. RANGEL.
H.R. 2405: Mrs. MCCARTHY of New York and Mr. GILCHREST.
H.R. 2408: Mr. BOOZMAN.
H.R. 2457: Mr. WATT.
H.R. 2464: Mr. KIND and Ms. BALDWIN.
H.R. 2470: Mr. MARKEY and Mr. SESTAK.
H.R. 2508: Mr. GARY G. MILLER of California.
H.R. 2537: Mr. KAGEN, Mr. KLEIN of Florida, Ms. SCHAKOWSKY, Mr. SESTAK, and Mr. ROTHMAN.
H.R. 2550: Mr. STUPAK and Mr. SKELTON.
H.R. 2566: Mr. ELLSWORTH.
H.R. 2585: Mr. BURTON of Indiana.
H.R. 2747: Mr. LATHAM.
H.R. 2784: Mr. SMITH of Texas.
H.R. 2834: Ms. SLAUGHTER.
H.R. 2860: Mr. JINDAL.
H.R. 2933: Mr. PUTNAM.
H.R. 2964: Mr. MOORE of Kansas, Mr. CUMMINGS, Mrs. CAPPS, Mr. FILNER, and Mr. STARK.
H.R. 3001: Mr. HASTINGS of Florida.
H.R. 3005: Mr. BARROW and Ms. KILPATRICK.
H.R. 3012: Mr. GERLACH and Mr. JONES of North Carolina.
H.R. 3016: Mr. TIAHRT.
H.R. 3047: Mr. STEARNS.
H.R. 3187: Mr. SOUDER.
H.R. 3195: Mr. RYAN of Ohio, Mr. LINCOLN DAVIS of Tennessee, Ms. ROS-LEHTINEN, Ms. HIRONO, Mrs. MILLER of Michigan, Mr. BUCHANAN, and Mr. LOBIONDO.
H.R. 3212: Ms. ZOE LOFGREN of California.
H.R. 3224: Ms. HERSETH SANDLIN.
H.R. 3229: Mr. RENZI, Mr. GALLEGLY, Mr. DANIEL E. LUNGREN of California, Mr. BILIRAKIS, Mr. MICA, Mr. PUTNAM, Mr. KING of Iowa, Mr. CRENSHAW, Mr. LINCOLN DIAZ-BALART of Florida, Mr. BURTON of Indiana, Mr. TIAHRT, Mr. DAVIS of Kentucky, Mr. BOUSTANY, Mr. BAKER, Mr. ROGERS of Michigan, Mr. REHBERG, Mr. PEARCE, Mr. COBLE, Mr. LATOURETTE, Mr. TURNER, Mr. DENT, Mr. ENGLISH of Pennsylvania, Mr. SHUSTER, Mrs. BLACKBURN, Mr. DUNCAN, Mr. CARTER, Mr. HALL of Texas, Ms. GRANGER, Mr. POE, Mr. SMITH of Texas, Mr. CANTOR, Mr. FURTUPO, Mr. CHABOT, Mr. NEUGEBAUER, Mr. BOOZMAN, Mr. SKELTON, Mr. BOEHNER, Mr. HASTERT, Mr. LAHOOD, Mr. PICKERING, Mr. SESSIONS, Mr. WICKER, Mr. GOODE, Mr. LUCAS, Mr. ROGERS of Alabama, Mr. BONNER, Mr. GRAVES, Mrs. MYRICK, Mrs. CUBIN, Mr. LATHAM, Ms. GINNY BROWN-WAITE of Florida, Mr. CUELLAR, Mr. MCCAUL of Texas, Mr. FLAKE, Mr. SHULER, Ms. FOXX, Mr. COLE of Oklahoma, Mr. ROSKAM, Mr. JOHNSON of Georgia, Mr. KIRK, Mr. SHADEGG, Mr. BISHOP of Utah, Mr. MCCRERY, Mr. BOREN, Mr. SIMPSON, Mr. HUNTER, Mr. BARROW, Mr. SCOTT of Georgia, Mr. MELANCON, Mr. FORTENBERRY, Mr. PORTER, Mr. REYNOLDS, Mrs. SCHMIDT, Mr. KUHL of New York, Mr. JONES of North Carolina, Mr. BOYD of Florida, Mr. ROSS, Mr. LINCOLN DAVIS of Tennessee, Mr. EHLERS, Ms. MATSUI, Mr. TERRY, Mr. CALVERT, Mr. LEWIS of Georgia, Mr. MCCOTTER, Mr. SHAYS, Mr. PASCRELL, Mr. HOEKSTRA, and Mr. ISSA.
H.R. 3273: Mr. FORTENBERRY and Ms. LORETTA SANCHEZ of California.
H.R. 3281: Mr. DOYLE.
H.R. 3309: Mr. MCNULTY.
H.R. 3320: Mr. BILIRAKIS.
H.R. 3339: Ms. BALDWIN.
H.R. 3363: Mr. HINCHEY.
H.R. 3378: Ms. BERKLEY, Mr. AL GREEN of Texas, and Mr. SIRES.
H.R. 3413: Mr. CAMPBELL of California.
H.R. 3418: Mr. CRAMER.
H.R. 3461: Mr. CARNAHAN, Mr. GRIJALVA, Mr. MCGOVERN, Mr. BOYD of Florida, Mr. HALL of New York, Mr. BOSWELL, Mr. COOPER, and Mr. EMANUEL.
H.R. 3481: Mr. BLUMENAUER, Mr. WALZ of Minnesota, Mr. JACKSON of Illinois, Mr. FARR, Mrs. CHRISTENSEN, Mr. WELCH of Vermont, Ms. WATERS, Ms. MCCOLLUM of Minnesota, Ms. HIRONO, Mr. LEWIS of Georgia, Mr. PATRICK MURPHY of Pennsylvania, and Ms. LORETTA SANCHEZ of California.
H.R. 3498: Mr. COHEN.
H.R. 3511: Mr. MCCRERY, Mr. BAKER, Mr. MELANCON, Mr. BOUSTANY, Mr. JINDAL, and Mr. JEFFERSON.
H.R. 3514: Mr. HINOJOSA.
H.R. 3533: Ms. BALDWIN.
H.R. 3541: Ms. HIRONO and Mrs. CUBIN.
H.R. 3543: Mr. WALZ of Minnesota.
H.R. 3544: Ms. BALDWIN.
H.R. 3545: Mr. KIND.
H.R. 3569: Mr. HERGER, Mr. CARDOZA, Ms. ZOE LOFGREN of California, Mr. FARR, Mr. RADANOVICH, Mr. NUNES, Mr. MCCARTHY of California, Mrs. CAPPS, Mr. GALLEGLY, Mr. MCKEON, Mr. DREIER, Mr. SHERMAN, Ms. LINDA T. SÁNCHEZ of California, Mr. ROYCE, Mr. LEWIS of California, Mr. GARY G. MILLER of California, Mr. CALVERT, Mrs. BONO, Mr. ROHRABACHER, Ms. LORETTA SANCHEZ of California, Mr. CAMPBELL of California, Mr. ISSA, Mr. BILBRAY, Mr. FILNER, Mr. HUNTER, Mrs. DAVIS of California, and Ms. PELOSI.
H.R. 3584: Mr. HENSARLING.
H.R. 3585: Mr. WU.
H.R. 3609: Mr. BLUMENAUER.
H.R. 3622: Mr. SCOTT of Georgia, Mr. MICHAUD, Mr. ADERHOLT, Mr. ALTMIRE, and Mr. BARROW.
H.R. 3627: Ms. SUTTON.
H.R. 3635: Mr. LYNCH, Mr. COSTA, and Mr. CAMP of Michigan.
H.R. 3654: Mr. BOREN, Mr. BOSWELL, Mr. CRAMER, Mr. SHULER, Mrs. DAVIS of California, Mr. PETERSON of Minnesota, Mr. CHANDLER, Mr. HELLER, Mr. KINGSTON, Mr. STEARNS, Mr. GARRETT of New Jersey, Mr. PENCE, Mr. EVERETT, Mrs. MCMORRIS RODGERS, Mr. THORNBERRY, and Mr. TIBERI.
H.R. 3664: Mr. SENSENBRENNER.
H.R. 3691: Ms. BERKLEY, Mr. DAVIS of Illinois, Mr. GENE GREEN of Texas, Mr. ISRAEL, Mr. KAGEN, Mr. MORAN of Virginia, Mr. MURPHY of Connecticut, Mr. PALLONE, Mr. PAYNE, Mr. STUPAK, Mr. BRALEY of Iowa, Mr. ROTHMAN, Mr. BERMAN, Mr. CARDOZA, Mr. DELAHUNT, Mr. KILDEE, Ms. KILPATRICK, Mr. CONYERS, Mr. COSTELLO, Mr. ABERCROMBIE, Mr. CROWLEY, Mr. BLUMENAUER, Mr. HASTINGS of Florida, Mr. BECERRA, Mr. GORDON, and Mr. FRANK of Massachusetts.
H.R. 3697: Mr. ENGEL.
H.R. 3710: Mr. BRADY of Pennsylvania.
H.R. 3711: Mr. SPACE, Mr. PASTOR, Mr. STUPAK, and Mr. FORTUÑO.
H.R. 3718: Mr. PATRICK MURPHY of Pennsylvania, Ms. SUTTON, and Ms. MCCOLLUM of Minnesota.
H.R. 3726: Mr. ARCURI and Mr. KLEIN of Florida.
H.R. 3727: Mr. GRIJALVA.
H.R. 3753: Mr. GERLACH, Mr. FEENEY, Mr. CUELLAR, Mr. DAVIS of Alabama, Mr. MORAN of Kansas, Mr. COHEN, Mr. DREIER, Mr. LEWIS of California, Mr. CANNON, Ms. ESHOO, and Mr. RUPPERSBERGER.
H.R. 3779: Mr. GOODLATTE, Mr. GARY G. MILLER of California, Mr. AKIN, and Ms. GINNY BROWN-WAITE of Florida.
H.R. 3793: Mr. MITCHELL, Mrs. TAUSCHER, Ms. HOOLEY, Mr. PORTER, and Mr. GORDON.
H.R. 3797: Mr. ENGLISH of Pennsylvania and Mr. CLAY.
H.R. 3801: Mr. MEEKS of New York and Mr. AL GREEN of Texas.
H.R. 3802: Mr. SMITH of Nebraska.

H.R. 3806: Mr. FRANKS of Arizona.

H.R. 3818: Mr. THORNBERRY, Mrs. MCMORRIS RODGERS, Mr. BROWN of South Carolina, Mr. FLAKE, Mr. RADANOVICH, Mr. SMITH of Texas, Mr. BARRETT of South Carolina, Mr. SHADEGG, Mr. HOEKSTRA, Mr. MANZULLO, Mr. CARTER, Mr. GOHMERT, Mrs. MYRICK, Mr. Fortuño, Mr. DAVID DAVIS of Tennessee, and Mr. CALVERT.

H.R. 3824: Mr. DOGGETT, Mr. UPTON, Mr. GILCHREST, and Mr. MOORE of Kansas.

H.R. 3825: Mrs. MCCARTHY of New York, Ms. BALDWIN, Mr. RUSH, Ms. MATSUI, Mr. ROTHMAN, Ms. ESHOO, Mr. PEARCE, and Mr. TOWNS.

H.R. 3827: Mr. CROWLEY.

H.R. 3837: Mr. CLAY.

H.R. 3841: Mr. HINCHEY.

H.R. 3864: Mr. HOEKSTRA, Mr. GINGREY, Mr. CANTOR, and Mr. BONNER.

H.R. 3875: Mr. WAXMAN, Ms. WATSON, Mr. DAVIS of Illinois, Mr. CUMMINGS, Mr. TIERNEY, and Mr. BRALEY of Iowa.

H.J. Res. 54: Mr. WELDON of Florida and Mr. BARROW.

H.J. Res. 58: Mr. PETERSON of Minnesota and Mr. CONAWAY.

H. Con. Res. 11: Mr. HONDA.

H. Con. Res. 218: Ms. GINNY BROWN-WAITE of Florida, Mr. DOOLITTLE, Mr. HOEKSTRA, and Mr. DAVID DAVIS of Tennessee.

H. Con. Res. 221: Mr. ISRAEL.

H. Con. Res. 223: Mr. BLUMENAUER.

H. Con. Res. 229: Mr. HINCHEY and Mr. KENNEDY.

H. Con. Res. 230: Mr. STEARNS, Mr. PAUL, and Mr. BUTTERFIELD.

H. Con. Res. 231: Ms. KAPTUR and Mr. MORAN of Virginia.

H. Con. Res. 234: Mr. CHABOT, Ms. BORDALLO, Mr. WOLF, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. ISSA.

H. Con. Res. 235: Mr. FRANKS of Arizona.

H. Res. 111: Mr. BUCHANAN, Mr. PERLMUTTER, Mr. PETRI, Mr. RUSH, and Mr. COSTELLO.

H. Res. 237: Mr. BOOZMAN.

H. Res. 322: Mr. BRADY of Pennsylvania.

H. Res. 542: Mr. GARY G. MILLER of California and Mr. COHEN.

H. Res. 684: Mrs. BOYDA of Kansas, Ms. HERSETH SANDLIN, Mr. PETERSON of Minnesota, Mr. GOODLATTE, Mr. LUCAS, Mr. GRAVES, Mr. NEUGEBAUER, Mr. KAGEN, Mrs. GILLIBRAND, Mr. HAYES, and Mr. MAHONEY of Florida.

H. Res. 693: Mr. GRIJALVA and Mr. MCDERMOTT.

H. Res. 735: Ms. BEAN, Mr. DELAHUNT, Mr. SALAZAR, Mr. LOEBSACK, Mr. MCNERNEY, Mr. SIRES, Mr. PASCRELL, Mr. DEFAZIO, Mr. MITCHELL, Mr. MCGOVERN, Mr. KIND, Mr. MOORE of Kansas, Mr. DICKS, Mr. OLVER, and Ms. KILPATRICK.

H. Res. 740: Mr. HONDA, Mr. SMITH of New Jersey, Ms. WOOLSEY, Ms. WATSON, Mr. WEXLER, Mr. JEFFERSON, Mr. COSTELLO, Mr. OLVER, and Mr. RANGEL.

H. Res. 748: Mr. HASTERT, Mr. FORTENBERRY, and Mr. ROGERS of Alabama.

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. 1396: Mr. DAVIS of Alabama, Mrs. LOWEY, and Mr. NEAL of Massachusetts.

H. Res. 106: Mr. KUHL of New York, and Mr. CUMMINGS.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 3, October 17, 2007, by Mr. MIKE PENCE on House Resolution 694, was signed by the following Members: Mike Pence, John A. Boehner, Roy Blunt, Adam H. Putnam, Eric Cantor, Marsha Blackburn, Adrian Smith, Michele Bachmann, Stevan Pearce, Greg Walden, Jeff Flake, Joe Wilson, Charles W. Boustany, Jr., Todd Tiahrt, Vito Fossella, Michael K. Conaway, Doc Hastings, Joseph R. Pitts, Mary Fallin, John R. ''Randy'' Kuhl, Jr., David Davis, Jim Jordan, Tom Price, J. Dennis Hastert, Kevin McCarthy, Thomas M. Reynolds, Judy Biggert, David Dreier, Connie Mack, Pete Sessions, Jeb Hensarling, Sam Johnson, Gary G. Miller, Mary Bono, Edward R. Royce, Sam Graves, John Campbell, Lee Terry, Dean Heller, Mike Ferguson, Gus M. Bilirakis, Ileana Ros-Lehtinen, Peter J. Roskam, J. Gresham Barrett, Henry E. Brown, Jr., Ted Poe, Jeff Miller, Daniel E. Lungren, Jeff Fortenberry, Charles W. Dent, Michael T. McCaul, Steve King, Tom Feeney, Louie Gohmert, Bill Shuster, John Abney Culberson, Virginia Foxx, Harold Rogers, Ron Lewis, John Shimkus, Barbara Cubin, Dan Burton, Lincoln Diaz-Balart, Rodney Alexander, Dennis R. Rehberg, John Kline, Frank A. LoBiondo, Mac Thornberry, Ric Keller, Fred Upton, Jo Bonner, Michael R. Turner, Scott Garrett, Chris Cannon, Ken Calvert, Jim Gerlach, Jerry Moran, Candice S. Miller, Thelma D. Drake, Dana Rohrabacher, Zach Wamp, Jo Ann Emerson, Virgil H. Goode, Jr., Kay Granger, Darrell E. Issa, Kenny Marchant, Phil English, Tim Walberg, Cathy McMorris Rodgers, Doug Lamborn, John B. Shadegg, Tom Latham, Ginny Brown-Waite, Lynn A. Westmoreland, Rob Bishop, Howard P. ''Buck'' McKeon, Patrick T. McHenry, Frank D. Lucas, John T. Doolittle, Wally Herger, John R. Carter, F. James Sensenbrenner, Jr., Bill Sali, Kevin Brady, Don Young, Michael K. Simpson, Michael C. Burgess, Ander Crenshaw, Jean Schmidt, Dave Weldon, Mario Diaz-Balart, Sue Wilkins Myrick, Todd W. Akin, Terry Everett, Donald A. Manzullo, Nathan Deal, Paul C. Broun, Tom Cole, Christopher Shays, Todd Russell Platts, Ralph M. Hall, Geoff Davis, Dave Camp, Roger F. Wicker, Marilyn N. Musgrave, Phil Gingrey, Thaddeus G. McCotter, Robert B. Aderholt, Bob Goodlatte, Duncan Hunter, Spencer Bachus, Bob Inglis, Lamar Smith, James T. Walsh, Trent Franks, and Mark Steven Kirk.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Member added his name to the following discharge petition:

Petition 2 by Mr. BOEHNER on House Resolution 559: Barbara Cubin.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, THURSDAY, OCTOBER 18, 2007 No. 158

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BERNARD SANDERS, a Senator from the State of Vermont.

The PRESIDING OFFICER. Today's opening prayer will be offered by our guest Chaplain, Rev. Dennis Ellisen, of Our Saviour's Evangelical Lutheran Church in Appleton, WI.

PRAYER

The guest Chaplain offered the following prayer:

Let us pray.

As we join together, confident in the gracious mercy of God, let us pray for the world and all who yearn for wholeness of life.

Dear Lord, we pray for our Senators and all leaders of our States, cities, and towns, and we pray that the world's distressed and downtrodden and most unfortunate not be neglected.

We pray for peace and reconciliation among all nations and for those leaders who govern and guide, so that ruthless and unjust ways be ended.

We pray for Your wisdom to make us caretakers of all that You have created. Empower our leaders to use their talents, interests, and abilities to restore the Earth to all its fullness, so that Your creation might be renewed.

We pray for Your Spirit to rest upon all the leaders of this great Nation, that in the midst of tremendous responsibility, they feel Your comfort and assurance that You are with them, guiding and encouraging their actions. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BERNARD SANDERS led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 18, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BERNARD SANDERS, a Senator from the State of Vermont, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. SANDERS thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, the Senate will be in a period of morning business for 1 hour. The Republicans will control the first half of time. We will control the second half of time. Following this period of morning business, the Senate will resume consideration of the Labor, HHS appropriations bill. Senator HARKIN and the ranking member, Senator SPECTER, will be here to move forward on this bill. If people have amendments, I hope they would do more than just think about them, that they would come and offer them and debate them. A lot of work remains to be done on this bill and other measures that require the attention of the Senate.

MEASURES PLACED ON THE CALENDAR—S. 2179, S. 2180, S. 2184, S. 2185, H.R. 2102, AND H.R. 3678

Mr. REID. Mr. President, it is my understanding we have six bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the titles of the bills for the second time.

The legislative clerk read as follows:

A bill (S. 2179) to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes.

A bill (S. 2180) to authorize certain programs and activities in the Department of the Interior, the Forest Service, and the Department of Energy, and to amend the Compact of Free Association Amendments Act of 2003, and for other purposes.

A bill (S. 2184) to amend the Internal Revenue Code of 1986 to permanently allow penalty-free withdrawals from retirement plans for individuals called to active duty for at least 179 days.

A bill (S. 2185) to permanently extend the current marginal tax rates.

A bill (H.R. 2102) to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

A bill (H.R. 3678) to amend the Internet Tax Freedom Act to extend the moratorium on certain taxes relating to the Internet and to electronic commerce.

Mr. REID. Mr. President, I object to further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bills will be placed on the calendar.

The Senator from Wisconsin.

WELCOMING THE GUEST CHAPLAIN

Mr. KOHL. Mr. President, today, I rise to welcome Rev. Dennis Ellisen to the Senate and to thank him for this morning's heartfelt and timely prayer.

Reverend Ellisen is the senior pastor at Our Saviour's Lutheran Church in

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

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Appleton, WI. He has served his parish for the last 31 years. Early on, his church had just a few hundred members. He has seen kids in his parish grow up to have kids of their own. Now his congregation is well over 2,600 strong.

As many in Appleton will tell you, Reverend Ellisen's ministry has touched so many families beyond his church's walls. He has been a tireless advocate for cancer research, treatment, and education. His work as an ambassador and fundraiser for the American Cancer Society has taken him to every corner of our State and every corridor of Congress. His message is unwavering: If we work together, we can beat this terrible disease.

Yet he may be best known in the community for helping comfort the terminally ill. Through his work with the Visiting Nurse Association, he started the first hospice program in Appleton many years ago.

I had the privilege of introducing Reverend Ellisen on the Senate floor in 1997. Much has changed in the world, but he has remained the humble, compassionate person I met a decade ago. And, thankfully, his important work endures.

We need to hear his hopeful invocation today. I thank Reverend Ellisen and his family for joining us.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Florida.

SCHIP

Mr. MARTINEZ. Mr. President, I want to talk this morning on the much-talked-about subject of SCHIP. In this Chamber over the last several days—and I would say all over the Nation—there has been a lot of conversation about the future of the State Children's Health Insurance Program and whether this side will budge or that side will nudge the other one or who will blink first.

Clearly, we are at an impasse. Today, the President's veto of this bill—which will enlarge Government by $35 billion—will be sustained in the House, I believe. Then we will find ourselves at a place where we have to regroup and decide how to proceed in reauthorizing this very important program. It is an important program, and a program so many of America's children have benefited from, and one for which I believe we need to find a way to move forward.

I want to add my voice to those who have called for the program's reauthorization. This is a program that is working. It works in the State of Florida. It is a program that helps children. I know a lot of Florida children have been helped by it. So we have to find a way we can come together in the spirit of the program so every child who needs health care has the needed access to health care.

We should take great care, however, to avoid switching SCHIP from being a program aimed at helping poor children to a program that moves us toward a Government-sponsored, Government-run health care system. That would not serve the people in the program, and it would not serve the greater cause of reforming the bigger problem we have, and which we also have to address, which is our entire health care system.

The bill the President vetoed would have allowed coverage to the point where we would have essentially encouraged families who are today receiving coverage through private insurance to drop that insurance in favor of Government-sponsored health care coverage. I do not think that is the way to move forward with health care reform. I do not think that policy would lower health care costs or increase the access to quality health care. Both are important goals.

In talking with people in my State of Florida, they want to see SCHIP reauthorized. They want to help poor children who need health care. They understand the debate we are having, and they want a better alternative than anything that is on the table right now. So we are at an impasse. But I think we can find common ground. A real compromise needs to be reached, one that keeps the spirit of SCHIP, one that adds provisions to help find children currently eligible for assistance and signs them up for insurance.

We need a compromise that does not simply broaden the program's eligibility so people in private health insurance are forced to move to Government-sponsored health insurance because an employer sees an opportunity to save money. That is why later today I will introduce an alternative SCHIP reauthorization program composed of three elements—a full reauthorization of SCHIP, a child health care tax credit, and an aggressive outreach program to ensure all children eligible for the program have the opportunity to sign up for the insurance.

The first element enacts a full reauthorization of SCHIP, where we continue to cover children in families with incomes at or below 200 percent of the Federal poverty level.

The second element of my proposal advances tax credits to families with incomes between 200 and 300 percent of the poverty level. If a family does not have insurance, a credit provides the resources necessary to go out and purchase health insurance. Families would have the ability to purchase health insurance, health care coverage tailored to their children's unique needs.

The third element would enhance outreach for children who are currently eligible for SCHIP coverage but who are not currently enrolled.

It is estimated between 500,000 and 1.5 million children who are today eligible for SCHIP are not enrolled simply because families do not know the program is available to them.

Make no mistake: The underlying debate is not whether we are going to provide health insurance for our Nation's children. We all agree that our society can ill afford to not take care of children in need. The dispute is how are we best to achieve that goal.

One of the major differences between the vetoed SCHIP program and my alternative is that the vetoed bill created a newly eligible population and moved them into a system of Government health insurance. My proposal is patient focused. It retains for families the choice of providers and practitioners and gives parents the resources necessary to add their children to their existing health care plan.

Where our proposals are similar is in the number of children we insure. Under my proposal, 10 million children would have access to health insurance. That is the same number who would have been covered by the vetoed bill.

It is essential we come together as Republicans and Democrats to talk about a viable alternative, about how we can get this done, about something that would ensure the reauthorization of SCHIP and that expands rather than diminishes private health care coverage for children.

I would be willing to continue to discuss this issue in a way that allows us to debate whether in the reauthorization part of this bill—the $5 billion probably is not enough to cover all of the children who need to be insured under this program. I think a larger number than that $5 billion is necessary, probably closer to $10 billion.

But once we did that, then how do we go about covering that 200 percent to 300 percent of poverty—those working families who still cannot find a way to insure their children without Government assistance? We would do that through a tax credit. That tax credit would also be beneficial. It would be a way of allowing them to continue to have a private health care option, which I think is always preferable.

The insurance marketplace would adjust and continue to innovate in a way that I think would give us a much stronger, much better health care system for the children of America who so much need insurance for themselves and for us to be sure we have a healthy future for them.

I look forward to continuing to work with my colleagues in the coming days

to strike a middle ground, to strike a compromise on SCHIP, to be sure we come together to let the people of America know this Congress, Republicans and Democrats, can come together to work together on something as important as the health of our children. I look forward to the days ahead, as we continue to discuss this important topic, and I look forward to having others join this effort.

I am very gratified that quite a number of the Members of the House have adopted this as their idea and are going forward with this as a plan that may have viability, may be the answer. I hope an increasing number of Senators who are now not only looking at it but also finding favor with it will create the kind of middle way that will allow us to come together to find a solution and put this important issue back where it belongs: moving forward and taking care of the children of America.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise to join my distinguished colleague from Florida and many of my other colleagues in urging the sort of consensus building, practical problem solving Senator MARTINEZ is talking about.

It is clear we are at a current impasse on the SCHIP debate. The version that passed the Senate and passed the Congress has been vetoed by the President. It will be made even more clear in the next day or so that veto will not be overridden.

I think what the American people want us to do is not talk endlessly, debate endlessly, and simply try to score political points, but to come together around a practical compromise, a practical resolution that advances health care, particularly for poor children.

So I join my colleague from Florida in urging us to do that. My ideas about what that reasonable, practical compromise would be are very much like his. I applaud Senator MARTINEZ in terms of the ideas he has put forward to resolve this SCHIP debate.

I could not support the Senate Finance Committee version of the SCHIP bill. I could not support it for a very simple reason: I am all for the SCHIP program. I am all for covering poor children. I am not for expanding that program well beyond the boundaries of poor kids so that it is a precursor, quite frankly, to government-run, government-dominated health care. I think that is a mistake. I think expanding a program such as this and actively pushing people off private insurance, which the Finance Committee version would do, is a big mistake and moves us in the opposite direction of where we should be moving with regard to health care reform in this country.

Why do I say that about the Finance Committee bill? Well, for a simple reason: It goes well beyond the original intent of SCHIP, which is to cover poor kids. It goes beyond that in several ways. First of all, it raises the general limit of eligibility from 200 percent of poverty to 300 percent of poverty. In the United States today, 300 percent of poverty is $62,000, a family income of $62,000. But, in fact, that limit is well above that in most cases. Why? Because under the Finance Committee bill, States can define family income in innovative ways. They can take out large expenditures such as tuition from family income, so we are not talking about gross family income of $62,000. Once you take out those major components, those major sources of spending of a family, you could easily be talking about a family income of $80,000.

In addition to that, under the bill the administration—any administration—would be urged, if not mandated, to grant waivers to States in many cases to go well above even that 300-percent-plus line. So clearly, you would dramatically expand the children and the families covered under the program, and you would go well beyond what any reasonable person would define as the truly poor.

Now, why is this bad? Well, for one thing, you are crowding out folks—pushing folks off—of private insurance. There have been several analyses done of the Finance Committee bill which passed the Congress and which the President vetoed. Under those analyses of new enrollees, it is estimated that between 45 and 51 percent would be dropping private insurance to enroll in SCHIP. Now, is that the direction we want to move in, encouraging folks who have private insurance to drop it, to flee private insurance to come under the care of the Government? I think that is the wrong direction to move in.

Beyond that, if you look at new eligibility groups—in other words, not all new enrollees, but the new groups of people who would become eligible under the bill—there is a 100-percent crowd-out effect. Everybody in those new groups would be dropping private insurance to enroll in SCHIP. Is that the direction we want to move in? I think not. We talk about the problem of the uninsured in this country. Why do we want to grow that problem versus solve it by encouraging people and helping people keep their private insurance or get onto private coverage? That is not the direction we want to move in.

I believe the direction we want to move in is to encourage coverage, to make it more available, to make it more affordable. That is the sort of solution that Senator MARTINEZ and myself and others have been talking about. That is why I support the McConnell-Lott SCHIP bill and support furthering the goal of health care for all American families with tax credits that can make private coverage available and affordable.

Step 1: A real SCHIP reauthorization focused on poor kids. That is what the legislation I support does. That bill costs $8 billion in new costs over 5 years, but those new costs are fully offset. That bill would keep eligibility at 200 percent of the poverty line, but it would enroll many more new kids: 1.3 million by 2012 and 1.5 million new kids by 2017. It would also extend coverage to pregnant women and their children in the womb. That is important as well. That is a real reauthorization of the SCHIP program as it was originally designed and intended.

Now, is that good enough with regard to children's health care needs and families' health care needs? Absolutely not. There are other needs out there which we must address. Health care insurance isn't available, isn't affordable to enough folks. But rather than encouraging them to get on a government program and in half the cases actively pushing them off private insurance, why don't we help them stay on private insurance or obtain private insurance? That is the additional step we need to take through tax credit or other legislation.

So again, I urge us to do what the American people want, which is not to simply argue, talk, debate, and try to score political points endlessly, but to come together around a real and valid and commonsense compromise. That is what the American people want, so let's do it. That compromise is clearly within striking distance if we have the political will to come together around those ideas. Again, I believe the principle we should look at is a real reauthorization of SCHIP for poor children, supplemented with some additional help for those families that need the help to stay on or to get on private insurance. I don't believe the path of the current SCHIP bill, which actively pushes families off private insurance in so many cases, is the way to do it.

The proponents of that bill laud it because it would sign up 4.4 million new enrollees. Well, guess what: 4.4 million of that 2.4 million currently could have private insurance. Is that progress? Is that a great accomplishment, to push off of private insurance 2.4 million and get them on a government program at the expense of the taxpayer, when there is a better, cheaper alternative to help them stay on private insurance, to help them have more choice and control and autonomy of their health care future? That is what the American people want: More control, more choice, more autonomy, making good health insurance available and affordable. Let's reauthorize SCHIP for the truly poor and let's give them ways to make health care insurance available and affordable through instruments such as tax credits.

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

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

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I ask unanimous consent that whatever time remains for the Republicans be reserved until the Democrats have finished our time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from California is recognized.

(The remarks of Mrs. BOXER, Mr. LIEBERMAN, Mr. INHOFE, Mr. WARNER, Mr. COLEMAN, Ms. COLLINS, and Mr. ALEXANDER, pertaining to the introduction of S. 2191 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

ARMENIAN RESOLUTION

Mr. WARNER. Mr. President, I am greatly concerned. I had breakfast early this morning, together with the Senator from Michigan, the chairman of our committee, and two House senior Members of the Armed Services Committee—our annual meeting to work toward conference of the authorization bill—Secretary Gates and the new Chairman of the Joint Chiefs, the Admiral. We addressed this issue of the Armenian resolution in the House. I do not in any way imply that the House has moved forward on that in an improper way. I don't want to get into the politics. I simply say I perceive that this is changing, a changing issue in the House. It may well not be brought up. But the Secretary of Defense again, and the Chairman of the Joint Chiefs, reiterated the possible impact of such a resolution, were it to be passed, upon our operating forces, both in Iraq and in Afghanistan.

ARMENIAN GENOCIDE

Mr. President, it is my intent to oppose the non-binding resolution, passed by the House Foreign Affairs Committee, that states that the deportation of nearly 2 million Armenians from the Ottoman Empire between 1915 and 1923, resulted in the deaths of 1.5 million of them, amounted to genocide. While I deplore the killings of Armenians 92 years ago by the Ottoman Empire, I urge my colleagues to consider the grave consequences this may have on United States-Turkish relations and on interests of the United States in Europe and the Middle East. Turkey has been a steadfast ally and an indispensable friend in a critical region of the world. If Turkey decides to respond negatively to our passage of this resolution, their decision could have lasting repercussions for U.S. foreign policy interests in the region and compromise our conduct of the war in Iraq and Afghanistan.

The House resolution on the Armenian genocide appears at a particularly sensitive point in United States-Turkish relations. The possibility of a Turkish incursion into northern Iraq must be an immediate concern. There is no doubt that tensions are mounting along the Iraqi-Turkish border. The United States has urged Turkey not to send troops over the border into northern Iraq to fight Kurdish separatist rebels, who launched cross-border attacks against Turkish targets. We must all urge Turkey and Iraq to seek a diplomatic solution to this crisis and the House resolution could undermine our diplomatic leverage.

Last week, Defense Secretary Robert Gates said that relations with Turkey are vital because 70 percent of the air cargo sent to U.S. forces in Iraq and 30 percent of the fuel consumed by U.S. forces in Iraq are flown through Turkey. Secretary Gates said that U.S. commanders ''believe clearly that access to airfields and roads and so on, in Turkey, would very much be put at risk if this resolution passes and the Turks react as strongly as we believe they will.''

I would like to share some important facts with my colleagues about how Turkey is enabling our forces to achieve the mission we have given them. Turkey has provided over 20,000 overflight clearances to U.S. military and contracted aircraft since 2002. These flights carry critical supplies and equipment to our forces in the field, currently including 95 percent of the Mine Resistant Ambush Protected, MRAP, vehicles. These flights also include our medical evacuations from Iraq to Landstuhl, Germany. KC–135 tankers operating out of Incirlik, Turkey, have flown over 3,400 sorties and delivered 35 million gallons of fuel to U.S. fighter and transport aircraft on missions in Afghanistan and Iraq. Finally, approximately 30 percent of the fuel and 17 percent of the food used by U.S. and coalition forces enter Iraq from Turkey via the Habur Gate border crossing.

I would like to expand on these military concerns. The loss of access to critical air and ground lines of communication through Turkey to Iraq and Afghanistan may result in: (1) temporary interruptions to the flow of cargo; (2) increased aircraft requirements; (3) increased costs; and (4) longer transit times.

If these supplies need to be rerouted by ground through Kuwait, or Jordan, we must be concerned about additional force protection issues. I am very troubled about our ground convoys that already move from Kuwait to Iraq. They are high-value targets to insurgent groups. I visited with a number of the convoy drivers on my last visit to Kuwait. We have brave and experienced drivers leading these dangerous convoys, but I am concerned about the heightened risks associated with an increase in number of convoys or employing less experienced drivers on the road to meet the new mission caused by the loss of access to lines of communications through Turkey.

There is one additional point I would like to make about the impact on our operations in Iraq. I believe we should all be concerned about the potential negative impact this resolution could have on the eventual redeployment or withdrawal of U.S. forces from Iraq. If Turkey decides to cut off our lines of communications through their country that redeployment or withdrawal would be more difficult.

I would also like to remind my colleagues that there are over 1000 Turkish soldiers in Afghanistan. Turkey remains the only Muslim country in the International Security Assistance Forces, ISAF, in Afghanistan. Their troops have significant responsibilities in ISAF which include providing security in Kabul.

I urge my colleagues to consider the consequences which may result from passing the House legislation on Armenian genocide and encourage them to reject the measure. The passage of this measure would do great harm to our relations with a key ally in NATO, our interests in the region, and our military operations in Iraq and Afghanistan.

It is the House of Representatives' business. But I do believe here in the Senate we have to address that issue.

I do not in any way disparage or denigrate the seriousness of what happened 92 years ago, at another time in history. But right now we have young men and women of the Armed Forces of the United States, and our coalition partners, risking their lives in Iraq and Afghanistan. The passage of this could have implications on nations in that region which I think could be detrimental and could put at risk the lives of our service persons.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION APPROPRIATIONS ACT, 2008—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 3043, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3043) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

Pending:

Harkin/Specter amendment No. 3325, in the nature of a substitute.

Vitter amendment No. 3328 (to amendment No. 3325), to provide a limitation on funds with respect to preventing the importation by individuals of prescription drugs from Canada.

Dorgan amendment No. 3335 (to amendment No. 3325), to increase funding for the State Heart Disease and Stroke Prevention Program of the Centers for Disease Control and Prevention.

Thune amendment No. 3333 (to amendment No. 3325), to provide additional funding for the telehealth activities of the Health Resources and Services Administration.

Dorgan amendment No. 3345 (to amendment No. 3325), to require that the Secretary of Labor report to Congress regarding jobs lost and created as a result of the North American Free Trade Agreement.

Menendez amendment No. 3347 (to amendment No. 3325), to provide funding for the activities under the Patient Navigator Outreach and Chronic Disease Prevention Act of 2005.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, we are now back on the Labor, Health and Human Services, Education, and related agencies appropriations bill.

I thought I might recap for Senators where we are. We started yesterday. I thought we had a fairly productive afternoon. We, right now, have five pending amendments that we are working on in terms of offsets. We have the Vitter amendment on drug reimportation. That language we are just working on. There is no offset needed.

We have the amendment by Senator DORGAN on heart disease. We are again looking at an offset there. We are working on that.

We have an amendment by Senator THUNE on telehealth. Again, we are working on trying to find the proper offsets.

We have another amendment by Senator DORGAN on a NAFTA study. That has not been totally agreed to yet on the other side of the aisle.

We have an amendment by Senator MENENDEZ on patient navigators. Again, I think it is broadly supported. But, again, we are working on trying to find an offset.

We adopted three amendments yesterday: the amendment by Senator FEINSTEIN which was to set up a child abuse registry; the second amendment was by Senator SMITH which was a technical fix to the Garrett Lee Smith suicide prevention bill; and then yesterday we accepted an amendment by Senator MCCASKILL which provides for a link on the Web sites of all of the departments under our jurisdiction to the IG.

I am told we have about 30 amendments filed. We have 10 that we now have worked on, so we are down to about 20 amendments. I hope we can again move rapidly today and have people come over. I see people are here waiting to offer amendments. I appreciate that very much.

Mr. President, I ask unanimous consent that these three Members be recognized to call up amendments and that the pending amendments all be set aside for this purpose. In this order it would be: Senator DEMINT, Senator DOLE, and Senator BROWN.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

AMENDMENT NO. 3338 TO AMENDMENT NO. 3325

Mr. DEMINT. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 3338.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 3338 to amendment No. 3325.

Mr. DEMINT. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide a limitation on funds with respect to the Charles B. Rangel Center for Public Service)

At the appropriate place, insert the following:

SEC. ____. None of the funds appropriated in this Act may be used for the Charles B. Rangel Center for Public Service, City College of New York, NY.

Mr. DEMINT. Mr. President, I actually wanted to bring up another amendment to speak on briefly. If there is no objection, I would like to call up amendment No. 3340 at the same time. I will speak to both of them.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3340

Mr. DEMINT. Mr. President, amendment No. 3340 is one we have already seen. It is a simple amendment that we all agree on. Both sides accepted it unanimously last week on the last appropriations bill that we considered.

This is an amendment that prohibits Members of Congress from pressuring Federal agencies to designate funds, what we call ''phone marks'' to special projects back home.

All of us have worked real hard to create more transparency and disclosure of earmarks. Last week we added to the last appropriations bill this amendment that would prohibit Members of Congress from going around the earmark disclosure process and pressuring Federal agencies to designate funds.

This is an amendment that I also want to add to this appropriations bill. I understand both sides will be willing to accept this again.

AMENDMENT NO. 3338

I would like to address my second amendment at this point as well. This is a very difficult amendment to talk about because when we start talking about earmarks in the House or the Senate, all of those earmarks are something that have been designated by individual Members of Congress. So it is often taken quite personally when we challenge these amendments and make it public, particularly amendments that do not sound good to taxpaying Americans.

I want to assure my colleagues that my point is not to focus on Members of Congress but to focus on wrong ideas; in fact, wrong ideas about earmarking and spending taxpayer dollars that have discredited this body with the American people.

We know only 11 percent of the American people have any kind of favorable perspective of Congress at this point. A lot of it is because of the publicity of how we spend their money.

I was made aware by ''CBS News'' of a particular earmark that the House has put in their version of the Labor-HHS bill. CBS is not known for being supportive of conservative causes. They were pointing out a particular attachment to the House appropriations bill, which will be in the final bill if we do not disallow it in the Senate.

It is an earmark for $2 million that was put in this bill by Congressman RANGEL, chairman of Ways and Means. This $2 million earmark goes to a new Charles B. Rangel Center for Public Service at the City College of New York. This center does not yet exist. It is one that money is being raised for at this time.

Frankly, the college does not need this duplication of an educational service which already exists on the campus, but the description of this building includes not only an educational program—that is, a duplication of the Colin Powell Center which is already there—but it also creates a library for the personal archives of Congressman RANGEL and a well-furnished office for his personal use.

CBS made the point, and they actually called this ''Monument to Me.'' And not just about Congressman RANGEL but about all of us who, through the earmarking process each year, are given a personal slush fund to send taxpayer dollars to our favorite causes back in our home States and districts.

Increasingly, Members of Congress are doing things such as giving money to colleges and other organizations that are naming buildings and programs after us so that it will attract more earmarks. It has become a vicious circle that Americans are on to.

CBS made the point of this waste of money. To me, it, frankly, looks very bad. It reflects poorly on all of us, and it discredits a lot of the good things we do. Again, my point is not to identify a particular Member of Congress to embarrass them but, hopefully, to embarrass us all; that we are all involved with a very bad approach to spending taxpayer dollars.

The idea of each Member of Congress—we all have papers, we all give them to colleges. Does this mean we will all get taxpayer money to send to these colleges to build some type of Presidential-like library to archive our papers and give us personal offices? I assume it is permanent.

The hard-working people in South Carolina who are paying taxes should not be building a center for Congressman RANGEL in New York. If we had plenty of extra money, maybe we could talk about it. But the fact is, we are borrowing this money from future generations to build monuments to ourselves all around the country.

My amendment would disallow the use of funds in this bill for this particular project, hopefully making a point to all of us that this is not what

America expects when they send us to Congress. Our job is to do what is best for this country in our future, not to create slush funds for ourselves so we can win popularity back home by taking money back home, particularly when we get involved with this back and forth of, they named something after us, so we give money to them. It does not look good, it does not sound good, and it is not good. It is not good for our country and our future.

I encourage every Member of this Senate to vote for this amendment that would disallow funds for this project and hopefully send a message here and all around America that we are going to reform ourselves, and we are no longer going to be embarrassed by CBS and other media. Every time they point out what we are doing, we cannot hide from the fact that it is shameful. I do not want my tax dollars spent this way. I know the people in South Carolina do not. I bet if we had a chance to ask every American, not one would say this is how they expect their tax dollars to be spent.

I encourage my colleagues to vote for this amendment.

Mr. President, I ask unanimous consent that amendment No. 3340 be pending at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 3340 to amendment No. 3325.

Mr. DEMINT. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that none of the funds made available under the Act may be used to circumvent any statutory or administrative formula-driven or competitive awarding process to award funds to a project in response to a request from a Member of Congress, and for other puropses)

At the appropriate place, insert the following:

SEC. _____. None of the funds made available under this Act may be used to circumvent any statutory or administrative formula-driven or competitive awarding process to award funds to a project in response to a request from a Member of Congress (or any employee of a Member or committee of Congress), unless the specific project has been disclosed in accordance with the rules of the Senate or House of Representatives, as applicable.

Mr. DEMINT. I ask for the yeas and nays on amendment No. 3338.

The PRESIDING OFFICER. At the moment there is not a sufficient second.

Mr. DEMINT. Mr. President, we do have two amendments I have offered. My understanding was that there would be a voice vote on 3340, and I have asked for the yeas and nays on 3338, if I may correct my request.

Mr. HARKIN. Parliamentary inquiry: Would the Chair state the question before the Senate right now?

The PRESIDING OFFICER. The Senator from South Carolina has asked for the yeas and nays on amendment No. 3338.

Mr. DEMINT. That is correct.

The PRESIDING OFFICER. Is there a sufficient second?

At the moment, there is not a sufficient second.

Will the Senator from South Carolina repeat his request?

Mr. DEMINT. Mr. President, I ask for the yeas and nays on amendment No. 3338.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, we have not disposed of amendment No. 3340, if I am correct.

The PRESIDING OFFICER. The Senator is correct.

Mr. HARKIN. We have looked at 3340. I don't know that it needs an up-or-down vote. We can accept it. I understand Senator SPECTER will accept it, also, so it is accepted on both sides.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to amendment No. 3340.

The amendment (No. 3340) was agreed to.

Mr. HARKIN. Mr. President, I will probably have more to say about this later, but on the amendment the Senator offered regarding the Rangel Center, I object to this amendment. It is an attack on an institution that is not in the Senate amendment before us. It is a House provision that provides funding for a center at the City College of New York. As I understand it, the center was set up basically to offer interdisciplinary programs for bachelor's degrees, master's degrees, midcareer programs, to get more minority population into management positions. Right now, non-Whites make up nearly 30 percent of our population, yet only 13.8 percent of the men and women who occupy top management and policy positions in the Federal Government are members of minority groups. We need to do more to bring minority Americans into public service. A center for public service at the City College of New York was set up to do this. It was the City College of New York that decided the name of it. As far as I know, we didn't decide that. We didn't do anything to decide the name of it. In this bill, we have funds for the Howard Baker Center in Tennessee. We have funds for a Robert Dole Center. These are centers set up at universities, and they name them. We do not. They decide to put a name on it.

I believe we ought to be in the position of saying, yes, there is a need for course work to help minorities get into midmanagement and senior positions in the Federal Government. That is laudable. But what the university names it ought to be up to the university. It is not up to us.

Mr. DEMINT. Will the Senator yield?

Mr. HARKIN. Surely.

Mr. DEMINT. I appreciate the concerns. Again, it is difficult when names of Members of Congress are involved. The college already has an education center specifically for the purpose listed for the Charles Rangel Center. It is called the Colin Powell Center. They perhaps added some bells and whistles, archived the papers as well as the personal office we talked about.

To the chairman's objection about this not being in our bill, in this body we regularly disallow funds for various agencies that are not listed in our bill but that as a body we decide it is not the appropriate way for money to be spent.

We should honor Congressman RANGEL and others who have served with distinction as he has. CBS brought out that the college had not made the decision or at least would not make the decision as to how to name the center. So there were a lot of questionable things that came up in this report, questions enough that CBS decided to make it news.

My point is, if we get into the practice as Members of Congress while we are still serving of responding to centers being named after us by getting taxpayer dollars back to them and getting personal offices in buildings around the country, this is clearly not our purpose, and it is not one that will be respected by the American people.

I look forward to further debate. I appreciate all the time.

Mr. HARKIN. Mr. President, we have in our bill a provision for a Howard Baker Center at the University of Tennessee. I haven't heard the Senator from South Carolina want to go strike the Howard Baker Center. That is in this bill. A couple years ago, we had the provision for the Dole Center at the University of Kansas. I don't remember the Senator objecting to that. This is nothing unusual. This happens all the time. It is up to the university to decide whether they want to name them; it is not up to us.

Mr. DEMINT. Mr. President, if the Senator will continue to yield, I appreciate the give-and-take. We have made the point many times. We did it with judges. We created a law that would not allow us to name courthouses after active judges, but once they retire, we look at it differently. The same is true for Members. Senator Baker and Senator Dole are not in positions now to direct money to different places because they are named after them, but we are. There is a serious question here, and we should make a distinction between what we do while we are serving and what we do after we have retired.

I thank the Chair and yield the floor.

Mr. HARKIN. Mr. President, I believe we are ready for the Dole amendment.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 3341 TO AMENDMENT NO. 3325

Mrs. DOLE. Mr. President, I call up No. 3341 pending at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Carolina [Mrs. DOLE] proposes an amendment numbered 3341.

Mrs. DOLE. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide funding for the National Cord Blood Stem Cell Program)

On page 37, line 2, insert ''*Provided further*, That of the funds available under this heading, $12,000,000 shall be provided for the National Cord Blood Inventory pursuant to the Stem Cell Therapeutic and Research Act of 2005 (Public Law 109-129):'' after ''programs:''.

Mrs. DOLE. Mr. President, on December 20, 2005, the Stem Cell Therapeutic and Research Act was signed by the President and became law. This legislation established, through the Health Resources and Services Administration, HRSA, the C.W. ''Bill'' Young Cell Transplantation Program. This program, a successor to the National Bone Marrow Donor Registry, takes what used to be considered medical waste, deposits of umbilical cord blood, and banks it for future transplant recipients. Cord blood is the only known substitute for bone marrow.

The first cord blood transplant in the United States not involving a family member was performed at Duke University Medical Center in 1993. Since then, cord blood transplants have become increasingly common. Nationwide, more than 500 cord blood transplants are performed each year.

Today, cord blood transplantation is one of the most hopeful and exciting areas in the field of medicine. Together, adult stem cells and cord blood units have been used to treat over 70 blood cancers and genetic diseases.

Let me tell you about a young girl named Sangeetha. She received a transplant 10 years ago at my alma mater, Duke University, when she was battling leukemia. Doctors struggled to find a bone marrow match for Sangeetha, who is Indian. Fortunately, doctors found a compatible match from a baby girl born in New York, and Sangeetha was able to have cord blood stem cell transplantation. I am pleased to say she graduated from Western Alamance High School last year and is now a freshman at East Carolina University.

My amendment ensures that the cord blood program is included in the actual Labor-HHS appropriations bill. In the past, the cord blood program has enjoyed strong bipartisan support in Congress, and I ask that the Senate again show its support of this program by accepting my amendment. I also thank my colleagues, Senators SPECTER and HARKIN, for their strong support of the cord blood program. Without their hard work, this life-saving program would not have received the funding increase that it did this year.

Patients across the Nation have benefited from these state-of-the-art centers that are located in six States: North Carolina, New York, Washington, California, Colorado, and Texas. I know that in my home State of North Carolina, Duke University Medical Center has been working tirelessly to serve patients who travel from all across the country to benefit from the latest advancements in medical research.

I urge my colleagues to support this important amendment. It is imperative that these centers are adequately funded to ensure that the National Cord Blood Centers can continue to expand and store more cord blood donations—which means matches for more patients in desperate need of a transplant.

I ask for passage of the amendment.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I thank the Senator from North Carolina for her interest in and support of the National Cord Blood Stem Cell Bank. This is a program Senator SPECTER and I created in the 2004 bill when he was chairman. Our bill includes $12 million for this program, enough to sustain the banks that exist and start a new round of grants to startup operations. The Dole amendment codifies this $12 million for the cord blood stem cell banking program. I fully support it. I believe I can speak for Senator SPECTER. On both sides, we are more than happy to accept the amendment.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to amendment No. 3341.

The amendment (No. 3341) was agreed to.

Mr. HARKIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. HARKIN). Without objection, it is so ordered.

Mr. BROWN. I ask unanimous consent to set aside the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3324

Mr. BROWN. Mr. President, I rise to oppose amendment No. 3324, the Sessions amendment. As far as I know, there is no Member of this body who opposes rigorous oversight of labor unions. Members of this body who care about the well-being of American workers don't want them harmed, period. It doesn't matter if it is an employer or a union leader or the U.S. Trade Representative who is doing the harming.

Unions are already subject, as they should be, to stringent reporting requirements, and unions overwhelmingly comply with whatever requirements are mandated. In its budget justification, the Department of Labor stated that the acceptability rate for unions in meeting their financial requirements is 96 percent. There is not a serious problem. We don't have a problem with monitoring unions. What we do have a problem with is attacking workers, which is what this amendment will do.

The offset of this amendment should offend any Member of this body who respects the hard-fought progress our Nation has made in the workplace, whether it is protecting the health and safety of workers or preventing the exploitation of children.

Look at what this amendment does. It increases funding 37 percent for ''labor-management standards.'' It does nothing for wage and hour enforcement. The Presiding Officer from Iowa has fought so hard for more wages to build the middle class.

Look what it does here—and one of the reasons we have had stagnant wages in this country—it cuts funding for occupational safety and health. We know what has happened with workers in the workplace. We have seen an increase in incidents because of the Bush administration's lax enforcement of OSHA standards to begin with. Look what it does to the International Labor Affairs Bureau.

This offset would undercut our investment in fighting the worst forms of child labor and human trafficking. It would undercut our ability to ensure that labor laws in developing nations are being enforced. When those laws are not enforced, not only are there gross human rights abuses, there are insurmountable obstacles to fair competition in the global trading arena.

In other words, when we do not enforce labor standards in the developing world, it is only costing us jobs because they are undercutting our wages because they are violating labor law and they are basically not playing fair.

This administration now seeks more of the same, asking Congress to approve trade agreements with Peru, Panama, Colombia, and South Korea. This amendment is more of the same. The Sessions amendment cuts from the small contribution—the small contribution—this Government makes toward eliminating the worst forms of labor abuse.

Many countries still permit deplorable practices such as child labor and forced labor. The Sessions amendment cuts funding of the International Labor Affairs Bureau by $5 million. That undercuts its core mission: investigating and combating these violations of human dignity.

Look at these children shown in this picture I have in the Chamber, and look at the work they are doing, hour

after hour, day after day, in all too many places around the world. This is economic globalization on the cheap, and our Nation cannot afford it.

Many in this Chamber may remember a report released last year by the National Labor Committee which exposed disgraceful working conditions in Jordan—a country with which we have a free trade agreement. The report documented workers who were trafficked—their passports confiscated when they arrived in Jordan. They used materials made in China to make finished projects eligible for duty-free entry into the United States, passing through Jordan. We see too many workers in places such as Jordan. And our administration, what does it do? It looks the other way.

International Labor Affairs funding—the funding this amendment would cut—goes toward the implementation of ILO Convention 182 on the Elimination of the Worst Forms of Child Labor. It has been ratified by 165 nations. The funding provides foreign governments with technical assistance on meeting their responsibilities so this does not happen.

A more recent ILO report, ''The End of Child Labor: Within Reach,'' showed that the number of children working around the world dropped 11 percent, from 246 million children—like these—in 2000, to 218 million in 2004. That is not good enough, but that is progress, and the Sessions amendment would pull the rug out from under that progress.

Members of this body who vote ''yes'' on this Sessions amendment will be simultaneously launching a gratuitous attack on labor unions in this country and abandoning workers, including these children, and others, who are being abused and exploited. It is doubly wrong. Vote ''no.''

AMENDMENT NO. 3348 TO AMENDMENT NO. 3325

Mr. President, I ask unanimous consent to set aside the pending amendment and to call up amendment No. 3348 at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Ohio [Mr. BROWN], for himself and Mr. VOINOVICH, proposes an amendment numbered 3348 to amendment No. 3325.

Mr. BROWN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide funding for the Underground Railroad Educational and Cultural Program)

At the appropriate place in title III, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, $2,000,000 shall be available for the Underground Railroad Educational and Cultural Program. Amounts appropriated under title III for administrative expenses shall be reduced on a pro rata basis by $2,000,000.

Mr. BROWN. Mr. President, I ask unanimous consent to set aside the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The pending amendment will be set aside.

AMENDMENT NO. 3349 TO AMENDMENT NO. 3325

Mr. BROWN. Mr. President, I call up amendment No. 3349, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Ohio [Mr. BROWN], for himself, Mrs. LINCOLN, Mr. OBAMA, Mr. FEINGOLD, Ms. COLLINS, Mr. WYDEN, Mr. KERRY, and Mr. MENENDEZ, proposes an amendment numbered 3349 to amendment No. 3325.

Mr. BROWN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the Secretary of Education from using funds with respect to an evaluation for the Upward Bound Program until congressional examination of the regulation providing for such review)

At the end of title III, add the following:

SEC. ____. No funds appropriated under this Act may be used by the Secretary of Education to promulgate, implement, or enforce the evaluation for the Upward Bound Program as announced in the Notice of Final Priority published at 71 Fed. Reg. 55447-55450 (Sept. 22, 2006), until after the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives have thoroughly examined such regulation in concert with the reauthorization of the Higher Education Act of 1965.

Mr. BROWN. Mr. President, I am pleased to offer this amendment with Senators LINCOLN, OBAMA, FEINGOLD, COLLINS, WYDEN, MENENDEZ, and KERRY.

This amendment would halt the implementation of an invalid and unethical Department of Education evaluation of Upward Bound programs. Across the country, Upward Bound serves low-income, first-generation students who are at risk of not completing high school or pursuing higher education. The evaluation requires that Upward Bound programs aggressively recruit twice as many students as they can serve simply to provide enough students for a control group that will never actually receive Upward Bound services. It forces program directors to engage in a sort of bait and switch that contradicts their mission as educators. It places in danger longstanding trust relationships between Upward Bound directors and school administrators, between students and their families, and, most critically, it dashes the hopes of vulnerable teens who lack the academic or the financial or the emotional support necessary to successfully pursue higher education.

Not only will students be given false hope under this evaluation and this process, but there remain serious questions about the adequacy of research designs based on randomly assigned control groups in educational research. These concerns are based on the difficulty—perhaps even the impossibility—of imposing laboratory conditions in nonlaboratory environments.

Unless we take action, the evaluations will proceed on about 100 campuses across the country, 10 percent of those—10 of those—in my State of Ohio.

Upward Bound programs are critically important. We know how effective they are to our Nation's youth, and we should evaluate their effectiveness. But we should do it the right way, in a fair, ethical, and valid way.

I will continue to work with my colleagues, including the Presiding Officer, on the Health, Education, Labor, and Pensions Committee and in the Senate to develop an evaluation methodology that will truly let us know how our Upward Bound programs are performing.

I urge adoption of this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I ask unanimous consent that the pending business be laid aside for the purpose of offering an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3321 TO AMENDMENT NO. 3325

Mr. KYL. Mr. President, I call up amendment No. 3321, which I believe is at the desk and was filed by Senator COBURN. He and I are cosponsors.

The PRESIDING OFFICER (Mr. BROWN). The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL], for Mr. COBURN, for himself and Mr. KYL, proposes an amendment numbered 3321 to amendment No. 3325.

Mr. KYL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide additional care for pregnant women, mothers, and infants by eliminating a $1,000,000 earmark for a museum dedicated to Woodstock)

At the appropriate place, insert the following:

SEC. _____. (a) Notwithstanding any other provision of this Act, none of the funds made available under the heading ''OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION'' under the heading ''INSTITUTE OF MUSEUM AND LIBRARY SERVICES'' in title IV may be used for for the Bethel Performing Arts Center.

(b) The amount made available under the heading ''OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND ADMINISTRATION'' under the heading ''INSTITUTE OF MUSEUM AND LIBRARY SERVICES'' in title IV is reduced by $1,000,000, and the amount made available under the heading ''HEALTH RESOURCES AND SERVICES'' under the heading ''HEALTH RESOURCES AND SERVICES ADMINISTRATION'' in title II is increased by $336,500, which $336,500 shall be used to carry out title V of the Social Security Act (42 U.S.C. 701 et seq.), in order to provide additional funding for the maternal and child health services program carried out under that title.

Mr. KYL. Mr. President, I can describe the amendment very briefly. Here is the context in which Senator COBURN and I offer this amendment.

This Labor-HHS appropriations bill provides just under $150 billion in total discretionary spending. I believe it is $149.2 billion. This is about $8.95 billion over the President's recommendation. That is well over 6 percent in excess of what the President recommended.

With this kind of excessive spending in the bill, it is important for Congress to address the use of taxpayer dollars within this bill to ensure that anything that is not a critical governmental function is prioritized, and for those things that are not critical, that we not spend money on them.

Now, this bill contains a $1 million earmark for a museum located at the Bethel Performing Arts Center in Bethel, NY—the site of the original 1969 Woodstock Festival. The museum, which is scheduled to open in 2008, apparently will house exhibits on the Woodstock Festival and the 1960s in which it occurred. According to the museum's Web site—I am quoting now—

> Through dramatic imagery, audio-visual technology and immersive interactives, this exhibition tells the story of the 1969 [Woodstock] festival and its significance in a time of unrest and change, concluding with the myth, reality, and impact of the Woodstock Festival today.

Our amendment is very simple. We simply strike that $1 million earmark.

For those who thought the Woodstock Festival was a neat thing and something that needs to be commemorated in American history, it is happening. It does not need the Federal Government, the taxpayers in my State and others, to subsidize that museum.

The Gerry Foundation, which is a nonprofit 501(c)3 organization, oversees the Bethel Center, and it reported an adjusted net income of $7.7 million, investment income of more than $24 million, and total net assets of over $150 million at the end of 2004, the last year for which statistics are available. So why are we asking for $1 million to be earmarked out of this particular bill, the Labor-HHS bill, for the funding of this particular museum? As I said, our amendment would eliminate the earmark for this Woodstock museum, and it would transfer the funding to the Maternal and Child Health Block Grant program—something that is relevant to the Labor-HHS bill.

The Maternal and Child Health Block Grant program provides funding to States to meet their most pressing maternal and child health needs, encouraging the development of community-based networks for both private and public health care services and programs designed to meet the health needs of pregnant women, mothers, infants, children, and adolescents. This is what this bill is supposed to be about.

We have had a lot of debate recently about protecting children's health. It seems to me if that is something we are concerned about, we could use this $1 million for children's health rather than helping to pay the expenses of an already very well-funded museum to celebrate the festival at Woodstock.

The amendment basically asks some questions about our priorities as Members of Congress, stewards of taxpayer dollars. Remember, the money has not grown on trees. It has been collected from hard-working families who expect us to put it to good use. They are frustrated about wasteful Washington spending. They criticize us every day for the priorities we set. It seems to me we do have to ask questions such as whether it is the will of this body to fund an earmark for a museum celebrating a weekend-long party that occurred 38 years ago or funding child health.

The American people, as I said, are sick and tired of the kind of spending that this particular kind of earmark represents. They see us as a government that is not accountable to them, that is out of touch with their needs and realities in trying to provide for their own families, and they then send what the Government needs by way of taxes. They are not against paying taxes, but they do not want us to waste their money.

It is beyond me how, with an entity as well funded as the Gerry Foundation, the Government would have to then take taxpayer money and fund this particular museum to the tune of $1 million. It is clearly not a high priority. It is clearly not needed. It is not critical to our future. It may be a nice thing for some people to visit to relive their memories of the good old days, but, frankly, it is a handout from taxpayers to a foundation that otherwise has plenty of money to commemorate this particular event.

I close by noting that recently there was a festival at the Bethel site, the site of Woodstock, on August 11 of this year. They hosted an event called the ''HIPPIEFEST,'' with tickets priced up to $60 a person. Here is how it was advertised:

> Return to the flower-powered days of the 1960's with our oh-so-hippie line-up of truly talented artists.

The center's advertisement for the concert further states:

> [G]ather your groovy beads and we'll see you on the lawn for a trip down memory lane.

Well, the trip down memory lane may be fine for folks. I suggest if they want to participate in that, they can pay the admission price. If a rich entrepreneur in New York wishes to fund the creation of this museum, as he has done, he obviously has plenty of money to do it, as I indicated. It is not something American taxpayers should pay for.

I will conclude by saying this: The reason why this Congress has a lower approval rating than the President of the United States—the lowest approval rating in its history, according to the public opinion surveys—is because they do not trust us to do the right thing. They believe we are wasteful stewards of their money. We have to start somewhere in convincing them that we are serious about the business they want us to conduct, that we can set priorities, and that we are not going to continue to waste their money.

How can we, with a straight face, argue to them that we are not wasting their hard-earned, taxpayer money when we take $1 million of it to spend on a memorial or a museum for a party, as I said, that occurred 38 years ago, and which is already plenty adequately funded? It makes no sense at all.

I urge my colleagues, when this comes up for a vote, let's at least demonstrate in a symbolic way, at a minimum, that we are serious about not wasting their money. I hope my colleagues will support this amendment.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, does my colleague from Oklahoma intend to speak on this amendment? Then I would like to speak after both my colleagues have spoken and respond to what they have to say.

Mr. COBURN. Mr. President, I intend to speak after Senator SCHUMER speaks as well.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, we heard Senator KYL talk about the problem. The Woodstock Museum is not the problem; it is a symbol of the problem. Alan Gerry has done great things for the State of New York. He should be praised for what he has done. This isn't an attack on him. This is an attack on the process—the process where we inappropriately send money back on the basis not of priority but on the basis of a low-priority need.

Now, there was a historian by the name of Alexander Tyler. These words are attributed to him. Nobody can say for sure he is the author of them, but they bear a very important lesson for us. He wrote about the Athenian Empire which had collapsed, and he was writing this about the time that our Founders were writing our institutional documents. Here is what he said: All democracies eventually fail. They fail because people learn that they can vote themselves money from the public Treasury. Consequently, they only vote for people in elected office who will return them money from the public Treasury. Consequently, all democracies fail over a fiscal collapse.

Now, is that where we are headed? Have we walked into the trap of history which talks about how every other democracy in the world has, in fact, failed over fiscal issues? They haven't failed over the principles of their democracy. They haven't failed over their freedom. They failed over the financial collapse of their system because the political class used public monies to pay off private citizens.

This is a symbolic vote. It is not about going after Senator SCHUMER or Senator CLINTON and this earmark. I have been going after Republican and Democratic earmarks for 2½ years. But this is a great example. I am part of the hippie generation. I was a junior in college when Woodstock occurred. It may be great for upstate New York to empower and have this as an economic development tool. It is certainly a part of our history and ought to be remembered. There is no question about it. But the question is, should this be a priority for this body over the priority of women and children, of maternal-child health, which isn't funded adequately in this country? Should we fund $1 million to a worthwhile project but low priority? That is the question. It is not about whether great things have been done in this area or whether great things can continue to be done.

New York has a $1.6 billion surplus right now. If this is great, why shouldn't the State of New York fund it more, this $1 million? We have, according to the latest estimate if you use Enron accounting, a $160 million deficit. If you use real accounting, it is going to be about a $300 billion deficit. So why should we put the credit card in and charge another $1 million to our kids for something that is low priority? If we are going to charge another $1 million to our kids, why don't we do it for the kids, for maternal and child health? We will earn the 11 percent if we reject this amendment.

The problem is, this is a good thing to do. Senators have a right to do it. We know that. Even though, I disagree that, before we fix the major financial problems that face our country, we shouldn't be sending money home. I am in the minority on that issue. I understand that. You are not bad if you disagree with me. But according to the American public, you don't agree with them either because 85 percent of the American people in the latest poll think we ought to eliminate all earmarks until we get our house in order.

The question is, how will they ever trust us to fix Medicare or Social Security if they can't trust us on these small things? And they can't. We can't help ourselves. Surely, $1 million for a Woodstock museum and performance center is not a priority for this country at this time.

Mr. HARKIN. Would the Senator yield for a unanimous consent request? I hate to interrupt the Senator.

Mr. COBURN. I am happy to yield.

Mr. HARKIN. Mr. President, I think this has been cleared on the other side.

I ask unanimous consent that at 12:30 today, the Senate proceed to vote in relation to the DeMint amendment No. 3338, with no amendment in order to the amendment prior to the vote, and that there be 2 minutes of debate prior to the vote with the time equally divided and controlled between Senators DEMINT and SCHUMER or their designees; that upon disposition of the DeMint amendment, Senator BYRD be recognized to call up an amendment on the subject of mine safety.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Mr. President, reserving the right to object, I would ask to modify that time on the provision that we be finished this debate. In other words, that being the first order of business after we finish this debate rather than setting a fixed time because I am not sure we will be through at 12:30. If the Senator would care to modify, so that at 12:30, or the soonest thereafter we finish this debate, I would be more than happy to agree.

Mr. HARKIN. If the Senator will yield, is there any chance that we could finish the debate after the vote? We are trying to get the vote in prior to some noon things that are happening around here.

Mr. COBURN. I guess we can do that. I would do that if that is what you want to do. I would love for us to finish this before the vote.

Mr. HARKIN. Mr. President, I modify my unanimous consent request to say that if the pending debate is not finished at 12:30, that after the vote on amendment No. 3338, we would return to the debate on the Coburn amendment.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. Is that OK with my colleague?

Mr. SCHUMER. I only intend to speak for 5 minutes.

Mr. COBURN. Then I think we should be finished. I have no objection to the original request.

The PRESIDING OFFICER. Without objection, it is so ordered. The Harkin request, as modified, is agreed to.

The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, so here we have a bill, the Labor-HHS bill, and it has over $400 million in earmarks—some good, some priority, some are high priority, probably should be there, but many are not high priority.

When are we going to do what the American family has to do every year? What they have to do is say: Here is how much money we have coming in. Here is what we have needs for, and here is what we have available. What they do is make choices based on priorities. This debate is about making choices. If we had different rules, this debate would have been eliminating the earmark plainly, and several others. But because of the Senate rules, the money is going to be spent, so we have to figure out a higher priority place to spend it, and maternal and child health is certainly the place to do it.

The real question the American people are asking us, the 89 percent of the American people who don't have confidence in this institution are asking us is, when are we going to get it? When are we going to start doing what they want us to do? When are we going to start playing for them and their future, rather than playing for us and our future? That is the real question.

There is no question that the desirability of what this earmark supports is probably great. I don't have any problems with it. What I have a problem with is that we have a $9 trillion debt.

This Senator has never voted to raise the debt limit. We just raised the debt limit $850 billion, to almost $10 trillion, because we can't control ourselves.

So the question before us isn't whether this is good or bad. The question is, when are we going to change our behavior? When are we going to start doing $1 million here and $1 million here, up to $398,584,000 worth of earmarks in a bill? That is the question. This isn't conservatives who are asking this question; it is liberal Democrats; it is Independents; it is conservatives, because they know, in fact, this Government can run better, more efficiently, with less money than what we are doing now, if, in fact, we will stand up and do the oversight work we ought to be doing. But we refuse to do that.

So the vote will come. We will have a vote. If we don't enhance this amendment and pass it, we will go from 11 percent to 10.95 percent because, in fact, the American people will see, again, that we don't get it. We don't have to live by the rules they live by.

The tragedy is, in this bill, the Labor-HHS bill to help those most dependent in America, we are going to take money in the future from those who we are saying we are giving to now, through a decreased standard of living or an increased tax rate. If you don't believe that, read David Walker, the Comptroller General's report about what is getting ready to happen to us as a nation in terms of our finances, or read Peter Peterson's book, ''Running On Empty,'' about what is going to happen to us. Why in the world is the Euro at $1.42 when it was 83 cents 3½ years ago? Why is that? Is there a beckoning call about our financial condition that the world financial markets recognize, and yet we refuse to pay attention to?

So I call on my colleagues. This isn't a partisan amendment. I have gone after just as many Republican amendments—as a matter of fact, one of the amendments I am going to be offering today goes after a Republican amendment. I also plan on offering an amendment to get rid of all earmarks in this bill before we finish this bill. So we will get to see whether this body gets it, whether the 80 percent to 85 percent of Americans who want us to change our behavior have any influence on us whatsoever. Will we listen?

There is a rumble. I said this a year and a half ago. There is a rumble in America, and the rumble is this: We don't have confidence in our Government anymore. Where is the legitimacy of our Government when our own people don't have confidence in us? It is a great question to ask about the

greatest Republic that there ever was. It is a problem we need to be about solving rather than ignoring.

With that, I yield for the moment.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Thank you, Mr. President. I would like to make a few comments. First, I would like to say this: I have tremendous respect for my colleague, and I would say friend, from Oklahoma. I don't think he does this out of any personal animus or even a direct, crass political advantage. I think he believes, and I respect that. So I would like to say that at the outset, and I say the same for my friend from Arizona. They have both been consistent in this, and they don't put in—even though their States do get earmarks, even earmarks for museums, it is not the wish of the Senator from Oklahoma or the Senator from Arizona to do that. That is point 1.

Point 2, generally, about fiscal responsibility, I would say both of my colleagues on the other side of the aisle, like so many others, have voted pretty strongly against spending programs. But they don't vote the same way against tax cuts. They don't do pay-go on tax cuts. They vote to cut taxes much more than all of the earmarks in this entire bill, even though it makes the deficit worse, even though it is a fact that our children will suffer because of the debt.

So there is no high moral ground here. There is a view as to how big Government ought to be, but the idea of keeping the budget balanced for our children and for our grandchildren, I daresay, this new Congress, under Democratic leadership, is toeing the mark far more carefully than previous Congresses did. We have instituted pay-go—pay-go for tax cuts, but pay-go for spending programs as well.

Any economist will tell you, if you have a large deficit, it doesn't matter whether the deficit was caused by either reducing taxes or by raising spending. So, frankly, I think the arguments of my colleagues would have a great deal more suasion in this body if they were to say they will not vote for any tax cut that is not paid for either because what is good for the goose is good for the gander.

If you wish to say I am for shrinking Government and I don't care what the deficit is, that is just fine. But if you are making the argument that we should not pass debt on to our children, debt from tax cuts and debt from spending programs is exactly the same debt.

Mr. COBURN. Will the Senator yield?

Mr. SCHUMER. Yes.

Mr. COBURN. Can the Senator recall a time that I voted for a tax cut?

Mr. SCHUMER. I don't know offhand.

Mr. COBURN. As a matter of fact, my public statements are that there should be no tax cuts unless you do spending cuts to pay for them.

Mr. SCHUMER. I respect my colleague for that. But the Senator from Arizona—I know of his record longer, and he does not have that record.

Mr. COBURN. I appreciate that.

Mr. SCHUMER. I appreciate that, and I look forward, when tax-cutting amendments come to the floor, to working with my colleague to say they ought to be paid for if we are going to do it, like we did, for instance, in the recent SCHIP bill.

I will make a second general point, and I will get to the specifics of this program. There are many needs in this country, and this country has always been one of federalism. Most of our time, effort, and energy goes into broad programs that basically do the same thing in Oklahoma, Arizona, and New York—whether it is helping pregnant women, whether it is education, or whether it is road building. Those are large national needs that this body has determined are real. But we have always had a view that States and localities are important.

Frankly, since the 1930s, there has been a view that the Federal Government has every right or reason to help those States and localities specifically, and that is what good earmarks are. Earmarks are not all good. Spending programs are not all good. Tax cuts are not all good. Each of them can be aimed at a specific place. Each of them can be aimed for the wrong reason. But I am proud of the earmarks I have put in the bills that we have had this year and in previous years. I am proud to defend them and I am glad we are having this debate. I do believe there is a balance, and I don't believe saying every program the Federal Government does ought to be just aimed across the country because Sullivan County in upstate New York, in the Catskill Mountains, is quite different from the county that surrounds Tulsa, OK, or the Grand Canyon in northwestern Arizona.

Yes, there should be a balance. To me, the balance in this bill—and the overwhelming majority are for broad Federal programs, but a certain amount are designated for earmarks—makes sense. Now, obviously, if you are putting an earmark in for something out of your State, or for the wrong reason, that is wrong. But let me tell you, if you go to Sullivan County, NY—and I appreciate that my colleague from Oklahoma has conceded this is a good program; he just doesn't think the Federal Government ought to spend for it. But I appreciate that because if you go to Sullivan County, NY, it is the place where the Catskills are. Until about 1950, the area boomed. Then the airplane boom hit and all the people from New York City, Philadelphia, and Boston who vacationed there started getting on airplanes and going to Florida, the Bahamas, California, and now Arizona to vacation. So Sullivan County became one of the poorest areas in our State. You drive up there, and you will see, from the Old Glory days, the great hotels that are boarded up. You will see the little bungalow colonies that people used to go to, which are now decrepid. I have been there many a time. I was there as a kid. I went to summer camp in the Catskills across the river in Pennsylvania. I would go there, of course, as a Senator frequently. It is an area that needs help.

When you ask the people what is the No. 1 thing they need, it is jobs. In this bill, we talk about jobs, no question. But I daresay the people of Sullivan County—the economic development experts, the town and local officials—have a better idea of what would create jobs in Sullivan County than the Senator from Oklahoma or the Senator from Arizona and, quite frankly, the Senator from New York. They are there, they know it. They live on the ground. They are the ones who see their children unable to get work. They are the ones who have seen and remember the older once great days, and now the decline, and they are desperate to try to restore some of the jobs so their children won't have to go away.

This Bethel Center for the Performing Arts was one of the two economic development projects that Sullivan County put at the top of its list, the other one being a racetrack, remaking the old Monticello Raceway to help with gambling, which is still pending in the Department of the Interior, where the Secretary, from Idaho, who doesn't seem to have a real understanding of the need, says it is an out-of-State tribe and we don't want to do it.

A job training program will be very nice, but it would not help Sullivan County to a large extent. All of the other large Federal programs we fund in this bill will not help Sullivan County. The people of Sullivan County, as well as the people in the rest of New York, who elected myself and Senator CLINTON to try to help them with their specific needs, as well as make the country a better place—we don't tell them what is good for them. We make sure the money will be spent where it is supposed to be spent. But we defer to their decision. This was their decision. A lot of other things in Sullivan County might have needed specific help, but this was their decision. It is a good decision.

I believe—and this is where, I suppose, my colleague and I have a difference—that the Federal Government should play a role. Being a U.S. Senator means making the big, broad national policies for this country, and it means helping the Sullivan Counties of each of our States. I argue that a Senator who doesn't do that is derelict in his or her responsibilities to their State. So I am proud of this earmark. It is the right type of earmark.

My colleague mentioned the State government and why doesn't the State do it. The State has put $15 million into this. The local county officials have clamored for this for years. There was a previous earmark put in by Congressman HINCHEY in the House of Representatives to help build a road. It is

a whole performing arts center at Bethel, not just a museum, but it is about $100 million. We hear about State and private partnerships, and this is one of them. The locality and the State are putting far more money into it than Washington. So both the State and the county and the town of Bethel have stepped up to the plate. They are not just asking the Federal Government for something they would not spend money for.

Every one of our counties has a need like this. If we are going to let a broad-brushed argument that there should be no earmarks stand—none—we are not going to be able to help these specific needs. I am proud to do it. I spend some time doing it, and I am going to continue to do it. I think it is part of my job. I think the people of Sullivan County and the people of New York State and the people of the United States would agree with that when told the facts of this particular situation and a little history of Sullivan County, which I have just outlined.

So I hope my colleagues will vote against this amendment because this is, as my colleague from Oklahoma says, a worthy project, and most of them are—not all. I have great respect for my two colleagues on the Senate floor. I don't think they are motivated by anything other than the best of intentions. Most of my colleagues believe they want to help out the Sullivan Counties, and we should be getting at the deficit. But the right way to do it is to put in pay-go across the board, not tie our hands and eliminate one specific type of program.

I want to review a little about the Bethel Museum in Sullivan County. It is a museum that not just covers Woodstock in the late 1960s, but it covers a whole post-World War II period, focusing on the sixties. It was a tumultuous decade, and it is a good idea to study it. Museums and libraries are a very important part of our history and education, as well as a job magnet. I don't think there is a debate that they are important. They have broad-brushed Federal programs that help libraries and museums. So that is not the argument.

Most important, it is an economic engine, as important as an economic engine might be in southeast Oklahoma, in the Indian country of Arizona, or the mountains of Montana, and it is what the two Senators—Senator CLINTON and I—in listening to the needs of Sullivan County and the people of Sullivan County, the elected officials there and the Chamber of Commerce have said they need most of all.

I hope my colleagues will support us and vote down this amendment because when they vote down this amendment, they are standing up for the other role we have in the Senate: to help our communities in the way they believe is best, not the way Washington dictates is best.

The PRESIDING OFFICER (Mr. TESTER). The Senator from Arizona is recognized.

Mr. KYL. Mr. President, let me return the compliment to our colleague from New York. Nobody is questioning anybody's beliefs. He certainly made that point, and we make the same point. In Senator SCHUMER, the citizens of New York have a very worthy and persuasive advocate. I say this with no disrespect. He could literally make the sow's ear into a silk purse, which I think is what is being done with respect to this particular program. He fights for his constituents' interests and beliefs. But I say thank you.

If this is a jobs program, and that is the justification for it, I think we need to take a look at this again. I am informed that the unemployment rate in Sullivan County is 4.1 percent, contrasted with 4.6 percent nationwide.

Our colleague talked about the counties in northwest Arizona. He mentioned the Grand Canyon. One of the counties next to the Grand Canyon incorporates the Navajo Indian Reservation.

I think about Tuba City. The unemployment rate on the Navajo Indian Reservation is about 40 percent as opposed to a little over 4 percent in Sullivan County, NY. We could use a lot of jobs programs. We can use other programs more than that. I cannot get money for a roof on the Tuba City jail which leaks. There are parts of Arizona where it actually rains, and on the Navajo Indian Reservation in Tuba City, AZ, it rains.

I went up there on a Saturday night about 6 months ago. Hope MacDonald said: You need to come up, we have to get a new jail; this thing is falling apart. I walked in and, yes, it is falling apart. It happened to be raining and, yes, the roof leaks.

There are huge needs on these Indian reservations in poor counties of Arizona. There are a lot of events we can commemorate on the Navajo Reservation in terms of a museum that would be worthwhile for everybody in this country to visit. There is a rich, long, wonderful history there. But I don't think we should have an earmark in the Health and Human Services bill to create a museum as a jobs program. If we want to do that, let's focus on the real need.

I don't know how many jobs this would create or what the cost-benefit ratio of the expenditure of this money is for job creation, but there surely has to be a better way to do it than creating a museum. If we are prioritizing, I can tell you areas in Arizona that are far greater in terms of unemployment and could use the money in much more direct ways to benefit the citizens of the State.

The second point that our colleague from New York made—I will stand guilty with respect to Senator SCHUMER's charge, which is that I don't believe we should always raise taxes when we cut taxes. That is what this so-called pay-go rule is all about. It is supposed to work this way. You either cut spending or you raise taxes.

We had a Finance Committee meeting, I believe it was yesterday, an informal meeting. I asked my colleagues, because it was all about raising taxes: Does anybody here have an idea about how we could cut spending in order to pay for this? Dead silence. Not a one. I know my colleague from Oklahoma has lots of good ideas about how to cut spending, but nobody in the Finance Committee was willing to put forth an idea of cutting spending. No, it had to be to raise taxes.

What I am curious about is whoever decided that the amount of revenue the Federal Government collects today is exactly the amount of revenue it has to collect from now into the future so that if we are ever going to reduce taxes on hard-working Americans, we have to raise their taxes in some other area so the Government can still collect the same amount of money?

It is interesting, we collect about 18.4 percent of the gross domestic product in taxes today. We could prevent any of the existing tax rates from increasing—take the 2001 and 2003 tax cuts—and eliminate AMT, the alternative minimum tax, and we would still be collecting 18 percent of our gross domestic product in taxes. Isn't that enough?

If we don't do these things, we will be over 20 percent. The historic 40-year average is 18.2 percent. Clearly, we don't have to keep raising taxes on Americans. That is why some of us believe, when we try to help people by cutting taxes, we ought to leave well enough alone and not raise taxes somewhere else so we can keep the Government whole. The object is not to make sure the Government always has the same amount of money. It is to try to help the people who pay the taxes. They are the ones who generate the jobs.

If we are talking about unemployment, let's talk about who creates the jobs. It is mostly small businesses. So if we help small businesses by not raising their taxes, they can create the jobs and that creates wealth and, by the way, it produces more income tax revenue to the Federal Government.

I conclude by saying I plead guilty to not wanting to raise taxes every time I am in favor of cutting taxes, but that debate is irrelevant to the question before us today, which is simply, as a symbolic measure, can we at least find $1 million in this multibillion-dollar bill that we can all agree could better be spent on something else? Can we set some priorities once and for all?

This Woodstock museum, maybe it is a good idea—I am not so sold on it—but if it is a great job creator, and it is pretty clear the people in New York have concluded that, they have the money to fund a museum. They do not have to rely on the taxpayers in my State or other States to fund a museum.

I hope my colleagues agree that in setting priorities, we can strike this one earmark from this bill.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I have a couple points as to Senator SCHUMER's statement. First, with an unemployment rate six-tenths percent lower than the national average and lower than New York's average, by the way—lower than New York's average—it is hardly in the dire consequences of what we see around the rest of the country.

The second point is, we have 60-some million dollars out there for competitive grant competition on museums for which the museum administration does a great job. In other words, everybody in the country who wants to have a museum has to compete against everybody else, and the ones who are most meritorious—by the way, they are also audited to see that the money is actually spent in a proper way; this will never be audited—they have to compete.

The major problem with Senator SCHUMER's argument is that Sullivan County can never be healthy if the country as a whole is not healthy. That is the problem with the argument. We can say we want to make XYZ healthy. It is akin to saying your finger is healthy when you are having a heart attack.

The fact is, the country as a whole is at the precipice—D day comes January 1, 2008. That is the demographic day on which all the baby boomers, the ''Woodstockers'' start taking Social Security, and 3 years later they start taking Medicare, $79 trillion worth of unfunded liabilities. How in the world can the American people ever trust us to fix those big problems if we don't even get it on the small problems?

If this is a great idea, put it into the competition on competitive grants for museums. To say they are in hardship with an unemployment rate of 4.1 percent compared to the rest of New York and the rest of the country, that is hard to believe.

Again, we have to start listening to the rumble in America that says start being good stewards with our money, quit doing things that help you as politicians that hurt us as a country.

The fact is, although this may be very worthy, why shouldn't it have to compete against everybody else in the country who wants a museum? Why shouldn't it have to compete? Why is it that I can pick out and place—and I guess I am one of the derelict Senators because I don't believe Oklahoma can be healthy if our country isn't healthy. I believe Oklahoma will ultimately fail if our country fails. I believe that future generations will live a less standard of living with less opportunity and ultimately less freedom if we don't solve the financial problems in front of us as a nation.

This is a symptom of our sickness, and until we reject and get rid of this disease of parochialism and start fulfilling our oath—do you realize the oath we take when we come to the Senate never mentions our State? It says you will uphold the Constitution of these United States—these United States, all of us. So the will and the best well-being of all of us as a country has to be our most important goal.

Alexander Tyler will be right about us if we don't wake up and change what we are doing. We will collapse under our own fiscal insanity if we continue to do these things.

Senator SCHUMER is a great Senator for the State of New York, there is no question about it. He is going to fight and defend this old way of parochialism. He is going to fight and defend it until we as a country collapse. That is why we have an 11-percent confidence rating. We are collapsing already in terms of our real duty to build confidence, that we are looking out for the country as a whole, not for our own political careers or not for local parochial interests. That is why the Senate was created. It wasn't for parochial interests. If you read the Founders' writings, they never thought about the Senate being considered anything other than a body that looked at the long term, ensure the future, create opportunities, and protect the liberty, and we fall away from that as we go through this process.

Mr. President, I know we have a unanimous consent agreement. I ask that all the Members of this body read Comptroller General David Walker's report about what is getting ready to happen to us and read former Secretary Peter Peterson's book ''Running on Empty'' and what they will see is not a pretty picture.

The time to diagnose the disease is now, not when we are in ICU and we could have prevented it.

I yield the floor. I thank my colleagues for their debate.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, moments ago I heard my colleague from Arizona, who is a member of the Finance Committee, as am I, talking about eliminating the alternative minimum tax. Most of us in this Chamber know we have a problem with the alternative minimum tax that is going to affect 23 million Americans, up from nearly 4 million last year, if we fail to act. But the notion that we eliminate the alternative minimum tax and not pay for it I find breathtaking. Why? Because unless we replace that revenue, we will have to go out and borrow another $870 billion over the next 10 years. In fact, some of my colleagues in a meeting yesterday of the Finance Committee said let's not only eliminate the alternative minimum tax and not pay for it, let's eliminate or extend the 2001 and 2003 tax cuts and not pay for that either, not reduce spending or replace it with other revenue.

The effect of those proposals would be $4 trillion of additional debt after they have already run up the debt of the country by $3 trillion in the last 6 years alone, a 50-percent increase in the debt. I find that not just irresponsible, I find it wildly irresponsible.

From where is this money going to come? It would be borrowed. From whom would we borrow it? Right now, over half the money we are borrowing to float this Federal Government we are borrowing from abroad and primarily the Japanese and the Chinese.

So when my colleagues come out and say let's have a bunch more tax cuts and not pay for them, by either reducing spending or replacing it with other revenue, understand what they are saying. What they are saying is let's go borrow a bunch more money from China and Japan.

Some people say it is a sign of strength that they will loan us this money. That is an interesting idea of strength. I had a man in my office the other day, one of the wealthiest men in America. He said to me: I believe America is in danger of following the path of Great Britain, a great empire in decline, because we are not responsible about our financial commitments and we get into this idea of spending money we don't have and borrowing it primarily from abroad.

It leaves me cold to hear some of my colleagues talk about supporting every tax cut, supporting every spending initiative, wanting another $200 billion for the war in Iraq and not willing to pay for any of it. That is what will bring America down. That is what will weaken this country. That is what will leave us deep in debt and a debt that we will owe all around the world.

We are increasingly dependent on the kindness of strangers. At some point, we have to get serious around here and become responsible. Those who embrace every spending initiative of every tax cut and then call themselves fiscally responsible have gone beyond the pale.

I thank the Chair and yield the floor.

AMENDMENT NO. 3338

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided between the Senator from South Carolina, Mr. DEMINT, and the Senator from New York, Mr. SCHUMER, or their designees, prior to a vote on amendment No. 3338, offered by the Senator from South Carolina.

Mr. DEMINT. Mr. President, I have been in the Senate about 3 years, and I have become increasingly concerned that many of my colleagues and good friends, whom I deeply respect, now believe it is our purpose here in the Senate to take tax dollars from the American people and then give them to our favorite causes back in our States. There are many wonderful causes back in South Carolina. I could spend a whole national treasury on them if I could get my hands on it, but that is not what I am here for. Americans expect us to work for the good of the country, of everyone and our future as a whole, not to create slush funds for ourselves and give them to our favorite causes back home.

My amendment addresses a particular cause, and my purpose is not to

embarrass a Member of Congress but to point out that it is particularly egregious if we, as Members of Congress, take taxpayer money and give it to some project that has been named after us, and in this case Mr. RANGEL has gotten $1 million or $2 million.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DEMINT. Mr. President, I ask unanimous consent for another 30 seconds since no one else is speaking.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEMINT. My amendment strips this out. Some have said it is not in the Senate bill, so we don't need to do it. We do that all the time; we disallow the use of funds for particular reasons because that is not what a bill is intended for.

Some have said we name things after Senators all the time. But it has only been after they have retired that we have done that. We do it for judges after they retire.

We have to stop this insidious problem of becoming a favor factory where we are giving away taxpayer money for things we are not supposed to do, despite how worthy they might be. Please support my amendment to strike this egregious provision.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the only fault I find with the amendment of the Senator from South Carolina is that this provision is not in the bill before us. It is not in this bill. The thing he finds objectionable is in the House bill; it is not in this bill.

Mr. DEMINT. Will the Senator yield?

Mr. CONRAD. I think all time has expired.

Mr. DEMINT. We have done this before. We did it with spinach a while back. It is not unusual for us to disallow the use of funds for things not in our bill. It is important we do it as a Senate; otherwise, it will end up in the final bill.

Mr. CONRAD. Mr. President, is there time remaining?

The PRESIDING OFFICER. Twenty-two seconds.

Mr. CONRAD. Mr. President, I would just say again that I find it unusual that we are passing amendments on provisions that aren't even in the bill before us. It is in the House bill. Now, maybe the Senator from South Carolina wants to send a signal, and I certainly respect that, but the fact is the provision he objects to is not in the legislation before us. It is over in the House bill. Ultimately, this will have to be worked out between the House and the Senate.

I thank the Chair.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to amendment No. 3338. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote ''nay.''

Mr. LOTT. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 34, nays 61, as follows:

[Rollcall Vote No. 373 Leg.]

YEAS—34

Allard	Crapo	Kyl
Barrasso	DeMint	Martinez
Bayh	Dole	McConnell
Bennett	Ensign	Roberts
Brownback	Enzi	Sessions
Bunning	Feingold	Smith
Burr	Graham	Snowe
Chambliss	Grassley	Sununu
Coburn	Gregg	Thune
Coleman	Hutchison	Vitter
Corker	Inhofe	
Cornyn	Isakson	

NAYS—61

Akaka	Hagel	Nelson (FL)
Alexander	Harkin	Nelson (NE)
Baucus	Hatch	Pryor
Bingaman	Inouye	Reed
Bond	Johnson	Reid
Boxer	Kerry	Rockefeller
Brown	Klobuchar	Salazar
Byrd	Kohl	Sanders
Cantwell	Landrieu	Schumer
Cardin	Lautenberg	Shelby
Carper	Leahy	Specter
Casey	Levin	Stabenow
Clinton	Lieberman	Stevens
Cochran	Lincoln	Tester
Collins	Lott	Voinovich
Conrad	Lugar	Warner
Craig	McCaskill	Webb
Domenici	Menendez	Whitehouse
Dorgan	Mikulski	Wyden
Durbin	Murkowski	
Feinstein	Murray	

NOT VOTING—5

Biden	Kennedy	Obama
Dodd	McCain	

The amendment (No. 3338) was rejected.

Mr. WHITEHOUSE. Mr. President, I move to reconsider the vote.

Mr. ROCKEFELLER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, we are making progress on this legislation. The two managers are working very hard to consider all the amendments that people have suggested to them.

We have just spoken to the distinguished Republican leader, and we believe this bill can be finished—it is 1 o'clock Thursday afternoon, and I hope we will not have to work into the evening tomorrow. We really need to finish this bill and have some cooperation from Senators as to how it can be finished with a time certain. So I tell the two managers, this is a bill we need to do.

As I said before, there are a couple of reasons we need to do it. No. 1 is we need to get this bill completed so we can get something to the President, and this would be a bill to do that. If the President is going to veto legislation, which he said he is going to do, this would be a good one to send to him because what the President is complaining about, in actual dollars, is in this bill.

Second, the chairman of the Agriculture Committee is the manager of this bill. We have to get him the ability next week to start and finish marking up the farm bill. We have to do the farm bill every 5 years. We are now past the time when we should have already completed that.

So there are a number of very important reasons we have to push forward this week to finish what we are working on today. I hope everyone understands that. I said before, I am so happy last week we were able to find a way of finishing the Mikulski-Shelby appropriations bill. We were able to do that. It took the cooperation of both sides, but we wound up with a good product.

I hope we do not have to work late tomorrow. I hope we can figure out a way to do this. When Senator MCCONNELL was speaking earlier today, a few minutes ago, we had both our floor staffs with us, and they are going to help work through this. If people have amendments they want votes on, let's set them up today or tonight. It should be, and could be, an important day to complete this legislation.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, let me say to the majority leader, we are anxious to move this bill to completion as well. We understand the desire of the manager of the bill to turn his attention to the farm bill, which has not yet been marked up. I am on that committee, and I understand his interest in being able to do that.

Let me just reiterate, there is going to be plenty of cooperation on this side of the aisle to complete the Labor-HHS bill at the earliest possible time. I encourage our Members who have been offering amendments and are going to be offering some more to come down and let's do it today.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Mr. President, to move this along, I ask unanimous consent to call up en bloc amendments numbered 3242, 3352——

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia is to be recognized.

The senior Senator from West Virginia is recognized.

Mr. BYRD. Does the Senator wish to make a unanimous consent request?

Mr. ENSIGN. If the Senator will yield, if I could call up this amendment and speak for 2 minutes and then yield the floor?

Mr. BYRD. How long does the Senator wish?

Mr. ENSIGN. Two minutes.

Mr. BYRD. Mr. President, I yield the floor for 2 minutes.

AMENDMENTS NOS. 3342 AND 3352 EN BLOC, TO AMENDMENT NO. 3325

Mr. ENSIGN. Mr. President, I call up, en bloc, amendments Nos. 3342 and 3352.

The PRESIDING OFFICER. Without objection, it is so ordered. The pending amendments are set aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. ENSIGN] proposes, en bloc, amendments numbered 3342 and 3352 to amendment No. 3325.

Mr. ENSIGN. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 3342

(Purpose: To prohibit the use of funds to administer Social Security benefit payments under a totalization agreement with Mexico)

At the appropriate place, insert the following:

SEC. ____. None of the funds appropriated by this Act may be used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

AMENDMENT NO. 3352

(Purpose: To prohibit the use of funds to process claims based on illegal work for purposes of receiving Social Security benefits)

At the appropriate place, insert the following:

SEC. ____. None of the funds appropriated in this Act shall be expended or obligated by the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process claims for credit for quarters of coverage based on work performed under a social security account number that was not the claimant's number which is an offense prohibited under section 208 of the Social Security Act (42 U.S.C. 408).

Mr. ENSIGN. Mr. President, these——

Mr. BYRD. Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senator yielded for 2 minutes.

Mr. BYRD. Do I have the floor?

The PRESIDING OFFICER. The Senator has the right to recall the floor but yielded 2 minutes.

Mr. BYRD. I will sit down because I know I have the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Mr. President, very briefly, I will keep this very short. The first amendment deals with the totalization agreement the United States and Mexico have been working on together. I think there is a severe problem with a totalization agreement between our two countries; not because of our country but because of the recordkeeping and the problems associated with Mexico.

What the first amendment would do, very simply, it would not allow the administration to use funds to implement a totalization agreement with Mexico. Our Social Security trust fund is already in trouble. We all know that.

This totalization agreement with Mexico would put our Social Security trust fund into trouble. That is why I think this is an important amendment that we debate, we talk about, and hopefully we will support.

The second amendment I have, I believe, reflects American values. We hear about identity fraud all the time. My amendment says the Social Security Administration could not pay Social Security benefits to anybody who has used a Social Security number fraudulently. That happens today. They use it fraudulently. They come back and they claim the benefits while they were using someone else's Social Security number.

This amendment would stop that practice. It would say Social Security cannot use any funds in this bill to give Social Security benefits to somebody who used an illegal Social Security number.

So briefly, those are my two amendments. I appreciate the Senator from West Virginia yielding me 2 minutes.

The PRESIDING OFFICER (Mrs. MCCASKILL.) The Senator from West Virginia.

Mr. BYRD. Madam President, is the Senate operating under a time agreement at this point?

The PRESIDING OFFICER. There is no time agreement on the Senator's time.

Mr. BYRD. Am I recognized at this point?

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

AMENDMENT NO. 3362 TO AMENDMENT NO. 3325

(Purpose: To increase funding for the Mine Safety and Health Administration.

Mr. BYRD. Madam President, last year the coal mining industry recorded the highest fatality rate in 10 years: 47 coal miners perished. Perished. They died. Many of these coal miners perished in the terrible tragedies at the Sago, Alma, and Darby Mines in West Virginia and Kentucky.

In response, the Congress passed the MINER Act to help ensure better emergency preparedness in the coalfields, such as the underground installation of wireless communications and additional emergency breathing devices.

In order to fund these new mandates, and in order to ensure continued compliance with already existing health and safety standards, the Senate Appropriations Committee recommended $13 million above the President's budget request for the Mine Safety and Health Administration in the fiscal year 2008 budget.

I also note that because the President's budget failed to do so in fiscal years 2006 and 2007, the Labor-HHS Appropriations Subcommittee secured funding, at my request, to hire additional mine safety inspectors and to bolster safety enforcement at MSHA.

I wish to thank Chairman HARKIN and Senator SPECTER for their support and their stalwart advocacy of these requests. They are true champions of the coal miners.

Since the Appropriations Committee reported this bill in June, another tragedy occurred in Utah where six miners were trapped at the Crandall Canyon Mine. During the rescue operation, three miners lost their lives, one of them a Federal mine inspector. The original six miners who had been trapped were never found. They remain entombed to this very minute, this very hour, this very day. They remain entombed in Crandall Canyon.

When the Congress returned from its August recess, the chairman and the ranking member of the Senate Labor HHS Subcommittee conducted a hearing to examine MSHA's actions at Crandall Canyon.

In response to several questions I asked based on articles in West Virginia's Charleston Gazette, the Assistant Secretary of Labor for Mine Safety and Health informed me that MSHA had not been performing the full quarterly inspections required by the Mine Act. I learned that MSHA has fallen dangerously, shockingly behind on its mine inspections across the Nation.

In southern West Virginia, the inspection rate had been allowed to decline from 89 percent in 2006 to 63 percent in 2007. MSHA needs the personnel, MSHA needs the budget to perform its primary and most basic functions; MSHA needs support staff to properly assess penalties; MSHA needs resources to review and certify safety equipment; MSHA needs the capacity and the personnel to train more inspectors.

Years of attrition and budget cuts by the Bush administration—let me say that again—years of attrition and budget cuts by the Bush administration have left critical positions unfilled at MSHA, incapacitating the Agency in many respects.

During a recent meeting in my office, the Assistant Secretary for MSHA, in response to my request, described a plan for MSHA to achieve 100 percent of the inspections required by the Mine Act. The plan would require many tens of thousands of overtime hours and the transfer of inspectors from districts across the country.

I have been told that these additional measures would be sufficient to fill the current gaps in the inspection schedules, at least until new inspectors can be trained and are able to assume their full responsibilities.

Now the problem falls to the Congress. That is here. The problem falls to the Congress to figure how to pay for this interim plan and how to fix these very serious budget deficiencies at MSHA.

Even after the most horrific year of mine fatalities in a decade, the President's budget request still does not include adequate funds to enable MSHA to conduct, in full, the most basic safety inspection.

The President's budget request—let me say that again. Our President's budget request—let me say that again—our President's budget request does not even include the necessary funds to help MSHA comply with the mandates of the new MINER Act which the President signed into law.

Today, I am offering an amendment that would add $10 million. Did you hear that? It would add $10 million to MSHA's budget. These funds are necessary to enable MSHA both to complete the safety inspections required by the law and also to implement the mandates required by the MINER Act.

The amendment would be fully offset by a reduction in travel expenditures for the departments and the agencies funded in the underlying bill. It would save lives. The funds enable MSHA to support additional hours of overtime for mine inspectors and specialists and to pay for travel for inspectors temporarily reassigned.

In addition, this amendment enables MSHA to hire additional support and administrative staff and to designate education specialists to better train new mine inspectors. The amendment would allow MSHA to begin to reduce its backlog of applications for certification and approval of new safety technologies. The amendment would spur expeditious approval of a truly wireless communications and tracking system that can meet the requirements of the MINER ACT.

As SAGO—SAGO, a terrible word because of that terrible tragedy—Crandall Canyon, and too many other recent mine disasters have made deadly clear, mine safety must not be funded on the cheap. The Congress must fund MSHA's true budgetary needs, and it must have the candid appraisal of the Department of Labor and the Mine Safety and Health Administration. Tell it to us straight. I say to them, tell it to us straight. Anything less is a threat to the health and safety of our miners.

I send my amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD], for himself, Mr. SPECTER, and Mr. HARKIN, proposes an amendment numbered 3362:

At the appropriate place in title I, insert the following:

SEC. ____. (a) In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional $10,000,000 for necessary expenses for salaries and expenses of the Mine Safety and Health Administration.

(b) Amounts made available under this Act for travel expenses for the Department of Labor, the Department of Health and Human Services, and the Department of Education shall be reduced on a pro rata basis by the percentage necessary to decrease the overall amount of such spending by $10,000,000.

Mr. BYRD. Madam President, it is my understanding that someone is needed on the other side of the aisle. I can certainly appreciate that. I want to ask for the yeas and nays on my amendment.

I am advised by the able staff on the other side that Senator SPECTER would agree to having the yeas and nays. I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. BYRD. I thank the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

(The remarks of Mr. CASEY and Mr. SANDERS pertaining to the introduction of S. 2191 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHIP

Mrs. MCCASKILL. Mr. President, we have a saying in some parts of Missouri, and I think it is a common saying in some rural parts of America: That dog won't hunt. I rise today to speak a few minutes about the Presidential veto of the Children's Health Insurance Program.

Mr. President, that dog won't hunt. All America has to do is look at the rationale for the veto and look at the tale of two programs—and that would be T-A-L-E.

The President says he is vetoing children's health care because it is too expensive. It is a $35 billion expansion over 5 years—an average of $7 billion a year. The President says he is vetoing the Children's Health Insurance Program because it is providing health insurance for wealthy families or families who can afford health insurance on their own.

This is a President who is out of touch. When a family of four making around $50,000 is facing over $1,200 a month in health insurance costs, that is a crisis in our country, and one that the majority in Congress has recognized. That is why we have prioritized the children. This is a program for low-income children, for modest-income children, and it is important we give them this health insurance. The President says it is too expensive. We pay for it. It is a novel concept around here that we are paying for it.

Now, let's dial back the calendar a few years and look at Medicare Part D. Was it expensive? Yee howdy, was it expensive. Try $710 billion over 10 years—an average of $70 billion a year. Was there a way to pay for it? Absolutely not. No way to pay for it. We just wrote a bad check for it. We had no way of paying for it. Was it for modest-income Americans or low-income Americans? Oh, no. Oh, no. It was for anybody in America. You could be a billionaire and participate in Medicare Part D.

So let me see if I get this straight. We have one program that is not paid for that is 10 times more expensive than the Children's Health Insurance Program that is for wealthy people in America—and it is OK the year before the President stood for reelection, it is OK with my Republican colleagues who voted against the Children's Health Insurance Program, it is OK with some of my colleagues from Missouri in Congress on the other side of this building who are voting to uphold the President's veto today. They voted for Medicare Part D.

So what is the difference? Why is one program not fiscally irresponsible and inappropriate? But the program for low-income children, why is it so bad? Well, the devil is in the details. And the details in this instance are that the people who wanted Medicare Part D were the pharmaceutical companies and the insurance companies. It is estimated they are going to make close to $150 billion off Medicare Part D. That is why this dog won't hunt. Because what this is about is the private insurance companies and private drug companies making money. Then it is OK to give the benefit to wealthy people and to not have a way to pay for it. But if it is going to the children and nobody is going to make any money off of it, then all of a sudden it is evil.

No wonder the people of America are outraged. No wonder our phones are ringing off the hook. No wonder the Members of Congress who are willing to uphold this veto are feeling the heat. They ought to feel the heat. This is the right thing to do. We should be taking care of these children. It is the least we can do as Americans to face the health care crisis that we face right now.

So I urge my colleagues from Missouri—especially those who are voting to sustain the President's veto—to reconsider because if you voted for Medicare D and you are saying this is a problem, you know what: America will figure that out.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, first of all, I commend my colleague from Missouri for her wonderful comments as it relates to health care. Also, as to the bill in front of us, I thank the distinguished Senator from Iowa for his passionate commitment to the right things as it relates to the values and priorities for our families: health care, education, and focusing on things that really matter to families every day.

I specifically come to the floor, though, because we just saw a vote in the House of Representatives that was just completed regarding the children's

health care legislation. Unfortunately, it fell short of the override we need to have happen in order to be able to provide health insurance for 10 million children in America—10 million children of working families who are working very hard. They don't want to be on public assistance and Medicaid so that their children can get coverage; they want to work. They are working, but they are not in a position to be able to afford private health care coverage and they don't have it at work. So we are, through the children's health care program, rewarding work and rewarding the families of America who want to make sure their children have health insurance.

It is my understanding that there was just a vote that fell short. There were 273 colleagues in the House of Representatives—and I commend every one of them.

All of those who have worked so hard on both sides of the aisle in the House and the Senate should be commended again. Certainly, our leader, Senator REID, the Speaker, Senator BAUCUS, Senator GRASSLEY, Senator ROCKEFELLER, Senator HATCH—all of our bipartisan colleagues should be thanked for their efforts one more time.

I come to the floor to say that we are not done. We are not done. The people of this country are appalled at the lack of understanding of what average families are going through today. This President will be shortly asking us to approve another $200 billion for the war in Iraq—that will be paid for by our children, by the way, because it is not paid for; it goes on the national deficit, so our children and grandchildren will be paying for it—but says no to a program that is fully paid for, that invests $7 billion a year in making sure the children of America have health insurance. Seven billion dollars versus $200 billion, on top of another half a trillion dollars that has already been spent, on a war the American people want to stop as it is currently constituted. They want to change that mission and focus on things that will certainly keep us safer.

So I come to the floor to, first of all, commend everyone who has been involved to this point. I am very proud to be a member of the Finance Committee, where we worked very hard to put together a bipartisan agreement. But we are not done. This is a mainstream program supported by the broadest possible coalition you could have, from the business community and the large pharmaceutical companies to Families USA and to organized labor and child advocates and health care organizations. This is mainstream. This is the broadest possible coalition. Unfortunately, I regret to say it has been defeated by misinformation presented by folks who think that if they repeat long enough that somehow this covers people making $83,000 a year or repeat long enough that illegal immigrants are covered, that it somehow makes it true. Now, as the distinguished Chair knows, even in looking at the issue of documented or undocumented immigrants, even those who are here legally were asked to—were basically put in a position not to be able to receive children's health care help.

So to be able to address all of this misinformation that is out there, there is a real issue about that which needs to be fixed. So we have seen lack of information, misinformation, and more that has gone on with this proposal. In the short term, it seems to have worked, but it will not work in the long run because the reality is this is the right thing to do. It was passed 10 years ago by a Democratic President and a Republican Congress. I remember that debate. I was in the House of Representatives at the time in 1997. This was a positive step forward to support families working hard every day, trying to make sure they can put food on the table, pay the mortgage, buy the school clothes, and then have children's health care, have health care for their children, maybe be able to take them to the dentist so they don't end up with an abscessed tooth and the outrageous situation that happened with a child who died whom we all read about in the paper.

This is about moral values, priorities. When this President now comes to us asking for another $200 billion for a war that is not paid for, that is putting brave American men and women in the middle of a civil war in Iraq every day, I want to have him answer the question: Why?

Why, Mr. President, is it all right to add $200 billion more to the debt and ask our children and grandchildren to pay for it, yet you are not willing to stand with the children of America, 10 million children in America who are counting on us to be able to make sure they can get basic health care? There is something fundamentally wrong with this.

I urge colleagues to join with us. We are not going to stop until this is addressed because it is the right thing to do from a moral standpoint, and from a fiscal standpoint it is the right thing to do.

When children can't go to the doctor, their family can only use the emergency room or the child gets sicker than they otherwise would because they only have the emergency room to go to. They can't go to a doctor. The hospital pays, and then who picks up the tab? Every business that has health insurance. So from a practical economic standpoint, it makes sense. Certainly from a moral standpoint, it makes sense.

I think this is one of the proudest moments we have had in the Senate, of people of diverse backgrounds and philosophies coming together, putting the ideology at the door, and saying: You know what, this is about children. I don't know how many times I heard the chairman of the Finance Committee, the distinguished chairman, say: This is about the kids. Just keep focused on the kids. And because we did that in this Chamber, we came up with something we can all be very proud of.

The American people want to know that we reward work in this country and that we understand that families who are desperately concerned about health care for their children ought to be able to have a right to be able to purchase an affordable policy that will allow them to have their children get the health care they need.

So I appreciate our distinguished chairman of the Appropriations subcommittee allowing me to speak. I am deeply disappointed, along with people all across America, at the vote that just happened. But we are not done. Ten million children and their families are counting on us, and we are not going to stop until they have the health care they need.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, I wish to thank the Senator from Michigan for her very eloquent and very timely statement on what just happened in the House. I guess it just transpired a little while ago. I think probably all of us were hoping that somehow the Members of the other body would come to realize this had broad support across the country—the SCHIP bill—and the fact that the $35 billion we had in there over 5 years was something that is sorely needed. I think we were all hoping this would pass. So when I just heard the Senator from Michigan say it failed by only getting 273 votes—we need 290 in the House to override a veto—that is a shame because it is obvious that we here in the Senate have the votes to override a veto.

So what can I say? Seventeen people prevented this from becoming law and from providing the health care our children need in this country—children of working parents. Mostly these are people who are a working parent or parents, they are contributing to society, they are taxpaying individuals, but they simply don't have enough money to buy the kind of health insurance they need to cover their kids. So this really is a slap in the face to the middle class in America, the middle-class people who are struggling to make ends meet and trying to provide a good education for their kids, maybe trying to put something away for a rainy day or for retirement, and they just don't have the money for health insurance. The Senator from Michigan is so right.

I don't mind if the President is opposed to this, but I think he has an obligation to speak truthfully to the American people. When he came out yesterday—I think it was just yesterday I heard this—he said: Well, it would cover kids with families earning up to $83,000 a year. Well, that is just simply not factually true. It would be if he signed it—I mean, it is up to the

President to approve or not approve those. So is he saying that if the bill went through, he would approve it? That doesn't make sense. So that was disingenuous on his part. Also, as the Senator from Michigan pointed out, that somehow this would cover immigrant children, that is absolutely forbidden in the bill.

So I thank the Senator from Michigan for her long efforts in this regard as a member of the Finance Committee, as well as the occupant of the chair, who I know is a member of the Finance Committee and who also has worked very hard to reach a compromise, a bipartisan agreement on this bill to send it to the President. All I can say is, when people ask me now what are we going to do, well, what we are going to do is we are going to try to do something to move this forward. We can't just sit back and say that because of 17 people we can't move ahead.

So I think most of us who feel very strongly about the Children's Health Insurance Program are going to do everything we can between now and the time we adjourn to get this back up and try to get it to the President, and hopefully by then there will be enough momentum behind it that he will sign it. But I don't think we should just sit back and let it linger.

So I thank the Senator from Michigan for all of her strong support for the SCHIP bill.

AMENDMENT NO. 3362

Mr. President, turning back now to this bill in front of us, the chairman of the full Appropriations Committee, the President pro tempore of the Senate, Senator BYRD, had offered an amendment on MSHA, the Mine Safety Health Administration, to provide an additional $10 million for that. It was fully offset by a reduction of $10 million in travel expenses for the Department of Labor, the Department of Health and Human Services, and the Department of Education. I am proud to be a cosponsor of that amendment.

Our subcommittee held two hearings on MSHA this year. What we learned is they still don't have two-way communication and tracking technology that would operate after an accident in an underground coal mine. Other countries seem to do quite well in that—Poland, Australia—other countries seem to be able to do that, but we can't. MSHA has been dragging its feet on this for a long time.

Our inspector force has been growing over the last couple of years, again thanks to Senator BYRD, who in the 2006 supplemental put in $25 million to train and to equip the inspectors. But even with that, MSHA still is not capable of conducting 100 percent of the inspections in our Nation's coal mines. That 100 percent is required. That is a requirement. Yet they still can't do it.

This is something I think is sorely needed. I support it, and I hope the Senate will adopt the Byrd amendment to the Mine Safety and Health Administration.

AMENDMENT NO. 3368

Mr. HARKIN. Mr. President, at this time, I ask unanimous consent that the pending amendment be set aside and I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for himself, Mr. KENNEDY, and Mr. SPECTER, proposes an amendment numbered 3368.

The amendment is as follows:

(Purpose: To provide funding for activities to reduce infections from methicillin-resistant staphylococcus aureus (MRSA) and related infections)

On page 50, line 5, insert before the period the following: ": *Provided further*, That $5,000,000 shall be for activities to reduce infections from methicillin-resistant staphylococcus aureus (MRSA) and related infections".

Mr. HARKIN. Mr. President, I offer this amendment on behalf of myself, Senator SPECTER, and Senator KENNEDY. We have seen, in the last 24 hours or so, horrific stories come out about this new bacteria that is invulnerable to our first line of antibiotics. It is a dangerous germ and it is spreading all over the country.

There was a story in the paper this morning about cases nearby here. A teenager died recently in Bedford County, VA, because of methicillin-resistant staphylococcus, or MRSA. As of yesterday, Montgomery County schools had 14 cases, Anne Arundel County had 1 reported MRSA infection. They have received 57 reports from parents about other possible cases. Two cases have been confirmed at Wild Lake High School in Howard County. So something is going on.

Some of these schools are trying to clean up. We have one here, where the Rappahannock County School System finished a comprehensive cleaning of its two campuses, and the cost was more than $10,000. That is one cost. The cost in human life and suffering is growing.

We all are very concerned—and rightfully so—about the number of people losing their lives to the AIDS virus every year. But the fact is more people are dying because of this staphylococcus than they are of AIDS. MRSA was calculated with striking 31.8 out of 100,000 Americans, which translates into 94,360 cases and 18,650 deaths nationwide a year. In comparison, complications from the AIDS virus killed about 12,500 Americans last year.

So what is happening is that this microbe is spreading. The Centers for Disease Control and Prevention have calculated about 19,000 deaths a year. So, again, it seems to me we need to pay some attention to this and we need to respond to it as rapidly as possible.

This amendment basically says they shall spend a minimum of $5 million—take $5 million out now to focus on identifying and containing and trying to hold down the spread of this terrible bacteria. It is not a virus, it is a bacteria. So, again, Senator SPECTER, KENNEDY, and I wanted to introduce this to let the public know we are trying to get on top of it. Hopefully, we will have hearings with the CDC soon to find out what they are doing.

This amendment would increase activities in hospitals and other health care settings, aimed at preventing the spread of this deadly bacteria. So I will leave it there.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article that appeared today on Washingtonpost.com regarding this MRSA.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post Oct. 17, 2007.]

DRUG-RESISTANT STAPH GERM'S TOLL IS HIGHER THAN THOUGHT

(By Rob Stein)

A dangerous germ that has been spreading around the country causes more life-threatening infections than public health authorities had thought and is killing more people in the United States each year than the AIDS virus, federal health officials reported yesterday.

The microbe, a strain of a once innocuous staph bacterium that has become invulnerable to first-line antibiotics, is responsible for more than 94,000 serious infections and nearly 19,000 deaths each year, the Centers for Disease Control and Prevention calculated.

Although mounting evidence shows that the infection is becoming more common, the estimate published today in the Journal of the American Medical Association is the first national assessment of the toll from the insidious pathogen, officials said.

"This is a significant public health problem. We should be very worried," said Scott K. Fridkin, a medical epidemiologist at the CDC.

Other researchers noted that the estimate includes only the most serious infections caused by the germ, known as methicillin-resistant Staphylococcus aureus (MRSA).

"It's really just the tip of the iceberg," said Elizabeth A. Bancroft, a medical epidemiologist at the Los Angeles County Department of Public Health who wrote an editorial in JAMA accompanying the new studies. "It is astounding."

MRSA is a strain of the ubiquitous bacterium that usually causes staph infections that are easily treated with common, or first-line, antibiotics in the penicillin family, such as methicillin and amoxicillin. Resistant strains of the organism, however, have been increasingly turning up in hospitals and in small outbreaks outside of heath-care settings, such as among athletes, prison inmates and children.

On Monday, Ashton Bonds, 17, of Lynch Station, Va., succumbed to MRSA, prompting officials to shut down 21 Bedford County schools today for cleaning to prevent further infections. The infection had spread to Bonds's kidneys, liver, lungs and the muscle around his heart.

The MRSA estimate is being published with a report that a strain of another bacterium, which causes ear infections in children, has become impervious to every approved antibiotic for youngsters.

"Taken together, what these two papers show is that we're increasingly facing antibiotic-resistant forms of these very common organisms," Bancroft said.

The reports underscore the need to develop new antibiotics and curb the unnecessary use

of those already available, experts said. They should also alert doctors to be on the lookout for antibiotic-resistant infections so patients can be treated with the few remaining effective drugs before they develop serious complications, experts said.

MRSA, which is spread by casual contact, rapidly turns minor abscesses and other skin infections into serious health problems, including painful, disfiguring ''necrotizing'' abscesses that eat away tissue. The infections can often still be treated by lancing and draining sores and quickly administering other antibiotics, such as bactrim. But in some cases the microbe gets into the lungs, causing unusually serious pneumonia, or spreads into bone, vital organs and the bloodstream, triggering life-threatening complications. Those patients must be hospitalized and given intensive care, including intravenous antibiotics such as vancomycin.

In the new study, Fridkin and his colleagues analyzed data collected in California, Colorado, Connecticut, Georgia, Maryland, Minnesota, New York, Oregon and Tennessee, identifying 5,287 cases of invasive MRSA infection and 988 deaths in 2005. The researchers calculated that MRSA was striking 31.8 out of every 100,000 Americans, which translates to 94,360 cases and 18,650 deaths nationwide. In comparison, compliions from the AIDS virus killed about 12,500 Americans in 2005. ''This indicates these life-threatening MRSA infections are much more common than we had thought,'' Fridkin said.

In fact, the estimate makes MRSA much more common than flesh-eating strep infections, bacterial pneumonia and meningitis combined, Bancroft noted.

''These are some of the most dreaded invasive bacterial diseases out there,'' she said. ''This is clearly a very big deal.''

The infection is most common among African Americans and the elderly, but also commonly strikes very young children.

''We see these cases all the time,'' said Robert S. Daum, a pediatric infectious-disease specialist at the University of Chicago. ''In the last five weeks, I've taken care of five children who were sick enough to be hospitalized and require intensive care.''

Studies have shown that hospitals could do more to improve standard hygiene to reduce the spread of the infection. Individuals can reduce their risk through common-sense measures, such as frequent handwashing.

In the second paper, Michael E. Pichichero and Janet R. Casey of the University of Rochester in New York documented the emergence of an antibiotic-resistant strain of another bacterium known as Streptococcus pneumoniae, which causes common ear infections. Although 11 children identified in the Rochester area with the microbe so far were successfully treated, five required an antibiotic approved only for adults, and one child was left with permanent hearing loss.

The researchers attributed the emergence of the strain to a combination of the overuse of antibiotics and the introduction of a vaccine that protects against the infection.

''The use of the vaccine created an ecological vacuum, and that combined with excessive use of antibiotics to create this new superbug,'' Pichichero said.

Mr. HARKIN. Mr. President, for the knowledge of other Senators, we are trying to reach an agreement to get to a series of votes. We don't quite have it yet, but hopefully in the next few minutes we will agree to have a series of votes starting fairly soon.

With that, I see my friend, the distinguished Senator from New Jersey on the floor.

I yield the floor at this time.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the pending amendment be laid aside so I might call up an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3350

Mr. LAUTENBERG. I call up amendment No. 3350, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Jersey [Mr. LAUTENBERG], for himself and Ms. SNOWE, proposes an amendment numbered 3350.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the use of funds to provide abstinence education that includes information that is medically inaccurate)

At the appropriate place, insert the following:

SEC. ____. None of the funds made available in this Act may be used to provide abstinence education that includes information that is medically inaccurate. For purposes of this section, the term ''medically inaccurate'' means information that is unsupported or contradicted by peer-reviewed research by leading medical, psychological, psychiatric, and public health publications, organizations and agencies.

Mr. LAUTENBERG. Mr. President, before I speak on my amendment, I offer my personal thanks to Senators HARKIN and SPECTER for their hard work in putting together an excellent bill. It puts more resources, in particular, into the well-being of our most precious asset: our children.

I was pleased to join Senator HARKIN and Senator SPECTER as a member of the subcommittee in providing more of the resources needed for health and education programs that have been shortchanged by this administration over the last several years.

The best part of this bill is that we have a chance to help children live longer, healthier, and more productive lives. The worst part of it is that, despite all of its benefits, the President said he intends to veto the bill.

This bill increases Head Start funding by $200 million. Today in New Jersey, more than 14,000 children depend on Head Start for their early education. This bill also recognizes growing concerns about the terrible conditions of autism. It is a growing problem. Studies have shown that 1 in 94 children in New Jersey will be born with or carry autism in their lives. From 1991 to 2005, the number of cases diagnosed as autistic went from 234 in 1991 to 7,400 cases in 2005, a mere 15 years. To see an increase such as this must be paid attention to. These numbers are alarming.

I congratulate our committee for this welcome addition for funding autism detection. Families across America are ever more anxious about this health threat. Also alarming are the statistics on another health problem in our country. We have the highest rate of teen pregnancy in the industrialized world. America sees 19 million cases of sexually transmitted diseases, and almost half of them strike young people. That is why Senator SNOWE from Maine and I are offering an amendment to make sure our young people get the truth about their health, so they don't become one of these statistics. America's young people should expect the truth from their doctor, they should expect it from their parents, and they certainly should expect it from a government-funded program. We cannot expect young people to make life-changing decisions if they get the wrong information from the Government. We have a responsibility to give them the most accurate information available when communicating with them.

Right now, the Federal Government is falling down on the job. We have given out hundreds of millions of dollars for abstinence-only education. The fact of the matter is these programs are not successful. If we are going to spend as much as a dime on them, we must be good stewards of the people's tax dollars and make sure the information being given out is complete and truthful. Yet we have found case after case of incorrect and potentially harmful information being taught in these programs.

In 2004, a report found that of the 13 most common federally funded abstinence programs, 11 have unproven claims and basic scientific errors. In fact, the office in the Department of Health and Human Services in charge of these programs doesn't even bother to check whether they are providing accurate medical or scientific information. It is time to change this policy. Young people have a right to complete and accurate information that protects their health and may save their lives.

The amendment Senator SNOWE and I are offering would make sure they get it right. Our amendment says Federal money is not to be spent on inaccurate and deceptive information. Millions of children in New Jersey and across this country deserve no less.

We have seen misstatements made about the failures of contraception. What does that mean? It means diseases are more likely to be transmitted. It also means the number of teen pregnancies could increase based on misinformation.

The Senate had approved this amendment in the 2006 appropriations bill. I hope and urge that we pass it again this year. What is more, I commend the leadership of this committee, Senators HARKIN and SPECTER, for constructing a bill that is going to help our young children better off in their lives.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I thank my friend and colleague from New Jersey for his amendment. Senator SPECTER and I had put into the bill a prohibition on abstinence-only programs providing information that is medically inaccurate. Again, this is the beauty of having issues such as this come to the floor. Senator LAUTENBERG and Senator SNOWE have offered a suggestion to tighten down on that provision and actually make it more meaningful.

This is what the amendment says:

For purposes of this section, the term ''medically inaccurate'' means information that is unsupported or contradicted by peer-reviewed research by leading medical, psychological, psychiatric, and public health publications, organizations and agencies.

That clarifies the intent of the amendment. I thank Senator LAUTENBERG for the amendment, and I intend to support it.

Hopefully, we are going to have clearance soon to begin a series of votes. We do not have that agreement yet, but we hope in the next 15 minutes we will begin a series of four votes. We don't have that agreement yet. Hopefully, we will have that cleared pretty soon. In the meantime, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3365 TO AMENDMENT NO. 3325

Mr. ROBERTS. Mr. President, I call up the Roberts amendment No. 3365.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment? Without objection, it is so ordered. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. ROBERTS] proposes an amendment numbered 3365 to amendment No. 3325.

The amendment is as follows:

(Purpose: To fund the small business child care grant program)

At the appropriate place, insert the following:

SEC. ___. SMALL BUSINESS CHILD CARE GRANT PROGRAM.

For carrying out the small business child care grant program under section 8303 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (42 U.S.C. 9858 note) $5,000,000, to remain available until expended. Each amount otherwise appropriated in this Act for administrative expenses for the Department of Labor, Department of Health and Human Services, and Department of Education shall be reduced on a pro rata basis by the amount necessary to provide the amount referred to in the preceding sentence.

Mr. ROBERTS. I thank the Presiding Officer and the expert staff we have working for us.

I rise today to offer an amendment that I truly believe will have a positive effect on the quality of life for many hard-working American families. Access to childcare is essential to the quality of life of families trying to balance both work and family.

Earlier this year, S. 228, my small business childcare grant program, was incorporated into and passed as part of the supplemental spending bill. I thank Senators KENNEDY and DODD for working with me to secure this authorization. This truly was a bipartisan effort.

My amendment today provides the funding for this program so that we can make a difference for American families.

Unfortunately, our small businesses generally do not have the resources required to start up and support a childcare center. The small business childcare grant program provides flexible short-term funding to encourage small businesses to work together or with other local organizations to provide childcare services for their employees.

Small businesses will be eligible for grants up to $500,000 for startup costs and for training, for scholarships, and other related activities. Grants will be given to States on a competitive basis with the grant amount to be determined by the population of the State. Priority will be given to grantees who work with other small businesses, large businesses, nonprofit agencies, local governments, or other appropriate entities to provide childcare in an underserved geographical area of the State.

The grantees will be required to match Federal funds to encourage self-sustaining facilities well into the future—50 percent for the first year, 67 percent for the second year, 75 percent for the third year. The Secretary is required to report to Congress in 2-year and 4-year intervals on the effectiveness of the program, and the program will sunset in 2012.

It seems to me this is a fiscally responsible approach to increasing access to childcare. The matching requirement, paired with the program and the sunset, will ensure that Federal funds are used in an efficient and targeted manner.

This program has been authorized at $50 million over 5 years. My amendment appropriates only $5 million for fiscal year 2008.

I urge support for this amendment to help ease the burden on working families by encouraging the development of small business childcare programs.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President we now have clearance for a series of votes.

I ask unanimous consent that the Senate vote in relation to Senator BYRD's amendment No. 3362 at 2:30 p.m.; that upon disposition of that amendment, the Senate vote in relation to Senator HARKIN's amendment No. 3368; that upon the disposition of that amendment, the Senate vote in relation to the Brown amendment No. 3348; that upon the disposition of that amendment, the Senate vote in relation to the Kyl amendment No. 3321; that there be 2 minutes for debate equally divided in the usual form prior to each vote and that no other amendments be in order prior to these votes.

Mr. ROBERTS. Mr. President, we have no objection to the Senator's request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, Senators should be alerted that beginning at 2:30 p.m., there will be a series of four votes. I do not ask for consent now, but I will after the first vote, that the other three votes be 10-minute votes. So there will be four votes starting at 2:30 p.m.

Mr. President, I have a slight change in that unanimous consent agreement. It has been cleared. That the first vote at 2:30 p.m. will be my amendment No. 3368; that following that amendment, it will be Senator BYRD's amendment No. 3362, and the rest as stated earlier.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask that Senator SNOWE and Senator ROCKEFELLER be added as cosponsors of the amendment I offered on MRSA.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3368

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Iowa.

Mr. HARKIN. Mr. President, the first amendment will be my amendment, and I have not asked for the yeas and nays as yet, so I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

All time is yielded back, and the question is on agreeing to amendment No. 3368. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I further announce that if present and voting the Senator from Massachusetts (Mr. KENNEDY) would vote ''yea.''

Mr. LOTT. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN) and the Senator from Virginia (Mr. WARNER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 90, nays 3, as follows:

[Rollcall Vote No. 374 Leg.]

YEAS—90

Akaka	Dorgan	McConnell
Alexander	Durbin	Menendez
Allard	Ensign	Mikulski
Barrasso	Enzi	Murkowski
Baucus	Feingold	Murray
Bayh	Feinstein	Nelson (FL)
Bennett	Graham	Nelson (NE)
Bingaman	Grassley	Pryor
Bond	Gregg	Reed
Boxer	Hagel	Reid
Brown	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bunning	Hutchison	Salazar
Burr	Inouye	Sanders
Byrd	Isakson	Schumer
Cantwell	Johnson	Sessions
Cardin	Kerry	Shelby
Carper	Klobuchar	Smith
Casey	Kohl	Snowe
Chambliss	Kyl	Specter
Cochran	Landrieu	Stabenow
Coleman	Lautenberg	Stevens
Collins	Leahy	Sununu
Conrad	Levin	Tester
Corker	Lieberman	Thune
Cornyn	Lincoln	Vitter
Craig	Lott	Voinovich
Crapo	Lugar	Webb
Dole	Martinez	Whitehouse
Domenici	McCaskill	Wyden

NAYS—3

Coburn	DeMint	Inhofe

NOT VOTING—7

Biden	Kennedy	Warner
Clinton	McCain	
Dodd	Obama	

The amendment (No. 3368) was agreed to.

Mr. HARKIN. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Mr. President, I ask unanimous consent on the subsequent three votes they be 10 minutes in length.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3362

The PRESIDING OFFICER. The question is on agreeing to the Byrd amendment. There are 2 minutes for debate, evenly divided.

The Senate will be in order.

The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, my amendment would add $10 million to the budget for the Mine Safety and Health Administration. These funds would enable MSHA to complete safety inspections and to implement the MINER Act. The amendment is fully offset by a reduction in travel expenditures for the Departments funded in the underlying bill.

This amendment is cosponsored by the managers of the bill, Senators HARKIN and SPECTER.

I ask unanimous consent that Senator MCCONNELL also be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I also ask unanimous consent that Senator WEBB be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, I believe this is a very worthwhile amendment for a very important cause for mine safety. I urge my colleagues to support it.

The PRESIDING OFFICER. Who yields time in opposition? Is time yielded back? Without objection, it is so ordered. Time is yielded back.

The yeas and nays have previously been ordered.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I further announce that if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote ''yea.''

Mr. LOTT. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN) and the Senator from Virginia (Mr. WARNER).

The PRESIDING OFFICER (Ms. KLOBUCHAR.) Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 4, as follows:

[Rollcall Vote No. 375 Leg.]

YEAS—89

Akaka	Dorgan	Menendez
Alexander	Durbin	Mikulski
Allard	Ensign	Murkowski
Barrasso	Enzi	Murray
Baucus	Feingold	Nelson (FL)
Bayh	Feinstein	Nelson (NE)
Bennett	Graham	Pryor
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Roberts
Brown	Harkin	Rockefeller
Brownback	Hatch	Salazar
Bunning	Hutchison	Sanders
Burr	Inouye	Schumer
Byrd	Isakson	Sessions
Cantwell	Johnson	Shelby
Cardin	Kerry	Smith
Carper	Klobuchar	Snowe
Casey	Kohl	Specter
Chambliss	Landrieu	Stabenow
Coburn	Lautenberg	Stevens
Cochran	Leahy	Sununu
Coleman	Levin	Tester
Collins	Lieberman	Thune
Conrad	Lincoln	Vitter
Corker	Lott	Voinovich
Craig	Lugar	Webb
Crapo	Martinez	Whitehouse
Dole	McCaskill	Wyden
Domenici	McConnell	

NAYS—4

Cornyn	Inhofe
DeMint	Kyl

NOT VOTING—7

Biden	Kennedy	Warner
Clinton	McCain	
Dodd	Obama	

The amendment (No. 3362) was agreed to.

The PRESIDING OFFICER. The question is on amendment No. 3348 offered by the Senator from Ohio, Mr. BROWN. There are 2 minutes equally divided between both sides.

Who yields time?

Mr. BROWN. Madam President, I would like to be notified when a half minute is gone so I can yield the other 30 seconds to Senator VOINOVICH.

The PRESIDING OFFICER. The Senator from Ohio controls 1 minute.

Mr. BROWN. I ask unanimous consent that Senators LIEBERMAN and WHITEHOUSE be added as cosponsors of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. This important bipartisan amendment, offered by Senators VOINOVICH, LIEBERMAN, and WHITEHOUSE, would provide $2 million in paid-for funding for the Underground Railroad Educational and Cultural Program. It is administered by the Department of Education to research, display, interpret, and collect artifacts relating to the history of the Underground Railroad. Senators ALEXANDER, COCHRAN, ISAKSON, LEVIN, and I offered a similar reauthorization bill that this amendment is taken from. I ask for the support of my colleagues for the amendment.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. STEVENS. I yield back the time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio.

Mr. VOINOVICH. Madam President, the Underground Railroad is an educational cultural program that we have as a grant from the Department of Education for the purpose of making known to children all over America the history of the Underground Railroad and of the Civil War. It also is a program that is aimed at diversity training that is so necessary. I urge my colleagues to support the amendment.

The PRESIDING OFFICER. Time has expired.

The question is on agreeing to amendment No. 3348.

Mr. BROWN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY), would vote ''yea.''

Mr. LOTT. The following Senators are necessarily absent: the Senator

from Arizona (Mr. MCCAIN) and the Senator from Virginia (Mr. WARNER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 81, nays 12, as follows:

[Rollcall Vote No. 376 Leg.]

YEAS—81

Akaka	Durbin	Menendez
Alexander	Enzi	Mikulski
Barrasso	Feingold	Murkowski
Baucus	Feinstein	Murray
Bayh	Graham	Nelson (FL)
Bennett	Grassley	Nelson (NE)
Bingaman	Hagel	Pryor
Bond	Harkin	Reed
Boxer	Hatch	Reid
Brown	Hutchison	Rockefeller
Brownback	Inouye	Salazar
Bunning	Isakson	Sanders
Byrd	Johnson	Schumer
Cantwell	Kerry	Sessions
Cardin	Klobuchar	Shelby
Carper	Kohl	Smith
Casey	Landrieu	Snowe
Chambliss	Lautenberg	Specter
Cochran	Leahy	Stabenow
Coleman	Levin	Stevens
Collins	Lieberman	Sununu
Conrad	Lincoln	Tester
Corker	Lott	Thune
Crapo	Lugar	Voinovich
Dole	Martinez	Webb
Domenici	McCaskill	Whitehouse
Dorgan	McConnell	Wyden

NAYS—12

Allard	Craig	Inhofe
Burr	DeMint	Kyl
Coburn	Ensign	Roberts
Cornyn	Gregg	Vitter

NOT VOTING—7

Biden	Kennedy	Warner
Clinton	McCain	
Dodd	Obama	

The amendment (No. 3348) was agreed to.

Mr. LAUTENBERG. Madam President, I move to reconsider the vote.

Mr. DORGAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3321

The PRESIDING OFFICER. The question now occurs on amendment No. 3321 offered by the Senator from Arizona, Mr. KYL. There are 2 minutes equally divided before the vote, and at this time the yeas and nays have not been ordered.

The Senator from Arizona.

Mr. KYL. Madam President, this amendment strikes an earmark of $1 million in the bill, an earmark that would create a Woodstock museum celebrating the Woodstock Festival in northern New York 38 years ago.

Now, some of you may believe it would be neat to celebrate Woodstock again and to do so with a museum. To the extent you believe that, there is a private foundation as well as money available from the State of New York that provides the funding.

To the extent one would argue it is only $1 million, and therefore symbolic, the answer to that is, yes, it is, but I think the American people want us to begin to make some votes that demonstrate we care about setting priorities. Funding a Woodstock museum in New York is not a priority above the funds that would help the children and the pregnant women to whom this $1 million would otherwise go.

As to jobs, every one of us could spend $1 million in our States to help create jobs. But to justify this on the basis of it being a job-creation program goes too far. The unemployment rate in this county, I am told, is less than the average nationwide.

So let's strike a blow for priorities. Let the American taxpayer know we are willing to at least start somewhere to save their money and not waste it on the Woodstock museum.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Madam President, this is the largest economic development program in one of our poorest counties. It is the Bethel Performing Arts Center. It is a large complex. It is a $100 million program. Madam President, $85 million has been donated by a major philanthropist. The State has put in close to $14 million. This is our $1 million.

Every one of you has a poor county. They have gotten together, and this is their economic development project. It is not just a museum; it is a whole complex devoted to history in America from 1945 through to the present.

If you believe in helping counties, if you believe every one of us wants the Federal Government not to just pass broad-brushed programs but to help individual needs in our States—this one coming from the leaders who have spent years and years in the Catskills to try to bring that area back—this is the project.

I urge a ''yes'' vote.

Madam President, I move to table amendment No. 3321 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KENNEDY) would vote ''yea.''

Mr. LOTT. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN) and the Senator from Virginia (Mr. WARNER).

The result was announced—yeas 42, nays 52, as follows:

The result was announced—yeas 42, nays 52, as follows:

[Rollcall Vote No. 377 Leg.]

YEAS—42

Akaka	Boxer	Cantwell
Baucus	Brown	Cardin
Bingaman	Byrd	Carper
Casey	Kohl	Pryor
Clinton	Lautenberg	Reed
Conrad	Leahy	Reid
Dorgan	Levin	Rockefeller
Durbin	Lieberman	Salazar
Feinstein	Lincoln	Sanders
Harkin	Menendez	Schumer
Inouye	Mikulski	Stabenow
Johnson	Murray	Tester
Kerry	Nelson (FL)	Whitehouse
Klobuchar	Nelson (NE)	Wyden

NAYS—52

Alexander	DeMint	Martinez
Allard	Dole	McCaskill
Barrasso	Domenici	McConnell
Bayh	Ensign	Murkowski
Bennett	Enzi	Roberts
Bond	Feingold	Sessions
Brownback	Graham	Shelby
Bunning	Grassley	Smith
Burr	Gregg	Snowe
Chambliss	Hagel	Specter
Coburn	Hatch	Stevens
Cochran	Hutchison	Sununu
Coleman	Inhofe	Thune
Collins	Isakson	Vitter
Corker	Kyl	Voinovich
Cornyn	Landrieu	Webb
Craig	Lott	
Crapo	Lugar	

NOT VOTING—6

Biden	Kennedy	Obama
Dodd	McCain	Warner

The motion was rejected.

Mr. KYL. Madam President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 3321) was agreed to.

Mr. CORKER. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SCHIP

Mr. CORKER. Madam President, I think everyone is aware that the House today failed to override the President's veto on SCHIP. I think everybody is aware that 18 Republicans joined with Democrats to pass this bill in the Senate. This is a bill to support health insurance for low-income children. It is something I think all of us want to make sure continues to go forward.

I haven't had the opportunity since I have been here to vote for a perfect bill. I doubt I will be able to do that during the course of the time I am here in the Senate. I think everybody knows the President's budget, the budget's $5 billion is not enough to cover the program, even going forward as it is. I think everyone would agree we can always trim a little bit out of any bill we put forth.

I have a letter here signed by 18 Republicans, the 18 Republicans who

joined with Democrats to make sure this bill was able to pass and hopefully to be able to fund insurance for low-income children. What this letter does is asks the leadership of the House and the leadership of the Senate not to simply send back the bill that has already been voted on, but to ask them to sit down with the President and let's negotiate a bill that can cause this program to go forward as we all want it to and discontinue all of the political rhetoric that is centered around this issue.

I want to make sure children in America, like everyone else, have the opportunity, as low-income children, to be insured. I encourage the leadership of the House and Senate to sit down with the President and let's come up with a bill that allows this very good program to go forward.

I yield the floor.

Mr. KYL. Madam President, I ask unanimous consent to set aside the pending amendment so I may call up an amendment which I will then later withdraw.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3356 TO AMENDMENT NO. 3325

Mr. KYL. Madam President, I call up amendment No. 3356.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 3356 to amendment No. 3325.

Mr. KYL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify provisions relating to the Low Income Home Energy Assistance Program)

On page 55, strike lines 19 through 23 and insert the following: ''U.S.C. 8623(a)–(d)), $2,161,170,000.''.

Mr. KYL. Madam President, the Low-Income Housing Energy Assistance Program, LIHEAP, was designed to provide funds to low-income individuals who cannot cover rising home energy prices. The program does not discriminate between cold and hot weather States. However, upon implementation, cold weather States have unfairly received the majority of the LIHEAP funds.

My amendment eliminates the discretionary nature in which the funds are disbursed and frees up money and allocates it on a nondiscretionary basis.

Before I go into specifics of my amendment, I would first like to discuss how Arizona is affected by LIHEAP funds. This summer, record level temperatures have devastated the State. Phoenix set a record with 32 days of temperatures exceeding 110 degrees. In August alone, Phoenix experienced 9 days of temperatures of 110 degrees or above. The State of Arizona's average temperature for August 2007 was 105.8 degrees. It was the second hottest summer on record in Arizona and the Salt River Project and Arizona Public Service reached peak demand for energy service. Just imagine the cost to the people of Arizona to cool their homes during such extreme heat. Therefore, LIHEAP funds are crucial to many Arizonans who cannot meet their energy costs alone.

Let me now turn to the way in which LIHEAP funds are distributed. Currently, LIHEAP funding is divided between two pots of money. The first pot is distributed based on a tiered funding formula, while the second pot of money is deemed a contingency fund distributed based on ''emergencies.'' Historically, the contingency fund is overwhelmingly distributed to cold weather States. My amendment would eliminate the bias inherent in the contingency fund distribution and allocate all LIHEAP money to the funding formula account that is more equitably distributed to all 50 States. I would implore my colleagues to think of all Americans when considering my amendment, and vote to provide a more equitable distribution of LIHEAP funds.

AMENDMENT NO. 3356 WITHDRAWN

Madam President, having spoken to the manager of the bill, and appreciating the fact that the amendment was offered too late in the process, probably, to receive the consideration it deserves, we will work on this at a later date. I withdraw the amendment.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

AMENDMENT NO. 3373

Mr. SESSIONS. Madam President, I believe, in accordance with our understanding on both sides, it would be appropriate for me to call up amendment No. 3373, and I do so now.

The PRESIDING OFFICER. Is there objection? Without objection, the pending amendment is set aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS], for himself, Mr. HATCH, Mr. INHOFE, Mr. ISAKSON, Mr. ROBERTS, Mr. VITTER, Mrs. DOLE, Mr. MARTINEZ, Mr. ALEXANDER, Mr. CORNYN, Mr. ENZI, and Mr. GRAHAM, proposes an amendment numbered 3373.

Mr. SESSIONS. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase the amount of funds available for the Office of Labor Management Standards)

On page 14, line 24, strike ''$436,397,000'' and insert ''$441,397,000, of which $50,737,000 is for the Office of Labor Management Standards (notwithstanding any other provision of this Act, amounts appropriated or otherwise made available under this Act for the administrative and related expenses for departmental management for the Department of Labor, the Department of Health and Human Services, and the Department of Education shall be reduced on a pro rata basis by $5,000,000),''.

Mr. SESSIONS. Madam President, this amendment is similar to the one I introduced yesterday, except it provides a different offset to pay for the needed additional funds for the Office of Labor-Management Standards in the 2008 Labor-HHS budget.

This is a program that I believe is critically important. It is a program that has been very successful. It has resulted in over 700 prosecutions in the last several years and restitution to union members and union locals in the amount of about $101 million.

This is an important program. It is a working program. It represents the only required audits, the only required reporting and disclosure for unions in the country. The Securities and Exchange Commission does that for corporations and other institutions that are required to be audited. Other than this program, there is no real integrity to protect union members from fraud and corruption and theft. I will mention in a moment some extraordinary thefts that have occurred from union members, why this is important, and I will express my personal and deep belief that one reason we have as much broad corruption in unions is because we are not auditing them. We are not doing it. Even with the current level of funding, we are way behind and it would take, at this rate, 33 years to do a basic audit of all the unions around the country. That is not acceptable.

People are not being watched. They feel like they are free and temptation and money is coming before them. Obviously, people are succumbing to that temptation. More rigorous enforcement and audits are needed. The Office of Labor-Management Standards is a group that is required to enforce the statutory provision that mandates that unions provide, each year, public disclosure of how they spend their money. It was a bill offered and passed in 1959 by former Senator and former President, John F. Kennedy. It was an important reform.

During the Clinton years, sadly, this reporting requirement was almost totally abandoned and, under Secretary of Labor Elaine Chao, in recent years she has worked hard and those reporting numbers are up. But 36 percent still don't report. There is not even a way, with our staffing level, that she can insist on that. So 36 percent are not reporting properly. The members don't know where their money is being used. That is the fundamental question.

The committee mark doesn't even flat fund the Department; it cuts its funding by $2 million. Every other enforcement agency is given an increase, but this one is cut. I think our members ought to ask themselves, do we need to be listening to certain union leaders who don't want disclosure, or do we need to be listening to union members whose funds and dues are being misappropriated? If we do regular audits, they will be more effective, and

I am convinced we will see a dropoff in this kind of problem. It is the right thing to do.

My proposal is to add $5 million, $2 million of which would get us back to last year's budget only, and a $3 million cost of living on top of that, so they can continue an aggressive effort to ensure integrity.

I have Senator ENZI with me, the ranking member of the Health, Education, Labor and Pensions Committee, and Senator ALEXANDER, who are both interested in speaking on this. I will yield to Senator ENZI at this time. I believe I have 30 minutes; is that right?

The PRESIDING OFFICER. There is no time agreement.

The Senator from Wyoming is recognized.

Mr. ENZI. Senator SESSIONS has offered a very important amendment, and I am pleased to be a cosponsor. The amendment restores critical funding to the Department of Labor's Office of Labor-Management Standards. It is referred to as OLMS.

Funding for the Office of Labor-Management Standards in the current Senate bill is 20 percent below the requested amount, essentially scaled back from the 2006 level. Senator SESSIONS' amendment restores funding to current fiscal year 2007 levels and adds an additional $3 million to continue audit and enforcement efforts.

What is the Office of Labor-Management Standards and why is it so important? The fact is the Office of Labor-Management Standards is the only agency in the Federal Government that is devoted to protecting the interests of American workers that pay union dues. It requires financial reporting and transparency by labor unions about how they use their members' money, and it investigates and prosecutes union officials who are guilty of fraud or abuse of their members' financial interests.

There should not be any reasonable debate about the importance of financial transparency for any entity, including labor unions. We demand, as we should, corporate transparency in order to protect stockholders. Those who pay union dues are no less entitled to the benefits of financial transparency and fraud protection than those who purchase stock. Indeed, purchasing stock is a voluntary activity, while in many instances the payment of union dues is not voluntary. Protecting the financial interests of working men and women, giving them access to how their money is being used and providing remedies for those instances where the money is misused ought to be a priority, not an afterthought.

It is the height of hypocrisy to talk about protecting the rights of working men and women, or aiding the so-called middle class, while simultaneously slashing the budgets of one of the Federal agencies that protects the financial interests of those who pay union dues.

The Sessions amendment puts a question directly before the Senate. Will we vote down his amendment and allow the Office of Labor-Management Standards funding to be rolled back and go out of our way to send a message to the working men and women who pay union dues that protecting their rights is unimportant? That is the question we are being asked.

I hope we will not tell them that protecting their rights is unimportant. This amendment gives the Senate a chance to go on record about the importance of integrity in leadership elections, finances, and respect for the rights of individuals. We know every dollar in most of our paychecks matters. When we are compelled to give a portion of our paycheck away, either through taxes or union dues, it is an affront for that money to be used to inflate someone else's lifestyle, or to be misused in any other way. That is exactly what the Office of Labor-Management Standards guards against.

OLMS enforces the Labor-Management Reporting and Disclosure Act, a law enacted with bipartisan support, including that of then-Senator Jack Kennedy.

In this administration alone, OLMS has returned nearly $102 million to union members who were robbed. There were only 8.7 million private sector employees represented by unions in 2006. I will restate that number. OLMS has returned $102 million to union members who were robbed. OLMS has indicted 827 individuals and gotten convictions on 790 of them. That is a pretty good record. Again, they have indicted 827, and they have obtained convictions on 790. That is a very impressive conviction rate by any standard.

I have a State-by-State breakdown of those statistics, which I will enter into the RECORD. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OLMS STATE PROGRAM DATA (OCTOBER 1, 2000–AUGUST 31, 2007)

State	Active unions	Audits completed	Indictments	Convictions	Restitution amount
Alabama	487	41	19	20	$281,147
Arkansas	320	21	5	4	107,216
Arizona	187	12	6	5	128,880
California	1444	161	31	28	1,231,382
Colorado	297	55	11	9	194,490
Connecticut	324	70	8	8	373,265
District of Columbia	358	30	29	27	16,808,286
Delaware	90	23	3	2	42,630
Florida	592	32	15	15	468,897
Georgia	692	38	15	15	235,285
Guam	7	5	0	0	0
Hawaii	246	21	3	6	110,254
Iowa	474	47	16	15	498,704
Idaho	131	14	2	2	3,234
Illinois	1455	206	43	45	21,924,713
Indiana	905	52	26	28	284,716
Kansas	327	53	15	12	208,039
Kentucky	492	47	14	14	158,038
Louisiana	441	29	15	17	225,807
Massachusetts	653	247	11	10	215,061
Maryland	357	28	5	5	186,658
Maine	165	20	2	2	53,547
Michigan	1121	65	29	28	397,900
Minnesota	606	90	18	18	523,288
Missouri	701	224	33	34	348,851
Mississippi	278	6	14	16	162,221
Montana	205	14	4	4	63,983
North Carolina	498	23	14	17	304,373
North Dakota	144	6	6	6	59,077
Nebraska	231	27	6	5	186,483
New Hampshire	117	30	1	0	0
New Jersey	680	119	10	8	287,263
New Mexico	142	7	4	3	70,430
Nevada	132	21	5	6	279,844
New York	1673	349	88	85	47,785,509
Ohio	1648	223	66	67	1,110,247
Oklahoma	266	18	11	9	130,659
Oregon	341	24	15	12	2,455,717
Pennsylvania	1639	269	54	48	934,263
Puerto Rico	127	3	13	2	33,851
Rhode Island	135	57	1	0	0
American Samoa	2				
South Carolina	234	7	3	3	49,974
South Dakota	117	2	2	2	29,175

OLMS STATE PROGRAM DATA (OCTOBER 1, 2000–AUGUST 31, 2007)—Continued

State	Active unions	Audits completed	Indictments	Convictions	Restitution amount
Tennessee	651	36	30	29	423,477
Texas	1097	69	34	28	494,688
Utah	155	7	2	2	67,406
Virginia	740	30	16	20	338,707
Virgin Islands	17	1	0	1	11,280
Vermont	76	7	0	0	0
Washington	538	69	17	15	675,048
Wisconsin	802	157	22	20	706,424
West Virginia	422	53	12	10	244,159
Wyoming	117	2	3	3	3,899
Totals:	26096	3267	827	790	$101,918,445

Mr. ENZI. This is so my colleagues can see how many union-represented employees have been protected in their States. These numbers indicate that union corruption is not an issue to which we can turn a blind eye. It may not be seen as politically correct by some in this body to fund an office that audits and investigates unions. But the truth is that having a strong Office of Labor Management Standards is the best thing we can do to help the labor movement. Sunshine is the best disinfectant. When rank-and-file employees feel everything is in the open and they can trust union leaders, they are probably more likely to join one.

It was the outcry of rank-and-file union members themselves that actually created the Office of Labor Management Reporting and Disclosure Act. That act was born in the wake of egregious cases of fraudulent elections, embezzlement, and strong-arm tactics by a number of unions. The law also works to prevent backroom dealings between employers and union leaders that disadvantage the employees. The first section of the law, the Union Members Bill of Rights, was added by then-Senator and later President John F. Kennedy.

I certainly understand that not every department can receive an increase in every budget year. But what this bill does is quite remarkable. It singles out this one office, the Office of Labor-Management Standards, as the only enforcement agency in the whole bill to have its funding decreased.

Senator SESSIONS and I are asking today that we simply keep the Office of Labor-Management Standards at essentially the same funding level it received last year. The President requested an increase because OLMS has been taking on a number of projects, such as compliance assistance for unions, which would especially be helpful in light of their recent revised disclosure forms.

The funding called for in this amendment will be offset by a modest across-the-board cut in general administrative expenses of the departments funded under this bill. This reduction in administrative expenses is a very small price to pay in order to protect the rights of working men and women. These workers deserve to know how their hard-earned money is being used and deserve to be protected from those who misuse it.

I hope a majority of our colleagues will agree and vote in favor of this amendment.

I yield the floor.

Mr. SESSIONS. Madam President, I thank the Senator from Wyoming.

I yield to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Madam President, I appreciate the Senator from Alabama yielding. I am due in the Judiciary Committee, where I am ranking, and we are proceeding with the confirmation as to Judge Mukasey. I wish to speak briefly in opposition to the amendment.

The figures which have been provided to me show that there has been an increase in the funding for the Office of Labor Management Standards up to $47,753,000—it does show a slight decrease on this year. But overall, since fiscal year 2001, the figure has risen from $30,492,000 to a figure of $47,753,000 for last year. This year it is, both the Senate and House figures, $45,737,000.

There has been a very substantial increase in the number of workers, and there is a concern about the complexity of the new form LM–2 which runs to more than 100 pages. The Department of Labor has issued some 88 answers to frequently asked questions to try to address this new rule. Having taken a look at it, it is not in line with the policy to try to reduce regulatory burdens because this new form is extremely burdensome.

The principal argument is going to be made by Senator HARKIN. I have asked him to take the lead, to go ahead because I am due at a Judiciary Committee hearing on Judge Mukasey for Attorney General.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Madam President, the question before the Senate is whether we think the union members of the United States are first-class citizens or second-class citizens. The Sessions amendment says we recognize union members as first-class citizens by increasing the amount of money available to the Office of Labor-Management Standards, which collects the information to give them a chance to know what is going on within their union.

We treat stockholders as first-class citizens. We passed the Sarbanes-Oxley law with a number of disclosure requirements for businesses. Some of the requirements may be burdensome, as the distinguished Senator from Pennsylvania pointed out, but we thought it was important for the stockholders of this country to know what their public corporations were doing.

We have disclosure requirements which we in the Senate are required to give every year. They are fairly burdensome, but we do that because the voters need to know what our incomes are, what our assets are. They know quite a bit about us because we are required to file these reports, and these reports are investigated by various officials and ethics committees.

There are a number of people running for President of the United States today, including a number in this body. They have to spend a lot of time filing information about where they get their contributions, because this is an era of instant information and almost universal access to information and transparency. We hear that all the time. So, we want the voters to know where the candidates for President are getting their money to see whether that influences what they do.

In this age of transparency and universal access to information, we treat stockholders as first-class citizens, we treat voters as first-class citizens, we treat taxpayers as first-class citizens, but we will be treating union members as second-class citizens if we are going to cut the funds the Department of Labor needs to provide union members with information they deserve.

For example, this year the Senate, I am told, provides a $12.8 million increase in funding for the Securities and Exchange Commission, the oversight agency for publicly-traded companies. So we are recognizing the importance of treating stockholders as first-class citizens, but at the same time we are cutting the funding for the Office of Labor Management Standards, which means we are treating union members as second-class citizens.

That is the issue. A vote for the Sessions amendment says we believe union members are as important as stockholders, are as important as voters, are as important as taxpayers, and that they are all entitled to be treated as first-class citizens.

This is not, as has already been mentioned, a Republican cause, I would hope. I have been around long enough to remember the Kefauver committee,

the McClellan committee, Senator John F. Kennedy and Robert Kennedy in the 1950s. It was the early days of television, and people who wanted to know about the Senate watched those Senators—one of whom later became President, one of whom later became Attorney General—as they ferreted out corruption and organized crime in various parts of American society, including unions.

This Federal statute we are talking about was championed by Senator John F. Kennedy. It was enacted as an outcome of the McClellan committee hearing. Senator Kennedy knew then, as we know today, that rank-and-file union members deserve the right to know how their unions are spending their money, how they are investing their members' money, that their union books are clean, and that elections for union officers are fair and free of intimidation or scandal. They have a right to know that information.

The question is, Do unions still need a Federal watchdog? Apparently so. The Secretary of Labor thinks so. She has said so. She has plenty to do over there. She could do more. She could use the money, according to her testimony.

Over the last 7 years, the Office of Labor Management Standards has performed more than 3,000 audits, resulting in 827 indictments and 790 convictions. There apparently is a lot to do in this area. What is our response? Let's cut the funding so we cannot have the investigations, so we cannot have the audits, so we cannot have the indictments, so we cannot give these union members the rights that Senator Kennedy—later, President Kennedy—thought they ought to have.

I hope we can correct what I hope is an oversight in the development of this big, complex piece of legislation. Senator SESSIONS' amendment would treat union members as first-class citizens, just as we do stockholders, just as we do taxpayers, just as we do voters. We live in an era of instant information, universal access to information, and union members, just as stockholders, voters, and taxpayers, have a right to know what is going on in their union.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Madam President, I thank Senator ALEXANDER for his comments. Indeed, what we are talking about is funds contributed by union members to further union causes, not to line the pockets of persons who embezzle, steal, or otherwise cheat and use the money. That is an important issue we need to keep in mind. It is troubling to me that we have opposition to keeping this program on track.

I have offered this amendment, as I indicated earlier, a new amendment that has a different offset. I know there was concern over the international union funds that go to the U.N.-affiliated agency. There is a big increase in that program, a $10 million increase. I am troubled by that increase, frankly, because last year Secretary Chao met with the people who were receiving this money, and they gave very inadequate explanations of where the money went. In fact, they couldn't explain where it went. I don't know whether it is being well spent.

At any rate, the most important thing for us to do is focus on making sure we are protecting the contributions of union members and that their funds are being protected. That is why I altered the offset to one that takes this $5 million from the administrative, management and related expenses of the Department of Labor, the Department of Health and Human Services, and the Department of Education. That is where the funds would come from. I believe that would not be a heavy burden on those agencies. In fact, they can absorb it readily, and this is clearly, as a question of priorities, more important to make sure we are not cutting back on this budget.

Senator SPECTER talked about the status of the budget. I repeat, I think he understood it and explained it eventually correctly that the committee mark cuts the budget $2 million below last year's funding level. Because of inflation and cost increases, that is a most significant $2 million cut.

What we are proposing is that there be a $3 million increase in the overall budget, a total of $5 million—$2 million to get up to last year's funding and an additional $3 million to increase the funding. I think this is valid. I think it is justified. It is something we really should do. If we don't do it, we are going to have a severe, adverse impact on the ability of OLMS to fulfill their statutory requirement of auditing unions and requiring unions to publicly file their financial disclosures.

Some say this is a burdensome regulation, but in today's day and age, being able to maintain records of where you spend your money is not too much to ask. Most of these records are done by computers now. People have bookkeepers, and if they don't, they are taking serious risks. So to be able to report this information is not too much to ask. It is very valuable to their members. Union members should have the same protection, as Senator ALEXANDER said, as corporate stockholders. This OLMS legislation is to union transparency what the Securities and Exchange Commission is to corporate transparency.

This chart shows the mission of OLMS. The mission of OLMS is a good mission. It is not to harm anybody. It is to assist in the integrity of this system—No. 1, to provide union financial transparency. That is why the bill was passed in 1959, so that union members can know where their money is being spent. That is the report which is required. Then to protect union financial integrity—that is part of the audit function of the OLMS. They are required to audit the union activities, and they do so, but, as I noted, even at this current level of funding, they only get around to doing every union in the country once every 33 years. Until we had some increases in this budget, it was once every 133 years. It is a small agency, $47 million in last year's budget, but it has shown big results.

OLMS does not tell unions how to spend their money; it simply requires them to file accurate and timely reports, which allows union members to determine for themselves whether the expenditures that are being made are appropriate. If they don't know what is happening, they cannot express their opinions in leadership meetings.

That there is a high level of demand from union members for this kind of information is very evident. This is a remarkable number. Between May of 2006 and May of 2007, on the Web site of OLMS where these reports are posted so members can access them—so they don't have to go down and ask the officer or the boss at the local union to ''give me your records,'' they can just access them on the computer—767,980 hits were identified on last year's Web site. People are looking to see where their elected union officers are spending their money. Why shouldn't they? That is an average of 64,000 a month and over 2,100 a day. If union members don't care about how their hard-earned dollars are being spent, I ask, why do they take time to access this Web site? Of course they want to know, they have a right to know, and the only way they are able to get this information in a readily available form is through this reporting requirement.

Unfortunately, the reports are not being submitted, and because of shortage of personnel and a certain lack of legal enforcement ability, only 36 percent of unions are not filing the appropriate forms. The delinquency rate is 36 percent. That is not good for union members.

Now, Secretary Chao has met with union leaders. But let me tell you what happened. Under the Clinton years, this was not being enforced. That is just it. You want to know the truth? It was not being enforced. And the number of personnel went from 427, in about 1990, down to 260. They just weren't enforcing this 1959 mandate. When Secretary Chao realized it was her responsibility to make sure union members could see financial disclosure forms, and she asked that it be done, a lot of grumbling occurred. They said, oh, it was burdensome; oh, there were problems. So she met with them and met with them and they altered plans and they figured out ways to do it that were cheaper and better and less burdensome, but she required them to comply with the law that requires this disclosure.

Now, after our colleagues have gained ascendancy in the Senate, lo and behold we come in and whack their budget. Now, who is being listened to, politically powerful bosses or is it the interest of union members? Embezzlement is not something we ought to

support and put up with. We in Congress are focusing on transparency right here. We talk about it a lot. It is embarrassing to me that our colleagues have seen this budget be reduced.

This chart gives a clear indication of just how significant overall the problem is we are dealing with. From 2001 to 2007, 796 people were convicted. Most of them pled guilty, and court-ordered restitutions totaled $101 million. But I indicated to you that less than 5 percent of the unions per year are being audited, and it appears that for every four of the audits that are conducted, about one person is convicted of something, on average. So we have a problem, we really do. And I submit it is not because people are necessarily bad people. Some of them may be, but a lot of it is because there is no real oversight and accountability, and temptation is too great.

I have been a prosecutor for 15 years. I will tell you, you give people lots and lots of money, it goes through their hands and nobody is watching it. Temptation takes over, and you will rightly expect problems to occur if you don't have tight fiscal controls. We don't have it. I think we need to have a lot more emphasis in this area than we do, other than just a $3 million increase in this department. It is obvious.

We hear a lot of talk about integrity in here about our financial disclosures and other things. Well, if we don't do our duty, people will complain. If businesses don't file their reports, they will complain. And we need to make sure unions do the same, not to beat up on unions but to help unions have integrity.

Now, not to be monotonous—and I find this remarkable—but some may say, well, they are abusing unions and picking on people. But the conviction rate is 95 percent—95 percent of all indictments have resulted in convictions. They do not always get big sentences. I thought some I have seen were pretty light. But the point is, if you are convicted of these kinds of offenses, you lose your leadership position in a union, and that is important. So if you are stealing from a union, you ought not stay in as an officer.

So I would just suggest that from my review of the cases, people are not being abused. They are being fairly treated. Overwhelmingly, the defendants are pleading guilty, and restitution is being made. People who are corrupt are not being able to remain in office to keep their hands in the till where the money is.

The legislation that requires this is not new. This law has been on the books for some time. I will admit that we been very lax, and it was not being enforced, but the conviction rate, the amount of restitution, the number of fraud cases per audit indicates that was not a good decision. And if the audit rates had been maintained, I submit we would have had a lot less crime and fraud and loss of union members' money. This occurred in 1959. One of the leaders of it was our own Senator ROBERT BYRD. He spoke earlier today. He has been here a long time. He was here in 1959 when this bill passed. And as a Senator from West Virginia, a State with a strong union heritage, a proud union heritage, he decided to vote for this bill.

The bill was actually introduced and led by Senator John F. Kennedy. This is what Senator Kennedy said at the time.

> The racketeers will not like it, the antilabor extremists around the country will not like it, but I am confident that the American people, and the overwhelmingly honest rank and file union members, will benefit from this measure for many years to come.

And until we stopped enforcing it a few years ago, or got lax, it has been beneficial. I think the work that is being done now, the $101 million in restitution, indicates that progress has been occurring that has benefitted union members.

Now, Senator BYRD wrote a letter that was included in the CONGRESSIONAL RECORD in response to certain criticisms he received from a district president of a union in West Virginia. They sent a letter of condemnation, and Senator BYRD was direct about it. He responded:

> The bill which passed the Congress will not hurt honest unions, and it will give added protection to the rank and file members in the unions. Honest union leaders have nothing to fear from this legislation. The corruption and racketeering that have been revealed in the fields of both labor and management made it imperative that some kind of legislation be enacted.

And I think that remains as true today as it was when he made those comments in 1959.

Madam President, since 2001, OLMS has only had the resources to audit 3,275 of the 26,000 unions on record. That means in the past 7 years combined, only 12.5 percent of the unions have been audited. It is able to audit only about 2 to 4 percent of the unions each year. It is important to note that unlike corporations, unions are not required by law to have outside auditors. Most corporations have to have outside auditors. So in many cases, this audit is the only outside audit a union will have.

In 2000, OLMS only did 204 audits out of well over 20,000 unions. That is the equivalent of a union being audited once every 133 years. Last year, they did 736 audits, a better number, but that still translates into an audit only once every 33 years at that rate. It is better, but I think we need to do a lot more.

With the $2 million reduction in funding which is currently in the bill, it is estimated there will be approximately 350 fewer audits each year, and that is almost cutting the number in half. So we should be seeking more, really, considering that from those 3,267 audits that were completed there came 827 indictments and 796 convictions. OLMS has been funded below the President's requested levels over the past several years. Yet if the proposed cuts in the bill are implemented funding will drop from $47.7 million to $45.7 million. That is below last year's budget. So I would just note again that we had 427 employees in this department in 1990. It fell down to 260, it has been inched up to 331, and if this bill passes in this form, cutting the budget, we are going to see a loss of personnel instead of an increase in personnel. We ought to be closer to the 400, it seems to me. OLMS was the only enforcement agency in the Labor Department that received a budget cut during the congressional markup.

Let me mention this story of the United Transportation Union. We have a picture I think is sad. It is a picture from an undercover operation. The person who is handing off this money that is on this picture is a UTU-designated legal counsel by the name of Victor Bieganowski. The person receiving the money is John Russell Rookard, 58, of Olalla, WA, a top special assistant to Alfred Boyd, Jr., UTU president at the time this bribe money was paid.

In 2004, Boyd, the international president of the Nation's largest railroad operating union, pleaded guilty to participating in a bribery scheme involving Houston lawyers. Union officials extorted bribes from the lawyers in exchange for access to injured union members.

A March 12, 2004, Houston Chronicle article explains that Byron Alfred Boyd, Jr., of Seattle, is the last of four officials of the UTU to plead guilty in a plan to extort bribes from lawyers in exchange for access to these injured members.

Boyd admitted using the bribes he was paid—get this—to gain control of the union. He persuaded former union president Charles Leonard Little of Leander, near Austin, to resign in exchange for $100,000 and a new pickup. This would allow him, Boyd, to assume the presidency of the union. Little resigned, but I guess he didn't get a promissory note or a mortgage because he was never paid his $100,000. Boyd not only stole from his union and breached the trust of his union members, he didn't pay the man he promised to pay to give up his office. Little pleaded guilty last year, as did former union insurance director Ralph John Dennis.

We have too many examples of this kind of disregard for the integrity of the funding of unions. People are being entrusted with this money, and it is not being managed well. And it is something that we need to do more about, in my view.

Madam President, I would just share a few other examples which I think are instructive of some of the problems that have occurred in recent years.

In Pennsylvania, in June of 2007, in the eastern district of Pennsylvania, Lawrence Marable and Deborah Powell, former president and treasurer of AFGE Local 1793, representing employees at the VA Medical Center, both

pled guilty to conspiracy and theft of property in a special territorial case. They conspired to convert dues checks and issued Local 1793 checks for their personal use totaling $184,129. This was a very serious matter, I suggest.

In May of this year, in Michigan, Alan Raines, former financial secretary of Steelworkers Local 1358 was charged with embezzling union funds in the amount of $274,262. That is not chicken feed. That is huge money. A lot of these unions do not have that many members, and the cost per member in one, I remember specifically, was about $1,000 per member in the amount of loss that occurred.

Here, on April 2, 2007, in Puerto Rico, the president of the International Longshoremen's local was found guilty of 12 counts of embezzlement. He was charged among other counts with conspiracy to embezzle union funds in excess of $1,950,000. That is a breathtaking amount. Both of those, in May and April of this year. In March of this year, in New York, John Daley, former chief financial officer of the New York State Nurses Association, was sentenced to time in prison after pleading guilty to grand larceny for taking $1,193,000 in union funds. These are public records. These are huge amounts of money.

In June of last year in Connecticut, a former financial secretary of Local 745 of PACE was charged with taking $138,000, embezzling that much money.

In June of this year, in my hometown, sadly, the Southern District of Alabama, where I at one time was a Federal prosecutor myself in the United States District Court there, Kenneth Mays, the former treasurer of IBEW Local 1053, was sentenced after pleading guilty to embezzlement and ordered to pay $37,000 in restitution, reimbursement. This is right in my home state.

On July of last year, in Fulton County, GA, in the district court, a bookkeeper for IBEW Local 613 was indicted for taking $11,000.

In December of 2005, in the Northern District of Iowa, Debra Herrig was sentenced and pled guilty to embezzling union funds and made restitution in the amount of $13,000.

In December of 2004, in the United States District Court for the Southern District of Iowa, Rodney Fox was charged with embezzling $89,000 of union funds.

In May of 2005, in the Southern District of Iowa, Amanda Kemmer was sentenced to 24 months and ordered to pay $209,000 in full restitution for embezzling union funds.

There are lots more I can indicate.

I will repeat. I don't believe there is any need for this kind of criminal activity to go on. I believe a lot of it occurs because there is so little oversight. If we had a rigorous oversight and audit function by the Department of Labor, we would see a lot less of it. If the unions were required to promptly and fully report the expenditures, union members would be able to watch for problems and pick them up sooner and keep these kind of embezzlements from going to hundreds of thousands of dollars, even millions of dollars. That is why this office, of all offices, should not be reduced.

I understand some people believe it is a burden, and for a good union that never had any problems I guess filing it is a burden. It may not be a necessary thing. But, really, probably it is because the union members get to see where their funds are being spent, honestly and fairly.

Most unions, of course, are honest and do a good job, and most union members are the salt of the Earth and couldn't be better people, and most union leaders are honest and decent and work hard every day to protect the interests of their own members. They try to make sure they get a fair deal in the workplace.

I am telling you we need to be attuned to that because wages are not what I think they ought to be for the average worker in America today. There are a lot of reasons for that. I suggest one of them is this very large surge of low-wage labor that comes into our country illegally.

But, regardless, we want to help our union members receive the highest possible wage and to be able to know that their leadership is honest and trustworthy and doing the right thing. I believe we have to get this money back into this account. We need to be sure we have at least a modest increase in spending to keep up with the inflation rate so we can continue at least this modest rate of enforcement.

I urge my colleagues to not see this as an action that goes against unions but as an action that will strengthen unions, that will affirm the importance of the union members' money that they contribute, and to make sure it is spent wisely.

It is sad to say, sometimes you get a big restitution order of $1 million—I have been there and seen them, but it is like getting blood from a turnip. It will never come back. It is gone and the members have actually lost it and nobody can do anything about it.

I urge my colleagues to give serious consideration to this amendment. I think it is reasonable and fair and the offset, let me repeat, does not deal with the controversial ILO, International Labor Organization, that does some good. It certainly has good objectives. How well they spend their money, I have my doubts, but it has good objectives. It is an offset against administrative expenses, and across the board it will be a small impact on the administrative budgets of these agencies.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Madam President, I would like to respond to some of the points made by the Senator from Alabama. First of all, I want to make it clear that I do not know of any Senator on either side of the aisle who is not in favor of going after either fraud, waste and abuse, or any kind of criminal activities—whether it is done in the business community, by corporations, or whether it is done in labor unions. Really, the question is, how do you do it? What is the best way of doing it? Are we getting a good return on the dollar, so to speak, for what we are investing in?

I thought we might take a look and see what has been happening in this whole area in the Department of Labor over the past few years, where their focus has been and where it has not been, and what the priorities are. You can tell a lot about someone's priorities by how they spend their money. The bill before us provides some modest increase in work protections agencies—OSHA, MSHA, Wage and Hour Division. We also provide for the OLMS—that is the office the Senator from Alabama has been talking about, Office of Labor Management Standards—$45.7 million. That is not chicken feed. I will talk more about that in a bit.

But I want to point to some charts to show where we are, to put it in better perspective. Right now at the Department of Labor, for OSHA—that is the Occupational Safety and Health Administration. These are the people who go out and make sure your workplaces are safe, that you are not exposed to toxic chemicals, things that cause cancer, or unsafe workplaces where you wind up losing a limb, an arm, a hand, or where you are exposed to different things that may injure your lungs, whether it is asbestos inhalation or any kind of toxic chemicals that may have long-term profound effects. This is OSHA.

What does the administration spend on OSHA? They spend $26 per workplace.

The Wage and Hour Division is the people who go out and make sure you are actually being paid what you say you should be paid, that you are getting overtime pay, that the company is abiding by the wage and hour provisions of the contract, for example, that the union may have signed. So in Wage and Hour, they are spending $26 per workplace. Under Occupational Safety and Health, the Department of Labor is spending about $26 per workplace—about the same.

What are they spending at the Office of Labor Management Standards? It is $2,707 per union; $26 per workplace for OSHA, 100 times more for OLMS than they are spending on OSHA investigating where people get injured, damaged, maimed for life due to unsafe working conditions.

There it is, 100 times more for OLMS. Yet they say it is not enough money. They need more. Let's see what that means. OLMS—more staff. More staff and fewer results.

I was listening to the Senator from Alabama. It would be one thing if, over these years they were spending more money and hiring more staff, they actually got more convictions and that

stuff. That is not so. In 2003, there were 297 people working for OLMS. In 2006, that had increased to 384, almost a 40-percent increase, maybe, or 50-percent increase? Anyway, almost 100 people more, 297 to 384. What happened to the number of indictments? The number of indictments in 2003 was 132; the number in 2006 was 118. They have 100 more people, but the number of indictments goes down.

Look at the convictions. We saw the chart. In 2003, we had 152 convictions; in 2006, 129. So we have a lot more people working there. We are spending more money on personnel, and we are getting fewer indictments and fewer convictions. The budget, at that same time, went from $34.3 million to $45.7 million, which is where we are. They put on more people, but they got fewer indictments and fewer convictions.

Now with the Sessions amendment, they want to go to $50.7 million—I guess to hire more people so we can get fewer indictments and fewer convictions.

This really tells the story. What is happening is, they are loading up OLMS with featherbedding. That is classic. They put more and more people on, and they are doing less and less work. When I see a trendline like that, I say: You don't chase bad money with good. We put all that money in there, and it looks as though what we are doing is hiring a bunch of people who are sitting around, not doing very much.

Let's look at labor staffing. I mentioned before—this is the same figure you saw in the previous chart, OLMS went from 297 to 384, a 29-percent increase. How about OSHA? What happened to Occupational Safety and Health? It went from 1,683 down to 1,542. They got rid of people to do inspections. And MSHA, coal mine safety, went down from 2,299 to 2,136. So while OLMS went up, OSHA and MSHA, Mine Safety Health Administration, actually cut personnel.

What does that mean? This next chart shows what it means. Unlike OLMS, where more staff means fewer results, the cutbacks of OSHA and MSHA means less work gets done. This chart demonstrates what has happened over the last several years in President Bush's budget. OSHA inspections, right here, from 2003 to 2006, dropped from 39,884 to 38,589, so we get fewer OSHA inspections and fewer workers are being protected as a result.

Then, the number of employees benefiting from OSHA inspections fell from 1.6 million to 1.2 million. I don't have that number on this chart.

Look at mine safety. Right now, MSHA is unable to do all the inspections that they are required to do by law. What has happened here? Under mine safety, the staff went from 2,299 to 2,136.

The number of inspections they were able to complete went from 98.8 percent to 95.1 percent, which is where we are today. They cannot even inspect all of the mines. Need I remind anyone here of the recent mine disaster in Utah, the mine disasters in West Virginia and Virginia, Pennsylvania.

Miners continue to lose their lives every year in coal mines and other mine disasters, and yet in MSHA, we do not even have enough people there to do the inspections. I think these charts show you what is happening over there.

I think that $45.7 million is more than enough for them to do their job. There it is. It went from 297 to 384 people. Yet the number of indictments and convictions went down. The budget went from $34 to $45 million. Now they want to go to $50 million. Well, something is not right here. Something is not right. It sounds as if they are hiring more and more people, but I do not know what they are doing.

There is one other thing I want to respond to that Senator SESSIONS brought up. I think if I remember it right—I will have to check the RECORD, but I thought he said something about 26 percent of the reports were not standard, were not acceptable, did not meet standards of acceptability.

Well, you can go right to the White House, online, go to the Office of Labor Management Standards. It has got program performance measures. It says here: Measure. Increasing union transparency. Increase the percentage of union reports meeting standards of acceptability for public disclosure.

Here is what it says: Explanation. The principle objective of this performance goal is to increase the percentage of union reports meeting standards of acceptability for public disclosure.

Prior to implementation of electronic reporting formats, only 73 percent of union reports filed met standards of the acceptability. Expanded use of electronic report formats is significantly improving the sufficiency of reports for public disclosure.

Here it is. In 2003, 73 percent, that is what I mentioned. I think that is where Senator SESSIONS got the 26 percent that were not acceptable. Well, that was 2003. In 2004, it went to 94 percent. It is now at 93 percent, 93, 94 percent. So there are only about 6 to 7 percent that are not meeting the standards; again, not 26 percent. It is more like about—well, it is either 6 or 7 percent right now. The goal is 97 percent. Obviously they are getting there with this new electronic reporting.

Now the other thing has to do with financial integrity. I talked about fraud, and I saw the picture of somebody getting money and all of that kind of stuff. Well, again, on the same Web site—you can look it up yourself—the measure: increasing union financial integrity. The percentage of unions with fraud will decrease. That is the outcome. Right here it says that: OLMS conducts audits to monitor compliance, uncover embezzlement, and other criminal and civil violations of the law, using streamlined investigative audit procedures.

In fiscal year 2004, OLMS conducted a union audit study that identified fraud in 9 percent of the unions. That was in 2004. The last reporting period was 2006. It went down to 8 percent. What is the goal? Seven and one-half percent. So it is only half a percent of what the goal is as stated by OLMS. Again, the indicators are there that the electronic reporting and other things are having their effect. So you wonder, why do they need so many personnel if, in fact, they have gone to electronic reporting and they are getting better results and better transparency from that? This sounds to me like a classic case of featherbedding, padding it with people and spending more money for not getting much for results; in fact, getting less results than we have gotten in the past with less money.

Again, I think we have met our obligation with $45.7 million for OLMS. By the way, that should be more than enough for them to do their audits and to do their indictments and convictions. I think this shows that more personnel and more money have not translated into more convictions and more indictments.

There is a balance that has got to be held here. I think our committee did a good job of balancing OLMS, which has a job to do. They should do it. They should investigate, they should audit, they should indict, and they should convict people who are absconding with union money. Absolutely. No one denies that. They should.

The question is, how do we balance that with making sure we have more inspections of workplace safety, or mine safety, the other things that the Department of Labor is supposed to be doing to protect our workers? That is the balance we have struck here in the bill. I think it is a good balance, something that was worked out in a bipartisan fashion with Senator SPECTER, myself, and other Republicans and Democrats on the committee. As I pointed out, this passed the committee 26 to 3. This was not even an issue. I think everyone figured there was a pretty good balance for what we set up. I hope we can maintain that balance.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3349 TO AMENDMENT NO. 3325

Mr. HARKIN. Madam President, among the amendments that are pending, one is 3349. I ask unanimous consent to have it called up and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment is pending.

Mr. HARKIN. Madam President, this was the amendment offered by Senator

BROWN earlier. It had to do with Upward Bound evaluations. It was cleared on both sides of the aisle. We are ready to vote on it.

The PRESIDING OFFICER. If there is no further debate on the amendment, the question is on agreeing to the amendment.

The amendment (No. 3349) was agreed to.

Mr. HARKIN. Madam President, I say to Senators, we are working our way through the amendments. It is now 5:15. I know people do not want to work late tonight, but we are going to be in very late tonight unless Senators who have amendments pending come over and offer their amendments.

As people can tell, there is nothing happening here right now. We hope to get a couple more votes here very shortly. Right now, there is not an amendment pending for which we can have a vote except the Sessions amendment. We had a pretty good debate on that yesterday and just now. I think pretty much all of the debate regarding the amendment offered by Senator SESSIONS is over. We are prepared to vote on that, but we will hold off until we can get clearance on the other side to have a vote.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. STEVENS are printed in today's RECORD under ''Morning Business.'')

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I wish to share a few thoughts on some of the discussion we had earlier today. My colleagues shared some ideas about whether we are funding OSHA sufficiently, that sort of thing. The spending per business from OSHA is different from spending per union. OSHA has many businesses they serve, and so they go out to each one and make their visits and do their inspections and assess penalties. But unions serve many businesses, and one inspector would come there and spend some time and would cover their relationship with quite a number of businesses. All workplaces are not unionized so I don't think that was a fair comparison.

Also, the Department of Labor just reported that the indictment and conviction numbers continue to go up. They now have 798 convictions and 834 indictments. It seems every day they are out there making good progress, where they have the capability to do so, against fraud and corruption.

With regard to the full-time equivalent, the number of employees, in recent years we have seen an increase in the number of employees—that is true—but the truth is those increases have been modest. For example, in 1990, there were over 400 OLMS employees. Now that number dropped down below 300. Mostly during the period of the Clinton administration there was a sharp dropoff. Now it is back up to 331, but that is well below the amount it used to be.

I don't think there is anything that can be said except that Secretary Chao has begun to restore that office a bit, tried to get it on a stronger basis, have it do a better job of enforcing the law. She needs that. One can only interpret this budget cut—the only budget cut within this whole line item of appropriations to her enforcement agency, the agency that requires the unions to publish their expenditures, the enforcement agency that actually does audits—as an indication of something rather serious, especially when the audits are uncovering extraordinary amounts of problems. That is what we have. We have a situation in which we have had so little oversight that there is abuse of union members' money going on on a regular basis. That money is too often being abused. Not by everybody; overwhelmingly, the average union leader is honest and decent. The locals are run by good people elected by their members. But long-term tenures, lack of controls, no audits puts people in a position where their good discipline fails.

I have seen it in churches. People in church have access to large amounts of money. Nobody is monitoring it, and they take it, sometimes large amounts. So we need to understand that oversight, auditing, and financial disclosure is not punishment. It is not demeaning. It is serving the rank-and-file union members. It is serving their interests so they can know their leadership is functioning honestly and with integrity, and they can know what they are spending their money on. It may be an honest expenditure, but a union member might look at it and say: They paid too much for this copy machine because that is his brother-in-law. They might want to complain about that. Isn't that the way we want it to happen? That is what the whole system is about.

It is disappointing to me to see that we have a cut in this agency, of all agencies. I am disappointed in that. I know Secretary Chao would be concerned that people thought that somehow in doing these few audits—and we are so slow in what we are doing and doing so few it would take 33 years to audit all existing unions. But to suggest they were spending so much money on that, and they weren't protecting workers. There is actually some good news there. For example, since fiscal year 2001, the fatality rate among Hispanic workers has fallen by over 18 percent. Since 2002, the injury and illness incident rate has fallen from 5.3 per 100 workers to 4.6 per 100 workers, a drop of more than 13 percent in the injury and illness incident rate, which is a substantial improvement.

With regard to the number of resources, from 1992 to 2002, there were budget cuts and the FTEs dropped 34 percent. That is the number of workers during basically the period in which President Clinton was in office. The audits of unions, the local unions dropped by two-thirds in that decade. That is all we are saying. Secretary Chao has a statutory responsibility to do audits, a statutory and compelling responsibility to insist on these reports being filed on time. They are required by a law that was passed in 1959. Thirty-six percent of the unions are not submitting those reports on time so their members cannot access where their money is going. We had almost a million people in the last year access the Web site where these reports are required to be filed to see where the money is being spent. This is union members accessing these Web sites so they can find out where the money they are contributing to the local union is being spent. What is wrong with that? Why would we want to cut this agency when we still are not where we need to be? We are auditing only a very small fraction of the unions, and a substantial number, over a third, are failing to report as required by law—not a law I am asking us to pass, not a law that is part of this amendment—a law that was passed by then-Senator John F. Kennedy in 1959.

So I believe this is a good government issue. It is the right thing to do. It will not hurt unions. It will strengthen unions. It will make people feel better about their membership. It may be some bosses do not want to have to disclose where they spend their money, and they may be contacting Senators and telling them: Don't give in. Fight. Don't let them go back and make us do these audits. Don't do it. Cut their budget. Stop Elaine Chao from doing what she is required by law to do. Don't give her the money.

Maybe that is what is happening. I do not know. I hope not. I think we ought to keep this going. We ought to at least have this modest increase which is a little more than the inflation rate—a net $3 million increase on a $47 million budget from last year. That modest increase will allow her to keep the momentum, to keep these delinquency rates going down, moving in the right direction, with financial disclosure, sunshine. That is going to help eliminate fraud in itself. Then she will be able to also do a certain number of other audits. Maybe we can see not an increase in convictions, but we might see a decrease, if we know there is more accountability.

Again, there were 796 criminal convictions over the last 6 years, with court-ordered restitution of $101 million. Whose money is that? Whose money was being ordered to be paid back? It is union members' money—working Americans who have trusted their leaders. Maybe in the union hall there are 10 officers and leaders and only one of them found themselves in a position to steal. I am not saying we have this wholesale problem. What I am saying is there is a very real problem. There is no doubt about it. We are finding far too many criminal cases for each audit that is done.

As a result, it takes up time by the investigators. It takes up time by the auditors. It results oftentimes in a loss of money that no matter what the judge orders to be restored—no matter how much restitution they order—it may not actually ever be paid back if they do not have it. That is a true fact.

So I urge my colleagues to support this amendment. Once again, some of you may be concerned that the offset was to take money from the ILO, I believe it is, the U.N.-affiliated international labor group that is supposed to help labor conditions around the world. They certainly have high and good goals. I am not sure they have been very effective. But this money for my amendment is not coming from there anymore. I know a lot of people want to see that budget increased.

So this offset will be an offset from administrative expenses of Labor and HHS and Education. It will be a small impact on their overall budget.

I urge my colleagues to vote for this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Madam President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3395 TO AMENDMENT NO. 3325

(Purpose: To clarify the application of current law)

Mr. HARKIN. Madam President, I have an amendment I offer on behalf of Senator REID. I send it to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for Mr. REID, proposes an amendment numbered 3395 to amendment No. 3325:

At the appropriate place in title II, insert the following:

SEC. ____. Nothing in this Act shall be construed to effect or otherwise modify provisions of current Federal law with respect to the funding of abortion.

Mr. HARKIN. Madam President, I am going to propound a unanimous consent request. I ask the Senator's attention to this request so we get it right.

Madam President, I ask unanimous consent to set this pending amendment aside, then to turn to an amendment to be offered by the Senator from Louisiana, at which time we will have a time agreement of 10 minutes for Senator VITTER and 10 minutes for Senator BOXER on the Vitter amendment, at the end of which time the Senate will proceed to a vote on or in relation to, first, the Reid amendment; upon disposal of the Reid amendment, the Senate will then proceed to vote on or in relation to the amendment offered by the Senator from Louisiana; at the conclusion of that vote, that the Senate then proceed to a vote on the amendment offered by the Senator from Alabama, Mr. SESSIONS; and that no other amendments or intervening matter occur prior to these votes.

The PRESIDING OFFICER. Is there any objection?

Without objection, it is so ordered.

There is 20 minutes equally divided.

The Senator from Louisiana is recognized.

Mr. VITTER. First of all, Madam President, I thank the chairman of the subcommittee for all his courtesies.

AMENDMENT NO. 3330 TO AMENDMENT NO. 3325

Under that unanimous consent request which has been granted, I now call up amendment No. 3330, the Vitter amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 3330 to amendment No. 3325.

Mr. VITTER. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the provision of funds to grantees who perform abortions)

On page 79, between lines 4 and 5, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, none of the funds appropriated in this title shall be distributed to grantees who perform abortions or whose subgrantees perform abortions, except where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself. The preceding sentence shall not apply to a grantee or subgrantee that is a hospital, so long as such hospital does not subgrant to a non-hospital entity that performs abortions.

Mr. VITTER. Madam President, this is a very simple and straightforward but, I believe, important amendment. It says in clear terms that none of the funds in this appropriations bill will go to entities that provide abortions.

I think that is the right policy we should set in this body because whatever side of the abortion debate you are on, we can all agree on one thing: Abortion is a very divisive topic. Abortion divides our Nation—many folks would say down the middle—and it causes understandable passions and feelings on both sides. To a substantial number of Americans—myself included—but millions upon millions of Americans, the procedure of abortion is deeply troubling and deeply offensive. In that context, I think it is the right policy and a very reasonable mainstream policy to say we are not going to send taxpayer dollars to support groups that perform abortions. It seems to me that is the right policy when you talk about taxpayer dollars.

Now, the other side will immediately jump up and say: Well, we have current Federal law that says we are not going to use taxpayer dollars to fund abortions. But, quite frankly, that is not good enough in my mind and in the minds of millions upon millions of other abortion opponents.

Because the way it works now, we send Federal dollars to abortion providers and money is fungible and it is a big shell game and it supports their overhead and it supports their organizations and, in many cases, that funding is a huge percentage of their overall revenue. So it does, in a very significant, meaningful way, support abortions. That is wrong in my mind.

Now, let me make clear what this amendment does and what it does not do.

It says we are not going to send taxpayer dollars to abortion providers under the title X program. The title X program is a family planning program, and many of those entities which get millions of dollars from the Federal Government perform abortions. This amendment says we are not going to send taxpayer dollars to those entities.

Now, what does the amendment not do? It does not affect hospitals. There is specific language, a specific exemption for hospitals. So hospitals are another category. It does not cut one penny from family planning. This amendment is not about family planning. It is clearly about abortion. We do not cut one penny of family planning funding.

This amendment does not deny one family, one individual, family planning services, because in every locality where a private abortion provider is receiving title X funds, there are alternative sources for family planning services—in every area, in every locality. So we are not taking family planning services away from any American, from any individual in any part of the country.

Finally, this amendment does not affect free speech. The amendment contains no language regarding counseling, advocacy, information or expression. It simply says: Let's be fair. Abortion is a very divisive topic. At least half the American people have deep concerns about it. In that context, we should not be sending those folks' money to abortion providers to take care of their overhead, to allow them to use it as a shell game and, essentially, indirectly fund abortions and support abortion services.

Now, there are a lot of examples of these sorts of entities that we could use. But, obviously, the biggest nationwide is Planned Parenthood. Planned

Parenthood performs and accounts for hundreds of thousands of abortions every year. According to the last figures we could locate from 2005–2006, Planned Parenthood has about a $1 billion budget and source of revenue. About a third of that—$305.3 million—comes from Government subsidies of one sort or another. So $1 billion in revenue, and a third of that comes from the taxpayers—whether it is $120 million or more from the Federal Government kicking in directly and at least $59 million coming from this very title X program, which is the subject of my amendment.

Meanwhile, Planned Parenthood, in the last year we could get figures for, performed over 264,000 abortions. The best estimate for abortions nationwide in a year is 1.29 million. So Planned Parenthood alone accounts for over 20 percent of that.

You cannot tell me, given all those numbers, given 265,000 abortions performed, that we are not sending Federal taxpayer dollars that is supporting all of that activity, that is indirectly paying for those abortions—clearly, enormously important to keep Planned Parenthood going, to provide for its overhead—a third of all of its revenue.

Pure and simple, that is wrong when so many Americans find performing abortions so deeply troubling in a fundamental, gut, moral way. So this would set the policy right and simply say, if you are a title X recipient, if you are a recipient of those sorts of Federal dollars, you need to decide. You cannot perform abortions if you want that taxpayer support when half or more of U.S. taxpayers have fundamental, moral reservations, and problems with the procedure.

This amendment is strongly supported by the Family Research Council, and they are going to score the amendment. In addition, it is strongly supported by Concerned Women for America—they also will score the amendment—and, finally, by National Right to Life, which will also score the amendment.

I have letters from two of those three organizations. The third is on the way. I ask unanimous consent that these letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FAMILY RESEARCH COUNCIL,
Washington, DC, October 18, 2007.

U.S. SENATE,
Washington, DC.

DEAR SENATORS: On behalf of Family Research Council and the families we represent, I want to urge you to vote for the Amendment #3330 offered by Senator David Vitter (R–LA) to the Substitute Amendment to the Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008 (H.R. 3043) which would prevent Title X family planning funds from supporting abortion providers. We strongly support this amendment.

Title X family planning funds are distributed to organizations that perform a broad array of family planning services. Though Title X funds may not be used to perform abortions, some Title X recipients co-locate their family planning services with their abortion facilities. Indeed, Planned Parenthood clinics receive Title X funding.

Title X family planning funding should not go to abortion providers such as Planned Parenthood, which performed nearly 265,000 abortions in 2005. Recent reports indicate that Planned Parenthood generated over $900 million in income in fiscal year 2005–2006, of which over $300 million came from government grants and contracts. In addition, it has recently been reported that Planned Parenthood clinics that receive Title X funding have not complied with state statutory rape reporting laws. We should not be sending taxpayer money to an organization such as Planned Parenthood that performs abortions or violates state laws designed to protect young women. The Vitter amendment would not alter the $300 million contained in the LHHS bill for Title X family planning services.

Your support for the Vitter amendment will uphold the principle that the United States taxpayer should not have to subsidize the abortion industry. FRC reserves the right to score votes surrounding this amendment in our scorecard for the First Session of the 110th Congress to be published this fall.

Sincerely.

THOMAS MCCLUSKY,
Vice President for Government Affairs.

OCTOBER 18, 2007.

Hon. DAVID VITTER,
U.S. Senate,
Washington, DC.

DEAR SENATOR VITTER, On behalf of the 500,000 members of Concerned Women for America (CWA), I would like to thank you for your continued commitment to support of the sanctity of life. We appreciate your offering an amendment to prohibit federal Title X funding from going to any group which performs elective abortions or whose subgrantees perform elective abortions.

CWA will score the vote on your pro-life amendment to the Department of Labor, Health and Human Services Appropriations Bill (S. 1710).

Federal taxpayers must not be forced to pay for cruel and immoral abortion procedures to which they rightly object. There is no way around this fundamental principle of fairness and common decency.

Senator, thank you again for your amendment and working to promote life in the Senate. Our members appreciate your strong stance and CWA lends its support to this pro-life amendment. Our little ones cannot speak for themselves, so we must speak for them and make a statement that our nation should not subsidize this destruction of life.

Sincerely,

BEVERLY LAHAYE,
Founder and Chairman,
Concerned Women for America.

Mr. VITTER. I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from California.

Mrs. BOXER. Mr. President, how much time does the Senator from Louisiana have left, Mr. VITTER, and how much time do I have?

The PRESIDING OFFICER. The Senator from Louisiana has 2 minutes 46 seconds, and the Senator from California has 10 minutes.

Mrs. BOXER. All right. Mr. President, I yield myself 7 minutes.

The Vitter amendment is ''big brother'' at its very worst. It tells non-governmental entities how they should spend their own private funds. I wonder what the Senator has in mind next? Is he going to tell America's families what they can spend their private funds on? This is a dangerous amendment which will lead to more abortions.

The Senator takes to the floor and he attacks an a private organization by name—an organization that over many years has had leading Republicans and Democrats on its board of directors. I think it is a very sad day when we have an amendment such as this. This amendment punishes the very organizations that work hard every day using their own funds to provide family planning services and reproductive health care, including legal abortion services.

If Senator VITTER wants to deny these funds, he should work to outlaw all abortion. He should work to make women criminals who have abortions—throw everyone in jail. If he wants to go that way, that is an honest way. But to stand up here and say that a private organization that works so hard every day to give women the health care they need—to punish them because they use their own funds to provide a full array of reproductive health care is really, I think, a very sorry idea.

His amendment will do nothing to reduce abortions. It will make contraceptives harder to get, and that will increase the number of unintended pregnancies. It will increase the number of abortions, just as we have shown the global gag rule does. Make no mistake, he may not call it a gag rule, but in essence it is. When you tell a person or an organization how they can spend their own personal funds, that is interfering with their rights.

What is going to happen? We are going to have less funding for breast and pelvic examinations, breast and cervical cancer screening, sexually transmitted diseases, and HIV/AIDS. We are going to see less counseling, less testing, and less referrals.

This amendment is an attack on title X-supported health clinics. Title X was enacted in 1970 with strong bipartisan support to provide high-quality, comprehensive, and low-cost family planning and reproductive health care services to those in need but who cannot afford such services. Let's be clear. No title X dollars may be used for abortion care. We are going to have a vote that makes it very clear that nothing in this bill allows Federal funds to be used for abortion. No discretionary funding in this bill can ever pay for abortion. That has been illegal for quite some time.

So again, the Vitter amendment punishes effective organizations that are working every day to provide a full range of legal, important health care to women. The consequence of passing this—which I don't think we will because it is so radical—are that women would have less access to reproductive health care. They would get sick. They would be suffering, and they wouldn't

get access to contraception, which is so necessary.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time? The Senator from Louisiana is recognized.

Mr. VITTER. Mr. President, I would like to use 1½ minutes of my remaining time to simply respond to some of the statements.

A statement was made that this amendment cuts health care services, family planning services that are not abortion and makes them less available. That is simply not true. This amendment doesn't cut a single penny of title X family planning money. That dollar amount is exactly the same. This amendment doesn't make those services unavailable to a single American because we checked every metropolitan area, every locality, and there are other opportunities—public, private, both—for Americans in every locality for true family planning entities that don't also perform abortions. So it is not true that we are lessening that opportunity.

It is not about those true health or family planning services. It is about abortion and whether the American taxpayer is going to be forced to indirectly subsidize abortion in this country as we do right now. When abortion is so divisive an issue, when it is so troubling and fundamentally offensive to so many millions of Americans—at least half the country, in my guesstimate—I don't think it is right or fair to be spending taxpayer dollars. Who can deny that is effectively what we are doing? Just look at the biggest example.

The PRESIDING OFFICER. The Senator has consumed a minute and a half.

Mr. VITTER. I will consume the remainder of my time.

I talk about Planned Parenthood simply because it is the biggest and most obvious example of billions of dollars of revenue—fully a third comes from Government. Meanwhile, they perform 265,000 abortions—20 percent of the entirety of abortions performed in the United States. That is not right.

I yield back the remainder of my time.

Mrs. BOXER. Mr. President, how much time is remaining on our side?

The PRESIDING OFFICER. There is 5 minutes 45 seconds.

Mrs. BOXER. Mr. President, I wish to point out that George Bush's grandparents founded the Planned Parenthood affiliate in Connecticut. I wish to point out again that the issue of choice is only divisive when we have amendments such as this one, even though we already know there isn't a penny of funding in this bill that can be used for abortion. So, this is punishing the people who are living by the law, who are using their own private funds, and who are using Federal funds for contraceptive services, for health care services, and the rest.

This amendment shouldn't even be on this bill. The reason it is controversial is because Senator VITTER decided to bring up this very divisive amendment, which I hope we will defeat.

I yield 3 minutes to Senator MURRAY.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, let's be very clear. The amendment that has been offered by Senator VITTER is an attack on the health and well-being of all Americans, purely and simply. When you look at the depth and breadth of this amendment which has been offered, it could withhold critical Federal dollars from virtually any health care entity or provider across the country that is in any way tied to abortion services, directly or indirectly.

I wish to remind my colleagues that in some of our rural communities, there is only one health care provider. That clinic may provide flu shots for children, for the elderly, and it may also provide family planning services. This amendment which has been offered would tie that clinic's hands and prevent it from receiving any Federal funds whatsoever. That is just plain wrong.

Our Nation's core health care providers rely on millions of dollars from Medicaid, from family planning, from community health centers, child health, and numerous programs which provide, as we all know, vital health care services to some of our Nation's most vulnerable women, men, and children. But because of the way this amendment is worded, it would put millions of men and women—primarily, of course, those who are low income who can't advocate for themselves, who don't have health insurance—at risk of losing access to family planning and other preventive health care services.

We have all said many times we all want to reduce the number of abortions. It is something on which we all agree. But this amendment, in fact, goes directly against that goal. This amendment is counterintuitive. Eliminating a community's only source of birth control will not reduce the number of abortions. Denying women access to their trusted doctors and nurses won't do it either.

Let's be clear. This amendment is not necessary to prevent family planning funds provided through title X from paying for abortions. As the Senator from California has said, Federal law prohibits that.

Over the past 7 years, we have seen this administration and conservatives in this Congress systematically work to erode reproductive freedoms for women, both in the United States and overseas. In fact, just this week we learned that the President's nominee for Deputy Assistant Secretary for Population Affairs has supported dropping a requirement that Federal health insurance plans cover birth control.

I ask for 1 additional minute.

Mrs. BOXER. I yield the Senator 1 additional minute.

Mrs. MURRAY. She called Plan B—the medically safe birth control pill that I and others worked to approve—a ''grave threat to women.''

We all want to reduce the number of unintended pregnancies in this country, but limiting health care and education options will only produce the opposite effect. We have to make sure women have access to safe and affordable family planning alternatives. Cutting them off, as this amendment would do, is the wrong way to go.

I stand with my colleague from California in saying that the Senate needs to stand on record to protect women's rights in this country. This is the time when we need to do it. We are not out here to provide a divisive debate; we are out to defend the rights of women in this country, for which they have worked long and hard. Let's not affect and impact hundreds and hundreds of men and women who are trying to get health care today by an amendment that is divisive and is not needed.

As the Senator from California said today, the funds in this bill that are federally provided do not go for abortions today. We do not need this amendment. We should not take this dangerous step that will impact the lives and health of many women in this country.

I yield the floor.

Mrs. BOXER. Mr. President, how much time remains?

The PRESIDING OFFICER. Twenty seconds remains.

Mrs. BOXER. Mr. President, let me just say that Senator MURRAY said it all. This is an unnecessary amendment by Senator VITTER. I urge an ''aye'' vote on the Reid amendment and a ''no'' vote on the Vitter amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

AMENDMENT NO. 3395

The PRESIDING OFFICER. The question is on agreeing to the Harkin for Reid amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. BIDEN) and the Senator from Massachusetts (Mr. KENNEDY) would each vote ''yea.''

Mr. LOTT. The following Senator is necessarily absent: the Senator from Virginia (Mr. WARNER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 25, as follows:

[Rollcall Vote No. 378 Leg.]

YEAS—68

Akaka
Alexander
Baucus
Bayh
Bennett
Bingaman
Bond
Boxer
Brown
Brownback
Byrd
Cantwell
Cardin
Carper
Casey
Cochran
Coleman
Collins
Conrad
Corker
Dole
Dorgan
Durbin
Feingold
Feinstein
Gregg
Harkin
Hatch
Hutchison
Inouye
Johnson
Kerry
Klobuchar
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lugar
Martinez
McCain
McCaskill
Menendez
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Pryor
Reed
Reid
Roberts
Rockefeller
Salazar
Sanders
Schumer
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Tester
Thune
Webb
Whitehouse
Wyden

NAYS—25

Allard
Barrasso
Bunning
Burr
Chambliss
Coburn
Cornyn
Craig
Crapo
DeMint
Domenici
Ensign
Enzi
Graham
Grassley
Hagel
Inhofe
Isakson
Kyl
Lott
McConnell
Sessions
Shelby
Vitter
Voinovich

NOT VOTING—7

Biden
Clinton
Dodd
Kennedy
Mikulski
Obama
Warner

The amendment (No. 3395) was agreed to.

Mr. HARKIN. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HARKIN. Mr. President, I ask unanimous consent that the remaining two votes in the sequence be limited to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3330

The PRESIDING OFFICER. The question is on agreeing to the Vitter amendment No. 3330.

Mr. ALLARD. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. BIDEN) and the Senator from Massachusetts (Mr. KENNEDY) would each vote ''nay.''

Mr. LOTT. The following Senator was necessarily absent: the Senator from Virginia (Mr. WARNER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 41, nays 52, as follows:

[Rollcall Vote No. 379 Leg.]

YEAS—41

Alexander
Allard
Barrasso
Bennett
Brownback
Bunning
Burr
Chambliss
Coburn
Cochran
Coleman
Corker
Cornyn
Craig
Crapo
DeMint
Dole
Domenici
Ensign
Enzi
Graham
Grassley
Gregg
Hagel
Hatch
Hutchison
Inhofe
Isakson
Kyl
Lott
Martinez
McCain
McConnell
Roberts
Sessions
Shelby
Smith
Sununu
Thune
Vitter
Voinovich

NAYS—52

Akaka
Baucus
Bayh
Bingaman
Bond
Boxer
Brown
Byrd
Cantwell
Cardin
Carper
Casey
Collins
Conrad
Dorgan
Durbin
Feingold
Feinstein
Harkin
Inouye
Johnson
Kerry
Klobuchar
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lugar
McCaskill
Menendez
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Pryor
Reed
Reid
Rockefeller
Salazar
Sanders
Schumer
Snowe
Specter
Stabenow
Stevens
Tester
Webb
Whitehouse
Wyden

NOT VOTING—7

Biden
Clinton
Dodd
Kennedy
Mikulski
Obama
Warner

The amendment (No. 3330) was rejected.

Mrs. BOXER. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3373

The PRESIDING OFFICER. The question is on agreeing to the Sessions amendment. Are the yeas and nays requested on the Sessions amendment?

Mr. HARKIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Illinois (Mr. OBAMA), are necessary absent.

I further announce that, if present and voting, the Senator from Delaware (Mr. BIDEN) and the Senator from Massachusetts (Mr. KENNEDY) would each vote ''nay.''

Mr. LOTT. The following Senator is necessarily absent: the Senator from Virginia (Mr. WARNER).

The PRESIDING OFFICER. Are there and other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 47, as follows:

[Rollcall Vote No. 380 Leg.]

YEAS—46

Alexander
Allard
Barrasso
Bennett
Bond
Brownback
Bunning
Burr
Chambliss
Coburn
Cochran
Coleman
Collins
Corker
Cornyn
Craig
Crapo
DeMint
Dole
Domenici
Ensign
Enzi
Graham
Grassley
Gregg
Hagel
Hatch
Hutchison
Inhofe
Isakson
Kyl
Lott
Lugar
Martinez
McCain
McConnell
Murkowski
Roberts
Sessions
Shelby
Smith
Snowe
Sununu
Thune
Vitter
Voinovich

NAYS—47

Akaka
Baucus
Bayh
Bingaman
Boxer
Brown
Byrd
Cantwell
Cardin
Carper
Casey
Conrad
Dorgan
Durbin
Feingold
Feinstein
Harkin
Inouye
Johnson
Kerry
Klobuchar
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
McCaskill
Menendez
Murray
Nelson (FL)
Nelson (NE)
Pryor
Reed
Reid
Rockefeller
Salazar
Sanders
Schumer
Specter
Stabenow
Stevens
Tester
Webb
Whitehouse
Wyden

NOT VOTING—7

Biden
Clinton
Dodd
Kennedy
Mikulski
Obama
Warner

The amendment (No. 3373) was rejected.

Mr. DURBIN. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I had a long conversation with the Republican leader to determine how we are going to get done what we have to get done. I have discussed with the two managers the conversation the Republican leader and I had. The first thing we are going to do is get consent at the appropriate time, which will be in a few minutes, that all first-degree amendments be filed tomorrow at 1 p.m. I am not asking that consent now.

The managers should know, though, the amendments we will need to deal with. We will have a finite list of amendments.

The commitment that the Republican leader, I think, is going to be willing to make is that we finish this bill by the time of our caucus luncheons on Tuesday; that is, by noon on Tuesday, October 23. That being the case, we have a lot of work to do. Everyone should understand we may have a number of votes Monday night. This is not going to be come in Monday night and go out to some event you have. Everyone should have Monday night free because we could have a lot of votes Monday night. Everyone should understand that.

The following week we have a lot to do. I have made a commitment to the chairman of the Agriculture Committee—that bill needs to be marked

up next week and he has scheduled that for next Wednesday. We have to finish this matter next Tuesday. This avoids a lot of trouble.

I could file cloture on it, and the Republican leader knows this better than I, and we could have a vote on Saturday. We have people not here today. To get everybody here on Saturday is no easy thing to do.

I think what I have suggested here would be very appropriate. As I said, I talked to the Republican leader about this. We would have votes Monday night. We are going to have whatever votes are necessary Tuesday morning to complete this legislation and then go on about the week's business that we would have, which should be a significant week. After next week we only have 3 weeks left here until Thanksgiving. We have already scheduled a break at that time.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Let me confirm for our colleagues my concurrence with what the majority leader has indicated. We can finish the bill Tuesday before the policy luncheons. I have consulted with Members on my side and we are confident that is an ending that can be achieved, which would free up our friend from Iowa and the members of the Agriculture Committee for their markup.

I want to concur in what the majority leader has indicated. I think that is a goal we can achieve.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. I ask unanimous consent, then, that all first-degree amendments be filed on this bill by 1 o'clock tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I would say, the managers have already acknowledged they are going to process more amendments tonight. There will be no more rollcall votes tonight. They will process what amendments they can work out tomorrow also. So I think this is good.

It is no secret we are doing our very best to get this bill finished so we can get it to the President. There has been a lot of preconferencing. I talked to the Senator from Pennsylvania and the Senator from Iowa. They have done a lot of work.

The reason I want to try to get this bill to the President is the concern the President has involves about $22 billion. More than half of that is in this bill we have here, so that would be a good place to start to see if we can work something out on this bill with the President. If we cannot, it certainly points to where we need to work something out to finish our work on the appropriations matters for the rest of the year.

There will be no votes tomorrow. The first vote will be Monday; 5:30, probably.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, parliamentary inquiry: Is there a pending amendment?

The PRESIDING OFFICER. There is a pending amendment.

Mr. REED. Mr. President, I ask unanimous consent to set aside that amendment and then call up an amendment that has already been filed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I yield to the Senator from Iowa.

Mr. HARKIN. Just briefly. The Senator has called up an amendment. I wish to get a consent for Senator ALLARD and for Senator LANDRIEU. How much time is the Senator intending to take?

Mr. REED. No more than 10 minutes, and I will try to be less than that.

Mr. HARKIN. Does the Senator from New Jersey also have an amendment?

Mr. MENENDEZ. I have been waiting on the floor to speak for about 10 minutes, so at some point I wish to be recognized.

Mr. HARKIN. On the bill?

Mr. MENENDEZ. In part on the bill, yes.

Mr. HARKIN. Mr. President, I ask unanimous consent that Senator REED be recognized to offer his amendment, and then Senator ALLARD, and upon the disposition of that amendment, that Senator LANDRIEU be recognized, in that sequence, and then after Senator LANDRIEU, Senator MENENDEZ be recognized.

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

Mr. REED. Mr. President, we are currently debating the Health and Human Services and Education Appropriations Act for fiscal year 2008. Let me commend Chairman HARKIN and Ranking Member Specter for their great work on this legislation.

As Chairman HARKIN said, this bill truly defines America. It defines our Nation's commitment to our children's future through education, it defines our Nation's compassion to seniors and working families, and it defines our hopes in many different areas, particularly in the area of helping to cure disease and improve the public health. This is an extraordinarily important piece of legislation. Both Senator HARKIN and Senator SPECTER have done a remarkable job bringing it to the floor.

Let me highlight a few of the important points that I believe should be emphasized.

First of all, the bill increases Head Start funding, whereas the President's budget would decrease it. The legislation before us will provide sufficient resources to continue Head Start, which is an important aspect of giving children a chance to succeed earlier in their lives. It also provides resources for higher education: Pell grants, the Leveraging Educational Assistance Partnership Program—LEAP Program—TRIO, and GEAR UP. All of those are vital to ensuring that our citizens can seize the opportunity of America, and the greatest opportunity is education.

This legislation also provides an important safety net for many of our low-income families and our seniors; that is, the Low Income Home Energy Assistance Program. We could see a very severe winter in the Northeast, in the Northwest, and in the Central Plains of America. We are also seeing incredibly expensive prices for oil. Without this LIHEAP money, we will not be able to deal with the issue, and countless families will make difficult choices between literally eating or heating their homes. This legislation, in contradistinction to the White House's proposal, would maintain, not decrease, LIHEAP funding.

The legislation provides additional resources—about a billion dollars more—for the National Institutes of Health. This is vital to our ability to do research and to provide new diagnoses and new cures for disease. But it is something else that is important: It provides the infrastructure for research in this country. It gives those young Ph.D.s and M.D.s who are doing research incentives to stay in the field. Without it, we will not only miss out on the cures, but we will also miss out on the physicians and researchers who can give us, over the next 20, 30, 40 years, insight into the problems with disease in human beings.

We also are supporting in this bill the vaccination program. The 317 vaccination program, immunization program, has been essential to improving the public health, particularly the public health of children. This bill supports those commitments.

It also provides for training and employment resources. In a world of globalization, where jobs are going overseas, we just cannot tell people: Tough luck. We have to give them an opportunity to change their training, change their workplace, to go ahead and seize new opportunities. The President's budget diminishes these programs; this legislation increases the programs. I think that is the right direction.

The Job Corps Program—very successful since the 1960s. We have in Rhode Island what I think is the best Job Corps center in the country. I just had the director in a few days ago talking about how they are being evaluated higher and higher in each evaluation across the country in terms of other Job Corps centers, providing not only training but jobs. All of their students are walking out into good jobs. These are young men and women who, frankly, we haven't been able to reach before this stage. Either they have dropped out of high school or they have had a long process to get their GED and to get into this program. Some are just getting their GEDs in this program. This program deserves our support.

But there is one area in which we have not committed resources; that is, the Trauma Care Systems Planning

and Development Act of 2007. Trauma—injuries, accidents, falls, automobile wrecks, recreational mishaps—is actually the leading killer of young Americans up to the age of 44. It claims more than 140,000 lives and permanently disables about 80,000 each year. But only one in four Americans lives in an area served by coordinated systems that will transfer patients to designated trauma centers from less-equipped hospitals. This is particularly a problem in rural areas. It affects urban and rural communities but particularly the rural areas. At the highest risk are those people in rural areas. Sixty percent of the trauma deaths occur, even though there is only 20 percent of our population, in rural areas—60 percent of the trauma deaths, 20 percent of the population. This is a program which is desperately needed in rural parts of America.

The Trauma Care Systems Planning and Development Act is an important building block to an improved national network of care across the country. This program would allow for planning, infrastructure development, and standards development to determine the procedures that are most appropriate to do this. It would also require coordination with Federal agencies. It is a sensible investment in a systemic approach to trauma care. I believe it is very important.

AMENDMENT NO. 3360 TO AMENDMENT NO. 3325

As a result, I ask unanimous consent to call up amendment No. 3360.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED] proposes an amendment numbered 3360 to amendment No. 3325.

The amendment is as follows:

(Purpose: To provide funding for the trauma and emergency medical services programs administered through the Health Resources and Services Administration)

On page 59, line 22, insert before the colon the following: ", of which $6,000,000 shall be made available to the Administrator of the Health Resources and Services Administration to carry out trauma and emergency medical services programs".

Mr. REED. This amendment would provide $6 million for the program. It is fully offset. It is a small amount of funding to improve and expand the availability of trauma care across the country, particularly in rural areas, to ensure all areas are equipped with appropriate emergency and medical services, thus improving the survival rate and recovery rate for injured patients.

Trauma care is not only critical to providing timely access to lifesaving interventions, it is central to our national security and disaster preparedness. It is an essential component of our overall health care system and something I believe we have to do.

I hope that at the appropriate time my colleagues will be able to support this very worthy measure. Let me thank Senator HARKIN and Senator SPECTER and particularly their staffs for a bill that I think does speak to the best of America, and does, in fact, define, in a very positive way, our most important priorities.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

AMENDMENT NO. 3369 TO AMENDMENT NO. 3325

Mr. ALLARD. Mr. President, I ask unanimous consent to lay aside the pending amendments and call up amendment No. 3369 and ask for its immediate consideration.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. ALLARD] proposes an amendment numbered 3369 to amendment No. 3325.

Mr. ALLARD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To reduce the total amount appropriated to any program that is rated ineffective by the Office of Management and Budget through the Program Assessment Rating Tool (PART)

At the appropriate place, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, the total amount appropriated by this Act for any program for which the most recent rating available on the date of enactment of this Act by the Office of Management and Budget through the Program Assessment Rating Tool (PART) is "ineffective" shall be reduced by 10 percent. Not later than 30 days after the date of enactment of this Act, an amount equal to the aggregate amount of any such reduction shall be deposited in the account established under section 3113(d) of title 31, United States Code, to reduce the public debt.

Mr. ALLARD. Mr. President, my amendment cuts 10 percent of the funding under this bill for programs labeled "ineffective" under the OMB—the Office of Management and Budget—PART Program and transfers the funding to an account previously established to pay down the national debt.

Now, I do not believe I am being presumptuous when I say that most of us in this body would like to reduce spending. Where to cut is the question we fight over. So that is where the fight exists. Now, given ballooning Federal spending and the Federal debt, this amendment lets us make an easy choice to cut spending. It has to start with programs that cannot even justify their mission or success internally.

In case you are unfamiliar with the PART Program in general, let me give you some background. When making funding decisions, Members of Congress should consider what they are buying for the taxpayer. Funded programs should be effective and efficient. So the Program Assessment Rating Tool—that is, PART—was put in place by the Congress more than a decade ago. Agencies have had time to work with this program under the Clinton administration as well as the Bush administration. The program directs the agencies to set up measurable goals and objectives, and then the Office of Management and Budget goes in later on and evaluates to see if the agency is actually meeting those goals and objectives.

These detailed program assessments and the evidence on which they are based are available to the public to view. All they have to do is go to www.expectmore.gov. That is the Web page you would go to. It is a very good reference for the public, for Members of Congress, or for any agency to know exactly where they stand as far as their performance standards are concerned.

These assessments represent the combined wisdom of career officials. This is not a political process. These are objective evaluations done by career officials at agencies and OMB, the Office of Management and Budget, and are based on evidence of that program's performance. Programs assessed with the PART receive an overall rating. The best rating they can get is "effective," then it goes to "moderately effective," "adequate," then it goes to "results not demonstrated," and finally to "ineffective," the lowest rating. This amendment tries to address the lowest rating, which is "ineffective."

While a program's overall rating should not be the sole determinant of funding, Congress should prioritize funding programs that perform well. Ineffective programs in particular should be scrutinized to determine whether the resources they use could be better spent elsewhere and whether their goals could be achieved through other means.

When determining where to invest resources, Members of Congress can look to the PART Program for important information:

No. 1, does the program address an existing problem, interest, or need? Those that do not should not be funded.

The other question to be asked: Does the program have performance goals that relate to the outcomes the American people want? Those that do not may not be worthwhile investments of taxpayer dollars.

Do independent, rigorous evaluations demonstrate that the program is effective? If not, Congress may want to reconsider whether to fund the program. If evaluations have not been conducted, Congress may want to consider investing some money in an evaluation to determine if the program is having its intended impact.

Is the program working to improve its performance is another question we ask. A program that does not have an improvement plan in place or is not working aggressively to improve may not be the best investment of resources.

Another question: If an increase in funding is requested for a program, has the program explained how the additional funding will affect its performance? Programs that cannot articulate how they will use their resources simply are not the best candidates for investment.

So that is what the PART Program is all about. It is a good program, and it is being implemented more and more throughout the agencies. Some of the PART findings are programs that have been ineffective. I would like to look at a few of those.

Take the Health Professions Program, for example. One study found that only 1.5 percent of the physicians trained by institutions receiving the program's family medicine training grant provided health care in areas with a physician shortage, compared to 1.1 percent of physicians trained by other institutions. So there is only a four-tenths of a percent performance difference. So the question comes up: What is the program accomplishing?

PART found no evidence that the Radiation and Exposure Screening and Education Program reaches the maximum number of beneficiaries or the beneficiaries who are at the greatest risk. There is not even an estimate of the number of people potentially affected by uranium and nuclear testing activities and where they might live.

These are only a few of the programs that have been looked at by the PART Program. They provide the information Members of Congress need to evaluate whether programs are ineffective. Some of these are programs I have supported. I am sure there are programs that are not doing well, and I think we need to take a close look at them. That is all we are asking with this amendment.

The amendment before us addresses a portion of discretionary spending. I ask Members to support this amendment as we deal with discretionary spending areas where the PART Program is being applied. The overall purpose of the amendment is to pay down the Federal debt, currently over $9 trillion, and eliminate Government waste by reducing spending on programs rated ineffective by the Office of Management and Budget PART Program. This is through the career professionals in the agencies. This is not driven by any kind of political agenda.

That is what my amendment is all about, saving taxpayer dollars in a responsible way. It is about forcing managers of these programs to put in effective goals and objectives so that they accomplish what the legislation intended when the Congress passed it. I ask my colleagues to join me in trying to bring forward more accountability in the programs we have passed. This is a wonderful tool we have for whatever administration is in control. This is a direct message to the agencies to get their act in order because we are concerned about how taxpayer dollars are being spent.

It is not an onerous amendment. It is trying to bring accountability to Government programs we have passed.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent to amend the previous unanimous consent agreement so I may speak next and the Senator from Louisiana, Ms. LANDRIEU, will speak after me.

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

Mr. MENENDEZ. Mr. President, yesterday I began to speak about what the failed war in Iraq is costing us at home to mark the fifth anniversary of Congress's capitulation to the war. As we debate the Labor-HHS appropriations bill, I can't think of a better moment to return to the cost of this war.

Let me begin by saying again we are aware of the human cost of the war: 3,816 Americans are dead; more than 28,000 have come back home wounded. Iraqis have died in even greater numbers. Millions have fled their homes. The United States has been involved in the war for longer than we fought World War II. We all know the Iraq war is a human calamity of vast proportions. It can be harder to visualize the direct damage that comes from the financial cost of the war. We are paying for this war with borrowed money, burying ourselves in massive debt, severely threatening the future of our country.

We know we have spent more than $450 billion on this war so far, and we continue to spend about $10 billion every month. That doesn't add up to a stack of bills that could have been sitting in the Treasury. It is equipment at ports that scan nuclear weapons and other measures that actually make the homeland more secure. It is children healed with better health care. It is more teachers in school, better training for jobs, energy that is clean and doesn't strengthen repressive regimes in the Middle East, payments of our debts so future generations will inherit a country that is financially viable.

The Bush administration likes to parrot the line: We are fighting them over there so we don't have to fight them here. But when we add it all up, the bottom line is clear: The administration's motto really is: We are spending all our money over there so we don't spend it here.

Yesterday I spoke about how much we could accomplish to safeguard our homeland against terrorists if we spent a fraction of the money we have dumped into the war that makes no sense. Today I would like to speak about what the failed war in Iraq has cost us in terms of our health; specifically, the health of our children. Today the House of Representatives considered whether to support a bill to provide health insurance for children. Every time we go to the doctor or fill a prescription at the pharmacy, we remember how expensive health care can be. There are families who work every day in some of the toughest jobs, but their jobs don't offer health care, and their paychecks would not let them afford private coverage. That is why the Federal Government and the States teamed up to start the State Children's Health Insurance Program or what is commonly referred to as SCHIP.

This year Democrats and Republicans came together to pass a bill that would continue to provide health care to the 6 million children already enrolled and will expand the program to include a total of 10 million children across America. We knew we had to because the children who fall into the wide abyss between Medicaid and private coverage are depending on us. But on October 3, millions of children got some terrible news. President Bush had vetoed the bill. He did it silently and secretly, with no cameras allowed to watch as he condemned millions of children to a lack of coverage with a single stroke of his pen.

Today families across America were waiting to see if Congress had the moral resolve to override that veto. Some of our colleagues who cast decisive votes against children's health raised the question of whether the bill was financially reasonable, whether 10 million uninsured American kids were worthy of funding. President Bush said they were not. Many of my colleagues who voted against children's health have repeatedly decided to vote for continuing the failed war in Iraq. Right now I wish to speak directly to all of them. If we are talking about what is financially reasonable, let's take a very close look at the stark contrast in cost between children's health and the failed war in Iraq.

The total cost of expanding children's health is $35 billion over 5 years for 10 million children. How many dollars per child does this cost us every day? Depending upon which State you live in, the answer is as little as $3.50 a day, about the cost of a latte at Starbuck's. Iraq costs us $10 billion per month. That means with 3½ months of Iraq funding, the total expansion in this bill would have been paid for. That is what the war costs—health care for 10 million children versus 3½ months of what we spend in Iraq.

The impact of this bill would have been enormous in many States, including my State of New Jersey, where families have to pay some of the highest health care costs in the Nation. It would have helped support the State in keeping 124,000 New Jersey children insured. It would have covered as many as 100,000 additional children in my State. In the bill, New Jersey would have received about $350 million next year alone to cover working families and children. This program has given New Jersey families that cannot afford private coverage the peace of mind to know that children have health care. President Bush has told those children: No, you don't deserve the Federal Government's strong support, even though

this country spends $330 million in Iraq every day. Again, every single day in Iraq, we spend roughly the amount of money it would take to get tens of thousands of New Jersey children coverage for a full year.

I wish he had to look every child in the eye to tell them that. But that is what the war costs: Health insurance for New Jersey children versus one day in Iraq. In fact, for the amount Congress has spent on the failed war in Iraq, we could provide 2 years of health coverage for all of the 47 million Americans who don't have health insurance, who play Russian roulette every day with their lives and their wallets, and still have $30 billion left over. We could have provided health care coverage for all of the 47 million Americans who don't have health coverage today. That is what the war costs: Health care coverage for every single American family versus the failed war in Iraq.

Here is the question we have to ask ourselves as legislators, as Americans, as human beings: Is a child to get more benefit from a dollar spent keeping our military in Iraq to referee a civil war or a dollar spent on their health insurance? Is she going to be better served by oil injected in an Abrams tank or by a vaccine a nurse injects in her arm to save her from measles? Is her life going to be improved by missiles in the desert or antibiotics in her medicine cabinet; more troops on the streets of Baghdad or more doctors in the hospital down the block; multimillion dollar bombs that rain down on Iraqi neighborhoods with surgical precision or orthopedic surgery for a disease such as cerebral palsy that would mean the difference between a debilitated life in a wheelchair and being able to walk and run and play with other children at school?

How dare we take money from her family and borrow money from foreign countries to spend it on a war that makes no sense, while leaving her on her own to fight diseases and injuries that might very well claim her life.

It is hard to think of a more grievous act on the part of this Government than abandoning those children in order to prolong a war. The vote to override President Bush's veto was not only about political responsibility. It was not only about constitutional responsibility. It was a question of right and wrong. Let's remember the administration motto: Spend all our money over there so we don't have to spend it here. In my mind, that is as wrong as it gets.

I will continue to speak out on what else this war is costing us here at home in terms of education and jobs and green energy, helping the middle class make ends meet and the financial stability of our Nation that our children will inherit. America deserves to know what we could have achieved had this horrible war never happened. The administration has spent down our finances, mortgaged the future. Republicans in the House have voted down health care coverage for our children. But one thing they have not yet emptied out is our vast treasury of hope. It is tragic to think what might have been, but it is not too late to believe in what we can become.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

AMENDMENT NO. 3402 TO AMENDMENT NO. 3325

Ms. LANDRIEU. Mr. President, in a few minutes I am going to offer an amendment and ask for its consideration. It is an important amendment, although it is quite small and has virtually no impact on the underlying cost of this bill, which is why I believe I can bring it with good faith to the Members for their consideration. It does not add a penny to the underlying bill, but it does send some directive language to SAMHSA, which is the agency that funds mental health and substance abuse programs for our country. Because of the good work of Senator HARKIN and Senator SPECTER, there is an increase in funding for this important program. This money is given out in grants through competitive bids and has been ongoing for some time. I don't know exactly the year the program was authorized and commenced, but it has been a fairly longstanding program and usually gets good marks.

This particular amendment would direct the Agency to give consideration to programs providing mental health services to children and families in the gulf coast area. It seems, for some reason, a very effective program that had received some funding in the past few years—that is the only program operating in the gulf coast region that is giving support and counseling and clinical services to a population of children and adults, but this is for children literally traumatized by the catastrophic disaster, not only in my State but Mississippi, somewhat in Texas, and Alabama—was not considered to be a priority.

So my amendment will basically direct the agency to consider programs operating in the gulf coast area that are serving children who have very good records, to provide a priority for them.

If I could, I would like to send the amendment to the desk now. It simply, as I said, establishes a priority for these programs, and it adds no money to the bottom line of this bill.

I send the amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU] proposes an amendment numbered 3402 to amendment No. 3325.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 49; line 1: strike the colon and insert ''*Provided further*, that, of the funds provided to the Child Trauma Stress Network Initiative, priority shall be given to those centers, that previously received grants, that provide mental health services to children affected by Hurricane Katrina and/or Rita.''

Ms. LANDRIEU. Mr. President, I understand the managers have cleared it. I ask for it to be accepted now.

The ACTING PRESIDENT pro tempore. Is there further debate on this amendment?

The Republican leader is recognized.

UNANIMOUS CONSENT REQUEST—S. 2128

Mr. MCCONNELL. Mr. President, in just 13 days the Internet tax moratorium will expire. If Congress has not acted by then, State and local governments will be free to impose new taxes on Internet access—and trust me, they will.

We need to be straight with the American people about what is happening. The majority wants to preserve at least the possibility of taxing access to the Internet.

The Internet has literally transformed this country. It has cleared new pathways to learning for rich and poor. It has brought a level of efficiency and innovation to the shop floor, the home, and the corner office that were unimaginable just a decade ago. Just think of the millions of middle-class Americans who have lifted their fortunes through online auction sites or made their first stock purchases over online trading sites.

The Internet has been at the heart of America's economic growth over the past decade—all because Government has not gotten in the way. But those days are over if the people on the other side of the aisle in the Senate open the Internet to new taxes.

We cannot let that happen. For the sake of our economy, for the sake of our competitiveness, for the sake of consumers who don't want to see new taxes on their bills, we need to ban taxes on Internet access permanently.

The House of Representatives has sent us a bill that would extend the moratorium for 4 years. Frankly, I do not think that is nearly long enough. If we all agree that taxing Internet access hurts consumers, hurts innovation, hurts broadband development, why should we stop at 4 years? Why not keep the Internet tax free forever?

So I say to my friends on the other side, the clock is ticking. If you object to considering the Sununu bill to make the moratorium permanent, let's take up the House-passed bill with a couple of relevant amendments in order. One would make the moratorium permanent and, failing that, one would extend it for substantially longer than a mere 4 years.

We can debate these amendments quickly and vote—to see where the

Senate stands on this very important question of keeping the Internet free of onerous taxes.

We could do it this week or next week—but the Senate must act before the moratorium expires in 13 days. And it is my intention to have a vote on the question of whether the moratorium should be extended permanently or merely for another 4 years.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 401, S. 2128, the permanent moratorium on the Internet tax bill. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Is there objection?

Ms. LANDRIEU. Yes, Mr. President, there is objection. On behalf of Senator CARPER, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

AMENDMENT NO. 3402

Ms. LANDRIEU. Now, Mr. President, I understand the previous amendment has been cleared. I ask for its adoption.

The ACTING PRESIDENT pro tempore. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 3402) was agreed to.

Ms. LANDRIEU. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Ms. LANDRIEU. I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENTS NOS. 3323, 3337, 3355, AND 3375 TO AMENDMENT NO. 3325, EN BLOC

Mr. HARKIN. Mr. President, we have four amendments that have been agreed to on both sides, cleared. I ask unanimous consent that they be considered and agreed to en bloc. They are amendments Nos. 3323, 3337, 3355, and 3375.

The ACTING PRESIDENT pro tempore. Without objection, the amendments are considered en bloc and agreed to en bloc.

The amendments were agreed to en bloc, as follows:

AMENDMENT NO. 3323

(Purpose: To provide an annual report card for the Department of Education)

At the appropriate place in title III, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, the Secretary of Education shall, not later than September 30, 2008, submit to the appropriate committees of Congress and post on the Internet website of the Department of Education, a report concerning—

(1) the total number of Department of Education employees, including employees who salaries are paid by the Department but are employed by contractors or grantees of the Department;

(2) the total number, and percentage, of such employees who have previously worked in a classroom as a teacher or a teacher's assistant;

(3) of the employees who have worked in a classroom, the average number of years of time spent as an instructor;

(4) the total dollar amount, and overall percentage of the Department of Education funding, that is expended—

(A) in the classroom;

(B) on student tuition assistance;

(C) on overhead and administrative costs and expenses; and

(D) on Congressionally directed spending items, including the administrative costs of administering such earmarks; and

(5) a listing of all of the programs run by the Department of Education and the total budget and most recent evaluation of each such program, and a notation if no such evaluation has been conducted.

AMENDMENT NO. 3337

(Purpose: To express the sense of the Senate regarding science teaching and assessment)

At the end of title III, insert the following:

SEC. _____. SENSE OF THE SENATE REGARDING SCIENCE TEACHING AND ASSESSMENT.

(a) FINDINGS.—The Senate finds that there is broad agreement in the scientific community that learning science requires direct involvement by students in scientific inquiry and that such direct involvement must be included in every science program for every science student in prekindergarten through grade 16.

(b) SENSE OF THE SENATE REGARDING THE NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS 2009 SCIENCE TEST.—It is the sense of the Senate that—

(1) the National Assessment of Educational Progress (NAEP) 2009 Science assessment should reflect the findings of the Senate described in subsection (a) and those expressed in section 7026(a) of the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science Act; and

(2) the National Assessment Governing Board (NAGB) should certify that the National Assessment of Education Progress 2009 Science framework, specification, and assessment include extensive and explicit attention to inquiry.

(c) REPORT.—The National Assessment Governing Board shall submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate describing whether the certification described in subsection (b)(2) has been made, and if such certification has been made, include in the report the following:

(1) A description of the analysis used to arrive at such certification.

(2) A list of individuals with experience in inquiry science education making the certification.

AMENDMENT NO. 3355

(Purpose: To allocate funds to the Traumatic Brain Injury (TBI) Model Systems of Care Program)

On page 88, line 16, strike the period and insert "': *Provided further*, That $8,400,000 shall be used to carry out the Traumatic Brain Injury (TBI) Model Systems of Care Program and to sustain at least 16 TBI Model Systems Centers.''.

AMENDMENT NO. 3375

(Purpose: To provide funds for partnership grants for teacher preparation under title II of the Higher Education Act of 1965)

At the end of title III, insert the following:

SEC. ____. (a) In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated—

(1) $6,000,000 to carry out the programs for baccalaureate degrees in science, technology, engineering, mathematics, or critical foreign languages, with concurrent teacher certification under section 6113 of the America COMPETES Act (Public Law 110–69); and

(2) $4,000,000 to carry out the programs for master's degrees in science, technology, engineering, and mathematics, or critical foreign language education under section 6114 of the America COMPETES Act (Public Law 110–69).

(b) Notwithstanding any other provision of this Act, amounts made available under this Act for the administration and related expenses for the departmental management of the Department of Education, shall be reduced by $10,000,000.

Mr. HARKIN. Thank you, Mr. President.

We just disposed of four more amendments. Obviously, there will be no more business tonight. The leader already said there would be no more votes. Our staffs and I will continue to work through these amendments. But we will be in tomorrow, and we will be disposing of amendments tomorrow. So if Senators have amendments to this bill, and they want them offered, I suggest that tomorrow would be a good time to do it.

We will not be in Monday until about 5:30. And then we will have votes on Monday night on pending amendments. So if amendments are offered tomorrow, and votes are needed, we can stack those votes for Monday night.

I will just say the door will start closing after tomorrow because Monday night we will be voting. We will be in Tuesday morning probably at the usual hour—that is up to the leadership to decide—but then the final passage of this bill will be at noon on Tuesday. So I say to Senators, if they have amendments they want to have considered, I would say tomorrow would be an excellent time; otherwise, the door is going to close very rapidly, and they will not be able to offer those amendments and to get any debate or a vote on them prior to noon on Tuesday.

So with that, Mr. President, again, I yield the floor.

ADVANCED PLACEMENT

Mr. BINGAMAN. I would like to thank the chairman and ranking member for putting together an excellent bill and bringing this critical legislation to the floor. This bill is a major step forward in strengthening education, health care, and job training in this country. As the chairman knows, this Congress recently passed the America Competes Act—comprehensive legislation designed to ensure the United States remains competitive in the 21st century economy. I believe the cornerstone of this legislation is its effort to strengthen math and science education in this country.

Mr. HARKIN. I agree. Strong math and science education is critical if we, as a nation, are going to continue to have a skilled and educated workforce that can compete in the global economy.

Mr. BINGAMAN. As the chairman knows, the National Academy of Sciences reported that students in the United States are simply not keeping up with their international peers in the areas of math and science. The National Academy recommended training an additional 150,000 advanced placement, AP, and pre-AP instructors, and to quadruple the number of students who take AP math or science courses to 4.5 million by 2010. Is the chairman aware that America Competes makes a downpayment on this recommendation and authorizes a program to increase the number of students in high-need schools taking AP and international baccalaureate, IB, classes in math, science, and critical foreign languages?

Mr. HARKIN. I am aware of that provision, and point out that America Competes also recognizes that other highly rigorous, evidence-based, post-secondary preparatory programs can also qualify for funding under this authorization.

Mr. BINGAMAN. Yes, and the chairman's support for this provision was critical to its passage. I'd also like to thank the Chairman and Ranking Member for increasing funding for Advanced Placement programs in this mark to $42 million. As the Chairman knows, the House FY 08 Labor HHS Education Appropriations bill increases funding for AP to $50 million. I ask the Chairman if he thinks it's a good idea to increase AP to at least $50 million in the final bill that emerges from Conference, and use this additional increase to fund the provisions in America Competes.

Mr. HARKIN. I think that is a good idea, and will work with the ranking member and my colleagues in the House to try to achieve that goal.

Mr. SPECTER. I agree and will work with the chairman.

Mr. BINGAMAN. I thank the chairman and ranking member for their support of this critical program.

WORKFORCE INVESTMENT ACT

Ms. STABENOW. Mr. President, I rise to engage in a colloquy with the distinguished senior Senator from Michigan and the distinguished chairman and ranking member of the Labor-HHS Appropriations Subcommittee. As this body debates this spending bill, I would like to start by thanking Senator HARKIN, Senator SPECTER and the other members of the Senate Committee on Appropriations for supporting the Workforce Investment Act in this bill. The Workforce Investment Act is a critical program for workers across the country in need of training and education benefits.

WIA brings essential resources to my home State of Michigan, where hundreds of workers are ready and willing to begin job-training programs that make them more employable for high wage, quality jobs. The House-passed Labor-HHS spending bill includes a $335 million rescission of WIA funds as proposed by the administration. This potential cut would devastate the various efforts in place to reinvigorate Michigan's economy and workforce right at the time when our Governor is making great strides towards the goal of doubling the number of workers trained for high-demand jobs in the State.

In Michigan, we are using WIA dollars to create scholarships for workers who want to attend State colleges, we are counseling workers on skill development and the importance of furthering their education, and we are performing skill assessments that help workers decide what level of training they should pursue. All of these services need to be available to workers in my State.

Michigan workers have been hit hard by layoffs and I am proud that the committee has decided to support workers in my State and in all States with the resources and benefits that they need so that they can continue to support their families. I hope to see this body continue to work towards full restitution of these funds in a final bill. It is the right thing to do for our Nation's workforce system.

Mr. LEVIN. Mr. President, I also want to thank the chairman and ranking member for their leadership and cooperation in ensuring that the Senate continues its commitment to training workers through the Workforce Investment Act. I ask for their continued support on this important issue in conference. I, too, am pleased to see that my colleagues have rejected efforts to pull these critical funds away from States that are attempting to plan and use them for their own specific workforce development needs.

The Workforce Investment Act provides many opportunities to workers in my home State of Michigan who have been laid off and are seeking a new start. The cuts proposed by President Bush could have cost my State close to $11 million; that is 7,500 workers who would not receive training and several local workforce agencies that could potentially close their doors and no longer serve Michigan communities. This cut would have cost workers in all of our States. The loss of benefits and services during hardship is too great a burden for us to place on our citizens' backs.

I want to thank the comittee for rejecting efforts to drain this program of needed dollars. The Governors will thank us, the State and local workforce agencies will thank us, and most importantly, the worker who is trying to better himself or herself and gain employment will be able to do so because of our actions here.

Mr. HARKIN. I thank both of my colleagues from Michigan for their concern and support of WIA. I agree that the Workforce Investment Act should be provided the adequate level of funding needed to ensure that workers can get the training and services they need to compete for 21st century jobs.

The Workforce Investment Act statutorily provides States 3 years to spend the funds allocated to them. This flexibility allows States to assess their unique needs, the needs of their unemployed workers, and to adequately plan innovative initiatives, training programs, and services for the workforce. I believe the rescission of funds proposed by the House of Representatives would be unfair to those programs that have appropriately obligated funds at the State and local levels to serve workers in need.

The committee expects to provide sufficient funds for this program and will work towards securing the funding in the final bill. I thank the distinguished Senators from Michigan, and I will be happy to work with them in conference on this important matter.

Mr. SPECTER. I agree with Senator HARKIN. WIA was passed in 1998 to unify this country's fragmented employment and training system. Since then it has impacted the lives of millions. Our subcommittee seeks to continue the Senate's commitment to our nation's workers; they are the heart and soul of our economy.

Ms. STABENOW. I thank the distinguished chairman and ranking member of the subcommittee.

Mr. LEVIN. I thank the Senators as well.

COMMUNITY INNOVATIONS FOR AGING IN PLACE

Ms. MIKULSKI. Mr. President, I would like to first thank the chairman and ranking member of the Appropriations Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies for doing a wonderful job drafting a spending bill for fiscal year 2008 that makes a true commitment to the priorities of so many Americans across the country, especially our older Americans. Close to 90 percent of all seniors in this country want to or, by necessity, will remain living in their homes, even as they grow frail. That is why I created a new, innovative program in the Older Americans Act Amendments of 2006 called the Community Innovations for Aging in Place. Are the chairman and ranking member aware of this program?

Mr. HARKIN. Yes. I think this is a great program. Because the vast majority of our seniors are aging in place, the Community Innovations for Aging in Place program will help leverage new, human, financial, and neighborhood resources for the benefit of our seniors' health, independence, and quality of life.

Mr. SPECTER. I agree with the chairman and senator from Maryland. This program is important because it promotes independence and healthy aging by engaging seniors before a crisis and responding to their changing needs over time.

Ms. MIKULSKI. The chairman and ranking member are right. The Community Innovations for Aging in Place

program provides community-based services by supporting partnerships between government and health and human services providers in caring for the nation's elderly. The federal government needs to be able to fund programs that work not only through government but through nonprofit organizations. That is why I would like to ask the chairman and ranking member if they support implementation of the Community Innovations for Aging in Place program?

Mr. HARKIN. I do support implementation of this innovative program. I assure the senator from Maryland that I will do my best to find funding for the Community Innovations for Aging in Place program during the conference process.

Mr. SPECTER. I agree and will support these efforts, as well.

Ms. MIKULSKI. I sincerely thank my colleagues from Iowa and Pennsylvania for addressing this issue that touches so many older Americans.

Mr. KERRY. Mr. President, today I filed an amendment which may provide up to $2.5 million in additional funds for the Fire Fighter Fatality Investigation and Prevention Program, contained within the National Institute for Occupational Safety and Health. The account for this funding is Other Occupational Safety and Health Research. The funding, which can be used across the United States, will be used to allow the agency to more effectively and comprehensibly investigate fire fighter fatalities, so that the cause of fatalities may be identified and future fatalities may be avoided. The inspector general for the Department of Health and Human Services found that flat funding for the program since 1998 has resulted in a reduced number of investigations over time. As a result, NIOSH has to prioritize certain types of investigations. The inspector general concludes that limited resources are a significant constraint which limits the program's effectiveness.

I urge my colleagues to support this amendment.

Mr. WARNER. Mr. President, I rise today to respond to amendment No. 3322 offered by my good friend the junior Senator from Oklahoma. As you know, the amendment of the Senator from Oklahoma would, among other things, strike $150,000 in Federal funds that I helped provide for a worthy initiative in the Commonwealth of Virginia called the Virginia Aquarium and Marine Science Center's Beyond the Aquarium Program.

The Beyond the Aquarium Program is a hands-on, educational outreach program that brings science directly into K–12 classrooms. As we know, school field trips have declined and teachers are struggling to motivate students to study the sciences. Our ability to remain ahead of the curve in scientific advancements is a key component to ensuring America's homeland security in the post-9/11 world of global terrorism. Yet alarmingly, the bottom line is that America faces a huge shortage of homegrown, highly trained scientific minds. The Beyond the Aquarium Program will inspire children to take an interest in science.

I applaud the Senator from Oklahoma in his efforts to obtain additional funding for IDEA. There is no Senator who is more supportive of fully funding IDEA than myself. Over the years, I have worked with Senators HAGEL, DODD, ROBERTS, and HARKIN to ensure that Congress provide the highest possible funding for part B of IDEA. Unfortunately, Congress has never come close to meeting the 40-percent commitment to fund the cost associated with this legislation, although progress has been made the last several years. I encourage the good Senator from Oklahoma to join me and others as a cosponsor of S. 1159, the IDEA Full Funding Act.

I am proud to stand up in support of this worthy project.

Mr. ENZI. Mr. President, I rise today to address the pending legislation, the Labor, Health and Human Services, and Education Fiscal Year 2008 appropriations legislation. While this legislation is very well intentioned, regretfully, I oppose the bill as it is currently drafted.

The legislation we are currently debating totals approximately $149 billion in discretionary spending for fiscal year 2008. This is roughly $9 billion above the level requested by President Bush. Mr. President, $149 billion sounds like a lot of money, but total spending in the legislation is actually much higher—about $605 billion when the mandatory spending is accounted for.

This legislation funds the Departments of Labor, Health and Human Services, Education, as well as a host of smaller agencies. I know that all of my colleagues want to ensure these agencies are properly funded and staffed, so that Federal programs have the resources they need to properly function. But the level of spending in this legislation is excessive, and will add to the huge financial burden we are leaving for our children and grandchildren. So while this legislation is well intentioned, I can not support it as it is currently drafted.

My understanding is that, for a variety of reasons, the President will veto the legislation. The administration has been vocal about their concerns since the fiscal year 2008 budget resolution was considered earlier this year, so this veto threat should not come as a surprise to my colleagues. The Senate has been on notice. We need to move past the political theatrics associated with this bill and other appropriations legislation, and get to work on the real challenge of writing a balanced proposal the President is willing to sign. As U.S. Senators, one of our primary duties is to fund the Government. Our Founding Fathers designed checks and balances for a purpose, one being to force compromise on key, and sometimes contentious, legislative products. We ought to be thinking about—and debating—the type of legislation that will pass muster on both ends of Pennsylvania Avenue. We owe that to our constituents and to the American people.

I would also like to address other concerns I have with the legislation. The committee-reported bill contains stem cell language that overturns Presidential order, making more embryonic stem cell lines available for Government research funding. Currently, only embryonic lines created before July 9, 2001, are eligible for Federal funding. This legislation would extend that date until June 15, 2007. I do not support this provision as part of this vehicle. Earlier this year, we had a larger debate on the stem cell issue. I believe that we owe it to the American public to work on real solutions to this situation and not just keep moving a potential date. For these reasons, I was pleased to hear yesterday that the bill manager decided to remove this provision from the underlying committee-reported legislation.

The committee-reported bill also addresses funding for September 11 workers. Specifically, this legislation provides an additional $55 million for treatment, screening and monitoring for 9/11 related health issues. This is in addition to the approximately $45 million that was included in the emergency war supplemental earlier this year. In addition, this legislation for the first time expands funding to cover all city residents. The HELP Committee has been looking into this issue for well over a year. We should agree on the facts regarding worker health before we broadly expand current spending to cover residents. In addition, there are substantial unspent funds already available: out of a total of $92 million in fiscal years 2006 and 2007, and currently proposed under the President's 2008 budget, grantees have actually drawn down just $2 million in payments on fiscal year 2006 funds.

This legislation also cuts funding for the Office of Labor and Management Standards—known as OLMS—by $2 million, from $47.7 million to $45.7 million, while the President's request is $56.8 million. OLMS is responsible for overseeing union disclosure and corruption. This may seem like a small amount of money considering the scope of the overall legislation, but cutting funds targeted for policing corruption as a ''cost saving'' measure isn't a good way to build credibility with the American people. We must do better. With Sarbanes-Oxley, we made big business more transparent. We need to do the same thing with big unions. The Office of Labor and Management Standards can and must do exactly that. OLMS must be allowed and funded to do what we have told them to do. The transparency and accountability is for the benefit of the union members. Of course, this might be just like the card check bill where labor union management was trying to take away the right

for potential members to have a secret ballot. Unions are for the members, not for the union bosses. Members have a right to know. That is what the law passed in 1959 was and is all about. Enforce the law. Be sure union members have a right to know.

I would also like to point out that the legislation does not contain funding for the National All Schedules Prescription Reporting Act—NASPER. Known as NASPER, this law was designed to assist States in setting up prescription drug monitoring programs—to make sure people can't get multiple refills of their restricted prescriptions merely by crossing State lines. Instead, this legislation funds an unauthorized similar program through the Justice Department. Congress should first fund the programs that are authorized by committees that have jurisdiction over the measures. As the lead Republican on the HELP Committee, I know the value of the authorization process—Federal programs are reviewed by Senators and staff to ensure there is value for program beneficiaries and taxpayers alike. Funding unauthorized programs usurps the entire authorizing committee process.

All that being said, there are many provisions in this legislation that are not objectionable, and some of which I support. Like previous years, the bill contains language that prohibits the Labor Secretary from issuing regulations related to the Workforce Investment Act, known as WIA, until the Congress has reauthorized the program. Reauthorizing WIA is a bipartisan priority for the HELP Committee, and a top personal goal of mine that I have been working toward for many years. Congress should first act to reauthorize the law before the administration moves forward with regulations. This reauthorization is long overdue. Modernizing job training programs will result in better, higher paying jobs. Under my chairmanship, we passed this reauthorization—but it was held by Democrats who would not allow the appointment of conferees because of concerns they would not be included in the process. That argument no longer holds true. They control a majority in each legislative body, and a majority on conference committees. Congress needs to pass this legislation to provide training for current and future jobs so Americans have the skills they need to get the best jobs—instead of sending them overseas because we don't have trained workers at home.

This legislation also restores the authority of the Railroad Retirement Board Office of the Inspector General to conduct Railroad Medicare audits and investigations. Similar language was included in previous years, but was dropped in the conference with the House. My hope is that this year we will be successful in restoring that authority. In September, Senator KENNEDY and I, together with Senators BAUCUS and GRASSLEY, weighed in on this issue with the Appropriations Committee, thanking them for including this language in their bill, and urging them to fight for this provision in conference. Restoring the ability to audit is fiscally responsible, and is the right thing to do.

In closing, while there are valuable provisions in the Labor-HHS spending bill that ought to be enacted, I will be voting against this legislation because of the excessive total spending level, as well as some objectionable policy language that I have discussed today.

I stand ready to work with all of my colleagues on a compromise product that can garner support from both the legislative as well as the executive branch of our Government.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. HARKIN. Mr. President, I now ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

Mr. HARKIN. Mr. President, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ONGOING TRAGEDY IN BURMA

Mr. DURBIN. Mr. President, over the past few weeks, I have joined many of my fellow Senators from both sides of the aisle in speaking about the recent events in Burma.

A few weeks ago, the world watched in admiration and support as thousands of Buddhist monks peacefully marched through Burma's largest cities calling for an end to that country's brutal military dictatorship. Amidst tens of thousands of clapping and cheering supporters, the monks chanted ''democracy, democracy.''

All the while, Nobel laureate Aung San Suu Kyi remained locked under house arrest—an appalling situation that has continued for most of the last 18 years of her life. Despite the shameful detention, the Burmese people have not forgotten it was her political party that won a landslide victory in the 1990 election.

During the recent protests, the monks reportedly reached Suu Kyi's heavily guarded home, where witnesses said she greeted them at her gate in tears.

This scene is moving in its dignity and simplicity—a population peacefully saying: Enough.

What happened next was tragic. The military in Burma used violence, murder, and arbitrary detention to try to halt the calls for change. The military did what all dictatorships do: it used fear to suppress its own people. Yet it is the military that is truly afraid—afraid of the people of Burma, afraid of change, afraid of releasing Aung San Suu Kyi.

This Reuters photograph is so graphic. It shows Burmese military violently attacking peaceful protesters. It also shows a Japanese photographer, Kenji Nagai, being shot at close range. You see his body lying on the street. Mr. Nagai died shortly after this photo was taken. The military's mouthpiece newspaper brazenly said his death was his own fault as he was ''inviting danger'' by being among the protesters.

Sadly, reports from the past few days are even more tragic. Instead of reaching out to Aung San Suu Kyi and the international community to work toward peace, the military has only furthered its brutal crackdown, hunting down and detaining leaders of the peaceful movement.

Amnesty International has expressed concern that the arrested dissidents will be tortured—a real concern in a country with an abhorrent record of torturing political prisoners. For example, the 2006 State Department Human Rights Report on Burma cites a recent study by the Assistance Association for Political Prisoners that meticulously documents the regular use of electric shocks, beating until unconscious, forced crawling on glass, and threats of rape. The Government is reportedly even hunting down simple participants and bystanders from the rallies, including groups of ''those who watched,'' ''those who clapped,'' and ''those who joined in.''

Mr. President, this is madness. The United States and international community must not allow this to continue. This is a government with a long and well-documented history of brutality and indifference to its people. For example, in eastern Burma, the military has destroyed 3,000 villages over the past 10 years. It has widely used forced labor and has recruited up to 70,000 child soldiers—70,000 child soldiers—far more than any other country in the world. Today, Burma has an estimated 1.5 million refugees.

Global condemnation of Burma's brutal actions has been loud and swift. European Union foreign ministers have just approved new sanctions against the military junta, including an embargo on the export of wood, gems, and metals, and threatened further penalties. President Bush and First Lady Laura Bush have similarly called for

greater international pressure to make it clear to the generals that they will be completely isolated by the international community if they continue.

The Association of Southeastern Asian Nations, ASEAN, expressed revulsion at the killings and demanded fellow member Burma stop using violence against demonstrators. Japan announced a cut in foreign assistance. And just the other day, the U.N. Security Council issued a statement agreed to by all of its members saying that it ''deplores the use of violence against peaceful demonstrations'' in Burma, called for the release of ''all political prisoners and remaining detainees,'' and urged a ''genuine dialogue'' with opposition leader Aung San Suu Kyi.

Recently, Senators FEINSTEIN, KERRY, LIEBERMAN, and I joined for a discussion with the Chinese Ambassador on the situation in Burma. We discussed the need for China, in particular, to play a more constructive role in ending the violence and pushing for democratic change. I am glad that China helped with U.N. Special Envoy Gambari's timely trip to Burma and its support of the recent U.N. statement. But the global community must do more. China must do more. And the United States must do more. We must not let the brutal crackdown bring an end to the desperate need for change in Burma.

So once again, I speak to lend my support to these peaceful protests and to call on the Burmese military to immediately begin working with Aung San Suu Kyi and the U.N. envoy, Ibrahim Gambari, to bring about peaceful change and democracy in Burma. It should also unconditionally release all political prisoners, including four recently detained dissidents, Htay Kywe, Mie Mie, Min Ko Naing, and Ko Ko Gyi.

I call on the ASEAN nations and the Governments of China, Thailand, and India to use their special relationships with the Burmese Government to once and for all start democratic change. ASEAN should consider suspending, even expelling, Burma under these circumstances, and Japan needs to apply even greater economic pressure.

I also call on the U.N. to tighten sanctions, including an arms embargo against the Burmese military. We in Congress should also do all we can to tighten our existing sanctions against Burma.

My colleague Senator MCCAIN has introduced important legislation to take such steps. I am pleased to enthusiastically cosponsor Senator MCCAIN's bipartisan efforts.

The circumstances in Burma couldn't be more compelling: A Nobel Peace Prize winner is held under house arrest for 12 of the last 18 years, held under house arrest even while her party wins a landslide election in the country; a brutal and corrupt military government pillages the country's economic wealth and its own children's future; and repeated attempts by the people through elections and peaceful demonstrations to bring about democratic change are extinguished.

No nation on Earth should support or protect this ghastly regime. No nation should trade one more item with these horrible leaders in the junta in Burma. And no nation should ever sell any arms to a regime which treats its people with such brutality.

Mr. President, I yield the floor.

ALASKA DAY

Mr. STEVENS. Mr. President, today is Alaska Day, the day 140 years ago when our territory was officially transferred from Russia to the United States. That was the beginning of a long road towards the American dream for our State.

What was once called ''Seward's folly'' has become one of our Nation's great assets. Alaska has more than made good on Seward's initial investment. The Federal Government has collected enough revenue from the development of our resources to repay this investment hundreds and hundreds of times over.

Over the years, Alaskans have worked hard to realize our land's vast potential. And, while much remains to be done, we have much to celebrate.

We are working towards creating a climate for investment, attracting capital to develop and market our valuable natural resources. As our state grows, we are working to ensure that all Alaskans enjoy the benefits of a strong and vibrant economy.

Through programs such as the Denali Commission, we are building modern water and sewer facilities, health care centers and providing education and job opportunities to Alaskans in the far corners of our state.

Though many challenges lay ahead, today, we can look on our accomplishments and know that together we can continue making progress on the road to the American Dream.

FURTHER CHANGES TO S. CON. RES. 21

Mr. CONRAD. Mr. President, pursuant to section 301 of S. Con. Res. 21, I previously filed revisions to S. Con. Res. 21, the 2008 budget resolution. Those revisions were made for legislation reauthorizing the State Children's Health Insurance Program, SCHIP.

Congress cleared H.R. 976 on September 27, 2007. The President vetoed that legislation on October 3, 2007. Unfortunately, the House of Representatives was unsuccessful today in its attempt to override that veto. Consequently, I am further revising the 2008 budget resolution and reversing the adjustments previously made pursuant to section 301 to the aggregates and the allocation provided to the Senate Finance Committee.

I ask unanimous consent that the following revisions to S. Con. Res. 21 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008.—S. CON. RES. 21; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 301 DEFICIT-NEUTRAL RESERVE FUND FOR SCHIP LEGISLATION

[In billions of dollars]

Section 101:	
(1)(A) Federal Revenues:	
FY 2007	1,900.340
FY 2008	2,015.841
FY 2009	2,113.811
FY 2010	2,169.475
FY 2011	2,350.248
FY 2012	2,488.296
(1)(B) Change in Federal Revenues:	
FY 2007	−4.366
FY 2008	−34.955
FY 2009	6.885
FY 2010	5.754
FY 2011	−44.302
FY 2012	−108.800
(2) New Budget Authority:	
FY 2007	2,371.470
FY 2008	2,495.877
FY 2009	2,517.139
FY 2010	2,570.687
FY 2011	2,686.675
FY 2012	2,721.607
(3) Budget Outlays:	
FY 2007	2,294.862
FY 2008	2,467.472
FY 2009	2,565.763
FY 2010	2,600.015
FY 2011	2,693.749
FY 2012	2,705.780

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008.—S. CON. RES. 21; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 301 DEFICIT-NEUTRAL RESERVE FUND FOR SCHIP LEGISLATION

[In millions of dollars]

Current Allocation to Senate Finance Committee:	
FY 2007 Budget Authority	1,011,527
FY 2007 Outlays	1,017,808
FY 2008 Budget Authority	1,088,003
FY 2008 Outlays	1,082,326
FY 2008–2012 Budget Authority	6,065,057
FY 2008–2012 Outlays	6,056,617
Adjustments:	
FY 2007 Budget Authority	0
FY 2007 Outlays	0
FY 2008 Budget Authority	−9,098
FY 2008 Outlays	−2,412
FY 2008–2012 Budget Authority	−47,678
FY 2008–2012 Outlays	−34,907
Revised Allocation to Senate Finance Committee:	
FY 2007 Budget Authority	1,011,527
FY 2007 Outlays	1,017,808
FY 2008 Budget Authority	1,078,905
FY 2008 Outlays	1,079,914
FY 2008–2012 Budget Authority	6,017,379
FY 2008–2012 Outlays	6,021,710

CLIMATE SECURITY ACT

Mr. BOND. Mr. President, today our friends and colleagues Senators LIEBERMAN and WARNER are introducing their bill to cap carbon emissions. I would like to outline some of the ways their approach will unfairly and unnecessarily hurt our most vulnerable families and workers.

To begin with, capping carbon will make more expensive what we all depend upon in our everyday lives. Our heating bills in the winter, air conditioning bills in the summer, every time we put gas in our cars; they will all be much more expensive under their plan.

While the rich can afford higher power bills, millions of struggling families cannot. Will we force them to

choose between heating their homes or buying school clothes for their children?

I support higher Federal LIHEAP funding, but almost 30 million American families still cannot afford to pay their heating bills. How many millions more will suffer under this bill?

Millions of fixed-income seniors have no room in their budget for higher power bills. Will we force them to choose between air conditioning in the summer or buying their prescription medicine?

Blue collar workers supporting middle class families will also suffer when their manufacturing jobs flee the U.S. for cheaper energy sources in other countries.

Are we telling millions of auto assembly, steel, aluminum, plastics, fertilizer, cement, and lime workers we do not care about them supporting their modest families?

The Lieberman-Warner bill admits it hurts vulnerable families and workers and tries to help them through rebates funded by carbon auctions. But vulnerable workers cannot afford to pay higher energy bills now and wait months later for a rebate check. Where do they get the extra money to pay their higher energy bills now? What do they go without while they are waiting to get their rebate check later?

The whole carbon auction and rebate system is inherently unfair and unnecessary. Some push it so that companies will not see windfall profits. I oppose windfall profits too, but they are only possible in 14 States, mostly in the northeast and west coast where electricity markets are deregulated. In the other 36 states with regulated markets, utilities are prevented by law from reaping windfall profits.

That means a national carbon auction unfairly punishes 36 States in the midwest, mountain, west and south where there would be no problem. Mr. President, 36 States will pay higher energy bills then needed. Families and workers in 36 States will suffer unnecessarily. We must find a better way.

Europe, in their system, made the mistake of passing out more carbon allowances then needed. We can easily avoid that mistake.

As long as the obligation we impose to submit carbon allowances for carbon emissions is greater then the amount of allowances we pass out, there will be no surplus profits in those 36 regulated States.

We must address the issue of preemption. We will create havoc with a national carbon cap system on top of regional systems.

We also need to set up a liability system for sequestering carbon underground. We do not want to set up an impossible situation where we capture all this carbon and have nowhere to put it.

We need to guarantee that we will not harm low income families and vulnerable workers. Protections should kick in automatically at a set level, so that our struggling elements of society are not left to the whims of a fickle and vague cost containment system.

We need to calibrate any cap plan to the ability of technology to meet that plan'' The welfare of millions are too important to roll the dice that low carbon solutions are around the corner. We also cannot inflict too much pain on struggling families and workers in the interim while we wait for those clean energy solutions to come on line.

There are many things we can do now to reduce carbon emissions. We have on the shelf or stuck in stalled legislative vehicles, measures to promote energy efficiency, promote low-carbon biofuels, cut vehicle emissions through aggressive but achievable stronger CAFE standards, require renewable and clean energy generation, increase renewable energy transmission, green buildings, carbon storage research and development, and clean energy research, development and deployment.

That is 8 different ways I am prepared to reduce carbon emissions today. So before we go down the road of hurting the poor, hurting vulnerable workers, sending jobs overseas, let us take advantage of what we have now. Let us get serious about our energy future and fund a Manhattan project for clean energy. Let us get to work where we can join together and do so now.

SCHOOL SAFETY AND LAW ENFORCEMENT IMPROVEMENT ACT

Mr. LEAHY. Mr. President, more than 2 months ago, the Senate Judiciary Committee originated the School Safety and Law Enforcement Improvement Act of 2007, a legislative package that responds to the tragic deaths that occurred this past April, almost exactly 6 months ago, on the campus of Virginia Tech and to the ongoing problem of violence in our schools. We have attempted to show deference to Governor Kaine and the task forces at work in Virginia and to complement their work and recommendations. Working with several Senators, including Senators BOXER, REED, SPECTER, FEINGOLD, SCHUMER, and DURBIN, the committee originated this bill and reported it before the start of the academic year in the hope that the full Senate could pass these critical school safety improvements this fall.

Over the past few weeks, Senator SCHUMER and I have tried separately to pass the component of the bill designed to fix flaws in the Nation's background check system. Regrettably, our efforts were blocked by a single Senator.

I do not think the Senate should continue to stand by and wait for the next horrific school tragedy to make the critical changes necessary to ensure safety in our schools and on our college campuses. Risks of school violence will not go away just because Congress may shift its focus. In just the last few weeks we have seen tragedy at Delaware State, University of Memphis, and SuccessTech Academy in Cleveland, Ohio, as well as incidents in California, New York, Pennsylvania, and Oregon. I urge the Senate to move aggressively with the comprehensive school safety legislation. It includes background check improvements, together with other sensible yet effective safety improvement measures supported by law enforcement across the country. Accordingly, I urge the Senate to take up and swiftly pass S. 2084. If we are prohibited by objection from doing so by unanimous consent, then let us move to it and let those with objections seek to amend those provisions to which they object.

There are too many incidents at too many colleges and schools nationwide. This terrorizes students and their parents. We should be doing what we can to help. Just a few weeks ago, a troubled student wearing a Fred Flintstone mask and carrying a rifle through campus was arrested at St. John's University in Queens, NY, prompting authorities to lock down the campus for 3 hours. The next day, an armed 17-year-old on the other side of the country in Oroville, CA, held students hostage at Las Plumas High School, also resulting in a lock-down. The incidents have continued this month, with the arrest last week of an armed student suspected of plotting a Columbine-style attack on fellow high school students in Norristown, PA. Just today, in Happy Valley, OR, police arrested a 10-year-old student who brought a semi-automatic weapon into his elementary school. The students in these situations were lucky and escaped without injury.

University of Memphis student Taylor Bradford was not so lucky. He was killed on campus on September 30 in what university officials believe was a targeted attack. He was 21 years old. Shalita Middleton and Nathaniel Pew were not so lucky. They were both wounded during an incident at Delaware State. They are each only 17 years old. High school teachers Michael Grassie and David Kachadourian and students Michael Peek and Darnell Rodgers—all of whom were wounded by a troubled student at SuccessTech Academy on October 10—were not so lucky.

The School Safety and Law Enforcement Improvement Act responds directly to incidents like these by squarely addressing the problem of violence in our schools in several ways. The bill enlists the States as partners in the dissemination of critical information by making significant improvements to the National Instant Background Check System, known as the NICS system. The bill also authorizes federal assistance for programs to improve the safety and security of our schools and institutions of higher education, provides equitable benefits to law enforcement serving those institutions, and funds pilot programs to develop cutting-edge prevention and intervention programs for our schools. The bill also clarifies and strengthens two existing statutes—the Terrorist

Hoax Improvements Act and the Law Enforcement Officers Safety Act—which are designed to improve public safety.

Specifically, title I would improve the safety and security of students both at the elementary and secondary school level, and on college and university campuses. The K–12 improvements are drawn from a bill that Senator BOXER introduced in April, and I want to thank Senator BOXER for her hard work on this issue. The improvements include increased funding for much-needed infrastructure changes to improve security as well as the establishment of hotlines and tip-lines, which will enable students to report potentially dangerous situations to school administrators before they occur.

These improvements can save lives. After the four students and teachers were wounded last week at SuccessTech Academy, the press reported that parents had been petitioning to get a metal detector installed and additional security personnel added, and that the guard who was previously assigned to the school had been removed 3 years ago. In fact, the entire City of Cleveland has just 10 metal detectors that are rotated throughout the city's more than 100 schools. Title I of the bill would enhance the ability of a school district to apply for and receive grant money to fund the installation of metal detectors and the training and hiring of security personnel to keep our kids safe. Over the past 4 years, this administration has spent over $15 billion to equip, train, and build facilities for the Iraqi security forces. Surely, Congress can stand up for American kids who face unrelenting school violence by supporting just a small fraction of this figure for much-needed school safety improvements.

To address the new realities of campus safety in the wake of Virginia Tech and more recent college incidents, title I also creates a matching grant program for campus safety and security to be administered out of the COPS Office of the Department of Justice. The grant program would allow institutions of higher education to apply, for the first time, directly for Federal funds to make school safety and security improvements. The program is authorized to be appropriated at $50,000,000 for the next 2 fiscal years. While this amounts to just $3 per student each year, it will enable schools to more effectively respond to dangerous situations on campus.

Title II of the bill seeks to improve the NICS system. The senseless loss of life at Virginia Tech revealed deep flaws in the transfer of information relevant to gun purchases between the States and the Federal Government. The defects in the current system permitted the perpetrator of this terrible crime to obtain a firearm even though a judge had declared him to be a danger to himself and thus ineligible under Federal law. Seung-Hui Cho was not eligible to buy a weapon given his mental health history, but he was still able to pass a background check because data was missing from the system. We are working to close gaps in the NICS system. Title II will correct these problems, and for the first time will create a legal regime in which disqualifying mental health records, both at the State and Federal level, would regularly be reported into the NICS system.

Title III would make sworn law enforcement officers who work for private institutions of higher education and rail carriers eligible for death and disability benefits, and for funds administered under the Byrne grant program and the bulletproof vest partnership grant program. Providing this equitable treatment is in the best interest of our Nation's educators and students and will serve to place the support of the Federal Government behind the dedicated law enforcement officers who serve and protect private colleges and universities nationwide. I commend Senator JACK REED for his leadership in this area.

Title IV of the bill makes improvements to the Law Enforcement Officers Safety Act of 2003. These amendments to existing law will streamline the system by which qualified retired and active officers can be certified under LEOSA. It serves us all when we permit qualified officers, with a demonstrated commitment to law enforcement and no adverse employment history, to protect themselves and their families wherever they may be.

Title V incorporates the PRECAUTION Act, which Senators FEINGOLD and SPECTER asked to have included. This provision authorizes grants to develop prevention and intervention programs for our schools.

Finally, title VI incorporates the Terrorist Hoax Improvements Act of 2007, at the request of Senator KENNEDY.

Let us go forward and act now on this important bill. The Virginia Tech Review Panel—a body commissioned by Governor Tim Kaine to study the Virginia Tech tragedy—recently issued its findings based on a 4-month long investigation of the incident and its aftermath. This bill would adopt a number of recommendations from the review panel aimed at improving school safety planning and reporting information to NICS. We must not miss this opportunity to implement these initiatives nationwide, and to take concrete steps to ensure the safety of our kids.

I recognize that there is no solution to fully end the sad phenomenon of school violence. But the recent tragedies should prompt us to respond in realistic and meaningful ways when we are presented with such challenges. I hope the Senate can promptly move this bill forward to invest in the safety of our students and better support law enforcement officers across the country.

CONGRATULATING WINNERS OF THE NOBEL PRIZE

Mr. HATCH. Mr. President, it is fitting that the Senate has passed S. Res. 350 which honors the scientific work and accomplishments of Mario R. Capecchi, who, along with Sir Martin J. Evans and Oliver Smithies, received the Nobel Prize for Physiology or Medicine for their contributions to the development of gene targeting technology.

What an honor to see these great men receive this distinguished award.

As with previous Nobel winners, one of this year's recipients has waded through much difficulty in his life to go on and accomplish such an amazing feat—Dr. Mario Capecchi. I would like to take a moment to review for my colleagues some of Dr. Capecchi's background and successes.

Dr. Mario Capecchi, who has worked at the University of Utah School of Medicine for nearly 35 years, has, through both his life and work, demonstrated that hard work and determination can and will lead to good results, even in the face of overwhelming adversity.

Mario was born in Verona, Italy, in 1937. His father was an Italian soldier who, soon after Dr. Capecchi's birth, was reported missing in action while manning an anti-aircraft gun in Libya. At the age of 3, his American mother was sent to the Dachau concentration camp as punishment for her association with an anti-Fascist organization. Prior to her arrest, she sold all her belongings and gave the proceeds to a peasant family to provide housing for her son. However, 1 year later, the funds were exhausted and, at the age of 4, Dr. Capecchi was left to fend for himself on the streets of northern Italy.

After 4 years of living in orphanages and moving from town to town with different groups of homeless children, he was located by his mother who, upon her release from Dachau, had engaged in a year-long search to find her son. She found him in a hospital bed in the town of Reggio Emilia, sick with a fever and suffering from malnutrition.

In 1946, his uncle, Edward Ramberg, a prominent American physicist, arranged for Dr. Cappecchi and his mother to come to the United States. At that time, he and his mother relocated from Italy to a Quaker commune in Pennsylvania, where he would begin his education, graduating from a Quaker boarding school in 1956.

Dr. Capecchi received bachelor's degrees in both chemistry and physics from Antioch College in Ohio in 1961. He then went on to earn his Ph.D. in biophysics from Harvard University in 1967. In 1969, he became an assistant professor in the Department of Biochemistry at the Harvard School of Medicine, and was promoted to associate professor in 1971. Two years later, he joined the faculty at the University of Utah, where he began the work that would eventually earn him a Nobel Prize.

Dr. Capecchi, along with Drs. Evans and Smithies, received the Nobel Prize for their discoveries of methods for introducing specific gene modifications in mice by the use of embryonic stem cells. In the late 1980s, after years of research and experimentation on mouse-derived stem cells, these doctors were able to develop the first knockout mice, genetically engineered mice that have had one or more of their genes isolated and made inoperable. Knockout mice have allowed scientists to learn more about genes that have been sequenced but have unknown functions. Through the techniques developed by these three doctors, researchers are able to inactivate specific mouse genes and study the mice for any resulting differences. From this process, they are able to infer the probable functions of the individual genes.

This gene targeting technology has led to a vast expansion of our understanding of genetics. Indeed, it has impacted virtually every area of biomedicine. The successful isolation of genes has allowed researchers to determine their roles in embryonic development, adult physiology, aging and disease. In addition, the use of knockout mice has led to the production of more than 500 different mouse models of human disorders, including cardiovascular disease, neuron-degenerative disorders, cancer and diabetes.

Drs. Capecchi, Evans, and Smithies have dedicated their lives and work to bettering mankind. Dr. Capecchi has been a key advisor to me for many years and has been a great help to me and this nation with his medical and scientific work and knowledge. I have the highest praise, not only for his work and intellect, but for his dedication and perseverance.

I am joined by Senators BENNETT, DOLE, and BURR in introducing S. Res. 350 recognizing the work and achievements of these new Nobel Laureates and congratulating them for the honor they have received and I want each of them to know how proud I am of them and their great accomplishments. I also want the entire country to know, that this is just the beginning. The work of Drs. Capecchi, Evans, and Smithies has continued to lay the groundwork and establish a strong foundation we will need to continue developing stem cell research and someday, sooner rather than later, find therapies that will heal some of the greatest afflictions suffered by millions around the world. This is the great promise of the work of these great men and I am proud to honor them.

CHILDREN'S HEALTH INSURANCE

Mr. LAUTENBERG. Mr. President, I rise with pity and anger that this administration can be so insulated from reality that millions of American children will be denied health insurance because of the President of the United States and a small minority in the House of Representatives.

There was a critical vote in the House today: whether to override the President's veto of the children's health insurance bill.

Two hundred and eighty six votes were needed to override this veto, but we fell 13 votes short: 273 to 156.

One hundred and fifty six Members of the House of Representatives cowered to the President and turned their back on our children.

They turned their back on almost 4 million kids nationwide who would have gotten health care, including 100,000 in my home State of New Jersey.

And they cast these harmful votes against the will of the American people.

Eighty-one percent of the public supports this bill.

Yet the President's puppets in the House said no. They chose ideology over children.

They choose tax breaks for millionaires over a doctor's visit for a sick child.

They are more than willing to spend $12 billion a month on Iraq, but not $7 billion a year for children's health.

You have to question the moral priorities of those who oppose funding children's health care in America.

Civilized societies take care of their children. I believe we are a civilized society. I just think we have the wrong person in the White House.

It is time to put aside ideology and put the needs of American families first.

The only good news today is that the bill on the floor of the Senate right now puts families first.

This Labor-HHS appropriations bill will help children live longer, healthier, and more productive lives. It increases Head Start funding, medical research gets a boost and we are doing more to support critical education programs.

But despite all of these benefits, President Bush says he will veto this bill too.

I say: ''shame.''

SHERIDAN CONSERVATION EASEMENT DEDICATION

Mr. ENZI. Mr. President, recently I got to participate in the dedication of the first conservation easement in Sheridan County, WY. I attended grade school in Sheridan and graduated from high school there. I earned the Boy Scout merit badges I needed to become an Eagle Scout while I lived there. One of the badges was bicycling. It required several 25-mile rides. My first ride of that length went from Sheridan to Big Horn and beyond. That ride was on the highway. Today it would be much more dangerous as the area has developed and more people drive. So I am glad for this new conservation easement—what I hope will be the first of many conservation easements—that will make it possible to go from Sheridan to Big Horn on a scenic path by the river that will provide safety and great views.

I want to congratulate the Volunteers of America for their great role in this achievement and ''first.'' I want to thank and congratulate the Sheridan County Commission and the city of Sheridan, mayor and council for their great cooperation. I especially want to thank the members of the Sheridan Land Trust for their effort and vision. This is the kind of community, the kind of people, I remember growing up in Sheridan.

I was glad to play a small role in getting the 501c(3) certification for nonprofit status pushed through the system. I also did some work for conservation easements in, of all places, the pension bill last year. I got to chair the conference committee for the pension bill last year. At the end of the process, leadership from both sides of the aisle brought me a small tax package to include. I mentioned that I had a couple of small provisions I wanted included. One was a provision to get Wyoming abandoned mine land money released back to Wyoming. I found the power of a chairmanship. The abandoned mine land money will amount to $1.6 billion for Wyoming. Another provision included was for conservation easements—conservation easements that would make it possible for the average person to participate as well as those with a lot of money. The bad news is that act is available only until Dec 31 of this year—unless it gets extended. The good news is this bicycle-hiking-running-nature path could be finished from Sheridan to Big Horn this year with some tax incentives. I will be working to extend the incentive.

It is very important that I share with the Nation the words of Mayor Kinsky at the dedication of this first conservation easement in Sheridan County. It is the finest description of what we are trying to do that I have heard. Here is what he said:

> Look about you—the mountains, the creek, the wildlife. It is as God made it. This is how it was before we came. Because of what we do here today—preserving this place as it is, unspoiled—it will be here for those who follow us.
>
> There are those who say we inherited this place from our grandparents. I believe we are borrowing it from our grandchildren.
>
> As such, we have a duty to preserve—for them—the beauty that had drawn us here, and holds us here.
>
> Fifty years from now, the town will have changed. Coffeen Avenue will look different, our downtown will look different. But this area will look as we see it today.
>
> Future generations will not recall who we are, or what we say. But they will recap the benefit of what we do here today. We may hope that they will look out on what we have left them and say, ''These were people of vision. These were people who cared about the future.''
>
> It is proper that this be done in a manner fitting of the character of our people. This easement comes about not as a mandate of government, but as a gift—given with love—to the community and future.
>
> The purpose of the Sheridan Community Land Trust is to hold such gifts, preserving them for our heirs. It is our hope that many more in the community may be moved to make similar gifts to generations to come.

With history the final judge or our deeds, we ask God's blessing and help, but knowing here on earth God's work must truly be our own.

Mayor Kinsky, thank you for those words. May they serve as a challenge and example to everyone to do what you and the greater Sheridan community have done.

35TH ANNIVERSARY OF THE CLEAN WATER ACT

Mr. FEINGOLD. Mr. President, today is the 35th anniversary of the Clean Water Act, one of this Nation's landmark environmental laws.

Since 1972, the Clean Water Act has provided essential protection for our Nation's waters that enhance and contribute to human health and well-being, the economy, and the environment. Yet as we celebrate the 35-year anniversary of the enactment of the Clean Water Act, Federal protections of surface waters that provide drinking water to an estimated 110 million Americans remain threatened until the U.S. Congress acts. Two recent U.S. Supreme Court cases have jeopardized the protection of these and many other of our Nation's waters by calling into question the Clean Water Act protections for entire categories of waters.

In the 2006 consolidated cases of Rapanos v. United States and Carabell v. Army Corps of Engineers, the U.S. Supreme Court left more than half of our Nation's waters without Federal protections. The impact of that decision is compounded by the 2001 case Solid Waste Agency of Northern Cook County v. Army Corps of Engineers, SWANCC, in which the U.S. Supreme Court limited the authority of Federal agencies to extend Clean Water Act protections to certain wetlands traditionally protected based on their use by migratory birds.

The implications of the recent Supreme Court decisions are disturbing for the safety of our drinking water, habitats for wildlife, and fragile ecosystems around the country. At the crux of the debate is the term ''navigable waters,'' which the Supreme Court used to restrict the scope of the Clean Water Act in ways never intended by Congress. The fundamental purpose of the Clean Water Act of 1972 was to protect the Nation's waters from pollution rather than just sustain the navigability of waterways.

That is why Congress extended protections to ''waters of the United States,'' and the Environmental Protection Agency's and Army Corps of Engineers' regulations have properly established the scope of waters—including all interstate and intrastate waters—needed to be protected in order to maintain the ''chemical, physical, and biological integrity of the Nation's waters,'' as called for in the act. This goal cannot be achieved if Congress does not restore protections that the Supreme Court stripped from 53 to 59 percent of the total length of U.S. streams, excluding Alaska, and at least 20 million acres of so-called ''isolated'' wetlands in the lower 48 States, as estimated by the EPA.

It is important to understand that though the recent court cases focused on dredge and fill permits under section 404, the definition of ''waters of the United States'' is integral to the Federal Government's jurisdiction under the Clean Water Act as a whole. This definition is the linchpin for State water quality standards under Section 302 and Section 303, national performance standards under Section 306, toxic and pretreatment standards under Section 307, oil and hazardous substance liability under Section 311, aquaculture standards under Section 318, State water quality certifications under Section 401, and national pollution discharge permitting requirements under Section 402.

In light of these Supreme Court decisions, Congress must reaffirm the original intent of the Clean Water Act and our commitment to ensuring that Americans have clean, safe water. The Clean Water Restoration Act, which I have introduced, will reestablish protection for all waters historically covered by the Clean Water Act. It will end the legal wrangling over the definition of waters protected by the original Clean Water Act by defining ''waters of the United States'' based on the long-standing definitions in EPA and U.S. Army Corps regulations.

It is a straightforward, surgical fix. Unfortunately, special interest and industry groups that opposed the Clean Water Act in 1972 are back at it again, trying to sabotage any legislation that restores critical clean water protections. They are making claims that ''every wet area'' will be regulated, which could not be further from the truth—from the downright silly accusation that swimming pools will be regulated to the flat-out incorrect accusation that ground water will be regulated. My legislation does not broaden the scope of the Clean Water Act.

Congress should not stand aside while the courts roll back more than 30 years of Federal protections for our waters. On the 35th anniversary of the enactment of the Clean Water Act, we must step in to bring clarity to a law left murky by the U.S. Supreme Court.

SPECIAL OLYMPICS

Mr. CRAIG. Mr. President, I have come to the floor today to talk about something very important—the Special Olympics World Winter Games.

It is a privilege for all of us in Idaho to be a part of these games as the host for the 2009 worldwide games. And it has been an honor for me personally to be involved with this wonderful organization. I know the people of Idaho are looking forward to welcoming the world to our great State.

I especially want to thank Senator HARKIN for his help. He has been a tremendous advocate for the Special Olympics. And from what I understand, he is a big fan of the games in his home state of Iowa, where they recently hosted the National Summer Games. Senator, thank you.

I think we all know that the Special Olympics is a first-class organization. Its sole purpose is to enrich the lives of literally millions of people across the world. Through training and competition, individuals with intellectual disabilities have a chance to become physically fit, productive and respected members of society.

However, Special Olympics is responsible for much more than games and competition . . . it is about quality of life. The Special Olympics Healthy Athletes Program, developed over a decade ago, focuses on health, fitness, and well-being of people with and without disabilities. Last year this program made it possible to conduct more than 135,000 health screenings. Just this month, at the World Summer Games in China, medical volunteers provided free dental, vision, and hearing exams. Clearly, the games are more than just a sporting event they provide services to promote better fitness and health care.

So when the Special Olympics asked me to help with the Idaho Winter Games, it is easy to see why I considered it a great honor.

Now, hosting the largest multiday winter sports competition ever held in the United States isn't easy—and it isn't cheap. There is a tremendous amount of work going on behind the scenes. It requires a lot of manpower and resources to prepare the infrastructure and organize housing, meals, and transportation for participants from all over the world. As a world-class nonprofit organization, Special Olympics relies mostly on in-kind gifts and services. Raising enough money to pull off such a large event is a daunting task, to say the least.

This is why I am pleased that the Senate Appropriations Committee has provided the Idaho Special Olympic Winter Games with some much-needed funding. This critical financial assistance will make these games possible. It will make it possible for some truly remarkable athletes to compete.

Again I would like to thank both Senator HARKIN and Senator SPECTER for their devotion to the Special Olympics. Their work will make these games a success. And while I am on the floor, I would like to invite my colleagues to come to Idaho—to experience the magic of an Idaho winter and to experience the magic of the Special Olympics.

ADDITIONAL STATEMENTS

RECOGNIZING JOHN HALL

• Mr. KOHL. Mr. President, I would like to take time to recognize Mr. John Hall of Middleton, WI, on being awarded the French Legion of Honor for his

extraordinary bravery in liberating France during the Second World War. The Legion of Honor is the highest honor awarded by the nation of France.

In December 1942, at the age of 18, Mr. Hall enlisted in the military. He took part in military campaigns in Italy, the Rhineland, and the south and east of France. He was wounded in September 1944.

The Second World War has so much significance in modern history. An entire generation rallied together to defend the rights of freedom and liberty, not just for the United States but for the entire world. The world in which we live was shaped by the actions of these brave soldiers.

Mr. Hall is a member of our Greatest Generation that built modern America. Their efforts kept us safe and allowed our communities to flourish. These heroes were united in the common values of duty, honor, service and love of country. As a nation, we are forever grateful for the sacrifices and courage of these brave veterans of the Second World War.

On behalf of our State and Nation, I congratulate Mr. John Hall and his family on this prestigious honor and thank him for his brave service.●

RECOGNIZING JAMES PELLETIER

● Mr. KOHL. Mr. President, I would like to take this time to congratulate Mr. James Pelletier of Rhinelander, WI, on being awarded the French Legion of Honor for his extraordinary bravery in liberating France during the Second World War. The Legion of Honor is the highest honor awarded by the nation of France.

In December of 1942, at the age of 18, Mr. Pelletier joined the U.S. Army. He took part in military campaigns in northern France and in the Ardennes Raid. He participated in battles to help the allies take back many cities, including Nogent, Conches and Versailles.

The Second World War has so much significance in modern history. An entire generation rallied together to defend the rights of freedom and liberty, not just for the United States but for the entire world. The world in which we live was shaped by the actions of these brave soldiers.

Mr. Pelletier is a member of our Greatest Generation that built modern America. Their efforts kept us safe and allowed our communities to flourish. These heroes were united in the common values of duty, honor, service and love of country. As a nation, we are forever grateful for the sacrifices and courage of these brave veterans of the Second World War.

On behalf of our State and Nation, I congratulate Mr. James Pelletier and his family on this prestigious honor and thank him for his brave service.●

RECOGNIZING JAMES HICKEY

● Mr. KOHL. Mr. President, I would like to take this time to honor Mr. James Hickey of Green Bay, WI, on being awarded the French Legion of Honor for his extraordinary bravery in liberating France during the Second World War. The Legion of Honor is the highest honor awarded by the nation of France.

In June 1943, at the age of 18, Mr. Hickey joined the military. In August of 1944, he was sent overseas to France where he participated in military campaigns in southern France and the Rhineland. He was wounded on December 12, 1944.

The Second World War has so much significance in modern history. An entire generation rallied together to defend the rights of freedom and liberty, not just for the United States but for the entire world. The world in which we live was shaped by the actions of these brave soldiers.

Mr. Hickey is a member of our Greatest Generation that built modern America. Their efforts kept us safe and allowed our communities to flourish. These heroes were united in the common values of duty, honor, service and love of country. As a nation, we are forever grateful for the sacrifices and courage of these brave veterans of the Second World War.

On behalf of our State and Nation, I congratulate Mr. James Hickey and his family on this prestigious honor and thank him for his brave service.●

RECOGNIZING LYLE SOLCHENBERGER

● Mr. KOHL. Mr. President, I would like to take this time to recognize and honor Mr. Lyle Solchenberger of Lake Mills, WI, on being awarded the French Legion of Honor for his extraordinary bravery in liberating France during the Second World War. The Legion of Honor is the highest honor awarded by the nation of France.

In April of 1943, at the age of 21, Mr. Solchenberger enlisted in the military. He participated in military campaigns in central Europe and the Rhineland and fought for the liberation of several cities.

The Second World War has so much significance in modern history. An entire generation rallied together to defend the rights of freedom and liberty, not just for the United States, but for the entire world. The world in which we live was shaped by the actions of these brave soldiers.

Mr. Solchenberger is a member of our Greatest Generation that built modern America. Their efforts kept us safe and allowed our communities to flourish. These heroes were united in the common values of duty, honor, service and love of country. As a nation, we are forever grateful for the sacrifices and courage of these brave veterans of the Second World War.

On behalf of our State and Nation, I congratulate Mr. Lyle Solchenberger and his family on this prestigious honor and thank him for his brave service.●

RECOGNIZING STEPHEN KELLMAN

● Mr. KOHL. Mr. President, I would like to take this time to recognize and honor Mr. Stephen Kellman of Weston, WI, on being awarded the French Legion of Honor for his extraordinary bravery in liberating France during the Second World War. The Legion of Honor is the highest honor awarded by the nation of France.

In May 1943, at the age of 20, Mr. Kellman joined the military. Despite being wounded in June of 1944, Mr. Kellman actively participated in military campaigns in northern France and Normandy.

The Second World War has so much significance in modern history. An entire generation rallied together to defend the rights of freedom and liberty, not just for the United States, but for the entire world. The world in which we live was shaped by the actions of these brave soldiers.

Mr. Kellman is a member of our Greatest Generation that built modern America. Their efforts kept us safe and allowed our communities to flourish. These heroes were united in the common values of duty, honor, service and love of country. As a nation, we are forever grateful for the sacrifices and courage of these brave veterans of the Second World War.

On behalf of our State and Nation, I congratulate Mr. Stephen Kellman and his family on this prestigious honor and thank him for his brave service.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the emergency declared with respect to significant narcotics traffickers centered in Colombia is to continue in effect beyond October 21, 2007.

The circumstances that led to the declaration on October 21, 1995, of a national emergency have not been resolved. The actions of significant narcotics traffickers centered in Colombia continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States and to cause unparalleled violence, corruption, and harm in the United States and abroad. For these reasons, I have determined that it is necessary to maintain economic pressure on significant narcotics traffickers centered in Colombia by blocking their property and interests in property that are in the United States or within the possession or control of United States persons and by depriving them of access to the U.S. market and financial system.

GEORGE W. BUSH.
THE WHITE HOUSE, *October 18, 2007*.

NOTICE—CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT NARCOTICS TRAFFICKERS CENTERED IN COLOMBIA—PM28

On October 21, 1995, by Executive Order 12978, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions of significant narcotics traffickers centered in Colombia, and the extreme level of violence, corruption, and harm such actions cause in the United States and abroad.

The order blocks all property and interests in property that are in the United States, or within the possession or control of United States persons, of foreign persons listed in an annex to the order, as well as of foreign persons determined to play a significant role in international narcotics trafficking centered in Colombia. The order similarly blocks all property and interests in property of foreign persons determined to materially assist in, or provide financial or technological support for or goods or services in support of, the narcotics trafficking activities of persons designated in or pursuant to the order. In addition, the order blocks all property and interests in property of persons determined to be owned or controlled by, or to act for or on behalf of, persons designated in or pursuant to the order.

The order also prohibits any transaction or dealing by United States persons or within the United States in property or interests in property of the persons designated in or pursuant to the order.

Because the actions of significant narcotics traffickers centered in Colombia continue to threaten the national security, foreign policy, and economy of the United States and to cause an extreme level of violence, corruption, and harm in the United States and abroad, the national emergency declared on October 21, 1995, and the measures adopted pursuant thereto to deal with that emergency, must continue in effect beyond October 21, 2007. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to significant narcotics traffickers centered in Colombia. This notice shall be published in the *Federal Register* and transmitted to the Congress.

GEORGE W. BUSH.
THE WHITE HOUSE, *October 18, 2007*.

MESSAGE FROM THE HOUSE

At 2:48 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2095. An act to amend title 49, United States Code, to prevent railroad fatalities, injuries, and hazardous materials releases, to authorize the Federal Railroad Safety Administration, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 222. Concurrent resolution commending NASA Langley Research Center in Virginia on the celebration of its 90th anniversary on October 26 and 27, 2007.

The message further announced that the House of Representatives having proceeded to reconsider the bill (H.R. 976) entitled ''An Act to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes'', returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was resolved, that the said bill did not pass, two-thirds of the House of Representatives not agreeing to pass the same.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2095. An act to amend title 49, United States Code, to prevent railroad fatalities, injuries, and hazardous materials releases, to authorize the Federal Railroad Safety Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 225. Concurrent resolution honoring the 50th anniversary of the dawn of the Space Age, and the ensuing 50 years of productive and peaceful space activities; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 2102. An act to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

H.R. 3678. An act to amend the Internet Tax Freedom Act to extend the moratorium on certain taxes relating to the Internet and to electronic commerce.

S. 2179. A bill to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes.

S. 2180. A bill to authorize certain programs and activities in the Department of the Interior, the Forest Service, and the Department of Energy, and to amend the Compact of Free Association Amendments Act of 2003, and for other purposes.

S. 2184. A bill to amend the Internal Revenue Code of 1986 to permanently allow penalty-free withdrawals from retirement plans for individuals called to active duty for at least 179 days.

S. 2185. A bill to permanently extend the current marginal tax rates.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 2198. A bill to require the Architect of the Capitol to permit the acknowledgment of God on flag certificates.

S. 2205. A bill to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LIEBERMAN (for himself, Mr. WARNER, Mr. HARKIN, Mr. COLEMAN, Mrs. DOLE, Ms. COLLINS, Mr. CARDIN, Ms. KLOBUCHAR, and Mr. CASEY):

S. 2191. A bill to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FEINGOLD:

S. 2192. A bill to establish a user fee for follow-up reinspections under the Federal Food, Drug, and Cosmetic Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARTINEZ (for himself, Mr. VOINOVICH, Mr. DEMINT, Mr. GRAHAM, Mr. CORNYN, Mr. THUNE, Mr. SESSIONS, Mr. INHOFE, and Mr. CHAMBLISS):

S. 2193. A bill to provide for a 5-year SCHIP reauthorization for coverage of low-income children, an expansion of child health care insurance coverage through tax fairness, and a health care Federalism initiative, and for other purposes; to the Committee on Finance.

By Mr. SALAZAR (for himself and Mr. CONRAD):

S. 2194. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a partnership between the Department of Education and the National Park Service to provide educational opportunities for students and teachers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. INHOFE:

S. 2195. A bill to amend the Internal Revenue Code of 1986 to extend the Indian employment credit and the depreciation rules

for property used predominantly within an Indian reservation; to the Committee on Finance.

By Mr. INHOFE (for himself and Mr. ROBERTS):

S. 2196. A bill to amend the Internal Revenue Code of 1986 to extend the taxable income limit on percentage depletion for oil and natural gas produced from marginal properties; to the Committee on Finance.

By Mr. AKAKA (for himself and Mrs. CLINTON):

S. 2197. A bill to establish the Federal Labor-Management Partnership Council; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DEMINT (for himself, Mr. GRAHAM, Mr. INHOFE, Mr. COLEMAN, Mr. ENZI, Mr. MCCONNELL, Mr. GREGG, Mr. ALLARD, and Mr. SUNUNU):

S. 2198. A bill to require the Architect of the Capitol to permit the acknowledgment of God on flag certificates; read the first time.

By Mr. KERRY:

S. 2199. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain foreign nonqualified deferred compensation; to the Committee on Finance.

By Mr. CONRAD (for himself, Mr. JOHNSON, and Mr. TESTER):

S. 2200. A bill to authorize the use of Federal funds for flexible financing of Indian tribal municipal, rural, and industrial water system construction projects by certain federally recognized Indian tribes; to the Committee on Indian Affairs.

By Mr. COLEMAN:

S. 2201. A bill to provide for the penalty-free use of retirement funds for mortgage delinquency relief; to the Committee on Finance.

By Mr. REID (for Mr. OBAMA (for himself and Mr. HARKIN)):

S. 2202. A bill to amend the Clean Air Act to increase the renewable content of gasoline, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BROWN:

S. 2203. A bill to reauthorize the Uranium Enrichment Decontamination and Decommissioning Fund, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WHITEHOUSE (for himself and Mrs. BOXER):

S. 2204. A bill to assist wildlife populations and wildlife habitats in adapting to and surviving the effects of global warming, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN (for himself, Mr. HAGEL, and Mr. LUGAR):

S. 2205. A bill to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes; read the first time.

By Mrs. FEINSTEIN (for herself, Mr. BENNETT, Mr. KERRY, Mr. DURBIN, Mr. LEVIN, Ms. STABENOW, Mr. DODD, and Mr. NELSON of Florida):

S. 2206. A bill to provide technical corrections to Public Law 109-116 (2 U.S.C. 2131a note) to extend the time period for the Joint Committee on the Library to enter into an agreement to obtain a statue of Rosa Parks, and for other purposes; considered and passed.

By Mr. SCHUMER (for himself, Mr. SPECTER, Mr. COCHRAN, and Mr. HARKIN):

S.J. Res. 21. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DOMENICI (for himself, Mr. DODD, Mr. ALEXANDER, Mr. LIEBERMAN, Mr. STEVENS, Mr. ROCKEFELLER, Mr. COCHRAN, Mr. DURBIN, Ms. MURKOWSKI, Mr. BIDEN, Mr. ENZI, Mr. PRYOR, and Ms. STABENOW):

S. Res. 351. A resolution designating the week beginning October 21, 2007, as ''National Character Counts Week''; considered and agreed to.

By Ms. MURKOWSKI (for herself, Mr. LUGAR, and Mr. BIDEN):

S. Res. 352. A resolution expressing the sense of the Senate regarding the 20th anniversary of United States-Mongolia relations; considered and agreed to.

By Mr. SUNUNU (for himself, Mr. KERRY, Mr. LUGAR, Mr. BIDEN, Mr. COLEMAN, Mr. DODD, Mr. HAGEL, Mr. KENNEDY, Mr. MARTINEZ, Ms. SNOWE, Mr. SMITH, Mr. BOND, Mr. MENENDEZ, Mr. COBURN, Mr. LEVIN, Mr. VOINOVICH, Mrs. FEINSTEIN, and Ms. STABENOW):

S. Res. 353. A resolution expressing the sense of the Senate regarding the importance of a sovereign, democratic, and prosperous Lebanon and the need for free and fair presidential elections in Lebanon without intimidation or foreign interference; considered and agreed to.

By Mr. WARNER (for himself and Mr. WEBB):

S. Con. Res. 50. A concurrent resolution commending NASA Langley Research Center in Virginia on the celebration of its 90th anniversary on October 26 and 27, 2007; to the Committee on Commerce, Science, and Transportation.

By Mr. DODD (for himself, Mr. ENSIGN, Mr. AKAKA, Mr. BAUCUS, Mr. BIDEN, Mrs. BOXER, Mr. BURR, Mr. CASEY, Mrs. CLINTON, Mr. COCHRAN, Ms. COLLINS, Mr. CORNYN, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. MARTINEZ, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. SPECTER, Mr. INOUYE, Ms. STABENOW, Mr. WHITEHOUSE, Mr. PRYOR, and Mr. CARPER):

S. Con. Res. 51. A concurrent resolution supporting ''Lights On Afterschool!'', a national celebration of after school programs; considered and agreed to.

ADDITIONAL COSPONSORS

S. 65

At the request of Ms. LANDRIEU, her name was added as a cosponsor of S. 65, a bill to modify the age-60 standard for certain pilots and for other purposes.

S. 311

At the request of Ms. LANDRIEU, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S. 311, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 407

At the request of Ms. LANDRIEU, her name was added as a cosponsor of S. 407, a bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate a portion of Interstate Route 14 as a high priority corridor, and for other purposes.

S. 515

At the request of Mr. GRASSLEY, the names of the Senator from Ohio (Mr. BROWN) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 515, a bill to provide a mechanism for the determination on the merits of the claims of claimants who met the class criteria in a civil action relating to racial discrimination by the Department of Agriculture but who were denied that determination.

S. 609

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 609, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 884

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 884, a bill to amend the Public Health Service Act regarding residential treatment programs for pregnant and parenting women, a program to reduce substance abuse among nonviolent offenders, and for other purposes.

S. 1382

At the request of Mr. REID, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 1382, a bill to amend the Public Health Service Act to provide the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1406

At the request of Mr. KERRY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1406, a bill to amend the Marine Mammal Protection Act of 1972 to strengthen polar bear conservation efforts, and for other purposes.

S. 1512

At the request of Mrs. BOXER, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1512, a bill to amend part E of title IV of the Social Security Act to expand Federal eligibility for children in foster care who have attained age 18.

S. 1638

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1638, a bill to adjust the salaries of Federal justices and judges, and for other purposes.

S. 1661

At the request of Mr. DORGAN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1661, a bill to communicate United States travel policies and improve marketing and other activities designed to increase travel in the United States from abroad.

S. 1843

At the request of Mr. KENNEDY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1843, a bill to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967 to clarify that an unlawful practice occurs each time compensation is paid pursuant to a discriminatory compensation decision or other practice, and for other purposes.

S. 1850

At the request of Mr. SMITH, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1850, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of Indian tribal governments as State governments for purposes of issuing tax-exempt governmental bonds, and for other purposes.

S. 1858

At the request of Mr. DODD, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1858, a bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes.

S. 1895

At the request of Mr. REED, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1895, a bill to aid and support pediatric involvement in reading and education.

S. 1921

At the request of Mr. WEBB, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S. 1921, a bill to amend the American Battlefield Protection Act of 1996 to extend the authorization for that Act, and for other purposes.

S. 1930

At the request of Mr. WYDEN, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 1930, a bill to amend the Lacey Act Amendments of 1981 to prevent illegal logging practices, and for other purposes.

S. 1944

At the request of Mr. LAUTENBERG, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 1944, a bill to provide justice for victims of state-sponsored terrorism.

S. 1958

At the request of Mr. CONRAD, the names of the Senator from Nebraska (Mr. NELSON) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 1958, a bill to amend title XVIII of the Social Security Act to ensure and foster continued patient quality of care by establishing facility and patient criteria for long-term care hospitals and related improvements under the Medicare program.

S. 2033

At the request of Ms. KLOBUCHAR, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2033, a bill to provide for greater disclosure to, and empowerment of, consumers who have entered into a contract for cellular telephone service.

S. 2038

At the request of Ms. KLOBUCHAR, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2038, a bill to prohibit the introduction or delivery for introduction into interstate commerce of children's products that contain lead, and for other purposes.

S. 2042

At the request of Ms. STABENOW, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2042, a bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes.

S. 2086

At the request of Mr. LOTT, the names of the Senator from Kentucky (Mr. MCCONNELL), the Senator from Oklahoma (Mr. COBURN), the Senator from Colorado (Mr. ALLARD), the Senator from Georgia (Mr. ISAKSON), the Senator from South Carolina (Mr. DEMINT) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 2086, a bill to amend title XXI of the Social Security Act to extend funding for 18 months for the State Children's Health Insurance Program (SCHIP) and for other purposes.

S. 2139

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2139, a bill to amend title 38, United States Code, provide educational assistance under the Montgomery GI Bill for members of the National Guard and Reserve who serve extended period of continuous active duty that include a prolonged period of service in certain theaters of operation, and for other purposes.

S. 2140

At the request of Mr. DORGAN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 2140, a bill to award a Congressional Gold Medal to Francis Collins, in recognition of his outstanding contributions and leadership in the fields of medicine and genetics.

S. 2166

At the request of Mr. CASEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2166, a bill to provide for greater responsibility in lending and expanded cancellation of debts owed to the United States and the international financial institutions by low-income countries, and for other purposes.

S. 2172

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 2172, a bill to impose sanctions on officials of the State Peace and Development Council in Burma, to prohibit the importation of gems and hardwoods from Burma, to support democracy in Burma, and for other purposes.

S. 2189

At the request of Mr. DODD, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2189, a bill to provide for educational opportunities for all students in State public school systems, and for other purposes.

S.J. RES. 20

At the request of Mr. DORGAN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S.J. Res. 20, a joint resolution to disapprove a final rule of the Secretary of Agriculture relating to the importation of cattle and beef.

AMENDMENT NO. 3320

At the request of Mr. COBURN, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of amendment No. 3320 intended to be proposed to H.R. 3043, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

AMENDMENT NO. 3321

At the request of Mr. COBURN, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of amendment No. 3321 proposed to H.R. 3043, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

AMENDMENT NO. 3328

At the request of Mr. VITTER, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of amendment No. 3328 proposed to H.R. 3043, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

AMENDMENT NO. 3333

At the request of Mr. THUNE, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of amendment No. 3333 proposed to H.R. 3043, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for

the fiscal year ending September 30, 2008, and for other purposes.

AMENDMENT NO. 3335

At the request of Mr. DORGAN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of amendment No. 3335 proposed to H.R. 3043, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

AMENDMENT NO. 3342

At the request of Mr. ENSIGN, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of amendment No. 3342 proposed to H.R. 3043, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

AMENDMENT NO. 3348

At the request of Mr. BROWN, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 3348 proposed to H.R. 3043, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

At the request of Mr. BUNNING, his name was added as a cosponsor of amendment No. 3348 proposed to H.R. 3043, supra.

AMENDMENT NO. 3349

At the request of Mr. BROWN, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Michigan (Mr. LEVIN), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Minnesota (Mr. COLEMAN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of amendment No. 3349 proposed to H.R. 3043, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LIEBERMAN (for himself, Mr. WARNER, Mr. HARKIN, Mr. COLEMAN, Mrs. DOLE, Ms. COLLINS, Mr. CARDIN, Ms. KLOBUCHAR, and Mr. CASEY):

S. 2191. A bill to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes; to the Committee on Environment and Public Works.

Mrs. BOXER. Mr. President, for me, today is one of the most important days in my career because, with the introduction of the Lieberman-Warner bill, today will be remembered, in my view, as the turning point in the fight against global warming. Let me explain why I make that very sweeping statement.

First, this bill represents a bipartisan breakthrough on the Senate Environment and Public Works Committee. When I took the gavel of the committee 9 months ago, I said that global warming was the challenge of our generation, a challenge that I believed our committee could meet with knowledge, with bipartisanship, and in pursuit of that knowledge we have held 18 global warming hearings and 2 scientific briefings this year in the Environment Committee.

At our very first hearing in January, we invited all Senators to come to the committee and share their perspectives. More than one-third of the Senate took part in that historic event. Since then, we have heard from more than 120 witnesses, ranging from utility executives, Silicon Valley entrepreneurs, venture capitalists, religious leaders, and Nobel Prize winners. Indeed, yes, we had Al Gore, we had members of the Intergovernmental Panel on Climate Change, and we also heard from business community leaders who have formed the U.S. Climate Action Partnership. We heard from mayors, Governors, and leaders of both parties, from many different States, cities, and counties across America.

Then a wonderful thing happened: Senator JOHN WARNER, who is the ranking member on Senator LIEBERMAN's Global Warming Subcommittee, decided it was time that he play a lead role in crafting a landmark environmental law which will take its place beside the Clean Air Act, the Clean Water Act, the Safe Drinking Water Act, and other great bipartisan environmental legislation.

Senator WARNER, this decision of yours is giving heart and hope to literally not only the people of the United States of America but all the people who share our planet. I know in your beautiful State of Virginia how proud they are. We had a hearing with you and with Senators MIKULSKI and CARDIN, and we heard about the impact of global warming already taking place on the Chesapeake. Your Governor was also there. So this is a great moment.

I cannot tell you how touched and moved I am that Senator WARNER has joined Senator LIEBERMAN. It is a wonderful moment in history. This, I believe.

We would never leave a child alone in a hot, locked car, and I believe the Senate Environment and Public Works Committee will not leave this issue of global warming burning for another generation to address. It is our responsibility, and we must act.

Today, with the introduction of this bill, we are taking the first immensely important legislative step to meet the challenge of global warming with hope and not with fear and with approaches that are carefully thought out and some already successfully tried out, like a cap-and-trade system that has been so successful in addressing acid rain. Also in this bill, which I am very proud of, is a section on energy efficiency, which has been so effective in lowering per capita energy use, costs, and greenhouse gas emissions in my own home State of California.

For the past 50 years, the United States of America has been the world leader in environmental protection. Laws such as the Clean Water Act, Clean Air Act, Safe Drinking Water Act, Endangered Species Act, and the Superfund Act have achieved so much for our Nation and so much for our people. They have cleaned up our rivers and lakes, improved the quality of our air, and protected our drinking water supplies. Each of those laws—if you go back and study them—became a reality because Congress started on the path that, over time, would lead to enactment of strong legislation. The same is true for what we face today in global warming. We must start on the path to pass strong legislation.

I have been working very closely with Senators WARNER and LIEBERMAN as they have assembled their bill, as have many other colleagues. I praise my friends for including so many people, including the occupant of the chair, Senator CASEY, who was quite involved in crafting the green jobs portion of the bill. I have been so impressed with the effort they have invested, seeking out the views not only of other Senators but outside groups and business leaders, environmentalists, everybody, pro and con, with whom they have met. They have put great work into this effort. I am proud of that.

In my own conversations with them, I have laid out some important principles that I believe must be reflected in legislation to address this challenge.

First, the most important thing is that any bill has to include real, mandatory cuts in global warming pollution. Any bill we pass must set the Nation on the path to achieving the emissions reductions that will avoid dangerous climate change. Under the Lieberman-Warner bill, we anticipate reaching 1990 emissions levels by 2020. This will send a strong early signal to the marketplace, which is a very important part of getting where we need to go.

The second necessary element is the flexibility to respond to new information because all of us know that daily we face new reports, new scientists telling us new things we didn't know before. So I ask my colleagues if they would include what I call a look-back provision in the bill. The bill must include provisions for continuing to review the science. We want to have our work based on science, and it has to happen at regular intervals. We have to know whether we are doing enough, too much, or if we have to do even more.

Third, we must establish a cap-and-trade program for global warming pollution like the one that worked so well

in curbing acid rain. A cap-and-trade system will put a market price on carbon, driving greater efficiency and new technology, while reducing greenhouse gas emissions.

Fourth, we must protect the pioneering State efforts that are already underway. The States have been leading the way on this issue and doing it in the most bipartisan fashion. In my own State of California, we have seen trailblazing there with a Republican Governor and a Democratic legislature. I believe my State has the gold standard bill. A total of 29 States have completed comprehensive climate action plans, and many have set mandatory reduction targets. We don't want to interfere with their work.

Fifth, it is a moral imperative to do what we can to ease the impacts of global warming—not only on the American consumer but on world populations suffering from drought, floods, and famine. The religious community has worked very closely with all of us on this moral imperative.

Finally, a bill must take into account the actions of countries that are not making progress toward a clean, sustainable energy future and must help level the playing field. Countries that want to export goods into the United States must take steps consistent with our global warming policy or be accountable for their emissions.

All of these elements I have mentioned are included in the Lieberman-Warner bill. Some of us may want to make them stronger, and some of us may want to make them weaker. But here is the important point: We have the framework. Every single issue anyone could raise about global warming has been raised and addressed in this bill, giving us a perfect place to start.

I thank all of my colleagues who have introduced bills to deal with global warming. Each bill has made an important contribution to the debate, and I know each bill has helped Senators WARNER and LIEBERMAN craft an excellent piece of legislation. We have this framework. We can build on it; it embodies all of the key concepts. The bipartisan progress on the bill is a reflection of how far we have come and brings us that much closer to the day we will have comprehensive legislation to deal with this great challenge of our generation.

It is with great pride that I yield the floor to Senator JOE LIEBERMAN.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, I thank the distinguished chair of our Environment Committee. I thank her for her very kind and informed remarks, but, more broadly, I thank her for the steadfast encouragement she has given to Senator WARNER and me and for her principled, passionate, and very effective leadership. She understands that global warming is real and wants to use the chairmanship she has now to see that we, together, fashion a solution to this very real problem. I thank her.

I hope and believe myself that she is right—that we will look back on this day, as we stand here together across party lines to introduce this legislation, as the beginning of something very significant that finally happened. I have said before, and I will say it again, at this moment, I feel as if we had been in a race between tipping points. The challenge would be that we get to the political tipping point where we could come together and do something about global warming before we reach the environmental tipping point, after which it would be harder to avoid the worst consequences of global warming.

I think today we have begun to reach that political tipping point, and there is no one who is more responsible for that than the senior Senator from Virginia, my dear friend, JOHN WARNER. His partnership with me on this and his commitment to get this done have made all the difference.

I am pleased to stand with my friend from Virginia to announce today the introduction of the America's Climate Security Act. I am proud to also say that we have five original cosponsors—Senators CARDIN, COLEMAN, COLLINS, DOLE, and HARKIN. The doors are wide open for additional cosponsors as this day and the days after go on.

This day comes after several months of work with Senator WARNER, with our staffs, with stakeholders, environmentalists, business community people, and numerous hearings before the Environment and Public Works Committee.

This legislation, S. 2191, America's Climate Security Act, is the result of all that work. It is a pleasure now to yield to the aforementioned great Senator from Virginia, JOHN WARNER.

The PRESIDING OFFICER. The senior Senator from Virginia.

Mr. WARNER. Mr. President, I first thank our distinguished chairwoman from California. From the very moment she seized the reins of the chairmanship of this committee, she indicated a strong desire to address this problem.

I thank my colleague from Connecticut. He is the chairman of the subcommittee with primary jurisdiction over this matter. I purposely chose, as the longest serving member on the Environment and Public Works Committee on the Republican side, to be ranking for the purpose of this day coming to the floor of the Senate and indicating to our colleagues that we had formulated a starting point for the Congress to assume its leadership which I believe, as a coequal branch of our Government, we have.

I am proud of the achievements we have made to date. I shall address them further, but at this time, I yield the floor to our distinguished colleague, Senator INHOFE, the ranking member of the full committee, and thank him. While we differ on the substance of these matters procedurally and we work our will in the subcommittee and eventually the full committee, I do hope we can have his cooperation.

Mr. President, at this time, I ask that the hour for this debate be extended from 10:30 a.m. to 10 minutes to 11 to accommodate Senator INHOFE, who now will give his remarks, and then Senator COLLINS and Senator ALEXANDER.

Once again, I thank my distinguished chairman and ranking member. We are off, we are out of the starting gate.

I yield the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Oklahoma.

Mr. INHOFE. First of all, Mr. President, I had to come down here. Quite frankly, I didn't find out until last night—actually, until this morning, really—any of the parameters of this bill. My good friend from Connecticut just said they have been working on it for months and months, and yet nobody knows what it is. So only this morning I received some information.

I see it is very similar to the McCain-Lieberman bill that passed. I remember we stood here and debated that bill for 5 days, I guess it was, a couple of years ago. I hope—and with the chairman of the Environment and Public Works Committee here—that we are going to have hearings on this legislation and spend some time, get into it because we do not get into something this big without hearing very significant issues.

I will give a couple examples. First, let me ask a question. How much time do I have, I ask my friend from Virginia?

Mr. WARNER. Mr. President, my understanding is the Senator wants 5 or 6 minutes.

Mr. INHOFE. I will go ahead. That is fine. I will initially mention a couple of points that are of concern to me.

First, this has been something my colleagues have worked on for a long period of time. I understand that is true because I have heard my friend from Virginia tell that to me and others on the committee. But we really didn't find out what it is.

I am reading something that came out of the Congressional Quarterly this morning. One sentence:

> Emissions caps would start at the 2005 level in 2012 and decrease annually, reaching the 1990 levels in 2020 and 65 percent below 1990 levels in 2050.

I assume that is an accurate description.

Mrs. BOXER. Yes.

Mr. LIEBERMAN. Mr. President, the Senator from Oklahoma is correct.

Mr. INHOFE. As I recall, the other bill we had 2 years ago was that emissions caps would start at the 2004 level by 2012, and there was no intermediate step at that time. So it went down to one-third below the baseline by 2050. That is my understanding. I think that is accurate. So there is not that much difference. If anything, it is lower because this is one-third below the baseline, and this one is 65 percent below. It would be even more of a cut by 2050.

The reason I bring up this point is because these issues don't happen in a vacuum. These are issues that are very costly. The term ''tipping point'' was used recently. I agree there is a tipping point, and I am going to be reserving more than 2 hours in the next few days on the floor, and I don't want my good friends to endure the whole 2 hours but at least give consideration to what is happening right now, and it is unbelievable.

I have never seen such a change in science as we have witnessed in the last 5 months. The entire speech I am going to give is talking about what has happened in the last 5 months. Let me give an example.

In August alone, the University of Washington claims to be ''the first to document a statistically significant globally coherent temperature response to the solar cycle.'' They came out and said it is due to natural causes. They were on the other side of this issue before.

A Belgium weather institute, August 27—all of this is in August of this year, 2 months ago—natural causes.

A peer-reviewed study published in ''Geophysical Research Letters'' finds natural causes.

Here is a significant one now because over and over, I say to my good friend from California, we have heard that 1998 was the hottest year. Now NASA has come along and said, no, it was 1934. Interestingly enough, 1934 precipitated the largest increase in CO_2 going into the atmosphere. After 1940, there was an 80-percent increase going into the atmosphere.

But here is the one, if my colleagues are not listening to anything else, and I have a feeling they are not, I say to my friend from California.

Mrs. BOXER. Yes, I am with you.

Mr. INHOFE. Listen to one point. I appreciate it. In the same month, August, they peer-reviewed scientific literature, all of the literature from 2004 to 2007. In this report—this is 539 papers. These were the same ones used before as an example of what is going on. This is what they are going to review. It has not been released yet. It was done in August:

Less than half of all published scientists endorse the global warming theory.

Less than half. Then it says:

Of 539 total papers of climate change, only 38—

That is 7 percent ''gave an explicit endorsement'' that man is the major cause of climate change. That is huge. That wasn't here until August of this year.

I only bring these points out to say that anyone who says the science is settled to at least give me their attention for 2 hours. I will be talking about these issues.

Here is what the American people need to know. I don't know what the cost of this would be if we were to pass the Warner-Lieberman bill. I have no way of knowing because I didn't see it until this morning. No one has made an evaluation. If we go back to the old Kyoto reductions, the Wharton Economic Survey said it would cost the average family of four in America $2,700 a year. Then when MIT came out addressing the two bills—the Boxer bill that is not yet introduced—it would cost the energy system, it would increase the cost of energy an amount equal to $4,500 for a family of four, and this bill apparently, or at least the old McCain-Lieberman bill, which this is very similar to but a little bit more aggressive in the later years, it would be $3,500 per family of four.

I remember coming down to this floor, I say to my good friend from Tennessee, back in 1993 during the largest tax increase in the last few years prior to that. It was called the Clinton-Gore tax increase. It was an increase that was equal to about $300 per family of four. Here we are talking about something that will be 10 times the largest tax increase in the last three decades.

This fact cannot be ignored if there is some question in terms of science. They will say there is not, that it is settled. I am going to be quoting facts that will shoot that down, and people should look at it. We have to realize we have a lot of families in America, and we have to consider what kind of a tax increase this will impose on them.

My hope is this—and I say this to the chairman of the Environment and Public Works Committee who will be joining me in about 3 minutes in a hearing—let's have some hearings on this legislation. Let's bring it out. Let's really spend some time because this is very significant if we are looking at something that is going to cost the average taxpayer something like 10 times the largest tax increase we have experienced in this country. I look forward to it.

Mrs. BOXER. Mr. President, I will take 1 minute. As I said to Senator LIEBERMAN, before Senator INHOFE and I go to a hearing we are having in the Environment and Public Works Committee, I thank my colleagues for participating in this conversation. Senator INHOFE is right. This is a very important moment in time. The cost of doing nothing, according to the leading economist on this topic in the world, Nicholas Stern, is five times what the cost will be to address this issue now. So let's be wise about what we do.

The second point is, I am looking forward to Senator INHOFE's 2 hours on the Senate floor. I really am. Mr. President, I say to Senator INHOFE, I am giving him a compliment.

I said, I am looking forward to hearing Senator INHOFE for 2 hours on the Senate floor, and I hope he will stay for my 2 hours when he is done. I will, in fact, do that because many of the points Senator INHOFE makes—it is cherry-picking information.

I think it is very important that we have this debate. In many ways, it is good we are chairman and ranking member—and the last time it was the opposite—because I do think certainly the Senate gets the benefit of the broad viewpoint on this subject of global warming.

I yield the time back to Senator LIEBERMAN.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank the chairman of the committee, and I thank the Senator from Oklahoma. Obviously, we are going to have a spirited debate on this subject.

What I want to say is the pleasure I have in having announced the seven original cosponsors. As Senator INHOFE indicated, I had partnered with Senator MCCAIN on an earlier version of a climate change bill. We brought it before the Senate twice. It failed twice.

To me, the most remarkable and specific fact today that gives me encouragement is of the seven original cosponsors—that is, Senator WARNER and I and the five others who have just come forward without us reaching out to them—four of those seven voted against one or both of the iterations of the McCain-Lieberman bill. So this issue is moving in the right direction. It is moving in the right direction because we have answered in this bill some of the questions and concerns that Senator INHOFE expressed about the economic consequences.

First, I wish to say America's Climate Security Act is for real. It achieves necessary emissions by putting a cap on America's greenhouse gas emissions over electric power, transportation, and manufacturing sources that account for 75 percent of U.S. greenhouse gas emissions and by strengthening energy efficiency standards for appliances and buildings.

I note the presence on the floor of our colleague from Tennessee, Senator ALEXANDER. I know this was of particular interest to him. He made a significant contribution to this bill in that regard.

Now, what does this achieve? It does what we have to do. It doesn't do everything everybody wants to do. I have already heard from some who have said it doesn't go far enough. But let me set up this standard: The Intergovernmental Panel on Climate Change, the group of more than 2,000 scientists from around the world who just shared the Nobel Prize with our former colleague Al Gore, has said the goal should be to keep the concentration of greenhouse gases in the atmosphere below 500 parts per million, because that will avoid what they describe as the high risk of severe global warming impacts here in the United States, which obviously has to be our first concern, but also around the world.

I am pleased to say that if you take the Environmental Protection Agency's analysis of the McCain-Lieberman bill and apply it to this bill that Senator WARNER and I are introducing, you will find the concentration of greenhouse gases will be well below that danger level of 500 parts per million by the end of the century.

Secondly, Senator WARNER and I are as committed to promoting and sustaining American prosperity as we are to protecting America's environment and the global environment from the danger of climate change. Senator INHOFE made an interesting point. This is different from McCain-Lieberman, which had big jumps, or I should say big drops in greenhouse gas emissions. We create a steady glidepath down, and that is going to be easier for the sources of emissions to deal with.

Yes, we set a good solid goal in 2020 to make it clear that this is real, a 20-percent reduction, bringing us back down to where the 1990 levels were. So it is real, but it moves slowly. And in this cap-and-trade system, with the auctioning of credits and the opportunity to subsidize some and provide free credits to other businesses while they are in the transition, we are going to smooth the impact.

We have also created a mechanism—a carbon market efficiency board, very creative—which comes out of work Senator WARNER did with Senators GRAHAM, LANDRIEU, and LINCOLN, a kind of Federal Reserve Board for climate change cap and trade, which can step in during times of economic stress to smooth this out so the American economy will continue to grow. And, of course, the basic premise here—cap and trade—is to set the standard: Reduce greenhouse gas emissions. Make sure you are reducing them.

Others have said: Why don't we pass a carbon tax? Well, I suppose a carbon tax would reduce carbon-emitting fossil fuels, but we don't know that for sure. Look how the demand for gasoline has stayed up even as the price has gone up. So you don't want to tax people without a certainty of result. Mandatory cap and trade guarantees the result: We want to protect our environment, our lives, our health, our wildlife, and our beautiful natural places. It does it in a way that will drive innovation and entrepreneurship. The market this bill creates will do what we in this country have known that markets do best—they get the job done and drive prices down.

I say finally that this legislation includes many provisions that were drafted, suggested and, in fact, in some cases introduced by colleagues in the Senate. This is an incomplete list, but I want to be certain I mention Senators COLLINS and ALEXANDER, who are on the floor, Senator COLEMAN—and I will come back to him specifically—Senators BOXER, LAUTENBERG, SANDERS, MCCAIN, BINGAMAN, SPECTER, DOLE, HARKIN, KLOBUCHAR, CARPER, LINCOLN, CASEY, and BAUCUS.

Senator COLEMAN particularly has made a contribution to this legislation that responds to a statement Senator INHOFE made. What is the impact this is going to have on average working people in this country—middle income, low income? We are concerned about that, and Senator COLEMAN has essentially inserted a provision here that we worked on with him that will ensure that low- and middle-income Americans do not bear the brunt of paying for this program.

This bill is a synthesis of an enormous amount of work on the part of many Members of the Senate. Senator WARNER and I are deeply grateful for their contributions. Let me say it specifically: We are introducing the legislation today. Our subcommittee is going to have a hearing next week. We are going to do the markup the week after that, the week of October 29. This is an ongoing process.

Our doors, Senator WARNER's door and mine, are open. We are putting before the Senate today exactly what he said, a framework, a strong, detailed, politically credible bill that has a real chance of passing, but we are not claiming perfection here, and we welcome the opportunity to work with our colleagues on both sides of the aisle. This is not a partisan issue and it certainly is not a partisan problem to fix it before our children and grandchildren suffer from it.

Finally, before I yield back to Senator WARNER, I again want to come back to him. JOHN WARNER and I have worked together on many matters, mostly regarding America's national security, as I have served under his leadership on the Armed Services Committee. His decision to come to the leadership of this effort to stop the onward movement of climate change has made all the difference. I can't say it any better. It is the tipping point, as far as I am concerned, in this Chamber. I believe he is doing it for the same reason that has motivated him in the other work we have done in the Armed Services Committee. He feels America is threatened by this environmental problem and he wants to be part of the solution to it.

We all know our colleague is retiring, after enormous service to our country, at the end of this session. I think that together we have the opportunity, with his participation, for this to be, in a long life of great service to America both in this Chamber and in service in the military, one of the great acts of service and leadership that JOHN WARNER has done for America. I thank him from the bottom of my heart as a dear friend and a wonderful partner in this effort.

I also want to thank his extraordinarily tireless legislative assistant, Chelsea Maxwell, who has worked so well with Dave McIntosh and Joe Goffman on my staff. This is the day of a breakthrough, but it is only a beginning. We have kind of crossed the 50-yard line here, I think, my friend from Virginia, and we have some work to do before we go into the end zone, but with your help, we are going to do it.

Mr. President, I thank the Chair, and I yield the floor back to my friend from Virginia.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Virginia.

Mr. WARNER. Mr. President, this wonderful organization, the Senate, has strong friendships. That is the way we operate. It may not be apparent. We tend to be a little contentious. Partisanship has always been a part of the legislative process since its very inception, but we do have mutual respect for one another in this Chamber across the aisle.

I thank my dear colleague from Connecticut for his very heartfelt remarks, and I assure him I return in full measure the compliments he has bestowed upon me, such as I can bestow the same upon him.

Now, I am not as sure we are on the 50-yard line. I want to drop back a little bit. I think we have caught the punt and we are beginning to move down the field. This is going to be a very long and contentious, as it should be, piece of legislation. But somehow, I have a measure of confidence that the Senate, as a body, will eventually act on a bill for climate change. I am also confident that bill, in its final analysis, will have the basic goals we are outlining today.

I say to my good friend from Oklahoma, the distinguished ranking member of the full committee, yes, we just finished the bill last night, but that is often the way things go around here. I have been absent a few days, but I am hopefully back now for an extended time to get this bill underway in our committee. But we did sort of open our doors for business, as the commercial world says, in August. That brought forth a very important forthcoming from the widest possible diversity of sources in the private sector, and not only the business world but the educational world, the philanthropic world, and on it goes. They came to accept our offer to work with us to try and fashion this bill. So together with our colleagues and others, we have put this together and we are launching it today.

I want to make certain that time is given to my other colleagues, so I will give my remarks later, but I stress the work that has been done by so many of our colleagues prior to this bill being introduced today: the McCain-Lieberman bill, which my colleague from Connecticut has mentioned; the Bingaman-Specter bill. Senator LIEBERMAN and I have made a point of personally going to the offices and visiting with each of the principal cosponsors, I believe, of all of these various bills and indicating to them our desire to take a portion of their work product and weave it into this, the bill that is before the Senate as of today: The Alexander powerplant bill, and Senator ALEXANDER will soon be addressing the Senate on that; the Landrieu-Graham-Lincoln-Warner cost containment bill; the Kerry carbon capture and storage bill; the Coleman CO_2 pipeline bill; and the Klobuchar-Snowe registry bill.

We readily acknowledge the ground that has been broken, the important gains thus far of so many of our colleagues. But with due respect to the

administration, the basic difference between the administration's approach and our approach is we feel that voluntarism will not achieve the goals, the leadership that America must simply take on this issue to join the other nations of the world that have taken up leadership. The only way we feel to do this is by law.

Essentially, we are asking the infrastructure in America—the industrial infrastructure, the transportation infrastructure, the power infrastructure—to consider very significant investments, calling upon the investment community in America to bring forward the private sector resources and begin to make those commitments now so we can attain the goals in the future. And, quite frankly, we have recognized from the beginning there will be a burden on the American taxpayers.

There will be a burden, in fact, on almost every single American, and it will be financial in some respects. We do not anticipate exactly how much it will be, but every time you fill up your car with gasoline, some portion of that will go toward America's role to lead in global climate change. The power industry, the transportation industry, they will all have to make their respective contributions.

So I join my good friend from Connecticut in acknowledging the work that has been done by our respective staffs, the staff of our chairman and others, but this is like a great ship that has been launched today. And as we say in the Navy, you launch them and then you finish outfitting them. Now it is up to our colleagues to come forward with their ideas. We approach it with an open mind. This body will eventually shape the bill.

We will move it into subcommittee next week, do our markup, hopefully report that out successfully, move on to full committee, and in this calendar year finish a product by the Environment and Public Works Committee such that next year our respective leaders can determine when is the appropriate time for this measure to be brought to the floor.

Mr. President, I ask unanimous consent that the balance of the time be equally divided between Senators COLEMAN, COLLINS, and ALEXANDER, in that order, and that they be given the opportunity, even though they are not at this point in time sponsors, to address the body. So that I believe the hour for this debate will continue from now until the hour of 11 a.m.

I so make that unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. We did that in consultation with our respective leaders. I ask the time equally be divided between these two Senators.

The PRESIDING OFFICER. Each Senator will have 5 minutes.

Mr. WARNER. I yield the floor to Senator COLEMAN.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. COLEMAN. Mr. President, I thank my friend from Connecticut and esteemed colleague from Virginia for their work on this critical issue of climate change. We spend a lot of time in this debate talking about large numbers: the number of species that could be lost, the millions of metric tons of CO_2, the billions of dollars at stake for our economy if mitigated incorrectly. But it is smaller numbers I am most concerned about—hundreds of dollars. That is what the annual burden could be for a household making around $15,000 a year should we attempt to transform our energy supply without holding struggling families harmless. One elderly woman waiting at a bus stop in Minneapolis-St. Paul, when it gets to be about minus 15, minus 20, sometimes minus 25, who is on a fixed income, who can't find money for her other needs if energy rates go up—this is the price paid if we do not address climate change responsibly; the young daughter who hopes her dad can keep his job mining taconite up on the Iron Range in northern Minnesota. This is the family we must protect if China decides it won't take responsibility for its emissions. It is the numbers our neighbors count that raise the most critical issues in the climate change debate, the little things that end up becoming the big things.

That is why, when I signed on to Senator LIEBERMAN's Climate Stewardship and Innovation Act several months ago, we came to the floor together and signed our names to a sense-of-the-Senate resolution that stated that any comprehensive, mandatory greenhouse gas emissions reduction program enacted by Congress must also take care of low-income Americans, who will see their energy costs rise, prevent U.S. workers from being undercut by foreign industries that produce goods in countries without comparable greenhouse gas reduction programs, and incentivize the production of clean energy technologies so that Americans can create more green jobs at home while diversifying our energy supply.

Senators LIEBERMAN and WARNER have listened to my concerns over the last few months as they have worked to craft this legislation. This bill is hard evidence that they took those concerns to heart and that they too care about the small numbers that affect our fellow Americans the most.

There are several provisions I am particularly proud of in America's Climate Security Act, including provisions to provide an estimated $275 billion for low- and middle-income families to help hold them harmless against increased energy costs, including additional funding for critical programs such as LIHEAP and the Weatherization Assistance Program—programs that the Senator from Maine, who is on the floor, championed, because we know how important they are for those, the least amongst us, who are impacted so greatly by energy costs.

This bill includes $30 billion through 2030 for job training for new clean energy jobs that provide new employment opportunities in the new green economy. It authorizes the President to require importers of greenhouse-gas-intensive manufactured products credits if their home countries have not taken comparable action. It incentivizes clean energy technology by investing an estimated $400 billion through 2030 in zero and low carbon technologies, to accelerate our transition to a clean energy future.

This bill does not just take care of the environment; it takes care of our children. It is a major step forward in addressing global climate change in a manner that brings the Senate together. This is, a tremendous bipartisan coalition. Some folks were not on this side a while ago, but understand the problem is real and the path we are taking is a responsible path.

I am proud to cosponsor this bill. I thank both Senators for their hard work and determination. They have proven they are committed to action. I am proud to stand by their side.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise today as a proud cosponsor of the Lieberman-Warner America's Climate Security Act. This bill will address the most significant environmental challenge facing our country and I want to add my praise to that already heard of the two leaders, Senator LIEBERMAN and Senator WARNER. I am convinced this bill does represent a tipping point because of the coalition brought together to advance this bill.

The scientific evidence clearly demonstrates the human contribution to climate change. According to recent reports from the Intergovernmental Panel on Climate Change, increases in greenhouse gas emissions have already increased global temperatures and likely contributed to more extreme weather events such as drought and floods. These emissions will continue to change the climate, causing warming in most regions of the world, and likely causing more droughts, floods, and other societal problems.

In the United States alone, emissions of the primary greenhouse gas, carbon dioxide, have risen more than 20 percent since 1990. Climate change is one of the most daunting challenges we face, and we must develop reasonable solutions to reduce our greenhouse gas emissions.

That is why I am truly excited about this coalition. Senator LIEBERMAN deserves much praise for his longstanding leadership, for working with Members on both sides of the aisle. Senator WARNER's commitment to taking on this cause gives me much hope that for the first time we are actually going to get a bill through that is going to make a difference.

This bipartisan bill presents a practical, economically sound approach to

reducing America's greenhouse gas emissions by 70 percent over 2005 levels by the year 2050.

I also thank Senator COLEMAN for his contributions to this bill, for making sure that we looked at the economic impact, particularly on low-income families.

I have observed in person the dramatic effects of climate change. I have had the opportunity to be briefed by the most preeminent experts in this field.

On a trip to Antarctica and New Zealand, for example, I learned more about the groundbreaking research done by scientists from the University of Maine. One of those professors, a distinguished National Academy of Sciences member, George Denton, toured parts of sites in New Zealand with us. He showed us sites that had been buried by massive glaciers at the beginning of the 20th century but are now ice free. Fifty percent of the glaciers in New Zealand have melted since 1860—an event unprecedented in the last 5,000 years.

The melting is even more dramatic in the northern hemisphere. In the last 30 years, the Arctic has lost sea ice covering an area 10 times as large as the State of Maine. At this rate that area is going to be ice free by the year 2050.

In Barrow, AK, I witnessed the impact of the melting permafrost. I saw telephone poles that had been planted decades ago in the permafrost that are now leaning over. I talked to native people who told me they were seeing insects that they have never seen that far north; that there has been an extraordinary change in the pattern of fish spawning in the area.

These are dramatic changes. The time has come to take meaningful action to respond to climate change—not only talk about it but to pass legislation. My colleagues have worked so hard to develop this legislation that will preserve our environment for future generations while providing reasonable, achievable emission reduction goals, offsets, and incentives for the industries covered by this bill.

The America's Climate Security Act covers U.S. electric power, transportation, and manufacturing sources that together account for 75 percent of U.S. greenhouse gas emissions. It requires these sectors to reduce their emissions to 70 percent below 2005 levels by 2050. I am pleased that the bill also strengthens energy efficiency standards for appliances and buildings, and sets aside credits and funding to deploy advanced technologies for reducing emissions and helps protect low- and middle-income Americans from higher energy costs.

Let me conclude my remarks by again applauding the leadership and the hard work of my colleagues from Connecticut and Virginia. I urge all of our colleagues to consider joining us on this important legislation.

The PRESIDING OFFICER. Under the previous order, the senior Senator from Tennessee is recognized for 5 minutes.

Mr. ALEXANDER. Mr. President, I congratulate the Senators from Connecticut and Virginia for their leadership. Their presence in front of this bill makes a huge difference in this Chamber. I congratulate Senator COLLINS, Senator COLEMAN, Senator DOLE, and the other cosponsors.

The question before the Senate is not whether to act on climate change, or when to act on climate change, but how to act on climate change. How shall we, in this Congress, begin to reduce greenhouse gas emissions with the most certainty, least complexity, and the lowest cost? The Lieberman-Warner legislation prefers an economy-wide cap-and-trade approach. I prefer a sector-by-sector approach, that is, devising the lowest cost, least complex approach tailored to each of the three largest sectors of the economy that produce the most greenhouse gases.

Since my first year in the Senate in 2003, first with Senator CARPER and then with Senator LIEBERMAN, I have introduced legislation to put a cap on carbon emissions from the first of these three large sectors, electricity powerplants. These plants produce 40 percent of the carbon dioxide and 33 percent of the greenhouse gases in the United States. I will now broaden my legislation to include two other major sectors of the economy, one, a low carbon fuel standard for the fuels used in transportation—transportation produces another one-third of America's greenhouse gases—and, third, an aggressive approach to building energy efficiency. I am grateful to the sponsors for including energy efficiency in their legislation.

Tailoring our approach to only these three sectors—powerplants, transportation, and buildings—would cover about two-thirds of all U.S. greenhouse gas emissions. I believe I heard Senator LIEBERMAN say the Lieberman-Warner bill would approach 75 percent of the greenhouse gas emissions.

As we implement laws reducing emissions from these three large sectors, we could learn more and move on to the other sectors in the future. A sector-by-sector approach minimizes guesswork. For example, the United States has 16 years experience with a cap-and-trade program designed to reduce acid rain pollution from powerplants. The program costs less than expected. Utilities have experience with how it works, and we have in place right now the mechanisms we need to measure and regulate carbon from utility smokestacks. Cap and trade, which the Lieberman-Warner bill employs, and which my legislation employs for the utility sector, is a Republican idea, advanced by the first Bush administration in the Clean Air Act Amendments of 1990. With cap and trade, the Government sets the limits and the deadlines, and the market sets the price. With a carbon tax, on the other hand, the congressional tax committees and the Internal Revenue Service set the price.

Cap and trade creates a more certain environment than a tax. Congress would have to revisit the carbon question to determine whether the tax is high enough to achieve the environmental goal, which could result in constantly changing limits and taxes. With a carbon tax there is more possibility that the cost of the tax will simply be passed along to the consumer.

A sector-by-sector approach of the kind I advocate allows us to build on steps already taken. For example, in the transportation sector, Congress has already begun to mandate renewable fuels to reduce greenhouse gasses.

This year the Senate enlarged that mandate and adopted fuel efficiency standards for cars and trucks. I believe we should add to those steps a low-carbon fuel standard; that is, requiring transportation fuels to decrease gradually the amount of carbon in the gasoline they contain, which is a logical and manageable next step.

In addition, both in the Energy bill of 2005 and the Energy bill the Senate passed earlier this year, Congress began to encourage more efficient buildings. Making those steps more aggressive holds the promise for enormous carbon savings at the least cost.

I believe a sector-by-sector approach will do the least harm. It avoids imposing new regulations directly on the manufacturing sector, who nevertheless may have higher costs for fuel and electricity, and therefore avoids adding to the pressure to ship jobs overseas.

By minimizing guesswork, my approach avoids grand plans that sound good but may turn out to invoke the high law of unintended consequences. I also believe a sector-by-sector approach is the easiest approach.

The PRESIDING OFFICER (Mr. BROWN). The Senator's time has expired.

Mr. ALEXANDER. Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I believe it is the easiest approach for Members of Congress to understand and explain to our constituents these very complicated issues. As the recent debate on comprehensive immigration should have taught us, this is not an insignificant concern.

The Lieberman-Warner economy-wide climate change legislation is an important contribution. I will not be a cosponsor as this point because I prefer sector by sector, but I will be a full participant in the committee and the Senate to produce a sensible piece of legislation in this Congress.

The question before the Senate is not whether to act on climate change or when to act, it is how to act. And we should act in this session.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I wish to thank my colleagues, Senators COLEMAN, COLLINS, and ALEXANDER. Each of you made a contribution.

I thank the leadership of the Senate who made available this very important hour for our bill to be laid down. Now the work begins.

Mr. CASEY. Mr. President, I rise to speak about legislation which was introduced this morning, America's Climate Security Act. I congratulate and commend a number of our colleagues but especially Senators LIEBERMAN and WARNER for their work on this important legislation that slows, stops, and reverses global warming. I also thank Senator BOXER for her continued leadership and unwavering commitment to bringing global warming legislation to the Senate.

There are going to be people in this Chamber and other places who will find fault with this bill, I am sure. Some will say it goes too far. Some will say it doesn't go far enough. But the most important thing is that this legislation, America's Climate Security Act, is a bipartisan bill. I believe we must have a full and robust debate on global warming, and we need to do it now. That is why this bill is so important. This legislation is both thoughtful and comprehensive. It is what we need to bring global warming to the forefront in American policy.

I personally thank Senators LIEBERMAN and WARNER for their willingness to work with me on issues critically important to working families in Pennsylvania and America. I come from a State with a lot of coal and a lot of manufacturing. I believe the future of Pennsylvania and the people living there is closely linked to the future of both of these industries: manufacturing overall and coal itself. I believe we have a moral obligation to end our contribution to global warming, but I am also optimistic that we can do this in a way that protects workers and creates manufacturing jobs. Senator WARNER and Senator LIEBERMAN understand how important this is to bring our workforce with us into the new jobs created by greenhouse gas reduction and the programs that support that. Both Senators have agreed and have graciously offered to work with me to refine a placeholder provision currently in their bill that we call the climate change worker assistance program which we worked together to draft. I look forward to my continued work with them on this program and their legislation. I am proud to say I am an original cosponsor.

Finally, I thank Chelsea Maxwell from Senator WARNER's staff and David McIntosh from Senator LIEBERMAN's staff for their work with my staff, especially Kasey Gillette of my staff, who worked so hard to make this possible.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. I also want to say a few words on climate change and the issue of global warming. Let me begin by quoting from an op-ed that appeared in the Burlington Free Press, my hometown newspaper, on October 7, by Bill McKibben, well known as one of the most savvy and best known environmental writers in the world. He happens to teach at Middlebury College. He said:

> It's not Democrats negotiating with Republicans or environmentalists negotiating with business interests. It's human beings negotiating with chemistry and physics, and chemistry and physics don't really do much in the way of bargaining. Science has told us what we need to do: cut carbon emissions quickly in the next few years, and keep that pressure on til we've trimmed our emissions at least 80 percent by midcentury. No loopholes for vested interests, no hard-to-quantify offset schemes, no giveaways to the utilities. Just a commitment to stop vetoing the laws of nature. That commitment has got to come soon . . .

The point that Bill McKibben and many other scientists and environmentalists have made is, we are up against very serious laws of physics. That is what we are dealing with. It is not what I say or what anybody else says. It is whether we are going to get a handle on global warming. Because if we don't, this planet is going to suffer severe and irreparable damage.

I begin my remarks by thanking Senator LIEBERMAN and Senator WARNER for their hard work in putting together America's Climate Security Act. As a member of that same subcommittee, I look forward to playing an active role in strengthening that legislation. I look forward to working with them on this issue.

I also take this opportunity to thank the 18 cosponsors of the legislation Senator BOXER and I introduced in January of this year, S. 309. Those are Senators AKAKA, BIDEN, CARDIN, CASEY, CLINTON, DODD, DURBIN, FEINGOLD, INOUYE, KENNEDY, KLOBUCHAR, LAUTENBERG, LEAHY, MENENDEZ, MIKULSKI, OBAMA, REED, and WHITEHOUSE.

This legislation, S. 309, tackles global warming as best we could based on the science. To be more specific, this bill is based on the desire to limit the global increase in temperature to no more than 2 degrees Celsius, and to meet this goal science tells us we must stabilize global CO_2 concentrations at no higher a level than 450 parts per million. This level only provides us, the scientists say, with a 50/50 chance of keeping the worst from happening. These odds are not great. It is a gamble. If we were cautious and conservative about these things, we would err on the side of safety and keep the pollution down lower than this level in order to protect the one and only world that we have.

I thank all of the cosponsors of the legislation that Senator BOXER and I introduced for standing with science. We should also be clear about one other thing. This is a very important point. What the scientists are now telling us is, in terms of their projections, in terms of their analyses, they have been too conservative. What they are now telling us is the problem of global warming and the rapidity of the global warming changes is more severe than they had previously anticipated. In other words, we have to be even more aggressive, not less aggressive, in addressing this major planetary crisis.

It may well be that the legislation Senator BOXER and I introduced is too conservative, but it is for sure that we should be going forward and not backward.

Let me take this opportunity to quote from some of the major environmental organizations in terms of what they are saying about the legislation introduced today by Senators LIEBERMAN and WARNER. I think it is best that I read from them rather than giving my views at this particular point.

This is what the U.S. Public Interest Research Group says:

> We applaud Senators Lieberman and Warner for their leadership on global warming. Time is running out to stop the worst effects of global warming, and this bill is an important starting point for action.

U.S. PIRG then goes on to say:

> To rise to the challenge of global warming, this new bill must be strengthened. Three changes are essential:
>
> (1) The bill must achieve faster and deeper cuts in pollution, which is what the science demands. The pollution caps in the bill aim to reduce total U.S. global warming emissions by about 11 percent by 2020 and by just over 50 percent by 2050.
>
> Additional, modest reductions may be achieved through other policies in the bill, but those reductions are difficult to quantify and are not guaranteed. According to the current science, the United States must reduce its total global warming emissions by at least 15% by 2020 and by at least 80% by 2050. In addition, periodic reviews of the bill's scientific adequacy must trigger additional pollution-reduction requirements.
>
> (2) Flexibility mechanisms in the bill must be tightened to prevent undermining the goals of the bill. The bill currently allows companies to exceed their pollution limits by paying sources not covered by the program to reduce emissions. Ensuring that a ton of pollution from such ''offsets'' equals a ton of real reductions is a major challenge. In addition, offsets delay the transition to cleaner technology that will be needed to achieve deep future cuts in emissions. Under the bill, a company could theoretically meet its entire 2020 pollution-reduction requirement through offsets. The number of offset reductions allowed under the bill must be significantly lowered.
>
> (3) Polluters must be required to pay for every ton of pollution they put into the atmosphere. The bill gives hundreds of billions of dollars to polluters for free, which will create windfall profits, such as has occurred in Europe, and take vital resources away from easing America's transition to a clean energy future. In the United Kingdom alone, windfall profits from emission trading have been estimated at nearly $2 billion. These profits come directly from the pocketbooks of consumers. Under this bill, just under half (49%) of the pollution permits would initially be given to polluters for free, and it will take 25 years (until 2036) before we stop handing polluters free money.

That is what U.S. PIRG had to say.

Let me go to another group, an even better known environmental group, and that is the Sierra Club. Let me tell you what they said today in their press statement. I quote from the Sierra Club:

> The bill is a significant political step forward for the U.S. Congress, but unfortunately the legislation as introduced still

falls short from what is demanded by the science and the public to meet the challenge of global warming. This comes even as U.S. states, cities, and counties move forward with ambitious, science-based proposals to tackle the issue. We look forward to working with Senators to seek the additional improvements necessary for the bill to sufficiently address the challenge before us.

I continue to quote from the Sierra Club:

At this crucial moment, we must continue to insist on a global warming bill that is committed to scientific integrity and economic fairness. In order to prevent the most catastrophic effects of global warming, we must cut emissions 80 percent by 2050—an achievable annual reduction of about 2 percent. In order to get the market moving and bring America's clean energy future to life, any bill must start out strong by seeking a short-term reduction on the order of 20 percent of total emissions by 2020. Disturbances to the climate have come more quickly and forcefully than even the most pessimistic among us predicted. The Lieberman-Warner bill, as introduced, leaves us in serious danger of reaching the tipping points that scientists tell us could lead to catastrophic changes to the climate.

Continuing to quote from the Sierra Club statement of today:

While the bill has moved in the right direction, it gives too many free allowances to polluters for far too long—enriching executives and shareholders instead of generating the funds needed to help us meet our emissions goals and ensure a smooth transition to the clean energy economy.

That is some of the statement from the Sierra Club.

Let me now quote from another organization, an organization of physicians. It is called Physicians for Social Responsibility, a well-known group. They have also issued a statement today. Let me quote from the statement of the Physicians for Social Responsibility:

Physicians for Social Responsibility appreciates the efforts of Senators Joe Lieberman and John Warner to craft legislation to address global warming but calls on the Senate Environment and Public Works Committee to make necessary improvements before passing the bill.

It continues:

The reality of global warming is becoming more apparent every day, and the science is clear as to what action we need to take. In order to prevent this world-wide disaster, we must stabilize atmospheric concentrations of greenhouse gases. And, the U.S. must meet the challenge of starting now and reaching a goal of 80 percent reductions below a 2000 baseline. Unfortunately, the bill drafted by Senators Lieberman and Warner will not meet that goal.

Let me continue quoting from the Physicians for Social Responsibility, who, of course, are physicians. This is what they say, providing an interesting analogy:

Physicians for Social Responsibility's approach to this [global warming] is similar to the manner in which a physician treats a patient: what are the symptoms, what are the causes and how do we treat the disease? We would not prescribe half of the needed medication to a patient, and we cannot support a bill that does not fully address the causes of global warming. To protect human health and reverse global warming, we need to begin aggressive treatment right away.

That is Physicians for Social Responsibility.

I could sit here and quote from many other press statements or talk to my colleagues about the science, but I will not do that. This is what I want to say: If we are concerned about the future of this planet—I know every Member here is—and the lives and well-being of our kids and our grandchildren, not only in this country but all over the world, we are going to have to rise up to this issue.

It is not just a bargain here and a bargain there. Because you can have all the bargaining you want, and all the nonpartisanship you want, and yet this planet will face catastrophic damage unless we deal with the reality of the science. It is not whether we are nice guys or bad guys. This is what we are facing. We are facing science. What the scientists are telling us is their projections were too conservative. The problem is more severe than they had anticipated.

I note my friend and colleague, Bob Casey of Pennsylvania, made a very important point that others have made, which is, as we deal with the issue of global warming, let us not forget about the workers who are impacted, the consumers who are impacted. Certainly and absolutely we must do that. One of the bright aspects, the positive aspects about this whole discussion of global warming is if we get our act together—if, for example, we begin the process of breaking our dependency on the automobile and expand our rail system; if, in fact, we produce cars that get the kind of mileage we know Detroit can produce—we can grow jobs in the transportation area, not see them shrink.

If we begin to move intelligently toward energy efficiency, if we retrofit our homes and our offices and our schools, we can create huge numbers of good-paying jobs through the installation and the production of the products we need to make this Nation much more energy efficient. It is all sitting there waiting to happen. If we have the courage to move away from fossil fuel, to move to solar energy, to move to wind, to move to other forms of sustainable energy, we can create millions of good-paying jobs.

I would mention to my colleagues that right now out on the Mall—I was there last evening—there is a wonderful display of solar homes put together by the Solar Decathlon. We have universities from all over the United States of America, and from Europe as well, showing us what we can do today in making energy-efficient homes and utilizing the potential of solar energy. California is making progress. Germany is making progress. We are not moving anywhere near the degree to where we should be moving.

Think about the jobs we create when 10 million homes in America have photovoltaic units on their rooftops. Think of the energy we produce through solar plants in the South and the West and the Southwest of this country. Think about what it means when we have small wind turbines all over rural America. It is not only moving away from fossil fuels, which are destroying the planet, not only moving to clean energy, it is creating millions of good-paying jobs.

We know how to do this. We know how to do it. The technology is there today. It will only get better. Our country has to start investing in these technologies. We can create the jobs. We can reverse global warming.

I conclude by saying this: I applaud Senator LIEBERMAN and Senator WARNER. I hope we can work together. But I think we have a distance to go to make that legislation better, stronger, more consistent with the science that is out there. I look forward to working with all of my colleagues to do that.

By Mr. FEINGOLD:

S. 2192. A bill to establish a user fee for follow-up reinspections under the Federal Food, Drug, and Cosmetic Act; to the Committee on Health, Education, Labor and Pensions.

Mr. FEINGOLD. Mr. President, today I am introducing a bill that would charge a reinspection fee for goods that fail FDA inspection for good manufacturing practices. Currently, businesses do not have to pay for the second inspection if they fail. Essentially, then, the FDA is absorbing this extra cost. This Nation faces difficult enough choices without subsidizing private companies that fail basic inspections. I am pleased to credit the administration for identifying this proposed savings of an estimated $23 million per year in its fiscal year 2008 budget. Over 5 years, this could save as much as $115 million.

We must ensure that U.S. taxpayer money is being used efficiently and effectively, and this measure would help in our ongoing efforts to streamline government programs and reduce the Federal budget deficit. FDA Commissioner Andrew von Eschenbach testified about these fees before the House Agriculture, Rural Development, and FDA Appropriations Subcommittee in 2006. He believes, and I agree, that the reinspection fee will motivate businesses to comply with long-established health and safety standards. Businesses that do not meet federal standards should bear the burden of the reinspection, rather than getting a free pass at the taxpayer's expense.

One of the main reasons I first ran for the U.S. Senate was to restore fiscal responsibility to the federal budget. I have worked throughout my Senate career to eliminate wasteful spending and to reduce the budget deficit. Unless we return to fiscally responsible budgeting, Congress will saddle our Nation's younger generations with an enormous financial burden for years to come. This bill is one small step in that direction.

I ask unanimous consent the the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2192

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

SECTION 1. ESTABLISHMENT OF USER FEE FOR FOLLOW-UP REINSPECTIONS.

(a) IN GENERAL.—The Secretary shall assess and collect a user fee from each manufacturer of a food, drug, device, biological product, or animal drug for which a follow-up reinspection is required to ensure correction of a violation, found by the Secretary during initial inspection of the manufacturer, of a Good Manufacturing Practices requirement under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

(b) PAYMENT OF FEE.—The user fee required by subsection (a) shall be due from a manufacturer upon the reinspection of the manufacturer as described in subsection (a).

(c) AMOUNT OF USER FEE.—The amount of the user fee required under subsection (a) shall be established by the Secretary.

(d) DEFINITIONS.—For purposes of this section—

(1) the terms ''animal drug'', ''device'', ''drug'', and ''food'' have the meanings given those terms in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321);

(2) the term ''biological product'' has the meaning given the term in section 351 of the Public Health Service Act (42 U.S.C. 262); and

(3) the term ''Secretary'' means the Secretary of Health and Human Services.

By Mr. AKAKA (for himself and Mrs. CLINTON):

S. 2197. A bill to establish the Federal Labor-Management Partnership Council; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, I rise today to introduce the Federal Labor-Management Partnership Act of 2007 to restore the labor-management partnerships and council that were established by President Clinton in 1993. I am pleased to be joined in this effort by Representative DANNY DAVIS, D-IL, who is introducing companion legislation in the House, and Senator HILLARY CLINTON, who is cosponsoring this bill.

On October 1, 1993, President Bill Clinton signed Executive Order 12871 establishing a National Partnership Council of Federal agency representatives and labor organizations to advise the President on matters involving labor-management relations. The Executive Order was in response to longstanding labor-management conflicts and the need for greater cooperation between labor and management in Government.

In the early 1990s the Government Accountability Office and others identified labor-management partnerships as contributing to increased productivity, better customer service, and higher employee satisfaction. The Office of Personnel Management, OPM, concurred with those findings in 2001. In a the letter to President Clinton accompanying the report, then-OPM Director Janice Lachance said, ''The evidence shows a real shift toward labor-management cooperation and away from the adversarial approach so common in the past. I see a strong, consistent desire on both sides of the table to continue on the path toward collaborative labor-management relations and no interest in returning to the old ways of doing business.''

Despite the success of the program, President Bush revoked the Clinton Executive Order on February 17, 2001, less than one month after taking office. Since that time, labor-management relations have deteriorated throughout the Federal Government. The new personnel systems at the Departments of Defense and Homeland Security, which have reduced collective bargaining rights for those employees, have lowered employee morale and heightened the adversarial nature of labor-management relations in the federal government. It has become clear that participation in the decision making process through labor-management partnerships often leads to greater employee understanding and acceptance and a smoother transition to the new policy or program. As the Clinton Executive Order said, ''Only by changing the nature of federal labor-management relations so that managers, employees, and employees' elected union representatives serve as partners will it be possible to design and implement comprehensive changes necessary to reform government.''

I urge my colleagues to join with me in encouraging labor-management partnership and a cooperative solution to resolving Federal workplace issues.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2197

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Labor-Management Partnership Act of 2007''.

SEC. 2. FEDERAL LABOR-MANAGEMENT PARTNERSHIP COUNCIL.

(a) ESTABLISHMENT.—There is established a council to be known as the Federal Labor-Management Partnership Council (hereafter in this Act referred to as the ''Council''). The Council shall be composed of—

(1) the Director of the Office of Personnel Management;

(2) the Deputy Director for Management of the Office of Management and Budget;

(3) a deputy secretary (or other officer with agency-wide authority) from each of 2 agencies not otherwise represented on the Council, who shall be appointed by the President;

(4) the Chairman of the Federal Labor Relations Authority;

(5) the Director of the Federal Mediation and Conciliation Service;

(6) 2 members who shall be appointed by the President to represent the respective labor organizations representing (as exclusive representatives) the first and second largest numbers of Federal employees subject to chapter 71 of title 5, United States Code, or any other authority permitting such employees to select an exclusive representative;

(7) 4 members who shall be appointed by the President to represent labor organizations representing (as exclusive representatives) substantial numbers of Federal employees subject to chapter 71 of title 5, United States Code, or any other authority permitting such employees to select an exclusive representative—

(A) each of whom shall be selected giving due consideration to such factors as the relative numbers of Federal employees represented by the various organizations; and

(B) not more than 2 of whom may, at any time, be representatives of the same labor organization or council, federation, alliance, association, or affiliation of labor organizations;

(8) 1 member who shall be appointed by the President to represent the organization representing the largest number of senior executives; and

(9) 1 member who shall be appointed by the President to represent the organization representing the largest number of Federal managers.

(b) RESPONSIBILITIES AND FUNCTIONS.—The Council shall advise the President on matters involving labor-management relations in the executive branch. Its activities shall include—

(1) supporting the creation of local labor-management partnership councils that promote partnership efforts in the executive branch;

(2) collecting and disseminating information about and providing guidance on partnership efforts in the executive branch, including the results of those efforts;

(3) using the expertise of individuals, both inside and outside the Federal Government, to foster partnership arrangements in the executive branch; and

(4) proposing statutory changes to improve the civil service to better serve the public and carry out the mission of the various agencies.

(c) ADMINISTRATION.—

(1) CHAIRPERSON.—The President shall designate a member of the Council who is a full-time Federal employee to serve as the Chairperson. The Council shall meet at the call of the Chairperson or a majority of its members.

(2) OUTSIDE INPUT.—The Council shall seek input from agencies not represented on the Council, particularly smaller agencies. It may also from time to time, in the discretion of the Council, invite experts from the private and public sectors to submit information. The Council shall also seek input from companies, nonprofit organizations, State and local governments, Federal employees, and customers of Federal services, as needed.

(3) ASSISTANCE OF THE OFFICE OF PERSONNEL MANAGEMENT.—To the extent permitted by law and subject to the availability of appropriations, the Director of the Office of Personnel Management shall, upon request, provide such staff, facilities, support, and administrative services to the Council as the Director considers appropriate.

(4) NO COMPENSATION.—Members of the Council shall serve without compensation for their work on the Council.

(5) COOPERATION OF OTHER AGENCIES.—All agencies shall, to the extent permitted by law, provide to the Council such assistance, information, and advice as the Council may request.

(d) GENERAL REQUIREMENTS.—

(1) REPORTING TO CONGRESS.—Any reporting to or appearances before Congress that may be requested or required of the Council shall be made by the Chairperson of the Council.

(2) TERMS OF MEMBERSHIP.—A member under paragraph (3), (6), (7), (8), or (9) of subsection (a) shall be appointed for a term of 3 years, except that any individual chosen to

fill a vacancy under any of those paragraphs shall be appointed for the unexpired term of the member replaced and shall be chosen subject to the same conditions as applied with respect to the original appointment.

(3) SERVICE AFTER EXPIRATION OF TERM.—A member under paragraph (3), (6), (7), (8), or (9) of subsection (a) may serve after the expiration of such member's term until a successor has taken office, but for not more than 60 days after such term expires.

(4) NOT SPECIAL GOVERNMENT EMPLOYEES.—A member who is not otherwise a Federal employee shall not be considered a special Government employee for any purpose.

SEC. 3. IMPLEMENTATION OF LABOR-MANAGEMENT PARTNERSHIPS THROUGHOUT THE EXECUTIVE BRANCH.

The President shall direct the head of each agency which is subject to chapter 71 of title 5, United States Code, or any other authority permitting employees of such agency to select an exclusive representative to take the following actions:

(1) Create labor-management partnerships by forming labor-management committees or councils at appropriate levels, or adapting existing committees or councils if such groups exist.

(2) Involve employees and employee representatives as full partners with management representatives to improve the civil service to better serve the public and carry out the mission of the agency.

(3) Provide systemic training of appropriate agency employees (including line managers, first-line supervisors, and labor organization representatives) in consensual methods of dispute resolution, such as alternative dispute resolution techniques and interest-based bargaining approaches.

(4) Negotiate, at the request of the labor organization, on the subjects set forth in section 7106(b)(1) of title 5, United States Code, and instruct subordinate officials to do the same.

(5) Evaluate progress and improvements in organizational performance resulting from such labor-management partnerships.

SEC. 4. DEFINITIONS.

For purposes of this Act—

(1) the terms ''agency'' and ''labor organization'' have the meanings set forth in section 7103(a) of title 5, United States Code;

(2) the term ''Federal employee'' means an employee, as defined by section 7103(a)(2) of title 5, United States Code;

(3) the term ''Federal manager'' means a management official, as defined by section 7103(a)(11) of title 5, United States Code; and

(4) the term ''senior executive'' has the meaning given such term by section 3132(a)(3) of title 5, United States Code.

By Mr. KERRY:

S. 2199. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain foreign nonqualified deferred compensation; to the Committee on Finance.

Mr. KERRY. Mr. President, today Representative EMANUEL and I are introducing the Offshore Deferred Compensation Reform Act of 2007 which would put an end to the practice of allowing unlimited amounts of income to be deferred offshore. Recently, it was brought to our attention that U.S. hedge fund managers were deferring millions of dollars of compensation offshore. Less generous deferrals have been used by corporate executives for years.

Recent Internal Revenue Service data shows that the richest Americans' share of national income has hit a postwar record. The wealthiest one percent of Americans earned 21.2 percent of all income in 2005. At a time when our personal savings rate has reached a 73-year low and CEOs are paid 349 times as much as the average worker and the top twenty-five hedge fund managers earned a total of $14 billion in 2006, we should not be providing a tax advantage to allow income to be deferred offshore and invested on a tax-free basis. Low-income and middle class families who are struggling are the ones who need tax incentives to save for retirement.

Taxpayers can defer paying taxes immediately on their compensation, either through ''qualified'' or ''nonqualified'' deferral arrangements. Most taxpayers make qualified deferrals such as contributions to 401(k) plans and individual retirement accounts, IRAs. Nonqualified deferred compensation arrangements are usually used by senior executives or other high-income taxpayers who want to defer amounts in the excess of the qualified plan or IRA limits.

There are no limits on the amount on nonqualified deferred compensation that can be deferred. Offshore nonqualified compensation arrangements have the potential to be more abusive than similar arrangements in the U.S.

U.S. companies that grant nonqualified deferred compensation to their employees are unable to receive a tax deduction equal to the deferred compensation until the compensation is paid to the employee. By contrast, offshore employers can locate in no-tax jurisdictions, provide deferred compensation to their U.S. employees, and suffer no economic loss, since the timing of the deduction is not relevant when the employer does not have any tax liability. Accordingly, there is a preference in the Code for U.S. taxpayers to defer compensation in certain offshore jurisdictions: it provides a significant tax benefit, without any tax disincentive/disadvantage to their offshore employer.

There is a fundamental difference between middle class Americans who can defer up to $15,500 of income into a 401(k) and $4,000 into their IRAs and higher-income taxpayers who can defer unlimited amounts offshore. The Offshore Deferred Compensation Reform Act of 2007 would eliminate the ability of U.S. taxpayers to defer nonqualified deferred compensation in offshore tax havens. Offshore nonqualified deferred compensation paid by a foreign corporation will be taxable income when there is no substantial risk of forfeiture to the compensation. A substantial risk of forfeiture exists where the receipt of compensation is conditioned upon the future performance of substantial services in order to receive that compensation. Individuals who currently take advantage of such tax planning and who wish to make deferrals would be limited to making deferrals under qualified arrangements which are subject to annual limitations.

The Offshore Deferred Compensation Reform Act of 2007 is not intended to prohibit a foreign deferred compensation arrangement if the foreign corporation entering into the arrangement is subject to tax on substantially all of its income and denied an immediate deduction for compensation that is deferred. For purposes of the legislation, a foreign corporation would be any foreign corporation unless substantially all of its income effectively connected to a trade or business in the U.S. or is subject to an income tax imposed by a foreign country that has a comprehensive tax treaty with the U.S., and a deduction is allowed for compensation under rules that are substantially similar to the way in which the U.S. provides deductions for compensation. In addition, the Secretary of the Treasury is given authority to determine whether a foreign corporation that operates in a country without a formal tax treaty with the U.S. can qualify for the exemption.

There are many different ways to structure an offshore deferral arrangement. A prototypical structure would be an executive who elects to defer his or her year-end bonus in an offshore investment fund for a period of time, typically, 5 to 10 years. The bonus and any associated earnings would not be taxable until the end of the term of the arrangement, assuming it complies with the Code Section 409A requirements. This legislation only affects compensation which is earned, vested, and deferred after 2007.

The Offshore Deferred Compensation Act of 2007 only addresses offshore nonqualified deferred compensation because these arrangements have the potential to be more abusive than onshore arrangements. This does meant that I believe that we should not continue to look at limiting all nonqualified deferred compensation. I will continue to work with the Finance Committee on this issue.

This legislation will put an end to offshore deferral arrangements being used as unlimited IRAs. I look forward to working will my colleagues to address this issue.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2199

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Offshore Deferred Compensation Reform Act of 2007''.

SEC. 2. SPECIAL RULE FOR CERTAIN FOREIGN NONQUALIFIED DEFERRED COMPENSATION.

(a) IN GENERAL.—Subpart B of part II of subchapter E of chapter 1 of the Internal Revenue Code of 1986 (relating to taxable year for which items of gross income included) is amended by inserting after section 457 the following new section:

"SEC. 457A. CERTAIN FOREIGN NONQUALIFIED DEFERRED COMPENSATION.

''(a) IN GENERAL.—Any compensation which is deferred under a nonqualified deferred compensation plan (within the meaning of section 409A(d)) of a nonqualified foreign corporation is includible in gross income for purposes of this chapter when there is no substantial risk of forfeiture of the rights to such amount.

''(b) NONQUALIFIED FOREIGN CORPORATION.—For purposes of this section, the term 'nonqualified foreign corporation' means any foreign corporation unless substantially all of the income of such corporation—

''(1) is effectively connected with the conduct of a trade or business in the United States, or

''(2) is subject to an income tax imposed by a foreign country, but only if—

''(A)(i) such corporation is eligible for benefits of a comprehensive income tax treaty which such country has with the United States which the Secretary determines is satisfactory for purposes of this section and which includes an exchange of information program, or

''(ii) the Secretary determines that such income tax is a comprehensive income tax satisfactory for purposes of this section, and

''(B) a deduction is allowed for compensation described in subsection (a) under rules substantially similar to the rules of this title.

''(c) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of paragraphs (4), (5), and (6) of section 409A(d) shall apply for purposes of this section.

''(d) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section, including regulations disregarding a substantial risk of forfeiture in cases where necessary to carry out the purposes of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections of subpart B of part II of subchapter E of chapter 1 of such Code is amended by inserting after the item relating to section 457 the following new item:

''Sec. 457A. Certain foreign nonqualified deferred compensation.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to amounts deferred in taxable years beginning after December 31, 2007.

(2) EARNINGS.—The amendments made by this section shall apply to earnings on deferred compensation only to the extent that such amendments apply to such compensation.

By Mr. CONRAD (for himself, Mr. JOHNSON, and Mr. TESTER):

S. 2200. A bill to authorize the use of Federal funds for flexible financing of Indian tribal municipal, rural, and industrial water system construction projects by certain federally recognized Indian tribes; to the Committee on Indian Affairs.

Mr. CONRAD. Mr. President, there are still parts of this country where having access to a clean, reliable water supply is not guaranteed. Believe it or not, there are still places, many of which are on Indian reservations, where individuals must haul their daily water for drinking, cooking, and cleaning.

Over the years, Congress has authorized several municipal, rural and industrial water supply projects for tribes; however, funding for those projects has lagged significantly. This, coupled with construction costs that are increasing on average about 10 percent a year, makes it difficult for tribes to assemble cost-effective bid packages to get these projects built in a reasonable time frame. As a result, many of the projects have stalled or have yet to be built.

One mechanism to address this dilemma would be to allow tribes to utilize flexible financing to construct these vital projects. Under this option, tribes could issue tax exempt bonds or enter into other loans to construct these projects now, and then utilize Federal appropriations to pay financing costs over time. This concept has been launched in the Indian Reservation Roads IRR, program, which has become a model for financing tribal infrastructure projects. The Standing Rock Sioux Tribe in my State was the leader in securing the initial agreement in the IRR program. This agreement has allowed the tribe to undertake a major road construction project and complete it in a few short years. Without this flexibility, the project would have taken upwards of 20 years and $27 million more to complete, according to the tribe's analysis.

A Department of Interior administrative ruling issued on December 22, 2005, held that debt financing is an allowable use of Federal funds under a tribe's self-determination agreement if the debt instrument is used to pay for valid water construction costs. Unfortunately, this ruling applied to only one tribe. The legislation I am introducing today would affirm the ruling for all tribes, making them eligible for reimbursement of such financing costs. This will provide tribes with the necessary flexibility to get their projects built now as opposed to having construction drag out for years, which will only increase the costs to the Federal Government and delay the delivery of safe, clean drinking water to many.

We have a trust obligation to meet the needs of Indian tribes. Ensuring a safe, reliable water supply is part of this obligation. In the 21st century, no home in this country should be without access to quality water.

I am pleased that Senators JOHNSON and TESTER are original cosponsors, and I urge my colleagues to support this important legislation.

By Mr. COLEMAN:

S. 2201. A bill to provide for the penalty-free use of retirement funds for mortgage delinquency relief; to the Committee on Finance.

Mr. COLEMAN. Mr. President, I rise today to introduce the Home Ownership Mortgage Emergency Act, HOME Act, my good friend Senator MARTINEZ.

This bill seeks to provide a measure of relief to those homeowners who are having troubles meeting their mortgage payments and as a result are facing the prospect of having their homes foreclosed.

As a former Mayor, I know the value and importance homeownership has on our communities. Housing is after all one of the foundational assets of our society. Policies encouraging homeownership is a good thing, not just for our communities but also for first-time homebuyers who through homeownership can be a part of the ownership society.

Over the years, we made great progress as the homeownership rate has increased from 64 percent in 1994 to 69 percent in 2006. That is why I am very troubled by the significant increase in the number of foreclosures that have occurred already and the projections of worse to come, as a record number of adjustable rate mortgages are due to reset in the months ahead, putting an increasing number of homeowners at serious risk of losing their homes. According to one estimate, $515 billion in adjustable rate mortgages are due to reset this year and $680 billion next year.

To underscore the seriousness of the situation, Mr. President, just consider these sobering figures. My State ranks 4th in the Nation in terms of the percentage of subprime mortgages in foreclosures, and currently 17 percent of subprime adjustable rate mortgages are past due. More generally, the number of foreclosures has increased 183 percent in the last year. Nationally, foreclosures have almost doubled in the last year, and more than 14.5 percent of subprime mortgages are past due.

While there is no one single solution to the housing crisis, there are a number of reasonable, measured efforts we can undertake that can help folks stay in their homes in these difficult times. To that end, I am introducing the HOME Act, which would allow low-to-middle income homeowners penalty-free access to their retirement savings and allow tax free distributions from their retirement savings so as long as the withdrawals are paid back to the retirement accounts.

More specifically, my bill would allow homeowners who are 60 days late in their mortgage payments to withdraw penalty-free up to $100,000 through 2009 to be used to refinance into an affordable mortgage or avoid foreclosure. Except for very limited cases, a 10 percent penalty is applied to early retirement distributions. As the tax code currently waives this penalty for distributions from Individual Retirement Accounts for first-time home purchases, I think it is only fair that we waive this penalty for those who want to keep their homes.

Bottom-line, this bill is about helping homeowners help themselves. While the 10 percent penalty is well-intentioned in that we want people to avoid using their retirement savings during their working years, times like these require us to recognize that sometimes such rules can be counterproductive. Both on a homeowner level and on a community level, I believe that it makes sense to enable those, who can, to keep their homes. Ultimately it is up to the homeowner to

decide whether it makes financial sense to turn to their retirement savings to keep their homes. At the very least however, for those who do decide to do so, we should not penalize them for trying to keep a roof over their heads and wanting to remain a part of the community they have called home.

I urge my colleagues to support this measure as we seek to help out homeowners in trouble.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2201

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Home Ownership Mortgage Emergency Act'' or the ''HOME Act''.

SEC. 2. TAX-FAVORED WITHDRAWALS FROM RETIREMENT PLANS FOR MORTGAGE DELINQUENCY RELIEF.

(a) IN GENERAL.—Section 72(t) of the Internal Revenue Code of 1986 shall not apply to any qualified mortgage delinquency relief distribution.

(b) AGGREGATE DOLLAR LIMITATION.—

(1) IN GENERAL.—For purposes of this section, the aggregate amount of distributions received by an individual which may be treated as qualified mortgage delinquency relief distributions for any taxable year shall not exceed the excess (if any) of—

(A) $100,000, over

(B) the aggregate amounts treated as qualified mortgage delinquency relief distributions received by such individual for all prior taxable years.

(2) TREATMENT OF PLAN DISTRIBUTIONS.—If a distribution to an individual would (without regard to paragraph (1)) be a qualified mortgage delinquency relief distribution, a plan shall not be treated as violating any requirement of the Internal Revenue Code of 1986 merely because the plan treats such distribution as a qualified mortgage delinquency relief distribution, unless the aggregate amount of such distributions from all plans maintained by the employer (and any member of any controlled group which includes the employer) to such individual exceeds $100,000.

(3) CONTROLLED GROUP.—For purposes of paragraph (2), the term ''controlled group'' means any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of such Code.

(c) AMOUNT DISTRIBUTED MAY BE REPAID.—

(1) IN GENERAL.—Any individual who receives a qualified mortgage delinquency relief distribution may, at any time during the 3-year period beginning on the day after the date on which such distribution was received, make one or more contributions in an aggregate amount not to exceed the amount of such distribution to an eligible retirement plan of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or 457(e)(16) of the Internal Revenue Code of 1986, as the case may be.

(2) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—For purposes of such Code, if a contribution is made pursuant to paragraph (1) with respect to a qualified mortgage delinquency relief distribution from an eligible retirement plan other than an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received the qualified mortgage delinquency relief distribution in an eligible rollover distribution (as defined in section 402(c)(4) of such Code) and as having transferred the amount to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

(3) TREATMENT OF REPAYMENTS FOR DISTRIBUTIONS FROM IRAS.—For purposes of such Code, if a contribution is made pursuant to paragraph (1) with respect to a qualified mortgage delinquency relief distribution from an individual retirement plan (as defined by section 7701(a)(37) of such Code), then, to the extent of the amount of the contribution, the qualified mortgage delinquency relief distribution shall be treated as a distribution described in section 408(d)(3) of such Code and as having been transferred to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

(d) DEFINITIONS.—For purposes of this section—

(1) QUALIFIED MORTGAGE DELINQUENCY RELIEF DISTRIBUTION.—Except as provided in subsection (b), the term ''qualified mortgage delinquency relief distribution'' means any distribution from an eligible retirement plan made on or after the date of the enactment of this Act and before January 1, 2010, to an individual—

(A) whose acquisition indebtedness (as defined in section 163(h)(3)(B) of the Internal Revenue Code of 1986, without regard to clause (i) thereof) with respect to the principal residence of the taxpayer is in delinquency for at least 60 days, and

(B) whose adjusted gross income (as defined in section 62 of the such Code) for the taxable year of such distribution does not exceed $114,000 ($166,000 in the case of a joint return under section 6013 of such Code).

(2) ELIGIBLE RETIREMENT PLAN.—The term ''eligible retirement plan'' shall have the meaning given such term by section 402(c)(8)(B) of such Code.

(3) PRINCIPAL RESIDENCE.—The term ''principal residence'' has the same meaning as when used in section 121 of such Code.

(e) INCOME INCLUSION SPREAD OVER 3 YEAR PERIOD FOR QUALIFIED MORTGAGE DELINQUENCY RELIEF DISTRIBUTIONS.—

(1) IN GENERAL.—In the case of any qualified mortgage delinquency relief distribution, unless the taxpayer elects not to have this subsection apply for any taxable year, any amount required to be included in gross income for such taxable year shall be so included ratably over the 3-taxable year period beginning with such taxable year.

(2) SPECIAL RULE.—For purposes of paragraph (1), rules similar to the rules of subparagraph (E) of section 408A(d)(3) of the Internal Revenue Code of 1986 shall apply.

(f) SPECIAL RULES.—

(1) EXEMPTION OF DISTRIBUTIONS FROM TRUSTEE TO TRUSTEE TRANSFER AND WITHHOLDING RULES.—For purposes of sections 401(a)(31), 402(f), and 3405 of the Internal Revenue Code of 1986, qualified mortgage delinquency relief distributions shall not be treated as eligible rollover distributions.

(2) QUALIFIED MORTGAGE DELINQUENCY RELIEF DISTRIBUTIONS TREATED AS MEETING PLAN DISTRIBUTION REQUIREMENTS.—For purposes of such Code, a qualified mortgage delinquency relief distribution shall be treated as meeting the requirements of sections 401(k)(2)(B)(i), 403(b)(7)(A)(ii), 403(b)(11), and 457(d)(1)(A) of such Code.

(g) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(1) IN GENERAL.—If this subsection applies to any amendment to any plan or annuity contract, such plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in paragraph (2)(B)(i).

(2) AMENDMENTS TO WHICH SUBSECTION APPLIES.—

(A) IN GENERAL.—This subsection shall apply to any amendment to any plan or annuity contract which is made—

(i) pursuant to any amendment made by this section, or pursuant to any regulation issued by the Secretary of the Treasury or the Secretary of Labor under this section, and

(ii) on or before the last day of the first plan year beginning on or after January 1, 2010, or such later date as the Secretary of the Treasury may prescribe.

In the case of a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986), clause (ii) shall be applied by substituting the date which is 2 years after the date otherwise applied under clause (ii).

(B) CONDITIONS.—This subsection shall not apply to any amendment unless—

(i) during the period—

(I) beginning on the date the legislative or regulatory amendment described in subparagraph (A)(i) takes effect (or in the case of a plan or contract amendment not required by such legislative or regulatory amendment, the effective date specified by the plan), and

(II) ending on the date described in subparagraph (A)(ii) (or, if earlier, the date the plan or contract amendment is adopted),

the plan or contract is operated as if such plan or contract amendment were in effect; and

(ii) such plan or contract amendment applies retroactively for such period.

By Mr. WHITEHOUSE (for himself and Mrs. BOXER):

2204. A bill to assist wildlife populations and wildlife habitats in adapting to and surviving the effects of global warming, and for other purposes; to the Committee on Environment and Public Works.

Mr. WHITEHOUSE. Mr. President, I rise today to discuss the very real and serious issue of global climate change, and specifically our efforts to help America's fish and wildlife, public lands, and oceans adapt to and survive global warming.

I am aware that there remain some in this country, and even in this chamber, who choose to reject the overwhelming scientific evidence that global warming is occurring today, and will worsen severely if nothing is done. For years, Congress and the Bush administration have delayed the implementation of swift and aggressive measures to reduce our greenhouse gas emissions. We can delay no longer. But as we work to mitigate the causes of global warming, we must also take urgent action to address its effects.

Climate change can have a devastating impact not only on the environment, but on the living things that depend on it. The early warning signs of climate change—taking place not just in the far reaches of the Arctic but also right in our own backyards—have shown that the world's wildlife is particularly vulnerable.

In Rhode Island's Narragansett Bay, the state's most distinctive ecological feature, the gradually-warming water

temperature has contributed to a significant ecosystem shift. This warming has already resulted in a documented increase in ocean temperatures, leading to massive fish kills, like we experienced in Greenwich Bay in the summer of 2003, and other ecological damage.

The changing environment in the Bay has had a broad and significant impact on fish and shellfish. Cold water species, such as winter flounder, that were once abundant in the Bay and had a high commercial value have been replaced by warmer water species, such as scup, that have a lower value. This has happened in just the past 20 years—a frighteningly quick timeline and apparently not what Nature intended. The shift in species has serious implications for Rhode Island's fishermen, whose work has been part of our State's economy for generations.

When I recently traveled to Greenland to witness firsthand the most severe and visible effects of climate change, one of the most striking of these was global warming's impact on Greenland's population of polar bears. The Greenland ice cap is melting at a rate never before seen in documented history. Melting sea ice and glaciers there and in other parts of the Arctic are gradually raising sea levels around the world, shrinking polar bears' habitats and bringing them into increasing contact with humans. In some cases, we were told, villagers have been forced to shoot polar bears with their cubs forced into populated areas in search of food.

Global warming represents the single greatest threat to our natural environment and wildlife, and we must act decisively if we are to avoid disaster.

America's ocean and terrestrial wildlife is a fundamental part of our national heritage, and conservation of our wildlife is a core value shared by all Americans. Climate change is directly related to the species decline we have experienced over the last two decades, both on land and in our waters. The combined impact of climate change, loss of habitat due to development pressures, and exploitation of our natural resources threatens to drive many species over the brink to permanent extinction.

Today, I am introducing legislation that will help bolster our oceans and wildlife against one of the most significant of these pressures—that of global climate change.

The Global Warming Wildlife Survival Act represents the first comprehensive approach to mitigate the impact of climate change on America's wildlife, oceans, and other natural systems. I am proud and pleased to have the distinguished chair of the Environment and Public Works Committee, Senator BOXER, join me as an original cosponsor of this bill.

The bill has three primary goals: first, it will create a coordinated national strategy, based on sound science, to guide Federal, State, and local agency actions to address global warming's threat to our oceans and wildlife. The Secretary of Interior will develop a national strategy for managing terrestrial wildlife and the habitats they depend on, and the Secretary of Commerce will develop a national strategy for our oceans, coastal, and great lakes ecosystems. Both Secretaries will consult with other affected federal agencies, States, tribes, local governments, conservation organizations, and other stakeholders to develop the strategy.

Second, the bill will support improved science capacity for Federal agencies to respond to global warming, including the establishment of a National Global Warming and Wildlife Science Center in the U.S. Geological Survey for terrestrial wildlife and a comparable Science Advisory Board within the Department of Commerce to provide scientific and technical advice to respond to the impacts of global warming on ocean and coastal ecosystems.

Finally, the bill directs that funding for implementation of the national strategy be allocated in a balanced, strategic, and efficient way to the Federal programs, States, and tribal agencies charged with carrying out the national strategy.

The impact of climate change on our oceans and wildlife is an issue too important to ignore. Human activity has caused climate change and we must be responsible for solving it. We have an obligation to our children and grandchildren to leave behind a natural environment as good, and we would hope and pray better, than the one we inherited. Preserving America's wildlife and oceans so that the next generation can enjoy an unspoiled natural environment, and our many traditions of hunting, fishing and other outdoor recreation, is a responsibility we must uphold.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2204

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Global Warming Wildlife Survival Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—NATURAL RESOURCES AND WILDLIFE PROGRAMS

Sec. 101. Definitions.

Subtitle A—National Policy and Strategy for Wildlife

Sec. 111. National policy on wildlife and global warming.
Sec. 112. National strategy.
Sec. 113. Advisory Board; National Global Warming and Wildlife Science Center.
Sec. 114. Authorization of appropriations.

Subtitle B—State and Tribal Wildlife Grants Program

Sec. 121. State and tribal wildlife grants program.

TITLE II—OCEAN PROGRAMS

Sec. 201. Short title.
Sec. 202. Findings.

Subtitle A—National Policy for Ocean, Coastal, and Great Lakes Ecosystem Health and Resiliency

Sec. 211. National policy on ocean, coastal, and great lakes ecosystem health and resiliency.
Sec. 212. National ocean, coastal, and Great Lakes resiliency strategy.
Sec. 213. Advisory Board.
Sec. 214. Implementation of national strategy.
Sec. 215. Reports.
Sec. 216. Authorization of appropriations.

Subtitle B—Planning for Climate Change in Coastal Zone

Sec. 221. Planning for climate change in coastal zone.

TITLE III—SPECIAL IMPERILED SPECIES PROGRAMS

Sec. 301. Definitions.
Sec. 302. Regional ecological symposia.
Sec. 303. National Academy of Sciences report.

SEC. 2. DEFINITIONS.

In this Act:

(1) ECOLOGICAL PROCESSES.—

(A) IN GENERAL.—The term ''ecological processes'' means the biological, chemical, and physical interactions between the biotic and abiotic components of an ecosystem.

(B) INCLUSIONS.—The term ''ecological processes'' includes—

(i) nutrient cycling;

(ii) pollination;

(iii) predator-prey relationships;

(iv) soil formation;

(v) gene flow;

(vi) hydrologic cycling;

(vii) decomposition; and

(viii) disturbance regimes, such as fire and flooding.

(2) HABITAT.—

(A) IN GENERAL.—The term ''habitat'' means the physical, chemical, and biological properties that are used by wildlife for growth, reproduction, and survival.

(B) INCLUSIONS.—The term ''habitat'' includes aquatic and terrestrial plant communities, food, water, cover, and space on a tract of land, in a body of water, or in an area or region.

(3) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(4) WILDLIFE.—The term ''wildlife'' means—

(A) any species of wild, free-ranging fauna, including fish and other aquatic species; and

(B) any fauna in a captive breeding program the object of which is to reintroduce individuals of a depleted indigenous species into previously occupied range.

TITLE I—NATURAL RESOURCES AND WILDLIFE PROGRAMS

SEC. 101. DEFINITIONS.

In this title:

(1) ADVISORY BOARD.—The term ''Advisory Board'' means the Advisory Board established under section 113(a).

(2) HABITAT LINKAGE.—The term ''habitat linkage'' means an area that—

(A) connects wildlife habitat or potential wildlife habitat; and

(B) facilitates the ability of wildlife to move within a landscape in response to the effects of global warming.

(3) NATIONAL STRATEGY.—The term ''national strategy'' means the national strategy established under section 112.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

Subtitle A—National Policy and Strategy for Wildlife

SEC. 111. NATIONAL POLICY ON WILDLIFE AND GLOBAL WARMING.

It is the policy of the Federal Government, in cooperation with State, tribal, and affected local governments, other concerned public and private organizations, landowners, and citizens to use all practicable means and measures—

(1) to assist wildlife populations and wildlife habitats in adapting to and surviving the effects of global warming; and

(2) to ensure the persistence and resilience of the wildlife of the United States, together with wildlife habitat, as an essential part of the culture, landscape, and natural resources of the United States.

SEC. 112. NATIONAL STRATEGY.

(a) REQUIREMENT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall implement the national policy under section 111 by establishing a national strategy for assisting wildlife populations and wildlife habitats in adapting to the impact of global warming.

(2) ADMINISTRATION.—In establishing the national strategy, the Secretary shall—

(A) base the national strategy on the best available science, as provided by the Advisory Board;

(B) develop the national strategy in cooperation with State fish and wildlife agencies and Indian tribes;

(C) consult with—

(i) the Secretary of Agriculture;

(ii) the Secretary of Commerce;

(iii) the Administrator of the Environmental Protection Agency;

(iv) local governments;

(v) conservation organizations;

(vi) scientists; and

(vii) other interested stakeholders; and

(D) provide public notice and opportunity for comment.

(b) CONTENTS.—

(1) IN GENERAL.—The Secretary shall include in the national strategy prioritized goals and measures and a plan for implementation (including a timeframe)—

(A) to identify and monitor wildlife populations, including game species, that are likely to be adversely affected by global warming, with particular emphasis on wildlife populations with the greatest need for conservation;

(B) to identify and monitor coastal, marine, terrestrial, and fresh water habitats that are at the greatest risk of being damaged by global warming;

(C) assist species in adapting to the impact of global warming;

(D) protect, acquire, and restore wildlife habitat to build resilience to global warming;

(E) provide habitat linkages and corridors to facilitate wildlife movements in response to global warming;

(F) restore and protect ecological processes that sustain wildlife populations that are vulnerable to global warming; and

(G) incorporate consideration of climate change in, and integrate climate change adaptation strategies for wildlife and wildlife habitat into, the planning and management of Federal land administered by the Department of the Interior and land administered by the Forest Service.

(2) COORDINATION WITH OTHER PLANS.—In developing the national strategy, the Secretary shall, to the maximum extent practicable—

(A) take into consideration research and information contained in—

(i) State comprehensive wildlife conservation plans;

(ii) the North American Waterfowl Management Plan;

(iii) the National Fish Habitat Action Plan; and

(iv) other relevant plans; and

(B) coordinate and integrate, to the extent consistent with the policy established under section 111, the goals and measures identified in the national strategy with goals and measures identified in those plans.

(c) REVISIONS.—Not later than 5 years after the date of the initial establishment of the national strategy and every 10 years thereafter, the Secretary shall revise the national strategy to reflect—

(1) new information on the impact of global warming on wildlife and wildlife habitat; and

(2) advances in the development of strategies for adapting to or mitigating the impact.

(d) IMPLEMENTATION.—

(1) IMPLEMENTATION ON FEDERAL LAND SYSTEMS.—To achieve the goals of the national strategy and to implement measures for the conservation of wildlife and wildlife habitat identified in the national strategy—

(A) the Secretary of the Interior shall exercise the authority of the Secretary under this title and other laws within the jurisdiction of the Secretary pertaining to the administration of land; and

(B) the Secretary of Agriculture shall exercise the authority of the Secretary of Agriculture under this title and other laws within the jurisdiction of the Secretary pertaining to the administration of land.

(2) WILDLIFE CONSERVATION PROGRAMS.—To the maximum extent practicable, the Secretary, the Secretary of Agriculture, and the Secretary of Commerce shall use the authorities of the respective Secretary under other laws to achieve the goals of the national strategy.

(e) LIMITATION ON EFFECT.—Nothing in this section creates new authority or expands any existing authority for the Secretary to regulate the use of private property.

SEC. 113. ADVISORY BOARD; NATIONAL GLOBAL WARMING AND WILDLIFE SCIENCE CENTER.

(a) ADVISORY BOARD.—

(1) IN GENERAL.—The Secretary shall establish and appoint the members of an Advisory Board that is composed of—

(A) not less than 10, and not more than 20, members recommended by the President of the National Academy of Sciences with expertise in wildlife biology, ecology, climate change, and other relevant disciplines; and

(B) the Director of the National Global Warming and Wildlife Science Center established under subsection (b), who shall be an ex officio member of the Advisory Board.

(2) FUNCTIONS.—The Advisory Board shall—

(A) provide scientific and technical advice and recommendations to the Secretary on—

(i) the impact of global warming on wildlife and wildlife habitat;

(ii) areas of habitat of particular importance for the conservation of wildlife populations affected by global warming; and

(iii) strategies and mechanisms to assist wildlife populations and wildlife habitats in adapting to the impact of global warming on the management of Federal land and in other Federal programs for wildlife conservation;

(B) advise the National Global Warming and Wildlife Science Center established under subsection (b) and review the research programs of the Center; and

(C) advise the Secretary regarding the best science available for purposes of developing and revising the national strategy established under section 112.

(3) PUBLIC AVAILABILITY.—The advice and recommendations of the Advisory Board shall be available to the public.

(b) NATIONAL GLOBAL WARMING AND WILDLIFE SCIENCE CENTER.—

(1) IN GENERAL.—The Secretary shall establish a National Global Warming and Wildlife Science Center within the United States Geological Survey.

(2) DIRECTOR.—The Center shall be headed by a Director, appointed by the Secretary.

(3) FUNCTIONS.—The Center shall—

(A) conduct scientific research on national issues relating to the impact of global warming on wildlife and wildlife habitat and mechanisms for adaptation to, mitigation of, or prevention of the impact;

(B) consult with and advise Federal land management agencies and Federal wildlife agencies on—

(i) the impact of global warming on wildlife and wildlife habitat and mechanisms for adaptation to or mitigation of the impact; and

(ii) the incorporation of information regarding the impact and the adoption of mechanisms for adaptation or mitigation of the impact in the management and planning for Federal land and in the administration of Federal wildlife programs; and

(C) consult and, to the maximum extent practicable, collaborate with State and local agencies, institutions of higher education, and other public and private entities regarding research, monitoring, and other efforts to address the impact of global warming on wildlife and wildlife habitat.

(4) INTEGRATION WITH OTHER FEDERAL ACTIVITIES.—The Secretary, the Secretary of Agriculture, and the Secretary of Commerce shall ensure that research and other activities carried out under this section are integrated with climate change program research and activities carried out under other Federal law.

(c) DETECTION OF CHANGES.—The Secretary, the Secretary of Agriculture, and the Secretary of Commerce shall use existing authorities to each carry out programs to detect changes in wildlife abundance, distribution, and behavior related to global warming, including—

(1) conducting species inventories on Federal land and in marine areas within the exclusive economic zone of the United States; and

(2) establishing and implementing robust, coordinated monitoring programs.

SEC. 114. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated such sums as are necessary to carry out this subtitle.

(b) IMPLEMENTATION OF NATIONAL STRATEGY.—Of the amount that is made available to carry out this subtitle for each fiscal year—

(1) 45 percent of the amount shall be made available to Federal agencies to develop and implement the national strategy established

under section 112 in the administration of Federal land systems, of which not less than—

(A) 35 percent shall be allocated to the Department of the Interior—

(i) to operate the National Global Warming and Wildlife Science Center established under section 113(b); and

(ii) to carry out the policy established under section 111, and implement the national strategy, in the administration of—

(I) the National Park System;

(II) the National Wildlife Refuge System; and

(III) public land of the Bureau of Land Management; and

(B) 10 percent shall be allocated to the Department of Agriculture to carry out the policy established under section 111, and implement the national strategy, in the administration of the National Forest System;

(2) 25 percent of the amount shall be made available to Federal agencies to carry out the policy established under section 111, and to implement the national strategy, in the administration of fish and wildlife programs (other than for the operation and maintenance of Federal land), of which—

(A) 10 percent shall be allocated to the Department of the Interior to carry out endangered species, migratory bird, and other fish and wildlife programs administered by the United States Fish and Wildlife Service, other than operations and maintenance of the National Wildlife Refuges; and

(B) 15 percent shall be allocated to the Department of the Interior to implement or fund activities that assist wildlife and wildlife habitat in adapting to the impact of global warming under applicable cooperative grant programs, including—

(i) grants from the cooperative endangered species conservation fund established under section 6(i) of the Endangered Species Act of 1973 (16 U.S.C. 1535(i));

(ii) Private Stewardship Grants;

(iii) grants from the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.);

(iv) grants from the multinational species conservation fund established under the heading ''MULTINATIONAL SPECIES CONSERVATION FUND'' of title I of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 4246);

(v) grants from the Neotropical Migratory Bird Conservation Fund established by section 9(a) of the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6108(a)); and

(vi) grants under the National Fish Habitat Action Plan; and

(3) 30 percent of the amount shall be made available for grants to States and Indian tribes through the State and tribal wildlife grants program authorized under section 121—

(A) to carry out activities that assist wildlife and wildlife habitat in adapting to the impact of global warming in accordance with State comprehensive wildlife conservation plans developed and approved under the program; and

(B) to revise or supplement existing State comprehensive wildlife conservation plans as necessary to include specific strategies for assisting wildlife and wildlife habitat in adapting to the impact of global warming.

(c) AVAILABILITY TO STATES AND INDIAN TRIBES.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), funding under this section may be made available to States and Indian tribes in accordance with this section.

(2) INITIAL 5-YEAR PERIOD.—During the 5-year period beginning on the date of enactment of this Act, a State shall not be eligible to receive funds under this section unless the head of the wildlife agency of the State has—

(A) approved, and provided to the Secretary, an express strategy to assist wildlife populations in adapting to the impact of global warming in the State; and

(B) incorporated the strategy as a supplement to the comprehensive wildlife conservation plan of the State.

(3) SUBSEQUENT PERIOD.—After the 5-year period described in paragraph (2), a State shall not be eligible to receive funds under this section unless the State has submitted to the Secretary, and the Secretary has approved, a revision to the comprehensive wildlife conservation plan of the State that—

(A) describes the impact of global warming on the diversity and health of the wildlife populations and habitat of the State;

(B) describes and prioritizes proposed conservation actions to assist wildlife populations in adapting to the impact;

(C) establishes programs for monitoring the impact of global warming on wildlife populations and wildlife habitat; and

(D) establishes methods for—

(i) assessing the effectiveness of conservation actions taken to assist wildlife populations in adapting to the impact; and

(ii) adapting the actions to respond appropriately to new information or changing conditions.

(d) MAINTENANCE OF EFFORT.—It is the intent of Congress that funding provided under this subtitle supplements (and not supplants) existing sources of funding for wildlife conservation.

Subtitle B—State and Tribal Wildlife Grants Program

SEC. 121. STATE AND TRIBAL WILDLIFE GRANTS PROGRAM.

(a) AUTHORIZATION OF PROGRAM.—The Secretary shall establish a State and tribal wildlife grants program under which the Secretary shall provide wildlife conservation grants to States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, and Indian tribes for the planning, development, and implementation of programs for the benefit of wildlife and wildlife habitat, including species that are not hunted or fished.

(b) ALLOCATION OF FUNDS.—

(1) IN GENERAL.—Subject to paragraph (2), of the amount that is made available to carry out this section for each fiscal year—

(A) 10 percent shall be used to conduct a competitive grant program for Indian tribes that are not subject to any other provision of this section;

(B) of the amount remaining after the application of subparagraph (A) and after the deduction of the administrative expenses incurred by the Secretary to carry out this section—

(i) not more than ½ of 1 percent shall be allocated to provide grants to each of—

(I) the District of Columbia; and

(II) the Commonwealth of Puerto Rico; and

(ii) not more than ¼ of 1 percent shall be allocated to each of—

(I) Guam;

(II) American Samoa;

(III) the Commonwealth of the Northern Mariana Islands; and

(IV) the United States Virgin Islands; and

(C) of the amount remaining after the application of subparagraphs (A) and (B), the Secretary shall apportion among the States—

(i) ⅓ based on the ratio that the land area of each State bears to the total land area of all States; and

(ii) ⅔ based on the ratio that the population of each State bears to the total population of all States.

(2) ADJUSTMENTS.—The amount apportioned under paragraph (1)(C) for a fiscal year shall be adjusted equitably so that no State is apportioned under that subparagraph an amount that is—

(A) less than 1 percent of the amount available for apportionment under that subparagraph for the fiscal year; or

(B) more than 5 percent of the amount.

(c) COST SHARING.—

(1) PLAN DEVELOPMENT GRANTS.—The Federal share of the costs of developing or revising a comprehensive wildlife conservation plan shall not exceed 75 percent of the total costs of developing or revising the plan.

(2) PLAN IMPLEMENTATION GRANTS.—The Federal share of the costs of carrying out an activity under an approved comprehensive wildlife conservation plan carried out with a grant under this section shall not exceed 50 percent of the total costs of carrying out the activity.

(3) PROHIBITION ON USE OF FEDERAL FUNDS.—The non-Federal share of costs of an activity carried out under this section shall not be paid with amounts derived from any Federal grant program.

(d) REQUIREMENT FOR PLAN.—

(1) IN GENERAL.—No State, territory, possession, or other jurisdiction (referred to in this subsection as an ''eligible jurisdiction'') shall be eligible for a grant under this section unless the eligible jurisdiction submits to the Secretary a comprehensive wildlife conservation plan that—

(A) complies with paragraph (2); and

(B) considers the broad range of wildlife and associated habitats of the eligible jurisdiction, with appropriate priority placed on species with the greatest conservation need and taking into consideration the relative level of funding available for the conservation of those species.

(2) CONTENTS.—The comprehensive wildlife conservation plan of an eligible jurisdiction shall contain—

(A) information on the distribution and abundance of species of wildlife (including low and declining populations as the fish and wildlife agency of the eligible jurisdiction considers appropriate) that are indicative of the diversity and health of the wildlife of the eligible jurisdiction;

(B) information on the location and relative condition of key habitats and community types essential to the conservation of species identified under subparagraph (A);

(C) a description of—

(i) problems that may adversely affect species identified under subparagraph (A) or the habitats of the species; and

(ii) priority research and survey efforts that are needed to identify factors that may assist in the restoration and improved conservation of those species and habitats;

(D) a description of conservation actions proposed to conserve the identified species and habitats and priorities for implementing the actions;

(E) a proposed plan for monitoring species identified under subparagraph (A) and the habitats of the species, for—

(i) monitoring the effectiveness of the conservation actions proposed under subparagraph (D); and

(ii) adapting the conservation actions to respond appropriately to new information or changing conditions;

(F) a description of procedures to review the comprehensive wildlife conservation plan at intervals of not to exceed 10 years;

(G) a plan for coordinating the development, implementation, review, and revision of the comprehensive wildlife conservation plan with Federal, State, and local agencies and Indian tribes that manage significant land and water areas within the jurisdiction or administer programs that significantly affect the conservation of identified species and habitats; and

(H) provisions that provide an opportunity for broad public participation as an essential element of the development, revision, and implementation of the comprehensive wildlife conservation plan.

(e) EXISTING STRATEGIES AND ACTIVITIES.—

(1) STRATEGIES.—A State comprehensive wildlife strategy that was approved by the Secretary pursuant to a provision of law in effect on the day before the date of enactment of this Act shall remain in effect until the authority for the strategy expires or is revised in accordance with the terms of the strategy.

(2) ACTIVITIES.—Except as specified in section 114(c), funds made available under this section may be used to carry out conservation and education activities conducted or proposed to be conducted pursuant to a strategy described in paragraph (1).

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

TITLE II—OCEAN PROGRAMS

SEC. 201. SHORT TITLE.

This title may be cited as the ''Global Warming and Acidification Coastal and Ocean Resiliency Act''.

SEC. 202. FINDINGS.

Congress finds that—

(1) healthy, diverse, and productive coastal, ocean, and Great Lakes ecosystems, communities, and habitats are critical to securing the full range of natural resource benefits for the United States;

(2) healthy ecosystems are more resilient than degraded ecosystems;

(3) resilient ecosystems can better adapt to changing environmental conditions, including global warming and ocean acidification;

(4) the effects of global warming, including relative sea level rise and ocean acidification pose significant threats to healthy ocean, coastal, and Great Lakes ecosystems; and

(5) policies and programs designed to ensure the recovery, resilience, and health of coastal, ocean, and Great Lakes ecosystems and the resources of the ecosystems in the face of environmental change are an urgent national priority.

Subtitle A—National Policy for Ocean, Coastal, and Great Lakes Ecosystem Health and Resiliency

SEC. 211. NATIONAL POLICY ON OCEAN, COASTAL, AND GREAT LAKES ECOSYSTEM HEALTH AND RESILIENCY.

It is the policy of the Federal Government, in cooperation with State, tribal, and affected local governments, other concerned public and private organizations, coastal and ocean resource users, and citizens to take effective measures—

(1) to ensure the recovery, resiliency, and health of ocean, coastal, and Great Lakes ecosystems;

(2) to predict, plan for, and mitigate the impact on coastal, ocean, and Great Lakes ecosystems from global warming, including relative sea level rise, and from ocean acidification;

(3) to plan for and mitigate the impact of the development of offshore alternative energy resources and appropriate carbon capture and sequestration activities; and

(4) to cooperate and collaborate to support improved and enhanced ocean and coastal management in the United States.

SEC. 212. NATIONAL OCEAN, COASTAL, AND GREAT LAKES RESILIENCY STRATEGY.

(a) REQUIREMENT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Commerce (referred to in this title as the ''Secretary'') shall implement the national policy under section 211 by establishing a national strategy to protect, maintain, and restore coastal and marine ecosystems so that the ecosystems are more resilient and better able to withstand the additional stresses associated with global warming, including relative sea level rise, and with ocean acidification.

(2) MEASURES.—In establishing the national strategy, the Secretary shall provide for research and design of practical measures—

(A) to avoid, alleviate, or mitigate the impact of global warming, including relative sea level rise, and of ocean acidification on ocean, coastal, and Great Lakes ecosystems and resources in the United States; and

(B) to ensure the recovery, resiliency, and health of ocean, coastal, and Great Lakes ecosystems.

(3) ADMINISTRATION.—Before and during the development of the national strategy, the Secretary shall—

(A) base the national strategy on the best available science;

(B) consult with—

(i) the Secretary of the Interior;

(ii) the Administrator of the Environmental Protection Agency;

(iii) Regional Fishery Management Councils;

(iv) State coastal management and fish and wildlife agencies;

(v) Indian tribes;

(vi) local governments;

(vii) conservation organizations;

(viii) scientists; and

(ix) other interested stakeholders; and

(C) provide public notice and opportunity for comment.

(b) CONTENTS.—

(1) IN GENERAL.—The Secretary shall include in the national strategy prioritized goals and measures and a plan for implementation (including a timeframe)—

(A) to incorporate climate change adaptation strategies into the planning and management of ocean and coastal programs and resources administered by the Department of Commerce;

(B) to incorporate the strategies into the planning and management of ocean and coastal resources administered by Federal and non-Federal governmental entities other than the Department of Commerce;

(C) to support predictions of relative sea level rise;

(D) to protect, maintain, and restore coastal and marine ecosystems so that the ecosystems are more resilient and better able to withstand the additional stresses associated with global warming, including relative sea level rise, and with ocean acidification;

(E) to protect ocean and coastal species from the impact of global warming and ocean acidification;

(F) to incorporate adaptation strategies for relative sea level rise into coastal zone planning;

(G) to protect and restore ocean and coastal habitats to build healthy and resilient ecosystems, including the purchase of coastal and island land; and

(H) to promote the development of plans to mitigate at the community level the economic consequences of global warming, including relative sea level rise and ocean acidification.

(2) COORDINATION WITH OTHER PLANS.—In developing the national strategy, the Secretary shall, to the maximum extent practicable—

(A) take into consideration research and information contained in—

(i) Federal, regional, and State management and restoration plans;

(ii) the reports of the Pew Oceans Commission and the United States Commission on Ocean Policy; and

(iii) any other relevant reports and information; and

(B) encourage and take into account regional plans for protecting and restoring the health and resilience of ocean and coastal ecosystems, including the Great Lakes.

(c) REVISIONS.—Not later than 5 years after the date of the initial establishment of the national strategy and each 10 years thereafter, the Secretary shall revise the national strategy to reflect—

(1) new information on the impact of global warming, including relative sea level rise, and of acidification on ocean, coastal and Great Lakes ecosystems and the resources of the ecosystems; and

(2) advances in the development of strategies for adapting to or mitigating for the impact.

(d) IMPLEMENTATION.—To achieve the goals of the national strategy, each Federal agency shall (directly and in cooperation with other agencies) implement measures for the conservation of ocean, coastal, and Great Lakes ecosystems under the jurisdiction of the Federal agency that promote the national strategy established under this section.

SEC. 213. ADVISORY BOARD.

(a) IN GENERAL.—The Secretary shall establish and appoint the members of an Advisory Board that is composed of not less than 10, and not more than 20, members recommended by the President of the National Academy of Sciences with expertise in ocean, coastal, and Great Lakes biology, ecology, fisheries, climate change, ocean acidification, and other relevant disciplines, including economics at the community level.

(b) FUNCTION.—The Advisory Board shall—

(1) provide scientific and technical advice and recommendations to the Secretary on—

(A) the impact of global warming, including relative sea level rise, and of acidification on ocean and coastal ecosystems, resources, ecological and coastal communities, and habitats; and

(B) strategies and mechanisms to mitigate the impact of global warming, including relative sea level rise, and of acidification on ocean and coastal ecosystems;

(2) advise the Secretary on priorities for research or information collection; and

(3) advise the Secretary on priority needs for achieving systematic improvements in ocean and coastal resiliency for the purposes of section 212.

SEC. 214. IMPLEMENTATION OF NATIONAL STRATEGY.

(a) IN GENERAL.—Of the amount that is made available to carry out this subtitle for each fiscal year—

(1) 40 percent shall be made available for the carrying out of Federal responsibilities to develop and implement the national strategy established under section 212; and

(2) 60 percent shall be used to make grants under subsection (b).

(b) GRANTS.—

(1) IN GENERAL.—The Secretary shall make grants to eligible entities to pay the Federal share (as determined by the Secretary) to carry out activities that contribute to or result in protecting, maintaining, or restoring the resilience and health of coastal, ocean, and Great Lakes ecosystems and resources, including planning and scientific research to support such purposes.

(2) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this subsection, an entity shall be—

(A) a Federal agency;

(B) an agency of a State or political subdivision;

(C) a regional partnership;

(D) an Indian tribe;

(E) an institution of higher education; or

(F) a nongovernmental organization.

(3) ELIGIBLE USES.—A grant provided under this subsection may only be used to carry out an activity described in paragraph (1) that is approved by the Secretary.

(4) PRIORITIZATION.—In approving applications under this subsection, the Secretary shall give priority to proposals that—

(A) implement measures to enhance the health or resilience of coastal, ocean, or Great Lakes areas of national significance, including biological, historical, and cultural measures;

(B) result in systematic improvements to the resilience and health of coastal and ocean ecosystems and resources;

(C) are sufficiently cooperative and broad in geographic scope to address the problem or need; and

(D) demonstrate cost-effectiveness based on ecosystems services provided per dollar of Federal expenditure, including consideration of the potential for a funding match.

(5) GUIDANCE.—The Secretary shall issue guidance regarding a process for—

(A) the approval or disapproval of applications for grants under this subsection, including opportunities for public comment; and

(B) the establishment of annual and multiyear national funding priorities.

(6) EVALUATION.—

(A) IN GENERAL.—The Secretary shall establish a system to provide for an annual external evaluation of each grant that measures the progress of implementation of the grant against the goals and objectives of the grant project.

(B) PUBLIC AVAILABILITY.—The Secretary shall make the results of the evaluations publicly available.

SEC. 215. REPORTS.

(a) NATIONAL ACADEMY OF SCIENCES.—The Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall report to Congress, not later than 2 years after the date of enactment of this Act, on the current and projected impact of global warming, including relative sea level rise, of ocean acidification, and on effective mitigation strategies for the ocean, coastal, and Great Lakes ecosystems and resources of the United States.

(b) REPORT TO CONGRESS.—The Secretary shall make available to Congress a copy of the strategy and implementation plan established under this subtitle (including any updates to the strategy and plan).

SEC. 216. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this subtitle.

Subtitle B—Planning for Climate Change in Coastal Zone

SEC. 221. PLANNING FOR CLIMATE CHANGE IN COASTAL ZONE.

(a) IN GENERAL.—The Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) is amended by adding at the end the following:

"SEC. 320. CLIMATE CHANGE RESILIENCY PLANNING.

''(a) DEFINITIONS.—In this section, the terms 'ecological processes', 'habitat', and 'wildlife' have the meanings given those terms in section 2 of the Global Warming Wildlife Survival Act.

''(b) PROGRAM.—The Secretary shall establish, consistent with the national policies established under section 303, a coastal climate change resiliency planning and response program to—

''(1) provide assistance to coastal states to develop and implement coastal climate change resiliency plans pursuant to approved management programs approved under section 306, to prepare for and reduce, in an environmentally sensitive manner, the negative consequences to the coastal zone that may result from global warming and ocean acidification; and

''(2) provide financial and technical assistance and training to enable coastal states to implement plans developed pursuant to this section through enforceable policies of the coastal states.

''(c) GUIDELINES.—Not later than 180 days after the date of enactment of this section, the Secretary, in consultation with the coastal states, shall issue guidelines for the implementation of the grant program established under subsection (d).

''(d) CLIMATE CHANGE RESILIENCY PLANNING GRANTS.—

''(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary may make a grant to any coastal state for the purpose of developing and implementing climate change resiliency plans pursuant to guidelines issued by the Secretary under subsection (c).

''(2) PLAN CONTENT.—

''(A) IN GENERAL.—A plan developed with a grant under this section shall include adaptation strategies for fish and wildlife, fish and wildlife habitat, and associated ecological process as are necessary to assist fish and wildlife, fish and wildlife habitat, and associated ecological processes to adapt to, become resilient to, and mitigate the impact of, global warming and ocean acidification.

''(B) INCLUSIONS.—The plans shall specifically include—

''(i) adaptive management strategies for land and water use to respond or adapt to changing environmental conditions, including strategies to protect biodiversity and establish habitat buffer zones, migration corridors, and climate refugia; and

''(ii) requirements—

''(I) to initiate and maintain long-term monitoring of environmental change to assess coastal zone resiliency; and

''(II) if necessary, to adjust adaptive management strategies and new planning guidelines to attain the policies under section 303.

''(3) ALLOCATION.—Grants under this section shall be—

''(A) available only to coastal states with management programs approved by the Secretary under section 306; and

''(B) allocated among the coastal states in a manner consistent with regulations promulgated pursuant to section 306(c).

''(4) PRIORITY.—In the awarding grants under this subsection, the Secretary may give priority to any coastal state that has received grant funding to develop program changes pursuant to paragraphs (1), (2), (3), (5), (6), (7), and (8) of section 309(a).

''(5) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to a coastal state (consistent with section 310) to ensure the timely development of plans supported by grants awarded under this subsection.

''(6) FEDERAL APPROVAL.—In order to be eligible for a grant under subsection (e), a coastal state shall have the plan of the coastal state developed under this section approved by the Secretary.

''(e) COASTAL RESILIENCY PROJECT GRANTS.—

''(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary may make grants to any coastal state that has a climate change resiliency plan approved under subsection (d)(6) for implementation of the plan.

''(2) PROGRAM REQUIREMENTS.—

''(A) IN GENERAL.—Not later than 90 days after the date of approval of the first plan approved under subsection (d)(6), the Secretary shall publish in the Federal Register requirements regarding applications, allocations, eligible activities, and all terms and conditions for grants awarded under this subsection.

''(B) MERIT-BASED AWARDS.—No less than 30 percent of the funds made available for any fiscal year for grants under this subsection shall be awarded through a merit-based competitive process.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 318(a) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1464(a)) is amended—

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

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

(3) by adding by adding at the end the following:

''(3) for grants under subsections (d) and (e) of section 320, such sums as are necessary for each fiscal year.''.

TITLE III—SPECIAL IMPERILED SPECIES PROGRAMS

SEC. 301. DEFINITIONS.

In this title:

(1) DIRECTOR.—The term ''Director'' means the Director of the United States Geological Survey.

(2) ECOSYSTEM.—The term ''ecosystem'' means any complex of a plant, animal, fungal, and microorganism community and the associated nonliving environment of the community that interacts as an ecological unit, including the species and the viability of species within the community.

(3) IMPERILED SPECIES.—The term ''imperiled species'' means—

(A) a species listed as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) a species proposed for listing under that Act;

(C) a candidate species under that Act.;

(D) a species listed as an endangered species under any State law; and

(E) a species, the population of which is declining at a significant rate.

SEC. 302. REGIONAL ECOLOGICAL SYMPOSIA.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director, in coordination with the Director of the United States Fish and Wildlife Service and the Director of the National Marine Fisheries Service, shall convene multiple regional scientific symposia to examine the ecological impact of global warming on each imperiled species in each ecosystem of the United States.

(b) COMPOSITION.—A symposium convened in a region shall include—

(1) scientific representatives from Federal agencies with species- or ecosystem-related activities in the region;

(2) if appropriate, scientists or technical experts representing State, local, and tribal governments; and

(3) scientific experts from institutions of higher education and scientific societies, and any other independent scientists with sufficient qualifications and credentials, particularly with respect to site-specific ecological conditions and the status of species and ecological communities of concern in the region.

(c) DUTIES.—A symposium convened in a region shall—

(1) identify and assess fish, wildlife, and plant species, the habitats of the species, and the natural processes, ecosystems, and landscapes that support the habitats, that are most imperiled by global warming; and

(2) focus on imperiled species that are located on public land, declining migratory

birds species, and other species that are protected by treaty or international agreement.

SEC. 303. NATIONAL ACADEMY OF SCIENCES REPORT.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall enter into an arrangement with the National Academy of Sciences under which the Academy shall convene a panel—

(1) to examine and analyze the reports, data, documents, and other information created by the multiple regional scientific symposia convened in accordance with section 302(a); and

(2) to prepare a report that takes into consideration each report, data, document, and other item of information described in paragraph (1).

(b) CONTENTS OF REPORT.—The report required under subsection (a)(2) shall include—

(1) an identification and assessment of—

(A) the impact of global warming on each imperiled species and ecosystem in the United States (including the territories of the United States); and

(B) different ecological scenarios that may result from different intensities, rates, and other critical manifestations of global warming;

(2) recommendations for specific roles to be played by Federal, State, local, and tribal agencies and private parties in assisting imperiled species in adapting to, and surviving the impacts of, climate change, including a recommended list of prioritized remediation actions by those agencies and parties; and

(3) other relevant ecological information.

(c) PUBLIC AVAILABILITY.—The recommendations and report required under this section shall be made available to the public as soon as practicable after the recommendations and report are complete.

(d) USE OF REPORT BY CERTAIN HEADS OF FEDERAL AGENCIES.—The Secretary of Agriculture, the Secretary of Commerce, and the Secretary of the Interior, in carrying out each national policy described in sections 111 and 211, shall take into account the recommendations and report required under this section.

By Mr. DURBIN (for himself, Mr. HAGEL, and Mr. LUGAR):

S. 2205. A bill to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes; read the first time.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be placed in the RECORD, as follows:

S. 2205

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Development, Relief, and Education for Alien Minors Act of 2007'' or the ''DREAM Act of 2007''.

SEC. 2. DEFINITIONS.

In this Act:

(1) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(3) UNIFORMED SERVICES.—The term ''uniformed services'' has the meaning given that term in section 101(a) of title 10, United States Code.

SEC. 3. CANCELLATION OF REMOVAL AND ADJUSTMENT OF STATUS OF CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.

(a) SPECIAL RULE FOR CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.—

(1) IN GENERAL.—Notwithstanding any other provision of law and except as otherwise provided in this Act, the Secretary may cancel removal of, and adjust to the status of an alien lawfully admitted for permanent residence, subject to the conditional basis described in section 4, an alien who is inadmissible or deportable from the United States, if the alien demonstrates that—

(A) the alien has been physically present in the United States for a continuous period of not less than 5 years immediately preceding the date of enactment of this Act, and had not yet reached the age of 16 years at the time of initial entry;

(B) the alien has been a person of good moral character since the date of enactment of this Act;

(C) the alien—

(i) is not inadmissible under paragraph (2), paragraph (3), subparagraph (B), (C), (E), (F), or (G) of paragraph (6), or subsection (C) of paragraph (10) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)), except that if the alien is inadmissible solely under subparagraph (C) or (F) of paragraph (6) of such section, the alien had not yet reached the age of 16 years at the time the violation was committed; and

(ii) is not deportable under subparagraph (E) or (G) of paragraph (1), paragraph (2), subparagraph (B), (C), or (D) of paragraph (3), paragraph (4), or paragraph (6) of section 237(a) of the Immigration and Nationality Act (8 U.S.C. 1227(a)), except that if the alien is deportable solely under subparagraph (C) or (D) of paragraph (3) of such section, the alien had not yet reached the age of 16 years at the time the violation was committed;

(D) the alien, at the time of application, has been admitted to an institution of higher education in the United States, or has earned a high school diploma or obtained a general education development certificate in the United States;

(E) the alien has never been under a final administrative or judicial order of exclusion, deportation, or removal, unless the alien—

(i) has remained in the United States under color of law after such order was issued; or

(ii) received the order before attaining the age of 16 years; and

(F) the alien was had not yet reached the age of 30 years on the date of enactment of this Act.

(2) WAIVER.—Notwithstanding paragraph (1), the Secretary of Homeland Security may waive the ground of ineligibility under section 212(a)(6) of the Immigration and Nationality Act and the ground of deportability under paragraphs (1), (3), and (6) of section 237(a) of that Act for humanitarian purposes or family unity or when it is otherwise in the public interest.

(3) PROCEDURES.—The Secretary shall provide a procedure by regulation allowing eligible individuals to apply affirmatively for the relief available under this subsection without being placed in removal proceedings.

(b) TERMINATION OF CONTINUOUS PERIOD.—For purposes of this section, any period of continuous residence or continuous physical presence in the United States of an alien who applies for cancellation of removal under this section shall not terminate when the alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act (8 U.S.C. 1229(a)).

(c) TREATMENT OF CERTAIN BREAKS IN PRESENCE.—

(1) IN GENERAL.—An alien shall be considered to have failed to maintain continuous physical presence in the United States under subsection (a) if the alien has departed from the United States for any period in excess of 90 days or for any periods in the aggregate exceeding 180 days.

(2) EXTENSIONS FOR EXCEPTIONAL CIRCUMSTANCES.—The Secretary may extend the time periods described in paragraph (1) if the alien demonstrates that the failure to timely return to the United States was due to exceptional circumstances. The exceptional circumstances determined sufficient to justify such an extension shall be no less compelling than serious illness of the alien, or death or serious illness of a parent, grandparent, sibling, or child of the alien.

(d) EXEMPTION FROM NUMERICAL LIMITATIONS.—Nothing in this section may be construed to apply a numerical limitation on the number of aliens who may be eligible for cancellation of removal or adjustment of status under this section.

(e) REGULATIONS.—

(1) PROPOSED REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall publish proposed regulations implementing this section. Such regulations shall be effective immediately on an interim basis, but are subject to change and revision after public notice and opportunity for a period for public comment.

(2) INTERIM, FINAL REGULATIONS.—Within a reasonable time after publication of the interim regulations in accordance with paragraph (1), the Secretary shall publish final regulations implementing this section.

SEC. 4. CONDITIONAL PERMANENT RESIDENT STATUS.

(a) IN GENERAL.—

(1) CONDITIONAL BASIS FOR STATUS.—Notwithstanding any other provision of law, and except as provided in section 5, an alien whose status has been adjusted under section 3 to that of an alien lawfully admitted for permanent residence shall be considered to have obtained such status on a conditional basis subject to the provisions of this section. Such conditional permanent resident status shall be valid for a period of 6 years, subject to termination under subsection (b).

(2) NOTICE OF REQUIREMENTS.—

(A) AT TIME OF OBTAINING PERMANENT RESIDENCE.—At the time an alien obtains permanent resident status on a conditional basis under paragraph (1), the Secretary shall provide for notice to the alien regarding the provisions of this section and the requirements of subsection (c) to have the conditional basis of such status removed.

(B) EFFECT OF FAILURE TO PROVIDE NOTICE.—The failure of the Secretary to provide a notice under this paragraph—

(i) shall not affect the enforcement of the provisions of this Act with respect to the alien; and

(ii) shall not give rise to any private right of action by the alien.

(3) LIMITATION ON REMOVAL.—The Secretary may not remove an alien who has a pending application for conditional permanent resident status under this section.

(b) TERMINATION OF STATUS.—

(1) IN GENERAL.—The Secretary shall terminate the conditional permanent resident status of any alien who obtained such status under this Act, if the Secretary determines that the alien—

(A) ceases to meet the requirements of subparagraph (B) or (C) of section 3(a)(1);

(B) has become a public charge; or

(C) has received a dishonorable or other than honorable discharge from the uniformed services.

(2) RETURN TO PREVIOUS IMMIGRATION STATUS.—Any alien whose conditional permanent resident status is terminated under paragraph (1) shall return to the immigration status the alien had immediately prior to receiving conditional permanent resident status under this Act.

(c) REQUIREMENTS OF TIMELY PETITION FOR REMOVAL OF CONDITION.—

(1) IN GENERAL.—In order for the conditional basis of permanent resident status obtained by an alien under subsection (a) to be removed, the alien must file with the Secretary, in accordance with paragraph (3), a petition which requests the removal of such conditional basis and which provides, under penalty of perjury, the facts and information so that the Secretary may make the determination described in paragraph (2)(A).

(2) ADJUDICATION OF PETITION TO REMOVE CONDITION.—

(A) IN GENERAL.—If a petition is filed in accordance with paragraph (1) for an alien, the Secretary shall make a determination as to whether the alien meets the requirements set out in subparagraphs (A) through (E) of subsection (d)(1).

(B) REMOVAL OF CONDITIONAL BASIS IF FAVORABLE DETERMINATION.—If the Secretary determines that the alien meets such requirements, the Secretary shall notify the alien of such determination and immediately remove the conditional basis of the status of the alien.

(C) TERMINATION IF ADVERSE DETERMINATION.—If the Secretary determines that the alien does not meet such requirements, the Secretary shall notify the alien of such determination and terminate the conditional permanent resident status of the alien as of the date of the determination.

(3) TIME TO FILE PETITION.—An alien may petition to remove the conditional basis to lawful resident status during the period beginning 180 days before and ending 2 years after either the date that is 6 years after the date of the granting of conditional permanent resident status or any other expiration date of the conditional permanent resident status as extended by the Secretary in accordance with this Act. The alien shall be deemed in conditional permanent resident status in the United States during the period in which the petition is pending.

(d) DETAILS OF PETITION.—

(1) CONTENTS OF PETITION.—Each petition for an alien under subsection (c)(1) shall contain information to permit the Secretary to determine whether each of the following requirements is met:

(A) The alien has demonstrated good moral character during the entire period the alien has been a conditional permanent resident.

(B) The alien is in compliance with section 3(a)(1)(C).

(C) The alien has not abandoned the alien's residence in the United States. The Secretary shall presume that the alien has abandoned such residence if the alien is absent from the United States for more than 365 days, in the aggregate, during the period of conditional residence, unless the alien demonstrates that alien has not abandoned the alien's residence. An alien who is absent from the United States due to active service in the uniformed services has not abandoned the alien's residence in the United States during the period of such service.

(D) The alien has completed at least 1 of the following:

(i) The alien has acquired a degree from an institution of higher education in the United States or has completed at least 2 years, in good standing, in a program for a bachelor's degree or higher degree in the United States.

(ii) The alien has served in the uniformed services for at least 2 years and, if discharged, has received an honorable discharge.

(E) The alien has provided a list of each secondary school (as that term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) that the alien attended in the United States.

(2) HARDSHIP EXCEPTION.—

(A) IN GENERAL.—The Secretary may, in the Secretary's discretion, remove the conditional status of an alien if the alien—

(i) satisfies the requirements of subparagraphs (A), (B), and (C) of paragraph (1);

(ii) demonstrates compelling circumstances for the inability to complete the requirements described in subparagraph (D) of such paragraph; and

(iii) demonstrates that the alien's removal from the United States would result in exceptional and extremely unusual hardship to the alien or the alien's spouse, parent, or child who is a citizen or a lawful permanent resident of the United States.

(B) EXTENSION.—Upon a showing of good cause, the Secretary may extend the period of conditional resident status for the purpose of completing the requirements described in subparagraph (D) of paragraph (1).

(e) TREATMENT OF PERIOD FOR PURPOSES OF NATURALIZATION.—For purposes of title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.), in the case of an alien who is in the United States as a lawful permanent resident on a conditional basis under this section, the alien shall be considered to have been admitted as an alien lawfully admitted for permanent residence and to be in the United States as an alien lawfully admitted to the United States for permanent residence. However, the conditional basis must be removed before the alien may apply for naturalization.

SEC. 5. TREATMENT OF CERTAIN APPLICANTS.

If, on the date of enactment of this Act, an alien has satisfied all the requirements of subparagraphs (A) through (F) of section 3(a)(1) and subparagraph (D) of section 4(d)(1), the Secretary may adjust the status of the alien to that of a conditional resident in accordance with section 3. The alien may petition for removal of such condition at the end of the conditional residence period in accordance with section 4(c) if the alien has met the requirements of subparagraphs (A), (B), and (C) of section 4(d)(1) during the entire period of conditional residence.

SEC. 6. EXCLUSIVE JURISDICTION.

(a) SECRETARY.—Except as provided in subsection (b), the Secretary shall have exclusive jurisdiction to determine eligibility for relief under this Act.

(b) ATTORNEY GENERAL.—Notwithstanding subsection (a), if an alien has been placed into deportation, exclusion, or removal proceedings either prior to or after filing an application for relief under this Act, the Attorney General shall have exclusive jurisdiction and shall assume all the powers and duties of the Secretary under this Act until proceedings are terminated. If a final order of deportation, exclusion, or removal is entered for the alien the Secretary shall resume all powers and duties under this Act with respect to the alien.

SEC. 7. STAY OF REMOVAL OF CERTAIN ALIENS ENROLLED IN PRIMARY OR SECONDARY SCHOOL.

(a) STAY OF REMOVAL.—The Attorney General shall stay the removal proceedings of any alien who—

(1) meets all the requirements of subparagraphs (A), (B), (C), (E), and (F) of section 3(a)(1);

(2) is at least 12 years of age; and

(3) is enrolled full time in a primary or secondary school.

(b) EMPLOYMENT.—An alien whose removal is stayed pursuant to subsection (a) may be engaged in employment in the United States consistent with the Fair Labor Standards Act (29 U.S.C. 201 et seq.) and State and local laws governing minimum age for employment.

(c) LIFT OF STAY.—The Attorney General shall lift the stay granted pursuant to subsection (a) if the alien—

(1) is no longer enrolled in a primary or secondary school; or

(2) ceases to meet the requirements of subsection (a)(1).

SEC. 8. PENALTIES FOR FALSE STATEMENTS IN APPLICATION.

Whoever files an application for relief under this Act and willfully and knowingly falsifies, misrepresents, or conceals a material fact or makes any false or fraudulent statement or representation, or makes or uses any false writing or document knowing the same to contain any false or fraudulent statement or entry, shall be fined in accordance with title 18, United States Code, or imprisoned not more than 5 years, or both.

SEC. 9. CONFIDENTIALITY OF INFORMATION.

(a) PROHIBITION.—Except as provided in subsection (b), no officer or employee of the United States may—

(1) use the information furnished by the applicant pursuant to an application filed under this Act to initiate removal proceedings against any persons identified in the application;

(2) make any publication whereby the information furnished by any particular individual pursuant to an application under this Act can be identified; or

(3) permit anyone other than an officer or employee of the United States to examine applications filed under this Act.

(b) REQUIRED DISCLOSURE.—The Attorney General or the Secretary shall provide the information furnished under this section, and any other information derived from such furnished information, to—

(1) a duly recognized law enforcement entity in connection with an investigation or prosecution of an offense described in paragraph (2) or (3) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)), when such information is requested in writing by such entity; or

(2) an official coroner for purposes of affirmatively identifying a deceased individual (whether or not such individual is deceased as a result of a crime).

(c) PENALTY.—Whoever knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than $10,000.

SEC. 10. HIGHER EDUCATION ASSISTANCE.

Notwithstanding any provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), with respect to assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), an alien who adjusts status to that of a lawful permanent resident under this Act shall be eligible only for the following assistance under such title:

(1) Student loans under parts B, D, and E of such title IV, subject to the requirements of such parts.

(2) Federal work-study programs under part C of such title IV, subject to the requirements of such part.

(3) Services under such title IV, subject to the requirements for such services.

SEC. 11. GAO REPORT.

Not later than 7 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives setting forth—

(1) the number of aliens who were eligible for cancellation of removal and adjustment of status under section 3(a);

(2) the number of aliens who applied for adjustment of status under section 3(a);

(3) the number of aliens who were granted adjustment of status under section 3(a); and

(4) the number of aliens whose conditional permanent resident status was removed under section 4.

By Mr. SCHUMER (for himself, Mr. SPECTER, Mr. COCHRAN, and Mr. HARKIN:

S.J. Res. 21. A joint resolution proposing amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; to the Committee on the Judiciary.

Mr. HARKIN. Mr. President, today I am proud to join Senators SCHUMER, SPECTER and COCHRAN in introducing a constitutional amendment to overturn the 1976 Supreme Court decision in the case of Buckley v. Valeo and restore Congress's power to regulate campaign finances.

This constitutional amendment is a necessary first step in restoring confidence in our system of government. The Court's decision in Buckley, which equated money with speech, was fundamentally flawed. Unfortunately, since that decision, our democracy has been perverted. Costs of elections have spiraled out of control, office seekers are required to spend more time than ever raising money, and special interests correspondingly have greater access than ever before. As a result, the integrity of our democracy continues to wane.

Make no mistake, I am extremely reluctant to amend the Constitution. Amending the Constitution rightly is an extraordinary step that has seldom been done in our history. But, when it has been truly needed, we have done so. Reluctantly, I have reached the conclusion that it is needed now. Without this amendment, our nation is simply too limited in its ability to deal with corruption and to restore confidence in our electoral system. The integrity of our democratic system not only deems it appropriate for us to approve a constitutional amendment, it requires it.

Until we have the ability to truly create a system of campaign finance, we will continue to have an escalation of spending on campaigns, and an escalation of continued distrust by the American people in their political system. This amendment is a necessary first step and I encourage my colleagues to support this vital measure.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be placed in the RECORD, as follows:

S. J. RES. 21

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission by the Congress:

''ARTICLE—

''SECTION 1. Congress shall have power to regulate the raising and spending of money, including through setting limits, for campaigns for nomination for election to, or for election to, Federal office.

''SECTION 2. A State shall have power to regulate the raising and spending of money, including through setting limits, for—

''(1) State or local ballot initiatives, referenda, plebiscites, or other similar ballot measures; and

''(2) campaigns for nomination for election to, or for election to, State or local office.

''SECTION 3. Congress shall have power to implement and enforce this article by appropriate legislation.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 351—DESIGNATING THE WEEK BEGINNING OCTOBER 21, 2007, AS ''NATIONAL CHARACTER COUNTS WEEK''

Mr. DOMENICI (for himself, Mr. DODD, Mr. ALEXANDER, Mr. LIEBERMAN, Mr. STEVENS, Mr. ROCKEFELLER, Mr. COCHRAN, Mr. DURBIN, Ms. MURKOWSKI, Mr. BIDEN, Mr. ENZI, Mr. PRYOR, and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 351

Whereas the well-being of the United States requires that the young people of the United States become an involved, caring citizenry with good character;

Whereas the character education of children has become more urgent as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas, although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play a role in determining the future of the United States;

Whereas effective character education is based on core ethical values, which form the foundation of democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of our youth reflect the character and conduct of society, and, therefore, every adult has the responsibility to teach and model ethical values and every social institution has the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those who have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize the need, and have taken steps, to integrate the values of their communities into their teaching activities; and

Whereas the establishment of National Character Counts Week, during which individuals, families, schools, youth organizations, religious institutions, civic groups, and other organizations focus on character education, is of great benefit to the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning October 21, 2007, as ''National Character Counts Week''; and

(2) calls upon the people of the United States and interested groups—

(A) to embrace the elements of character identified by local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, and citizenship; and

(B) to observe the week with appropriate ceremonies, programs, and activities.

SENATE RESOLUTION 352—EXPRESSING THE SENSE OF THE SENATE REGARDING THE 20TH ANNIVERSARY OF UNITED STATES-MONGOLIA RELATIONS

Ms. MURKOWSKI (for herself, Mr. LUGAR, and Mr. BIDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 352

Whereas the United States established diplomatic relations with the Government of Mongolia in January 1987 and established its first embassy in Ulaanbaatar in June 1988;

Whereas the United States and Mongolia are both fully democratic states committed to the rule of law;

Whereas, in 1991, the United States established normal trade relations with Mongolia and began a Peace Corps program that now boasts approximately 100 volunteers;

Whereas the United States has a continued commitment to Mongolia's economic and political development and has contributed over $150,000,000 in aid for that purpose since 1991;

Whereas the United States has supported Mongolia's participation in the International Monetary Fund, the World Bank, and the Asian Development Bank;

Whereas the United States and Mongolia strengthened their trade relationship through the signing of a Trade and Investment Framework Agreement in 2004 to boost bilateral commercial ties and resolve trade disputes;

Whereas Mongolia continues to work with the United States to combat global terrorism and, since April 2003, has contributed engineers, troops, and medical personnel to Operation Iraqi Freedom and has participated in training National Army artillery units in Afghanistan;

Whereas Mongolia has demonstrated an expanding desire to join the United States in

global peacekeeping activities by sending a contingent of 250 soldiers to protect the Special Court for Sierra Leone, a platoon to participate in the North Atlantic Treaty Organization (NATO) mission in Kosovo, and personnel to serve as United Nations observers in Sudan, Ethiopia, and Eritrea;

Whereas the United States and Mongolia share an interest in promoting peaceful cooperation in south central Asia; and

Whereas Mongolia was named eligible for Millennium Challenge Compact assistance on May 6, 2004, submitted its official proposal on October 13, 2005, and had its proposal approved by the Millennium Challenge Corporation on September 12, 2007: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the strength and endurance of the partnership between the United States and Mongolia should be acknowledged and celebrated;

(2) the United States should encourage continued economic cooperation with Mongolia, including in areas such as mining, construction, information technology, tourism, and meat processing, to the betterment of both our economies;

(3) the United States should continue to work with the International Monetary Fund, the World Bank, and the Asian Development Bank to improve Mongolia's economic system;

(4) the United States should provide Mongolia assistance under the Millennium Challenge Compact and work to finalize the compact in a timely fashion; and

(5) the United States should encourage greater academic and cultural exchanges with Mongolia.

Ms. MURKOWSKI. Mr. President, Mongolia has made incredible strides to improve its relationship with the United States since 1987. Following the downfall of communism in that nation, our ties have grown exponentially.

Mongolia has worked hard in the past two decades to create a robust and strong democracy and the United States has been a partner in that effort from its inception.

Although it lies on the other side of the globe and sits between Russia and China, Mongolia has long sought close ties with the United States, with some even referring to the United States as its ''Third Neighbor.''

On the economic front, the United States-Mongolian relationship is dynamic and growing with over one hundred U.S. and U.S.-Mongolian joint ventures registered in areas ranging from oil exploration, textiles, animal husbandry, tourism, mining, and banking. The United States is also one of Mongolia's largest sources of foreign investment.

While a large recipient of foreign aid, Mongolia still commits itself to giving back to the global community through its significant peacekeeping efforts in Africa and Eastern Europe, with personnel in Sierra Leone and Kosovo.

Mongolia is also a strong partner in the War on Terror. Mongolia has contributed engineers, troops, and medical personnel to Operation Iraqi Freedom and has participated in training National Army artillery units in Afghanistan. Prior to 2000, Mongolia did not have a national policy of deploying forces beyond its borders. Yet they were the first coalition country to contribute an infantry battalion to Iraq.

Mongolia's contributions mean a bit more to the State of Alaska. Since 2003, we have partnered with Mongolia through the Alaska-Mongolia National Guard Partnership. Our National Guard has established broad working relationships and increased exchanges with their Mongolian partners. They stand side by side with the Mongolian Armed Forces in Iraq—in fact, the Mongolian Ministry of Defense specifically requested Alaska National Guard support based on Alaska's relationship with their nation.

The success that the partnership has enjoyed is a direct reflection of the willingness and eagerness on both sides to further our relations. The Alaska National Guard tells me that Mongolia is enthusiastic about their democratic reforms and is aggressively working to meet its goals.

So with 2007 being the 20th Anniversary of U.S.-Mongolia relations, I am proud to introduce this resolution marking our ties and the significant progress that has been achieved between our two countries in that short time frame. I look forward to what the next 20 years will bring.

SENATE RESOLUTION 353—EXPRESSING THE SENSE OF THE SENATE REGARDING THE IMPORTANCE OF A SOVEREIGN, DEMOCRATIC, AND PROSPEROUS LEBANON AND THE NEED FOR FREE AND FAIR PRESIDENTIAL ELECTIONS IN LEBANON WITHOUT INTIMIDATION OR FOREIGN INTERFERENCE

Mr. SUNUNU (for himself, Mr. KERRY, Mr. LUGAR, Mr. BIDEN, Mr. COLEMAN, Mr. DODD, Mr. HAGEL, Mr. KENNEDY, Mr. MARTINEZ, Ms. SNOWE, Mr. SMITH, Mr. BOND, Mr. MENENDEZ, Mr. COBURN, Mr. LEVIN, Mr. VOINOVICH, Mrs. FEINSTEIN, and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 353

Whereas, in 2004, the term of the current President of Lebanon, Émile Lahoud, was extended through the interference of the Government of Syria in the internal affairs of the Government of Lebanon;

Whereas United Nations Security Council Resolution 1559, adopted on September 2, 2004, called for free and fair presidential elections in Lebanon conducted in accordance with the constitution of Lebanon and without foreign interference and influence;

Whereas such a presidential election has not yet occurred;

Whereas the Parliament of Lebanon is preparing to elect a new president of Lebanon before the November 24, 2007, conclusion of the mandate of the current President;

Whereas the Governments of Syria and Iran, through their proxies in Lebanon, have sought undue influence over the election of the next president of Lebanon;

Whereas the preparation for these elections has thus far been characterized by violence and intimidation tactics, and on September 19, 2007, Member of the Parliament of Lebanon Antoine Ghanem became the 8th Lebanese leader to be assassinated since 2005;

Whereas the democratically-elected Government of Lebanon has been under steady attack by domestic and foreign elements and forces that have been instigating civil unrest, disrupting the operation of the cabinet and Parliament, and perpetrating acts of terror against the people of Lebanon;

Whereas United Nations Security Council Resolution 1701, adopted on August 11, 2006, reiterated ''strong support for the territorial integrity, sovereignty, and political independence of Lebanon within its internationally recognized borders'', and called on states to ''take the necessary measures to prevent . . . the sale or supply to any entity or individual in Lebanon of arms and related materiel of all types'';

Whereas President Lahoud has threatened to create an unconstitutional rival cabinet and hand over power to it if the opposition is not satisfied with the results of the constitutional electoral process;

Whereas the Governments of Syria and Iran, in clear contravention of numerous United Nations Security Council resolutions, have violated Lebanon's sovereignty by providing arms to illegitimate militias in Lebanon and to other terrorist organizations;

Whereas the armed forces of Lebanon are protecting Lebanon and its people from terrorist organizations like Fatah al Islam;

Whereas United Nations Security Council Resolution 1757 established a Special Tribunal for Lebanon, to be convened outside of Lebanon, to try those accused of the assassination of former Prime Minister of Lebanon Rafiq Hariri and others; and

Whereas a sovereign, democratic, and prosperous Lebanon is in the national security interest of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) calls for free and fair presidential elections in Lebanon, conducted according to the constitution of Lebanon and free from foreign interference and influence or the use of intimidation tactics;

(2) supports ongoing efforts by leaders in Lebanon to reach agreement on a presidential candidate committed to upholding Lebanon's sovereignty and independence;

(3) condemns the Governments of Syria and Iran for their undue material interference in the internal political affairs of Lebanon, including in the election of a new president, and for their repeated violations of the sovereignty and independence of Lebanon, and calls on the Governments of Syria and Iran to comply with United Nations Security Council Resolution 1701, particularly with respect to preventing unauthorized shipment of arms into Lebanon;

(4) affirms its strong support for the armed forces of Lebanon as they work to secure Lebanon against terrorists and illegal armed militias, and conveys its readiness to provide support to assist in these ends;

(5) urges the Secretary of State to continue efforts in support of a Special Tribunal for Lebanon to end impunity for political assassinations, including assisting in efforts to convene the Special Tribunal as soon as possible, affirms its readiness to continue to provide material support to this cause, and calls on all countries to make timely and generous contributions to this end; and

(6) urges the President to use all peaceful means at the disposal of the United States to help promote an independent, democratic, and prosperous Lebanon, including increased diplomatic coordination with key partners in Europe and the Middle East, and supports efforts by the United States to provide ongoing and substantial assistance for reconstruction efforts in Lebanon.

SENATE CONCURRENT RESOLUTION 50—COMMENDING NASA LANGLEY RESEARCH CENTER IN VIRGINIA ON THE CELEBRATION OF ITS 90TH ANNIVERSARY ON OCTOBER 26 AND 27, 2007

Mr. WARNER (for himself and Mr. WEBB) submitted the following concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 50

Whereas, in 1917, the Nation's first civilian aeronautical research laboratory was established by the National Advisory Committee for Aeronautics in Virginia, and named Langley Memorial Aeronautical Laboratory;

Whereas such laboratory, now called the National Aeronautics and Space Administration (NASA) Langley Research Center, is one of the Nation's most prolific and most honored aerospace laboratories with a rich history of pioneering aviation breakthroughs, exploring the universe, and conducting ground breaking climate research;

Whereas NASA Langley Research Center helped give birth to the space age by, among other accomplishments, conceiving and managing Project Mercury, the first United States manned space program, training the original 7 astronauts, proving the feasability of the lunar orbiter rendezvous, developing the lunar excursion module concept and research facilities for simulating landing on the Moon, and successfully sending the first Viking landers and orbiters to Mars;

Whereas NASA Langley Research Center is one of the leading aerospace research laboratories in the world and has consistently been a source of technology that has made aerospace a major factor in commerce and national defense;

Whereas NASA Langley Research Center aeronautics research has benefitted the United States military tremendously through the application of new technologies to the Nation's military, commercial, and experimental aircraft;

Whereas NASA Langley Research Center continues to make significant innovative contributions to aviation safety, efficient performance, and revolutionary vehicle designs for flight in all atmospheres, including developing key technologies for the next generation of air transportation systems;

Whereas NASA Langley Research Center has contributed through its research over the past several decades critical technologies to the United States aviation industry, which is a vital sector of the economy that employs over 2,000,000 Americans and comprises roughly 9 percent of the country's gross national product;

Whereas NASA Langley Research Center continues to provide critical research and development that advances the Nation's future in space exploration, scientific discovery, systems analysis, and aeronautics research while generating $2,300,000,000 in revenue and 21,000 high-tech jobs for the United States economy;

Whereas NASA Langley Research Center is known for unparalleled technology transfer to both aerospace and non-aerospace businesses, and for its commitment to inspiring the next generation of explorers, both of which have enormous benefit to the public and the national economy; and

Whereas NASA Langley Research Center celebrates its 90th anniversary on October 26 and 27, 2007, and continues pioneering the next frontier in aeronautics and space: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress congratulates and commends the men and women of NASA Langley Research Center for their accomplishments and role in inspiring the American people.

SENATE CONCURRENT RESOLUTION 51—SUPPORTING ''LIGHTS ON AFTERSCHOOL!'', A NATIONAL CELEBRATION OF AFTER SCHOOL PROGRAMS

Mr. DODD (for himself, Mr. ENSIGN, Mr. AKAKA, Mr. BAUCUS, Mr. BIDEN, Mrs. BOXER, Mr. BURR, Mr. CASEY, Mrs. CLINTON, Mr. COCHRAN, Ms. COLLINS, Mr. CORNYN, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. MARTINEZ, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. SPECTER, Mr. INOUYE, Ms. STABENOW, Mr. WHITEHOUSE, Mr. PRYOR, and Mr. CARPER) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 51

Whereas high quality after school programs provide safe, challenging, engaging, and fun learning experiences to help children and youth develop their social, emotional, physical, cultural, and academic skills;

Whereas high quality after school programs support working families by ensuring that the children in such families are safe and productive after the regular school day ends;

Whereas high quality after school programs build stronger communities by involving the Nation's students, parents, business leaders, and adult volunteers in the lives of the Nation's youth, thereby promoting positive relationships among children, youth, families, and adults;

Whereas high quality after school programs engage families, schools, and diverse community partners in advancing the well-being of the Nation's children;

Whereas ''Lights On Afterschool!'', a national celebration of after school programs held on October 18, 2007, promotes the critical importance of high quality after school programs in the lives of children, their families, and their communities;

Whereas more than 28,000,000 children in the United States have parents who work outside the home and 14,300,000 children in the United States have no place to go after school; and

Whereas many after school programs across the United States are struggling to keep their doors open and their lights on: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress supports the goals and ideals of ''Lights On Afterschool!'' a national celebration of after school programs.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3350. Mr. LAUTENBERG (for himself and Ms. SNOWE) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

SA 3351. Mr. SMITH (for himself and Mrs. LINCOLN) submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3352. Mr. ENSIGN (for himself, Mr. SESSIONS, and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra.

SA 3353. Mr. FEINGOLD (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3354. Mr. FEINGOLD (for himself, Mr. GRAHAM, Mr. BINGAMAN, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3355. Mr. SALAZAR (for himself, Mr. LEVIN, Ms. STABENOW, Mr. CASEY, Mr. LIEBERMAN, and Mr. BAYH) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra.

SA 3356. Mr. KYL submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra.

SA 3357. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3358. Mr. COBURN (for himself and Mr. BURR) submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3359. Mr. LIEBERMAN (for himself and Mr. DODD) submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3360. Mr. REED submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra.

SA 3361. Mr. BROWN (for himself and Mr. WEBB) submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3362. Mr. BYRD (for himself, Mr. SPECTER, Mr. HARKIN, Mr. MCCONNELL, Mr. WEBB, Mr. ROCKEFELLER, and Mr. DURBIN) proposed an amendment to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra.

SA 3363. Mr. BROWNBACK submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3364. Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3365. Mr. ROBERTS (for himself and Mr. COLEMAN) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra.

SA 3366. Mr. BURR (for himself and Mr. GREGG) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3367. Mr. SMITH (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3368. Mr. HARKIN (for himself, Mr. KENNEDY, Mr. SPECTER, Ms. SNOWE, Mr.

ROCKEFELLER, and Mr. DURBIN) proposed an amendment to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra.

SA 3369. Mr. ALLARD submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra.

SA 3370. Mr. KERRY submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3371. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3372. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3373. Mr. SESSIONS (for himself, Mr. HATCH, Mr. INHOFE, Mr. ISAKSON, Mr. ROBERTS, Mr. VITTER, Mrs. DOLE, Mr. MARTINEZ, Mr. ALEXANDER, Mr. CORNYN, Mr. ENZI, and Mr. GRAHAM) proposed an amendment to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra.

SA 3374. Ms. COLLINS (for herself, Mr. FEINGOLD, Mr. BINGAMAN, Mr. CARDIN, and Ms. SNOWE) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3375. Mr. ALEXANDER (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra.

SA 3376. Mr. SMITH submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3377. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3378. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3379. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3380. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3381. Mr. CORNYN (for himself, Mr. VOINOVICH, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3382. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3383. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3384. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3385. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3386. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3387. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3388. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3389. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3390. Mrs. MCCASKILL (for herself and Mr. BROWN) submitted an amendment intended to be proposed by her to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3391. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3392. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3393. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3394. Mr. WARNER (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3395. Mr. HARKIN (for Mr. REID) proposed an amendment to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra.

SA 3396. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3397. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3398. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3399. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3400. Mr. CARDIN (for himself and Mr. SMITH) submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3401. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3402. Ms. LANDRIEU proposed an amendment to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra.

SA 3403. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 3043, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3350. Mr. LAUTENBERG (for himself and Ms. SNOWE) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available in this Act may be used to provide abstinence education that includes information that is medically inaccurate. For purposes of this section, the term ''medically inaccurate'' means information that is unsupported or contradicted by peer-reviewed research by leading medical, psychological, psychiatric, and public health publications, organizations and agencies.

SA 3351. Mr. SMITH (for himself and Mrs. LINCOLN) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. ____. In addition to amounts otherwise made available under this Act, and notwithstanding any other provision of this Act, including the amounts provided under the heading ''AGING SERVICES PROGRAMS'' under the heading ''ADMINISTRATION ON AGING'' in this title, the Secretary of Health and Human Services shall transfer, from funds that were appropriated to the Secretary under any provision of Federal law for a fiscal year prior to fiscal year 2008 and that remain unobligated—

(1) $18,371,178 to carry out part B of title III of the Older Americans Act of 1965 (42 U.S.C. 3030d) for fiscal year 2008 (for supportive services and senior centers to allow area agencies on aging to account for projected growth in the population of older individuals, and inflation);

(2) $11,744,480 to carry out part C of title III of such Act (42 U.S.C. 3030d–21 et seq.) for fiscal year 2008 (for congregate and home-delivered nutrition services to help account for increased gas and food costs); and

(3) $10,333,000 to carry out part E of title III of such Act (42 U.S.C. 3030s et seq.) for fiscal year 2008 (for the National Family Caregiver Support Program to fund the program at the level authorized for that program under that Act (42 U.S.C. 3001 et seq.)).

SA 3352. Mr. ENSIGN (for himself, Mr. SESSIONS, and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds appropriated in this Act shall be expended or obligated by the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process claims for credit for quarters of coverage based on work performed under a social security account number that was not the claimant's number which is an offense prohibited under section 208 of the Social Security Act (42 U.S.C. 408).

SA 3353. Mr. FEINGOLD (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____. Of the funds made available in this Act for subtitle B of title IV of the Cardiac Arrest Survival Act of 2000 (Public Law 106–505), $200,000 shall be used to carry out section 312(c)(6) of the Public Health Service Act.

SA 3354. Mr. FEINGOLD (for himself, Mr. GRAHAM, Mr. BINGAMAN, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) Not later than November 30, 2008, the Comptroller General of the United States shall submit to Congress a report concerning State health care reform initiatives.

(b) The report required under subsection (a) shall include the following:

(1) An assessment of State efforts to reexamine health care delivery and health insurance systems and to expand the access of residents to health insurance and health care services, including the following:

(A) An overview of State approaches to reexamining health care delivery and insurance.

(B) A description of whether and to what extent State health care initiatives have resulted in improved access to health care and insurance.

(C) A description of the extent to which public and private cooperation has occurred in State health care initiatives.

(D) A description of the outcomes of State insurance coverage mandates.

(E) A description of the effects of increased health care costs on State fiscal choices.

(F) A description of the effects of Federal law and funding on State health care initiatives and fiscal choices.

(G) A description of outcomes of State efforts to increase health care quality and control costs.

(2) Recommendations regarding the potential role of Congress in supporting State-based reform efforts, including the following:

(A) Enacting changes in Federal law that would facilitate State-based health reform and expansion efforts.

(B) Creating new or realigning existing Federal funding mechanisms to support State-based reform and expansion efforts.

(C) Expanding existing Federal health insurance programs and increasing other sources of Federal health care funding to support State-based health reform and expansion efforts.

SA 3355. Mr. SALAZAR (for himself, Mr. LEVIN, Ms. STABENOW, Mr. CASEY, Mr. LIEBERMAN, and Mr. BAYH) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 88, line 16, strike the period and insert ": *Provided further*, That $8,400,000 shall be used to carry out the Traumatic Brain Injury (TBI) Model Systems of Care Program and to sustain at least 16 TBI Model Systems Centers.".

SA 3356. Mr. KYL submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 55, strike lines 19 through 23 and insert the following: "U.S.C. 8623(a)-(d)), $2,161,170,000.".

SA 3357. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. SMALL BUSINESS CHILD CARE GRANT PROGRAM.

For carrying out the small business child care grant program under section 8303 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (42 U.S.C. 9858 note) $5,000,000, to remain available until expended. Each amount otherwise appropriated in this Act for administrative costs shall be reduced on a pro rata basis by the amount necessary to provide the amount referred to in the preceding sentence.

SA 3358. Mr. COBURN (for himself and Mr. BURR) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

SEC.____. (a) This section may be cited as the "Children's Health Care First Act of 2007".

(b) Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used for any congressionally directed spending item, as defined by Sec. 521 of Public Law 110–81, until the Secretary of the Department of Health and Human Services certifies that all children in the U.S. under the age of 18 years are insured by a private or public health insurance plan.

SA 3359. Mr. LIEBERMAN (for himself and Mr. DODD) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds appropriated or otherwise made available in this Act or any other Act making appropriations to the agencies funded by this Act may be used to close or otherwise cease to operate the field office of the Social Security Administration located in Bristol, Connecticut.

SA 3360. Mr. REED submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 59, line 22, insert before the colon the following: ", of which $6,000,000 shall be made available to the Administrator of the Health Resources and Services Administration to carry out trauma and emergency medical services programs".

SA 3361. Mr. BROWN (for himself and Mr. WEBB) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) The Secretary of Education shall update the 2002 Department of Education and United States Secret Service guidance entitled "Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates" to reflect the recommendations contained in the report entitled "Report to the President On Issues Raised by the Virginia Tech Tragedy", to include the need to provide schools with guidance on how information can be shared legally under the regulations issued under section 264(c) of the Health Insurance Portability and Accountability Act and the Family Educational Rights and Privacy Act.

(b) Not later than 3 months after the date of enactment of this Act, the Secretary of Education shall disseminate the updated guidance under subsection (a) to institutions of higher education and to State departments of education for distribution to all local education agencies.

SA 3362. Mr. BYRD (for himself, Mr. SPECTER, Mr. HARKIN, Mr. MCCONNELL, Mr. WEBB, Mr. ROCKEFELLER, and Mr. DURBIN) proposed an amendment to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place in title I, insert the following:

SEC. ____. (a) In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional $10,000,000 for necessary expenses for salaries and expenses of the Mine Safety and Health Administration.

(b) Amounts made available under this Act for travel expenses for the Department of Labor, the Department of Health and Human Services, and the Department of Education shall be reduced on a pro rata basis by the percentage necessary to decrease the overall amount of such spending by $10,000,000.

SA 3363. Mr. BROWNBACK submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 60, line 4, strike ''$80,416,000'' and insert ''$110,000,000''.

On page 60, line 5, insert ''(as defined by section 510(b)(2) of the Social Security Act)'' after ''education''.

SA 3364. Mr. COLEMAN submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, $2,000,000 shall be available to carry out activities related to National History Day, in accordance with the American History and Civics Education Act of 2004 (Public Law 108–474). Amounts appropriated under this title for administrative expenses shall be reduced on a pro rata basis by $2,000,000.

SA 3365. Mr. ROBERTS (for himself and Mr. COLEMAN) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. SMALL BUSINESS CHILD CARE GRANT PROGRAM.

For carrying out the small business child care grant program under section 8303 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (42 U.S.C. 9858 note) $5,000,000, to remain available until expended. Each amount otherwise appropriated in this Act for administrative expenses for the Department of Labor, Department of Health and Human Services, and Department of Education shall be reduced on a pro rata basis by the amount necessary to provide the amount referred to in the preceding sentence.

SA 3366. Mr. BURR (for himself and Mr. GREGG) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 66, line 7, strike ''$756,556,000'' and insert ''$786,556,000''.

On page 66, line 10, strike the period and insert '', and of which $189,000,000 shall be used to support advanced research and development of medical countermeasures, consistent with section 319L of the Public Health Service Act.''.

On page 79, between lines 4 and 5, insert the following:

SEC. ____. (a) Notwithstanding any other provision of this Act, each account provided by this Act containing a congressionally directed spending item (as defined in rule XLIV of the Standing Rules of the Senate, as added by the Honest Leadership and Open Government Act of 2007) is reduced by a pro rata percentage required to raise the total amount provided by this Act for the Public Health and Social Services Emergency Fund by $30,000,000.

(b) Not later than 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a listing of the amounts by account of the reductions made pursuant to subsection (a).

SA 3367. Mr. SMITH (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, from the amounts appropriated for fiscal year 2007 for the Department of Education that remain unobligated at the end of such fiscal year, there shall be available $25,000,000, for State grants under the Carl D. Perkins Career and Technical Education Act of 2006 (Public Law 109–270).

SA 3368. Mr. HARKIN (for himself, Mr. KENNEDY, Mr. SPECTER, Ms. SNOWE, Mr. ROCKEFELLER, and Mr. DURBIN) proposed an amendment to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 50, line 5, insert before the period the following: ''; *Provided further*, That $5,000,000 shall be for activities to reduce infections from methicillin-resistant staphylococcus aureus (MRSA) and related infections''.

SA 3369. Mr. ALLARD submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, the total amount appropriated by this Act for any program for which the most recent rating available on the date of enactment of this Act by the Office of Management and Budget through the Program Assessment Rating Tool (PART) is ''ineffective'' shall be reduced by 10 percent. Not later than 30 days after the date of enactment of this Act, an amount equal to the aggregate amount of any such reduction shall be deposited in the account established under section 3113(d) of title 31, United States Code, to reduce the public debt.

SA 3370. Mr. KERRY submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I, insert the following:

SEC. ____. To enable the National Institute for Occupational Safety and Health to carry out the Fire Fighter Fatality Investigation and Prevention Program, $5,000,000, which shall include any other amounts made available under this Act for such Program.

SA 3371. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 79, between lines 4 and 5, insert the following:

SEC. ____. In addition to other amounts appropriated in this title to carry out title VII of the Public Health Service Act, $2,000,000 shall be made available to carry out allied health professional programs under section 755 of such title VII, other than the Chiropractic-Medical School Demonstration Grant program, Graduate Psychology training programs, and podiatric physicians programs.

On page 62, line 9, strike ''$399,386,000'' and insert ''$397,386,000''.

SA 3372. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

SEC. ____. EDUCATION DISASTER AND EMERGENCY RELIEF LOAN PROGRAM.

(a) DEFINITIONS.—

(1) EMERGENCY.—The term ''emergency'' has the meaning given the term in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)).

(2) MAJOR DISASTER.—The term ''major disaster'' has the meaning given the term in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)).

(3) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(b) LOAN PROGRAM AUTHORIZED.—From funds appropriated under subsection (k), the Secretary shall establish an Education Disaster and Emergency Relief Loan Program to provide long term, low interest, guaranteed loans to institutions of higher education for direct or indirect losses incurred as a result of a federally declared major disaster or emergency.

(c) PRESIDENTIAL DECLARATION REQUIRED.—The Secretary shall only provide a loan under the Education Disaster and Emergency Relief Loan Program to an institution of higher education located in an area with respect to which a major disaster or emergency was declared by the President pursuant to section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191).

(d) USE OF LOAN FUNDS.—Loan funds provided under this section may be used for—

(1) direct and indirect construction, replacement, renovation, or clean-up costs associated with or resulting from a major disaster or emergency;

(2) faculty salaries and incentives for retaining faculty; or

(3) reimbursement for lost tuition and other revenues.

(e) REQUIREMENTS FOR LOANS DUE TO LOSSES.—An institution of higher education that desires to receive a loan under this section shall—

(1) submit a sworn financial statement and other appropriate data, documentation, or other evidence requested by the Secretary that indicates that the institution incurred losses resulting from the impact of a major disaster or emergency and the monetary amount of such losses; and

(2) demonstrate that the institution attempted to minimize the cost of any losses by pursuing collateral source compensation from the Federal Emergency Management Agency and from insurance coverage prior to seeking a loan under this section, except that an institution of higher education shall not be required to receive collateral source compensation from the Federal Emergency Management Agency or from insurance compensation in order to be eligible for a loan under this section.

(f) AUDIT.—The Secretary and the Comptroller General of the United States may audit a financial statement submitted under subsection (e) and may request any information that the Secretary and Comptroller General determine necessary to conduct such an audit.

(g) REDUCTION IN LOAN AMOUNTS.—In calculating the amount of a loan to make available to an institution of higher education under this section, the Secretary shall calculate a figure that reduces from the monetary amount of losses incurred by the institution only the amount of collateral source compensation the institution received from the Federal Emergency Management Agency and from insurance compensation.

(h) DATE OF ELIGIBILITY; EXPENSES INCURRED BEFORE DATE OF DISASTER.—Eligibility for a loan under this section shall begin on the date of the occurrence of the event which results in a declaration by the President that a major disaster or emergency exists, except that reasonable expenses which are incurred in anticipation of and immediately preceding such event may be covered by a loan under this section.

(i) CONDITIONS OF LOAN.—A loan under this section—

(1) shall be repaid over a period of time that is not less than 30 years; and

(2) shall bear interest at a rate which shall be not be more than 1 percent per annum.

(j) REGULATIONS.—Not later than 60 days after the date of enactment of this Act, the Secretary shall issue regulations setting forth—

(1) the terms for the long term, low interest, guaranteed loan program under this section;

(2) procedures for an application for a loan under this section; and

(3) minimum requirements for the long term, low interest, guaranteed loan program and for receiving a loan under this section, including the following:

(A) Online forms to be used in submitting request for a loan under this section.

(B) Information to be included in the forms.

(C) Procedures to assist in filing and pursing a loan under this section.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated and there are appropriated, out of any money in the Treasury not otherwise appropriated, $800,000,000 to carry out this section for fiscal year 2008.

SA 3373. Mr. SESSIONS (for himself, Mr. HATCH, Mr. INHOFE, Mr. ISAKSON, Mr. ROBERTS, Mr. VITTER, Mrs. DOLE, Mr. MARTINEZ, Mr. ALEXANDER, Mr. CORNYN, Mr. ENZI, and Mr. GRAHAM) proposed an amendment to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 14, line 24, strike ''$436,397,000'' and insert ''$441,397,000, of which $50,737,000 is for the Office of Labor Management Standards (notwithstanding any other provision of this Act, amounts appropriated or otherwise made available under this Act for the administrative and related expenses for departmental management for the Department of Labor, the Department of Health and Human Services, and the Department of Education shall be reduced on a pro rata basis by $5,000,000),''.

SA 3374. Ms. COLLINS (for herself, Mr. FEINGOLD, Mr. BINGAMAN, Mr. CARDIN, and Ms. SNOWE) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 64, line 5, insert before the period the following: ''*: Provided further,* That $8,000,000 of the amounts appropriated under this heading shall be made available to carry out dental workforce programs under section 340G of the Public Health Service Act (42 U.S.C. 256g)''.

SA 3375. Mr. ALEXANDER (for himself, Mr. BINGAMAN) submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the end of title III, insert the following:

SEC. ____. (a) In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated—

(1) $6,000,000 to carry out the programs for baccalaureate degrees in science, technology, engineering, mathematics, or critical foreign languages, with concurrent teacher certification under section 6113 of the America COMPETES Act (Public Law 110–69); and

(2) $4,000,000 to carry out the programs for master's degrees in science, technology, engineering, and mathematics, or critical foreign language education under section 6114 of the America COMPETES Act (Public Law 110–69).

(b) Notwithstanding any other provision of this Act, amounts made available under this Act for the administration and related expenses for the departmental management of the Department of Education, shall be reduced by $10,000,000.

SA 3376. Mr. SMITH submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____. (a) Notwithstanding any other provision of this Act, there shall be made available under this Act a total of $7,500,000 for the National Violent Death Reporting System within the Centers for Disease Control and Prevention.

(b) Notwithstanding any other provision of this Act, not to exceed $7,500,000 in prior fiscal year unobligated balances shall be transferred, on a pro rata basis, to the Secretary of Health and Human Services to carry out subsection (a).

SA 3377. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 79, between lines 4 and 5, insert the following:

SEC. ____. In addition to other amounts appropriated in this title to carry out title VII

of the Public Health Service Act, $2,000,000 shall be made available to carry out allied health professional programs under section 755 of such title VII, other than the Chiropractic-Medical School Demonstration Grant program, Graduate Psychology training programs, and podiatric physicians programs.

On page 62, line 9, strike ''$399,386,000'' and insert ''$397,386,000''.

SA 3378. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 28, line 10, insert before the period the following: '': *Provided*, That $3,000,000 shall be transferred from amounts made available in this title for salaries and expenses of the Department of Labor, to carry out Federal management activities relating to veterans employment and training''.

SA 3379. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, line 15, insert ''(increased by $25,000,000)'' before '', plus''.

On page 3, line 15, insert ''(increased by $25,000,000)'' before ''as follows:''.

On page 3, line 16, insert ''(increased by $25,000,000)'' before ''for the''.

On page 3, line 21, insert ''(increased by $25,000,000)'' before ''shall be''.

On page 3, line 24, insert ''(increased by $25,000,000)'' before ''may be''.

On page 104, line 8, insert ''(decreased by $25,000,000)'' before the colon.

SA 3380. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 58, line 7, strike ''$9,213,332,000, of which'' and insert ''$9,213,839,000, of which $50,000,000 shall be to carry out the provisions of section 439 of the Social Security Act (*provided*, notwithstanding any other provision of this Act, amounts made available under this Act for the administration and related expenses for the departmental management of the Department of Labor, the Department of Health and Human Services, and the Department of Education, shall be reduced, on a pro rata basis, by $507,000), and''.

SA 3381. Mr. CORNYN (for himself, Mr. VOINOVICH, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE _____—UNITED STATES AUTHORIZATION AND SUNSET COMMISSION

SEC. ___1. SHORT TITLE.

This title may be cited as the ''United States Authorization and Sunset Commission Act of 2007''.

SEC. ___2. DEFINITIONS.

In this title—

(1) the term ''agency'' means an Executive agency as defined under section 105 of title 5, United States Code;

(2) the term ''Commission'' means the United States Authorization and Sunset Commission established under section ___3; and

(3) the term ''Commission Schedule and Review bill'' means the proposed legislation submitted to Congress under section ___4(b).

SEC. ___3. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is established the United States Authorization and Sunset Commission.

(b) COMPOSITION.—The Commission shall be composed of eight members (in this title referred to as the ''members''), as follows:

(1) Four members appointed by the majority leader of the Senate, one of whom may include the majority leader of the Senate, with minority members appointed with the consent of the minority leader of the Senate.

(2) Four members appointed by the Speaker of the House of Representatives, one of whom may include the Speaker of the House of Representatives, with minority members appointed with the consent of the minority leader of the House of Representatives.

(3) The Director of the Congressional Budget Office and the Comptroller of the Government Accountability Office shall be non-voting ex officio members of the Commission.

(c) QUALIFICATIONS OF MEMBERS.—

(1) IN GENERAL.—

(A) SENATE MEMBERS.—Of the members appointed under subsection (b)(1), four shall be members of the Senate (not more than two of whom may be of the same political party).

(B) HOUSE OF REPRESENTATIVE MEMBERS.—Of the members appointed under subsection (b)(2), four shall be members of the House of Representatives, not more than two of whom may be of the same political party.

(2) CONTINUATION OF MEMBERSHIP.—

(A) IN GENERAL.—If a member was appointed to the Commission as a Member of Congress and the member ceases to be a Member of Congress, that member shall cease to be a member of the Commission.

(B) ACTIONS OF COMMISSION UNAFFECTED.—Any action of the Commission shall not be affected as a result of a member becoming ineligible under subparagraph (A).

(d) INITIAL APPOINTMENTS.—Not later than 90 days after the date of enactment of this Act, all initial appointments to the Commission shall be made.

(e) CHAIRPERSON; VICE CHAIRPERSON.—

(1) INITIAL CHAIRPERSON.—An individual shall be designated by the Speaker of the House of Representatives from among the members initially appointed under subsection (b)(2) to serve as chairperson of the Commission for a period of 2 years.

(2) INITIAL VICE CHAIRPERSON.—An individual shall be designated by the majority leader of the Senate from among the individuals initially appointed under subsection (b)(1) to serve as vice-chairperson of the Commission for a period of 2 years.

(3) ALTERNATE APPOINTMENTS OF CHAIRMEN AND VICE CHAIRMEN.—Following the termination of the 2-year period described under paragraphs (1) and (2), the Speaker and the majority leader of the Senate shall alternate every 2 years in appointing the chairperson and vice-chairperson of the Commission.

(f) TERMS OF MEMBERS.—

(1) MEMBERS OF CONGRESS.—Each member appointed to the Commission shall serve for a term of 6 years, except that, of the members first appointed under paragraphs (1) and (2) of subsection (b), two members shall be appointed to serve a term of 3 years.

(2) TERM LIMIT.—A member of the Commission who serves more than 3 years of a term may not be appointed to another term as a member.

(g) INITIAL MEETING.—If, after 90 days after the date of enactment of this Act, five or more members of the Commission have been appointed—

(1) members who have been appointed may—

(A) meet; and

(B) select a chairperson from among the members (if a chairperson has not been appointed) who may serve as chairperson until the appointment of a chairperson; and

(2) the chairperson shall have the authority to begin the operations of the Commission, including the hiring of staff.

(h) MEETING; VACANCIES.—After its initial meeting, the Commission shall meet upon the call of the chairperson or a majority of its members. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(i) POWERS OF THE COMMISSION.—

(1) IN GENERAL.—

(A) HEARINGS, TESTIMONY, AND EVIDENCE.—The Commission may, for the purpose of carrying out the provisions of this title—

(i) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

(ii) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, that the Commission or such designated subcommittee or designated member may determine advisable.

(B) SUBPOENAS.—Subpoenas issued under subparagraph (A)(ii) may be issued to require attendance and testimony of witnesses and the production of evidence relating to any matter under investigation by the Commission.

(C) ENFORCEMENT.—The provisions of sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194) shall apply in the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this paragraph.

(2) CONTRACTING.—The Commission may contract with and compensate government and private agencies or persons for services without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) to enable the Commission to discharge its duties under this title.

(3) INFORMATION FROM FEDERAL AGENCIES.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this section. Each such department, bureau, agency, board, commission, office, establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the chairperson.

(4) SUPPORT SERVICES.—

(A) GOVERNMENT ACCOUNTABILITY OFFICE.—The Government Accountability Office is authorized on a reimbursable basis to provide

the Commission with administrative services, facilities, staff, and other support services for the performance of the functions of the Commission.

(B) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a nonreimbursable basis such administrative support services as the Commission may request.

(C) AGENCIES.—In addition to the assistance under subparagraphs (A) and (B), departments and agencies of the United States are authorized to provide to the Commission such services, funds, facilities, staff, and other support services as the Commission may determine advisable as may be authorized by law.

(5) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(6) IMMUNITY.—The Commission is an agency of the United States for purposes of part V of title 18, United States Code (relating to immunity of witnesses).

(7) DIRECTOR AND STAFF OF THE COMMISSION.—

(A) DIRECTOR.—The chairperson of the Commission may appoint a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable to a person occupying a position at level II of the Executive Schedule. Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(B) PERSONNEL AS FEDERAL EMPLOYEES.—

(i) IN GENERAL.—The executive director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, 89A, 89B, and 90 of that title.

(ii) MEMBERS OF COMMISSION.—Clause (i) shall not be construed to apply to members of the Commission.

(C) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—With the approval of the majority of the Commission, the chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(8) COMPENSATION AND TRAVEL EXPENSES.—

(A) COMPENSATION.—Members shall not be paid by reason of their service as members.

(B) TRAVEL EXPENSES.—Each member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703(b) of title 5, United States Code.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as necessary for the purposes of carrying out the duties of the Commission.

(k) TERMINATION.—The Commission shall terminate on December 31, 2037.

SEC. ___4. DUTIES AND RECOMMENDATIONS OF THE UNITED STATES AUTHORIZATION AND SUNSET COMMISSION.

(a) SCHEDULE AND REVIEW.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act and at least once every 10 years thereafter, the Commission shall submit to Congress a legislative proposal that includes the schedule of review and abolishment of agencies and programs (in this section referred to as the ''Commission Schedule and Review bill'').

(2) SCHEDULE.—The schedule of the Commission shall provide a timeline for the Commission's review and proposed abolishment of—

(A) at least 25 percent of unauthorized agencies or programs as measured in dollars, including those identified by the Congressional Budget Office under section 202(e)(3) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 602(e)(3)); and

(B) if applicable, at least 25 percent of the programs as measured in dollars identified by the Office of Management and Budget through its Program Assessment Rating Tool program or other similar review program established by the Office of Management and Budget as ineffective or results not demonstrated.

(3) REVIEW OF AGENCIES.—In determining the schedule for review and abolishment of agencies under paragraph (1), the Commission shall provide that any agency that performs similar or related functions be reviewed concurrently.

(4) CRITERIA AND REVIEW.—The Commission shall review each agency and program identified under paragraph (1) in accordance with the following criteria as applicable:

(A) The effectiveness and the efficiency of the program or agency.

(B) The achievement of performance goals (as defined under section 1115(g)(4) of title 31, United States Code).

(C) The management of the financial and personnel issues of the program or agency.

(D) Whether the program or agency has fulfilled the legislative intent surrounding its creation, taking into account any change in legislative intent during the existence of the program or agency.

(E) Ways the agency or program could be less burdensome but still efficient in protecting the public.

(F) Whether reorganization, consolidation, abolishment, expansion, or transfer of agencies or programs would better enable the Federal Government to accomplish its missions and goals.

(G) The promptness and effectiveness of an agency in handling complaints and requests made under section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act).

(H) The extent that the agency encourages and uses public participation when making rules and decisions.

(I) The record of the agency in complying with requirements for equal employment opportunity, the rights and privacy of individuals, and purchasing products from historically underutilized businesses.

(J) The extent to which the program or agency duplicates or conflicts with other Federal agencies, State or local government, or the private sector and if consolidation or streamlining into a single agency or program is feasible.

(b) SCHEDULE AND ABOLISHMENT OF AGENCIES AND PROGRAMS.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act and at least once every 10 years thereafter, the Commission shall submit to the Congress a Commission Schedule and Review bill that—

(A) includes a schedule for review of agencies and programs; and

(B) abolishes any agency or program 2 years after the date the Commission completes its review of the agency or program, unless the agency or program is reauthorized by Congress.

(2) EXPEDITED CONGRESSIONAL CONSIDERATION PROCEDURES.—In reviewing the Commission Schedule and Review bill, Congress shall follow the expedited procedures under section ___6.

(c) RECOMMENDATIONS AND LEGISLATIVE PROPOSALS.—

(1) REPORT.—Not later than 2 years after the date of enactment of this Act, the Commission shall submit to Congress and the President—

(A) a report that reviews and analyzes according to the criteria established under subsection (a)(4) for each agency and program to be reviewed in the year in which the report is submitted under the schedule submitted to Congress under subsection (a)(1);

(B) a proposal, if appropriate, to reauthorize, reorganize, consolidate, expand, or transfer the Federal programs and agencies to be reviewed in the year in which the report is submitted under the schedule submitted to Congress under subsection (a)(1); and

(C) legislative provisions necessary to implement the Commission's proposal and recommendations.

(2) ADDITIONAL REPORTS.—The Commission shall submit to Congress and the President additional reports as prescribed under paragraph (1) on or before June 30 of every other year.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the power of the Commission to review any Federal program or agency.

(e) APPROVAL OF REPORTS.—The Commission Schedule and Review bill and all other legislative proposals and reports submitted under this section shall require the approval of not less than five members of the Commission.

SEC. ___5. EXPEDITED CONSIDERATION OF COMMISSION RECOMMENDATIONS.

(a) INTRODUCTION AND COMMITTEE CONSIDERATION.—

(1) INTRODUCTION.—If any legislative proposal with provisions is submitted to Congress under section ___4(c), a bill with that proposal and provisions shall be introduced in the Senate by the majority leader, and in the House of Representatives, by the Speaker. Upon introduction, the bill shall be referred to the appropriate committees of Congress under paragraph (2). If the bill is not introduced in accordance with the preceding sentence, then any Member of Congress may introduce that bill in their respective House of Congress beginning on the date that is the 5th calendar day that such House is in session following the date of the submission of such proposal with provisions.

(2) COMMITTEE CONSIDERATION.—

(A) REFERRAL.—A bill introduced under paragraph (1) shall be referred to any appropriate committee of jurisdiction in the Senate, any appropriate committee of jurisdiction in the House of Representatives, the Committee on the Budget and the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on the Budget and the Committee on Homeland Security and Governmental Affairs of the House of Representatives.

(B) REPORTING.—Not later than 30 calendar days after the introduction of the bill, each committee of Congress to which the bill was referred shall report the bill or a committee amendment thereto.

(C) DISCHARGE OF COMMITTEE.—If a committee to which is referred a bill has not reported such bill at the end of 30 calendar days after its introduction or at the end of the first day after there has been reported to the House involved a bill, whichever is earlier, such committee shall be deemed to be

discharged from further consideration of such bill, and such bill shall be placed on the appropriate calendar of the House involved.

(b) EXPEDITED PROCEDURE.—

(1) CONSIDERATION.—

(A) IN GENERAL.—Not later than 5 calendar days after the date on which a committee has been discharged from consideration of a bill, the majority leader of the Senate, or the majority leader's designee, or the Speaker of the House of Representatives, or the Speaker's designee, shall move to proceed to the consideration of the committee amendment to the bill, and if there is no such amendment, to the bill. It shall also be in order for any member of the Senate or the House of Representatives, respectively, to move to proceed to the consideration of the bill at any time after the conclusion of such 5-day period.

(B) MOTION TO PROCEED.—A motion to proceed to the consideration of a bill is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, to a motion to postpone consideration of the bill, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion to proceed is agreed to or not agreed to shall not be in order. If the motion to proceed is agreed to, the Senate or the House of Representatives, as the case may be, shall immediately proceed to consideration of the bill without intervening motion, order, or other business, and the bill shall remain the unfinished business of the Senate or the House of Representatives, as the case may be, until disposed of.

(C) LIMITED DEBATE.—Debate on the bill and all amendments thereto and on all debatable motions and appeals in connection therewith shall be limited to not more than 50 hours, which shall be divided equally between those favoring and those opposing the bill. A motion further to limit debate on the bill is in order and is not debatable. All time used for consideration of the bill, including time used for quorum calls (except quorum calls immediately preceding a vote) and voting, shall come from the 50 hours of debate.

(D) AMENDMENTS.—No amendment that is not germane to the provisions of the bill shall be in order in the Senate. In the Senate, an amendment, any amendment to an amendment, or any debatable motion or appeal is debatable for not to exceed 1 hour to be divided equally between those favoring and those opposing the amendment, motion, or appeal.

(E) VOTE ON PASSAGE.—Immediately following the conclusion of the debate on the bill, and the disposition of any pending amendments under subparagraph (D), the vote on passage of the bill shall occur.

(F) OTHER MOTIONS NOT IN ORDER.—A motion to postpone consideration of the bill, a motion to proceed to the consideration of other business, or a motion to recommit the bill is not in order. A motion to reconsider the vote by which the bill is agreed to or not agreed to is not in order.

(2) CONSIDERATION BY OTHER HOUSE.—If, before the passage by one House of the bill that was introduced in such House, such House receives from the other House a bill as passed by such other House—

(A) the bill of the other House shall not be referred to a committee and may only be considered for passage in the House that receives it under subparagraph (C);

(B) the procedure in the House in receipt of the bill of the other House, with respect to the bill that was introduced in the House in receipt of the bill of the other House, shall be the same as if no bill had been received from the other House; and

(C) notwithstanding subparagraph (B), the vote on passage shall be on the bill of the other House.

Upon disposition of a bill that is received by one House from the other House, it shall no longer be in order to consider the bill that was introduced in the receiving House.

(3) CONSIDERATION IN CONFERENCE.—

(A) CONVENING OF CONFERENCE.—Immediately upon passage of a bill that results in a disagreement between the two Houses of Congress with respect to a bill, conferees shall be appointed and a conference convened.

(B) ACTION ON CONFERENCE REPORTS IN THE SENATE.—

(i) MOTION TO PROCEED.—The motion to proceed to consideration in the Senate of the conference report on a bill may be made even though a previous motion to the same effect has been disagreed to.

(ii) DEBATE.—Consideration in the Senate of the conference report (including a message between Houses) on a bill, and all amendments in disagreement, including all amendments thereto, and debatable motions and appeals in connection therewith, shall be limited to 20 hours, equally divided and controlled by the majority leader and the minority leader or their designees. Debate on any debatable motion or appeal related to the conference report (or a message between Houses) shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the conference report (or a message between Houses).

(iii) CONFERENCE REPORT DEFEATED.—Should the conference report be defeated, debate on any request for a new conference and the appointment of conferrees shall be limited to 1 hour, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or the minority leader's designee, and should any motion be made to instruct the conferees before the conferees are named, debate on such motion shall be limited to ½ hour, to be equally divided between, and controlled by, the mover and the manager of the conference report. Debate on any amendment to any such instructions shall be limited to 20 minutes, to be equally divided between and controlled by the mover and the manager of the conference report. In all cases when the manager of the conference report is in favor of any motion, appeal, or amendment, the time in opposition shall be under the control of the minority leader or the minority leader's designee.

(iv) AMENDMENTS IN DISAGREEMENT.—In any case in which there are amendments in disagreement, time on each amendment shall be limited to 30 minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or the minority leader's designee. No amendment that is not germane to the provisions of such amendments shall be received.

(v) LIMITATION ON MOTION TO RECOMMIT.—A motion to recommit the conference report is not in order.

(c) RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a bill, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. ___6. EXPEDITED CONSIDERATION OF COMMISSION SCHEDULE AND REVIEW BILL.

(a) INTRODUCTION AND COMMITTEE CONSIDERATION.—

(1) INTRODUCTION.—The Commission Schedule and Review bill submitted under section ___4(b) shall be introduced in the Senate by the majority leader, or the majority leader's designee, and in the House of Representatives, by the Speaker, or the Speaker's designee. Upon such introduction, the Commission Schedule and Review bill shall be referred to the appropriate committees of Congress under paragraph (2). If the Commission Schedule and Review bill is not introduced in accordance with the preceding sentence, then any member of Congress may introduce the Commission Schedule and Review bill in their respective House of Congress beginning on the date that is the 5th calendar day that such House is in session following the date of the submission of such aggregate legislative language provisions.

(2) COMMITTEE CONSIDERATION.—

(A) REFERRAL.—A Commission Schedule and Review bill introduced under paragraph (1) shall be referred to any appropriate committee of jurisdiction in the Senate, any appropriate committee of jurisdiction in the House of Representatives, the Committee on the Budget and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on the Budget and the Committee on Oversight and Government Reform of the House of Representatives. A committee to which a Commission Schedule and Review bill is referred under this paragraph may review and comment on such bill, may report such bill to the respective House, and may not amend such bill.

(B) REPORTING.—Not later than 30 calendar days after the introduction of the Commission Schedule and Review bill, each Committee of Congress to which the Commission Schedule and Review bill was referred shall report the bill.

(C) DISCHARGE OF COMMITTEE.—If a committee to which is referred a Commission Schedule and Review bill has not reported such Commission Schedule and Review bill at the end of 30 calendar days after its introduction or at the end of the first day after there has been reported to the House involved a Commission Schedule and Review bill, whichever is earlier, such committee shall be deemed to be discharged from further consideration of such Commission Schedule and Review bill, and such Commission Schedule and Review bill shall be placed on the appropriate calendar of the House involved.

(b) EXPEDITED PROCEDURE.—

(1) CONSIDERATION.—

(A) IN GENERAL.—Not later than 5 calendar days after the date on which a committee has been discharged from consideration of a Commission Schedule and Review bill, the majority leader of the Senate, or the majority leader's designee, or the Speaker of the House of Representatives, or the Speaker's designee, shall move to proceed to the consideration of the Commission Schedule and Review bill. It shall also be in order for any member of the Senate or the House of Representatives, respectively, to move to proceed to the consideration of the Commission Schedule and Review bill at any time after the conclusion of such 5-day period.

(B) MOTION TO PROCEED.—A motion to proceed to the consideration of a Commission Schedule and Review bill is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, to a

motion to postpone consideration of the Commission Schedule and Review bill, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion to proceed is agreed to or not agreed to shall not be in order. If the motion to proceed is agreed to, the Senate or the House of Representatives, as the case may be, shall immediately proceed to consideration of the Commission Schedule and Review bill without intervening motion, order, or other business, and the Commission Schedule and Review bill shall remain the unfinished business of the Senate or the House of Representatives, as the case may be, until disposed of.

(C) LIMITED DEBATE.—Debate on the Commission Schedule and Review bill and on all debatable motions and appeals in connection therewith shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the Commission Schedule and Review bill. A motion further to limit debate on the Commission Schedule and Review bill is in order and is not debatable. All time used for consideration of the Commission Schedule and Review bill, including time used for quorum calls (except quorum calls immediately preceding a vote) and voting, shall come from the 10 hours of debate.

(D) AMENDMENTS.—No amendment to the Commission Schedule and Review bill shall be in order in the Senate and the House of Representatives.

(E) VOTE ON PASSAGE.—Immediately following the conclusion of the debate on the Commission Schedule and Review bill, the vote on passage of the Commission Schedule and Review bill shall occur.

(F) OTHER MOTIONS NOT IN ORDER.—A motion to postpone consideration of the Commission Schedule and Review bill, a motion to proceed to the consideration of other business, or a motion to recommit the Commission Schedule and Review bill is not in order. A motion to reconsider the vote by which the Commission Schedule and Review bill is agreed to or not agreed to is not in order.

(2) CONSIDERATION BY OTHER HOUSE.—If, before the passage by one House of the Commission Schedule and Review bill that was introduced in such House, such House receives from the other House a Commission Schedule and Review bill as passed by such other House—

(A) the Commission Schedule and Review bill of the other House shall not be referred to a committee and may only be considered for passage in the House that receives it under subparagraph (C);

(B) the procedure in the House in receipt of the Commission Schedule and Review bill of the other House, with respect to the Commission Schedule and Review bill that was introduced in the House in receipt of the Commission Schedule and Review bill of the other House, shall be the same as if no Commission Schedule and Review bill had been received from the other House; and

(C) notwithstanding subparagraph (B), the vote on passage shall be on the Commission Schedule and Review bill of the other House. Upon disposition of a Commission Schedule and Review bill that is received by one House from the other House, it shall no longer be in order to consider the Commission Schedule and Review bill that was introduced in the receiving House.

(c) RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a Commission Schedule and Review bill, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SA 3382. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 42, line 12, insert before the period the following: ''*Provided,* That a portion of such funds shall be used for the continuation of the frequent hemodialysis clinical trials''.

SA 3383. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Notwithstanding subsection (b) of section 1864 of the Social Security Act, or any other provision of law, the Secretary of Health and Human Services may enter into an agreement with a State to carry out survey and certification activities in accordance with such section under which the State voluntarily agrees to bear all or any part of the costs of carrying out such activities.

SA 3384. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, the Secretary of Health and Human Services shall use funds appropriated under the heading ''PROGRAM MANAGEMENT'' under the heading ''CENTERS FOR MEDICARE AND MEDICAID SERVICES'' to enter into a cooperative arrangement with the Comptroller General under which the Comptroller General shall conduct an independent study of the effectiveness and timeliness of the four-tiered system used to determine the frequency and priority for surveying and certifying providers and suppliers participating or desiring to participate in the Medicare or Medicaid program. The study shall include an examination of the impact of such system on health care providers and suppliers that have not previously been surveyed and certified for participation in either such program.

SA 3385. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) Notwithstanding any other provision of this Act, the Secretary of Health and Human Services shall use funds appropriated under the heading ''PROGRAM MANAGEMENT'' under the heading ''CENTERS FOR MEDICARE AND MEDICAID SERVICES'' to carry out the activities described in subsections (b) and (c).

(b) For purposes of subsection (a), the activity described in this subsection is the establishment of a plan for timely completion of the survey and certification process for any new health care facility seeking to participate in the Medicare or Medicaid program that has been pending for at least 90 days after the date on which the request for survey and certification was submitted. Such plan shall give priority to completing any such survey and certification requests that were submitted in fiscal year 2007.

(c) For purposes of subsection (a), the activity described in this subsection is the establishment of a process for identifying and communicating with new health care facilities that are likely to seek survey and certification for participation in the Medicare or Medicaid program. Such process shall require the Centers for Medicare & Medicaid Services to provide regular and ongoing communication regarding the timing for an initial survey with any owner of such a health care facility during the construction process or as soon as practicable after identification.

SA 3386. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, line 26, insert before the period the following: '': *Provided further,* That the Secretary of Health and Human Services shall have the authority to transfer amounts appropriated under this title for any congressionally directed spending item to the National Institutes of Health''.

SA 3387. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 4, strike line 22 and all that follows through line 7 on page 5, and insert the following: ''workers: *Provided further,* That $3,700,000 shall be for competitive grants, which shall be awarded not later than 30 days after the date of enactment of this Act''.

SA 3388. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, none of the funds appropriated in this Act may be allocated, directed, or otherwise made available to cities that provide safe haven to illegal drug users through the use of illegal drug injection facilities.

SA 3389. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Section 301(c)(1) of the National Organ Transplant Act (42 U.S.C. 274e(c)(1)) is amended by adding before the period at the end the following: ''and any human egg, human embryo, and stem cell derived from a human embryo.''.

SA 3390. Mrs. MCCASKILL (for herself and Mr. BROWN) submitted an amendment intended to be proposed by her to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. ISSUANCE OF STANDARD ON DIACETYL.

(a) INTERIM STANDARD.—

(1) RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Secretary of Labor shall promulgate an interim final standard regulating worker exposure to diacetyl. The interim final standard shall apply—

(A) to all locations in the flavoring manufacturing industry that manufacture, use, handle, or process diacetyl; and

(B) to all microwave popcorn production and packaging establishments that use diacetyl-containing flavors in the manufacture of microwave popcorn.

(2) REQUIREMENTS.—The interim final standard required under subsection (a) shall provide no less protection than the recommendations contained in the NIOSH Alert ''Preventing Lung Disease in Workers Who Use or Make Flavorings'' (NIOSH Publication 2004–110) and include the following:

(A) Requirements for engineering, work practice controls, and respiratory protection to minimize exposure to diacetyl. Such engineering and work practice controls include closed processes, isolation, local exhaust ventilation, proper pouring techniques, and safe cleaning procedures.

(B) Requirements for a written exposure control plan that will indicate specific measures the employer will take to minimize employee exposure; and requirements for evaluation of the exposure control plan to determine the effectiveness of control measures at least on a biannual basis and whenever medical surveillance indicates abnormal pulmonary function in employees exposed to diacetyl, or whenever necessary to reflect new or modified processes.

(C) Requirements for airborne exposure assessments to determine levels of exposure and ensure adequacy of controls

(D) Requirements for medical surveillance for workers and referral for prompt medical evaluation.

(E) Requirements for protective equipment and clothing for workers exposed to diacetyl.

(F) Requirements to provide written safety and health information and training to employees, including hazard communication information, labeling, and training.

(3) EFFECTIVE DATE OF INTERIM STANDARD.—The interim final standard shall take effect upon issuance. The interim final standard shall have the legal effect of an occupational safety and health standard, and shall apply until a final standard becomes effective under section 6 of the Occupational Safety and Health Act (29 U.S.C. 655).

(4) LIMITATION ON APPLICATION OF CERTAIN PROVISIONS.—Federal laws relating to timelines for the promulgation of interim final standards of the type provided for under this subsection shall not apply to the standard promulgated under this subsection.

(b) FINAL STANDARD.—Not later than 2 years after the date of enactment of this Act, the Secretary of Labor shall, pursuant to section 6 of the Occupational Safety and Health Act (29 U.S.C. 655), promulgate a final standard regulating worker exposure to diacetyl. The final standard shall contain, at a minimum, the worker protection provisions in the interim final standard, a short term exposure limit, and a permissible exposure limit that does not exceed the lowest feasible level, and shall apply at a minimum to all facilities where diacetyl is processed or used.

SA 3391. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____. The Secretary of Health and Human Services shall provide, under section 319 of the Public Health Service Act (42 U.S.C. 247d), for a declaration of a public health emergency with respect to Sumter County, Georgia (or to recognize the declaration of public health emergency made by the State of Georgia for such county) in order that the Secretary shall provide, under section 1135(b) of the Social Security Act (42 U.S.C. 1320b–5(b))), for the waiver of the provisions of section 1877 of such Act (42 U.S.C. 1395nn) sufficient to permit the Sumter Regional Hospital in Americus, Georgia, to provide financial support needed to maintain a medical staff and community physicians in the area.

SA 3392. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Title X of the Public Health Service Act (42 U.S.C. 300 et seq.) is amended by adding at the end the following:

''SEC. 1009. COMPLIANCE WITH STATE REPORTING REQUIREMENTS.

''(a) IN GENERAL.—The Secretary shall not make any funds available under this title to a person unless the person certifies that the person and each associated entity are in compliance with all applicable State requirements for the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

''(b) LOSS OF ELIGIBILITY.—If the Secretary determines that a person or any associated entity has failed to comply with any State requirement described in subsection (a), the Secretary shall not make any funds available under this title to such person for a period of 3 years following the date of such failure.

''(c) ANNUAL REPORTS BY RECIPIENTS OF FUNDS.—Not later than the end of fiscal year 2008, and annually thereafter, each person receiving funds under this title shall submit to the Secretary a report—

''(1) certifying that the person and each associated entity remain in compliance with all applicable State requirements for the reporting of child abuse, child molestation, sexual abuse, rape, or incest; and

''(2) identifying the number of reports submitted by the person during the preceding 12-month period to comply with such requirements.

''(d) DEFINITION.—In this section, the term 'associated entity' means an entity that—

''(1) controls, is controlled by, or is under common control with the person involved; and

''(2) is colocated with such person.''.

(b) The amendment made by subsection (a) applies with respect to the expenditure or obligation of funds under title X of the Public Health Service Act (42 U.S.C. 300 et seq.) on or after the date that is 6 months after the date of the enactment of this Act.

SA 3393. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) The Director of the National Cancer Institute shall enter into a contract with an appropriate entity for the conduct of a study to determine the effects of the Trinity Nuclear test in 1945 on the surrounding communities in New Mexico with respect to the following:

(1) An estimate (expressed as a range) of the expected number of cancers and other radiogenic illnesses (both fatal and nonfatal cases) expected among the individuals in the region of the Trinity Nuclear test site as a result of their exposures to radioactive fallout from open air test.

(2) With respect to future illnesses, a description the scientific consensus regarding the maximum limit of the latency period for these radiogenic illnesses.

(3) An estimate (expressed as a range) of the number of such illnesses that would be expected to occur naturally among the affected population.

(b) Not later than 1 year after the date of enactment of this Act, the Director of the National Cancer Institute shall submit to the appropriate committees of Congress, a report concerning the results of the study conducted under subsection (a).

(c) The Secretary of Health and Human Services shall transfer $1,000,000 from amounts appropriated under this Act for the administrative functions of the National Institutes of Health to the Director of the National Cancer Institute to carry out this section.

SA 3394. Mr. WARNER (for himself and Mrs. CLINTON) submitted an

amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 64, line 5, insert before the period the following: ''*Provided further*, That $10,000,000 shall be made available, in addition to amounts otherwise available, to implement the Lifespan Respite Care Act''.

SA 3395. Mr. HARKIN (for Mr. REID) proposed an amendment to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place in title II, insert the following:

SEC. ____. Nothing in this Act shall be construed to effect or otherwise modify provisions of current Federal law with respect to the funding of abortion.

SA 3396. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. H–1B VISA EMPLOYER FEE.

(a) IN GENERAL.—Section 214(c)(9)(B) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(9)(B)) is amended by striking ''$1,500'' and inserting ''$3,000''.

(b) USE OF ADDITIONAL FEE.—Section 286 of such Act (8 U.S.C. 1356) is amended by adding at the end the following:

''(w) GIFTED AND TALENTED STUDENTS EDUCATION ACCOUNT.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the 'Gifted and Talented Students Education Account'. Notwithstanding any other provision of law, there shall be deposited as offsetting receipts into the account 50 percent of the fees collected under section 214(c)(9)(B).

''(2) USE OF FEES.—Amounts deposited into the account established under paragraph (1) shall remain available to the Secretary of Education until expended for programs and projects authorized under the Jacob K. Javits Gifted and Talented Students Education Act of 2001 (20 U.S.C. 7253 et seq.).''.

SA 3397. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____. (a) Not later than 30 days after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall submit a report to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives on workers' compensation set-asides under the Medicare secondary payer set-aside provisions under title XVIII of the Social Security Act.

(b) The report described in subsection (a) shall contain the following information:

(1) The number of workers' compensation set-aside determination requests that have been pending for more than 60 days from the date of the initial submission for a workers' compensation set-aside determination.

(2) The average amount of time taken between the date of the initial submission for a workers' compensation set-aside determination request and the date of the final determination by the Centers for Medicare & Medicaid Services.

(3) The breakout of conditional payments recovered when workers' compensation is the primary payer separate from the amounts in Workers' Compensation Medicare Set-aside Accounts (in this section referred to as ''WCMSAs'').

(4) The aggregate amounts allocated in WCMSAs and disbursements from WCMSAs for fiscal year 2005 and fiscal year 2006.

(5) The number of conditional payment requests pending with regard to WCMSAs after 60 days from the date of the submission of the request.

(6) The number of WCMSAs that do not receive a determination based on the initial complete submission.

(7) Any other information determined appropriate by the Congressional Budget Office in order to determine the baseline revenue and expenditures associated with such workers' compensation set-asides.

SA 3398. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I, insert the following:

SEC. ____. To enable the National Institute for Occupational Safety and Health to carry out the Fire Fighter Fatality Investigation and Prevention Program, $5,000,000, which shall include any other amounts made available under this Act for such Program. Amounts made available under this Act for travel expenses for the Department of Labor, the Department of Health and Human Services, and the Department of Education shall be reduced on a pro rata basis by the percentage necessary to decrease the overall amount of such spending by $2,500,000.

SA 3399. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available in this Act may be used—

(1) for the Ombudsman Program of the Centers for Disease Control and Prevention; and

(2) by the Centers for Disease Control and Prevention to provide additional rotating pastel lights, zero-gravity chairs, or dry-heat saunas for its fitness center.

SA 3400. Mr. CARDIN (for himself and Mr. SMITH) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 126, between lines 7 and 8, insert the following:

SEC. 521. Iraqi and Afghan aliens granted special immigrant status under section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)) shall be eligible for resettlement assistance, entitlement programs, and other benefits available to refugees admitted under section 207 of such Act (8 U.S.C. 1157) for a period not to exceed 6 months.

SA 3401. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On the appropriate place, insert the following:

SEC. ____. It is the sense of the Senate that the Secretary of Health and Human Services should maintain ''deemed status'' coverage under the Medicare program for clinical trials that are federally funded or reviewed, as provided for by the Executive Memorandum of June 2000.

SA 3402. Ms. LANDRIEU proposed an amendment to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 49: line 1: strike the colon and insert

''*Provided further*, that, of the funds provided to the Child Trauma Stress Network Initiative, priority shall be given to those centers, that previously received grants, that provide mental health services to children affected by Hurricane Katrina and/or Rita.''

SA 3403. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. DEFINITION OF MEMBER OF SPECIAL EXPOSURE COHORT.

(a) IN GENERAL.—Section 3621(14) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C.

7384l(14)) is amended by adding at the end the following new subparagraph:

''(D) The employee was so employed for a number of work days aggregating at least 250 work days before January 1, 2006, by the Department of Energy or a Department of Energy contractor or subcontractor at the Santa Susana Field Laboratory in California.''.

(b) REAPPLICATION.—A claim that an individual qualifies, by reason of section 3621(14)(D) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (as added by subsection (a) of this Act), for compensation or benefits under such Act shall be considered for compensation or benefits notwithstanding any denial of any other claim for compensation with respect to such individual.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Thursday, October 18, 2007, at 10 a.m. in room 253 of the Russell Senate Office Building.

The hearing will provide general oversight on current regulatory and programmatic activities at the U.S. Department of Transportation. The Commerce Committee has general oversight jurisdiction over the entire Department and specific authority over the Federal Aviation Administration, Federal Motor Carrier Safety Administration, Federal Railroad Administration, Federal Maritime Administration, Pipeline and Hazardous Materials Safety Administration, the Research and Innovative Technology Administration, and the National Highway Traffic Safety Administration, amongst other entities within the Department.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Thursday, October 18, 2007, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

At this hearing, the committee will explore the effects science parks can have on innovation and competitiveness including encouraging partnerships with academia, and spurring regional economic development. The committee also will examine public policy involvement in science park development.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, October 18, 2007 at 10:30 a.m. in room 406 of the Dirksen Senate Office Building in order to conduct a hearing entitled, ''Lead and Children's Health.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, October 18, 2007, at 10 a.m., in room 215 of the Dirksen Senate Office Building, in order to conduct a hearing entitled ''Growing Trade, Growing Vigilance: Import Health and Safety Today and Tomorrow.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Thursday, October 18, 2007, at 3 p.m. in order to consider the nomination of the Honorable Ellen C. Williams to be Governor, U.S. Postal Service.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet in order to continue the hearing on the nomination of Michael B. Mukasey to be Attorney General of the United States, on Thursday, October 18, 2007 at 10 a.m. in the Hart Senate Office Building Room 216.

Witness list:

Panel I: The Honorable Charles E. Schumer, United States Senator [D–NY]. The Honorable Joseph Lieberman, United States Senator [ID–CT].

Panel II: Michael B. Mukasey to be Attorney General of the United States.

Panel III: Dick Thornburgh, Of Counsel, K&LGates, Washington, DC. Chuck Canterbury, National President, Fraternal Order of Police, Washington, DC. Rear Admiral John D. Hutson, JAGC, USN (Ret.), President and Dean, Franklin Pierce Law Center, Concord, NH. Dawn Johnsen, Professor, Indiana University School of Law, Bloomington, IN. Theodore M. Shaw, Director-Counsel and President, NAACP Legal Defense & Educational Fund, Inc., New York, NY. Mary Jo White, Partner, Debevoise & Plimpton LLP New York, NY.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BROWN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 18, 2007 at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on Thursday, October 18, 2007, at 10 a.m. in order to conduct a hearing entitled, ''The Perils of Politics in Government: A Review of the Scope and Enforcement of the Hatch Act.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that David Heckman and Kassie Hobbs of my staff be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENTS OF COMMERCE AND JUSTICE, AND SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

On Tuesday, October 16, 2007, the Senate passed H.R. 3093, as amended, as follows:

H.R. 3093

Resolved, That the bill from the House of Representatives (H.R. 3093) entitled ''An Act making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2008, and for other purposes.'', do pass with the following amendment:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2008, and for other purposes, namely:

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 40118; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for

official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $425,431,000, to remain available until September 30, 2009, of which $8,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: Provided, That $49,564,000 shall be for Manufacturing and Services; $44,960,000 shall be for Market Access and Compliance; $66,601,000 shall be for the Import Administration; $229,702,000 shall be for the United States and Foreign Commercial Service; and $26,604,000 shall be for Executive Direction and Administration: Provided further, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities: Provided further, That the International Trade Administration shall be exempt from the requirements of Circular A–25 (or any successor administrative regulation or policy) issued by the Office of Management and Budget: Provided further, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties: Provided further, That negotiations shall be conducted within the World Trade Organization consistent with the negotiating objectives contained in the Trade Act of 2002, Public Law 107–210.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $78,776,000, to remain available until expended, of which $14,767,000 shall be for inspections and other activities related to national security: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, and for trade adjustment assistance, $250,000,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $32,800,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $30,200,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $85,000,000, to remain available until September 30, 2009.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $226,238,000.

PERIODIC CENSUSES AND PROGRAMS

For expenses to collect and publish statistics for periodic censuses and programs provided for by law, $1,020,406,000, to remain available until September 30, 2009.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $18,581,000, to remain available until September 30, 2009: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of grants authorized by section 392 of the Communications Act of 1934, $20,000,000, to remain available until expended: Provided, That not to exceed $2,000,000 shall be available for program administration as authorized by section 391 of the Act: Provided further, That, notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

TECHNOLOGY OPPORTUNITIES PROGRAM

For grants authorized by sections 391 and 392 of the Communications Act of 1934, as amended, $10,000,000, to remain available until expended: Provided, That funds provided under this heading shall be for competitive grants for the construction of broadband services.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, $1,915,500,000, to remain available until expended: Provided, That the sum herein appropriated from the general fund shall be reduced as offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376 are received during fiscal year 2008, so as to result in a fiscal year 2008 appropriation from the general fund estimated at $0: Provided further, That during fiscal year 2008, should the total amount of offsetting fee collections be less than $1,915,500,000, this amount shall be reduced accordingly: Provided further, That any amount received in excess of $1,915,500,000 in fiscal year 2008, in an amount up to $100,000,000, shall remain available until expended: Provided further, That not less than 1,020 full-time equivalents, 1,082 positions and $214,150,000 shall be for the examination of trademark applications; and not less than 8,522 full-time equivalents, 9,000 positions and $1,701,402,000 shall be for the examination and searching of patent applications: Provided further, That not less than $18,000,000 shall be for training of personnel: Provided further, That any deviation from the full-time equivalent, position, and funding designations set forth in the preceding provisos shall be subject to the procedures set forth in section 505 of this Act: Provided further, That from amounts provided herein, not to exceed $5,000 shall be made available in fiscal year 2008 for official reception and representation expenses: Provided further, That notwithstanding section 1353 of title 31, United States Code, no employee of the United States Patent and Trademark Office may accept payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an employee to attend and participate in a convention, conference, or meeting when the entity offering payment or reimbursement is a person or corporation subject to regulation by the Office, or represents a person or corporation subject to regulation by the Office, unless the person or corporation is an organization exempt from taxation pursuant to section 501(c)(3) of the Internal Revenue Code of 1986: Provided further, That in fiscal year 2008, from the amounts made available for ''Salaries and Expenses'' for the United States Patent and Trademark Office (PTO), the amounts necessary to pay: (1) the difference between the percentage of basic pay contributed by the PTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) of basic pay, of employees subject to subchapter III of chapter 83 of that title; and (2) the present value of the otherwise unfunded accruing costs, as determined by the Office of Personnel Management, of post-retirement life insurance and post-retirement health benefits coverage for all PTO employees, shall be transferred to the Civil Service Retirement and Disability Fund, the Employees Life Insurance Fund, and the Employees Health Benefits Fund, as appropriate, and shall be available for the authorized purposes of those accounts: Provided further, That sections 801, 802, and 803 of Division B, Public Law 108–447 shall remain in effect during fiscal year 2008: Provided further, That the Director may reduce patent filing fees payable in 2008 for documents filed electronically consistent with Federal regulation.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $502,117,000, to remain available until expended, of which not to exceed $12,500,000 may be transferred to the ''Working Capital Fund'': Provided, That

not to exceed $7,500 shall be for official reception and representation expenses.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Hollings Manufacturing Extension Partnership of the National Institute of Standards and Technology, $110,000,000, to remain available until expended.

In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, $100,000,000, to remain available until expended, of which not to exceed $1,500,000 shall be for Institutional Support: Provided, That no single applicant awards shall be made to companies with revenues greater than $1,000,000,000: Provided further, That funds shall not support Standards Development pursuant to 15 U.S.C. 278n(h).

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, including agency recreational and welfare facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c–278e, $150,900,000, to remain available until expended: Provided, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than $5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years: Provided further, That notwithstanding any other provision of law, of the amount made available for construction of research facilities, $8,000,000 shall be for the University of Mississippi Medical Center Biotechnology Research Park; $8,000,000 shall be for the Mississippi State University Research, Technology and Economic Development Park; $2,000,000 shall be for the University of Southern Mississippi Innovation and Commercialization Park Infrastructure and Building Construction and Equipage; $5,000,000 shall be for the Alabama State University Life Sciences Building; and $30,000,000 shall be for laboratory and research space at the University of South Alabama Engineering and Science Center.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $3,036,888,000, to remain available until September 30, 2008, except for funds provided for cooperative enforcement, which shall remain available until September 30, 2009: Provided, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That in addition, $3,000,000 shall be derived by transfer from the fund entitled ''Coastal Zone Management'' and in addition $77,000,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'': Provided further, That of the $3,121,888,000 provided for in direct obligations under this heading $3,036,888,000 is appropriated from the general fund, $80,000,000 is provided by transfer, and $5,000,000 is derived from recoveries of prior year obligations: Provided further, That of the funds provided under this heading, $250,000 is made available until expended subject to procedures set forth in section 209 of Public Law 108–447: Provided further, That no general administrative charge shall be applied against an assigned activity included in this Act or the report accompanying this Act: Provided further, That the total amount available for the National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $209,179,000: Provided further, That payments of funds made available under this heading to the Department of Commerce Working Capital Fund including Department of Commerce General Counsel legal services shall not exceed $34,425,000: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: Provided further, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed $2,000,000, unless funds provided for ''Coastal Zone Management Grants'' exceed funds provided in the previous fiscal year: Provided further, That if funds provided for ''Coastal Zone Management Grants'' exceed funds provided in the previous fiscal year, then no State shall receive more than 5 percent or less than 1 percent of the additional funds: Provided further, That for fiscal year 2008 and hereafter the Administrator of the National Oceanic and Atmospheric Administration may engage in formal and informal education activities, including primary and secondary education, related to the agency's mission goals: Provided further, That in accordance with section 215 of Public Law 107–372 the number of officers in the NOAA Commissioned Officer Corps shall increase to 321: Provided further, That for fiscal year 2009 and hereafter the National Oceanic and Atmospheric Administration shall submit its budget request to Congress concurrently with its submission to the Office of Management and Budget: Provided further, That of the funds provided, $15,000,000 is provided for the alleviation of economic impacts associated Framework 42 on the Massachusetts groundfish fishery: Provided further, That of the funds available for the Ocean Research Priorities Plan Implementation, such sums as may be necessary may be set aside to initiate the study to be completed within 2 years on acidification of the oceans and how this process affects the United States as authorized by section 701 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109–479; 120 Stat. 3649): Provided further, That of the funds provided, not less than $15,000,000 shall be available to carry out activities under section 315 of the Magnuson-Stevens Fishery Conservation and Management Act (8 U.S.C. 1864): Provided further, That of the funds provided under this heading for the Office of Response and Restoration funds may be used from the Damage Assessment Restoration Revolving Fund for sampling, and analysis related to the disposal of obsolete vessels owned or operated by the Federal Government in Suisun Bay, California: Provided further, That of the funds provided under this heading, up to $275,000 may be available for the purchase and distribution of bycatch reduction devices to shrimpers in areas of the Gulf Coast impacted by Hurricane Rita or Hurricane Katrina during 2005.

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $1,089,000,000, to remain available until September 30, 2009, except funds provided for construction of facilities which shall remain available until expended: Provided, That of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar-for-dollar matching basis with funds provided for the same purpose by the Department of Defense: Provided further, That except to the extent expressly prohibited by any other law, the Department of Defense may delegate procurement functions related to the National Polar-orbiting Operational Environmental Satellite System to officials of the Department of Commerce pursuant to section 2311 of title 10, United States Code: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $90,000,000.

COASTAL ZONE MANAGEMENT FUND

(INCLUDING TRANSFER OF FUNDS)

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed $3,000,000 shall be transferred to the ''Operations, Research, and Facilities'' account to offset the costs of implementing such Act.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2008, obligations of direct loans may not exceed $8,000,000 for Individual Fishing Quota loans as authorized by the Merchant Marine Act of 1936.

OTHER

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed $5,000 for official entertainment, $53,193,000: Provided, That of the amounts provided to the Secretary within this account, $10,000,000 shall not become available for obligation until the Secretary certifies to the Committees on Appropriations that the Bureau of the Census has followed, and met all best practices, and all Office of Management and Budget guidelines related to information technology projects: Provided further, That the Secretary, within 120 days of enactment of this Act, shall provide a report to the Committees on Appropriations that audits and evaluates all decision documents and expenditures by the Bureau of the Census as they relate to the 2010 Census: Provided further, That the Secretary, within 120 days of the enactment of this Act, shall provide a report to Congress that is publicly available on the Bureau's website on the steps that the Census Bureau will take to allow citizens the opportunity to complete the decennial census and the American Community Survey over the Internet.

HCHB RENOVATION AND MODERNIZATION

For expenses necessary for the renovation and modernization of the Herbert C. Hoover Building, $5,100,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $23,426,000.

NATIONAL INTELLECTUAL PROPERTY LAW ENFORCEMENT COORDINATION COUNCIL

For necessary expenses of the National Intellectual Property Law Enforcement Coordination Council to coordinate domestic and international intellectual property protection and law enforcement relating to intellectual property among Federal and foreign entities, $1,000,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That the Secretary of Commerce shall notify the Senate Committee on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this or any other Departments of Commerce, Justice, Science, and Related Agencies Appropriations Act: Provided further, That for the National Oceanic and Atmospheric Administration this section shall provide for transfers among appropriations made only to the National Oceanic and Atmospheric Administration and such appropriations may not be transferred and reprogrammed to other Department of Commerce bureaus and appropriation accounts.

SEC. 104. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 105. EXTENSION OF GUARANTEE AUTHORITY. (a) IN GENERAL.—Section 101(k) of the Emergency Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note) is amended by striking ''2007'' and inserting ''2009''.

(b) CONFORMING AMENDMENTS.—Paragraphs (1) and (2) of section 101(b) of the Emergency Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note) are each amended by striking ''in 1998'' and inserting ''since 1998''.

(c) DEFINITION OF QUALIFIED STEEL COMPANY.—Subparagraph (C) of section 101(c)(3) of the Emergency Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note) is amended by striking '', in 1998'' and inserting ''in 1998, and thereafter,''.

(d) SALARIES AND ADMINISTRATIVE EXPENSES.—The Emergency Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note) is amended by adding at the end the following:

''SEC. 103. SALARIES AND ADMINISTRATIVE EXPENSES.

''(a) In addition to funds made available under section 101(j) of the Emergency Steel Loan Guarantee Act of 1999 (15 U.S.C. 1841 note), up to $1,000,000 in funds made available under section 101(f) of such Act may be used for salaries and administrative expenses to administer the Emergency Steel Loan Guarantee Program.

''(b) Funds made available for salaries and administrative expenses to administer the Emergency Steel Loan Guarantee Program shall remain available until expended.''.

SEC. 106. Notwithstanding any other provision of law, no funds appropriated under this Act shall be used to register, issue, transfer, or enforce any trademark of the phrase ''Last Best Place''.

SEC. 107. Section 3315(b) of title 19, United States Code, is amended by inserting '', including food when sequestered,'' following ''for the establishment and operations of the United States Section and for the payment of the United States share of the expenses''.

SEC. 108. Notwithstanding the requirements of subsection 4703(d), the personnel management demonstration project established by the Department of Commerce pursuant to 5 U.S.C. 4703 may be expanded to involve more than 5,000 individuals, and is extended indefinitely.

SEC. 109. (a) The Stevenson-Wydler Technology Innovation Act of 1980 (Public Law 96–480), as amended, is amended by:

(1) deleting section 5;

(2) deleting paragraphs (1) and (3) of section 4; and

(3) redesignating paragraphs (2) and (4) through (13) as paragraphs (1) through (11).

(b) Section 212(b) of the National Technical Information Act of 1988 (Public Law 100–519), as amended, is amended by striking ''Under Secretary of Commerce for Technology'' and inserting ''Director of the National Institute of Standards and Technology''.

SEC. 110. The Secretary of Commerce is permitted to prescribe and enforce standards or regulations affecting safety and health in the context of scientific and occupational diving within the National Oceanic and Atmospheric Administration.

SEC. 111. NOAA PACIFIC REGIONAL CENTER. (a) IN GENERAL.—The National Oceanic and Atmospheric Administration (NOAA) is authorized to engage in planning, design, acquisition, renovation, construction and related activities to complete NOAA's Pacific Regional Center on Ford Island, Hawaii, consisting of the following: adaptive re-use and renovation of hangars 175 and 176, and construction of a new interconnecting building and other related structures. Funds are hereby authorized to be appropriated for fiscal years beginning after September 2007 for purposes of completing the Center.

(b) INCREMENTAL FUNDING.—Of the funds appropriated elsewhere in this Act, $20,250,000 are available for obligation and expenditure as an additional increment to funds previously appropriated for the NOAA Pacific Regional Center. These funds may be expended incrementally through multiple year contracts for design, construction and related activities for the Center; and remain available until expended.

SEC. 112. PAPAHĀNAUMOKUĀKEA FISHERY REDUCTION. (a) IN GENERAL.—The Papānaumokuākea Marine National Monument was created by Presidential proclamation on June 15, 2006 to protect more than 7,000 marine and terrestrial species including protection for the habitat for the endangered Hawaiian monk seal, threatened Hawaiian green sea turtle and other marine species. The Presidential proclamation will phase out all commercial fishing by June 15, 2011. The Secretary of Commerce is authorized to conduct a voluntary capacity reduction program to remove all commercial fishing capacity in the area prior to that date.

(b) REGULATIONS.—The Secretary shall promulgate regulations for the voluntary capacity reduction program that:

(1) identifies eligible participants as those individuals engaged in commercial fishing in the designated waters within the Papahānaumokuākea Marine National Monument pursuant to a valid commercial Federal fishing permit in the 2006 fishing season;

(2) provides a mechanism to compensate eligible participants for no more than the economic value of their permits, their vessels or vessel endorsements, and fishing gear;

(3) ensures that commercial fishing vessels of eligible participants cannot be used in fishing anywhere in the world;

(4) for the commercial fishing vessels of eligible participants, ensures

(A) that documentation be provided showing that such vessel has been scrapped or scuttled or,

(B) that the Secretary of the department in which the Coast Guard is operating places a title restriction on the fishing vessel permanently prohibiting and effectively preventing its use in fishing, and

(C) that the vessel must remain in Federal documentation and that the Maritime Administration will prohibit the reflagging of the vessel.

(c) AUTHORIZATION.—There is authorized no more than $7,500,000 and there is appropriated $7,500,000 of the amount provided in this Act for National Oceanic and Atmospheric Administration's ''Operations, research, and facilities'' to implement this program.

(d) CLARIFICATION.—Nothing in this section is intended to enlarge or diminish Federal or State title, jurisdiction, or authority with respect to the waters of the Northwestern Hawaiian Islands or the tidal or submerged lands under any provision of State or Federal law.

SEC. 113. NIST BUILDING 1 EXTENSION. Of the funds appropriated elsewhere in this Act, $28,000,000 are available for obligation and expenditure as an additional increment to funds previously appropriated for this project. These funds may be expended incrementally through multiple year contracts for design, construction and related activities for the Building 1 Extension; and remain available until expended.

SEC. 114. LIMITATIONS ON SATELLITE ACQUISITIONS BY THE DEPARTMENT OF COMMERCE. (a) CERTIFICATION.—

(1) REQUIREMENT FOR CERTIFICATION.—Prior to the date that the certification described in paragraph (2) is made, the Secretary may not—

(A) obligate funds provided by this Act or by previous appropriations Acts to acquire satellites; or

(B) receive approval of—

(i) a major milestone; or

(ii) a key decision point.

(2) CONTENT OF CERTIFICATION.—The certification described in this paragraph is a certification made by the Secretary and the Director that—

(A) the technology utilized in the satellites has been demonstrated in a relevant environment;

(B) the program has demonstrated a high likelihood of accomplishing the its intended goals; and

(C) the acquisition of satellites for use in the program represents a good value—

(i) in consideration of the per unit cost and the total acquisition cost of the program and in the context of the total resources available for the fiscal year in which the certification is made and the future out-year budget projections for the Department of Commerce; and

(ii) in consideration of the ability of the Secretary to accomplish the goals of the program using alternative systems.

(3) SUBMISSION TO CONGRESS.—Not later than the 30 days after the date of the enactment of this Act, the Secretary and the Director shall submit to the appropriate congressional committees—

(A) the certification described in paragraph (2); or

(B) a report on the reasons that such certification cannot be made.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Appropriations and the Committee on Science and Technology of the House of Representatives.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(3) KEY DECISION POINT.—The term ''key decision point'' means the initiation of procurement for a major system or subsystem of a program.

(4) MAJOR MILESTONE APPROVAL.—The term ''major milestone approval'' means a decision to enter into development of a system for a program.

(5) PROGRAM.—The term ''program'' means the programs of the National Oceanic and Atmospheric Administration for which satellites will be acquired.

(6) SATELLITE.—The term ''satellite'' means the satellites proposed to be acquired for the National Oceanic and Atmospheric Administration, other than the National Polar-orbiting Operational Environmental Satellite System (NPOESS).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(c) INDEPENDENT COST ESTIMATES.—

(1) REQUIREMENT.—The Secretary may not approve the development or acquisition of a program unless an independent estimate of the full life-cycle cost of the program has been considered by the Secretary.

(2) REGULATIONS.—The Secretary shall prescribe regulations governing the content and submission of the estimate required by paragraph (1). The regulations shall require that each such estimate—

(A) be prepared by an office or other entity that is not under the supervision of the Under Secretary of Oceans and Atmosphere; and

(B) include all costs of development, procurement, construction, operations, maintenance, and management of the program.

(d) REQUIREMENT FOR ANALYSIS IF UNIT COSTS EXCEED 15 PERCENT.—

(1) REQUIREMENT.—If the percentage increase in the acquisition cost of a program in which the acquisition unit cost or procurement unit cost exceeds 15 percent more than the baseline cost of the program, the Secretary shall initiate an analysis of the program. Such analysis of alternatives shall include, at a minimum, the following:

(A) The projected cost to complete the program if current requirements are not modified.

(B) The projected cost to complete the program based on potential modifications to the requirements.

(C) The projected cost to complete the program based on design modifications, enhancements to the producibility of the program, and other efficiencies.

(D) The projected cost and capabilities of the program that could be delivered within the originally authorized budget for the program, including any increase or decrease in capability.

(E) The projected costs for an alternative system or capability.

(2) SUBMISSION TO CONGRESS.—The analysis of alternatives required under paragraph (1) with respect to a program shall be—

(A) completed not later than 6 months after the date of that the Secretary determines that the cost of the program exceeds 15 percent more than the baseline cost of the program; and

(B) submitted to the appropriate congressional committees not later than 30 days after the date the analysis is completed.

(3) CLARIFICATION OF COST ESCALATION.—For the purposes of determining whether cost of the Geostationary Operational Environmental Satellite Program exceeds 15 percent more than the baseline cost under paragraph (1), the baseline cost of the such Program is $6,960,000,000.

SEC. 115. INTANGIBLE ASSETS INVESTMENT STUDY. (a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Director of the Bureau of Economic Analysis of the Department of Commerce shall enter into an agreement with the Council of the National Academy of Sciences to conduct a study, which shall—

(1) recommend steps to improve the measurement of intangible assets and their incorporation in the National Income and Product Accounts;

(2) identify and estimate the size of the Federal Government's investment in intangible assets;

(3) survey other countries' efforts to measure and promote investments in intangible assets; and

(4) recommend policies to accelerate private and public investment in the types of intangible assets most likely to contribute to economic growth.

(b) COMPLETION.—The National Academy of Sciences shall complete the study described in subsection (a) not later than 18 months after the date on which the agreement described in subsection (a) was signed.

(c) FUNDING.—From the funds appropriated for economic and statistical analysis under this title, the Secretary of Commerce may set aside sufficient amounts to complete the study described in subsection (a).

SEC. 116. UNITED STATES ECONOMIC DATA. (a) Of the funds provided in this title for Economic and Information Infrastructure under the heading ''ECONOMIC AND STATISTIC ANALYSIS'', $950,000 may be used to carry out the study and report required under this section.

(b) Not later than 60 days after the date of the enactment of this Act, the Secretary of Commerce shall enter into a contract with the National Academy of Sciences to conduct a study and report on whether the import price data published by the Bureau of Labor Statistics and other economic data collected by the United States accurately reflect the economic condition of the United States.

(c)(1) The report required by subsection (b) shall include an analysis of the methods used to determine the condition of the United States economy and shall address—

(A) whether the statistical measure of the United States economy correctly interprets the impact of imports and outsourced production;

(B) whether the statistical measures of the United States economy result in an accurate report of United States gross domestic product (GDP), productivity, and other aspects of economic performance;

(C) whether the impact of imports on United States manufacturing levels and competitiveness is accurately reported; and

(D) whether other countries are accounting for import prices more accurately or frequently than the United States.

(2) If the findings of the report indicate that the methods used for accounting for imported goods and United States wages result in overstating economic growth, domestic manufacturing output, and productivity growth, the report shall include recommendations with respect to—

(A) what actions should be taken to produce more accurate import price indices on a regular basis; and

(B) what other measures of economic analysis should be used to accurately reflect the globalization of economic activity and offshoring of domestic production.

(d) The report required by subsection (b) shall be completed and submitted to Congress not later than 18 months after the date of the contract described in subsection (b).

SEC. 117. (a) IN GENERAL.—The Secretary of Commerce may—

(1) develop, maintain, and make public a list of vessels and vessel owners engaged in illegal, unreported, or unregulated fishing, including vessels or vessel owners identified by an international fishery management organization, whether or not the United States is a party to the agreement establishing such organization; and

(2) take appropriate action against listed vessels and vessel owners, including action against fish, fish parts, or fish products from such vessels, in accordance with applicable United States law and consistent with applicable international law, including principles, rights, and obligations established in applicable international fishery management and trade agreements.

(b) RESTRICTIONS ON PORT ACCESS OR USE.—Action taken by the Secretary under subsection (a)(2) that include measures to restrict use of or access to ports or port services shall apply to all ports of the United States and its territories.

(c) REGULATIONS.—The Secretary may promulgate regulations to implement this section.

This title may be cited as the ''Department of Commerce Appropriations Act, 2008''.

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $104,777,000, of which not to exceed $3,317,000 is for security and construction of Department of Justice facilities, to remain available until expended: Provided, That the Attorney General is authorized to transfer funds appropriated within General Administration to any office in this account: Provided further, That no appropriations for any office within General Administration shall be increased or decreased by more than 5 percent by all such transfers: Provided further, That $12,684,000 is for Department Leadership; $7,664,000 is for Intergovernmental Relations/External Affairs; $11,832,000 is for Executive Support/Professional Responsibility; and $72,597,000 is for the Justice Management Division: Provided further, That any change in funding greater than 5 percent shall be submitted for approval to the Senate Committee on Appropriations consistent with the terms of section 505 of this Act: Provided further, That this transfer authority is in addition to transfers authorized under section 505 of this Act: Provided further, That not to exceed $30,000 shall be available for official reception and representation expenses: Provided further, That $10,000,000 shall only be used to address the health safety and security issues identified in the United States Department of Justice, Office of Inspector General Report I–2007–008.

JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and Departmental direction, $95,795,000, to remain available until expended: Provided, That, of the funds available, up to $21,000,000 is for the unified financial management system to be administered by the Unified Financial Management System Executive Council.

TACTICAL LAW ENFORCEMENT WIRELESS COMMUNICATIONS

For the costs of conversion to narrowband communications, including the cost for operation and maintenance of Land Mobile Radio

legacy systems, $76,353,000, to remain available until September 30, 2009: Provided, That the Attorney General shall transfer to this account all funds made available to the Department of Justice for the purchase of portable and mobile radios: Provided further, That any transfer made under the preceding proviso shall be subject to section 505 of this Act: Provided further, That the Attorney General shall transfer to the ''Narrowband Communications/Integrated Wireless Network'' account all funds made available in this Act to the Department of Justice for the purchase of portable and mobile radios and related infrastructure and any transfer made under this section shall be subject to section 505 of this Act.

ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, $251,499,000, of which $4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the ''Immigration Examinations Fee'' account: Provided, That $4,000,000 shall be expended on the Executive Office for Immigration Review's Legal Orientation Programs.

DETENTION TRUSTEE

For necessary expenses of the Federal Detention Trustee, $1,265,872,000: Provided, That the Trustee shall be responsible for managing the Justice Prisoner and Alien Transportation System and for overseeing housing related to such detention: Provided further, That any unobligated balances available in prior years from the funds appropriated under the heading ''Federal Prisoner Detention'' shall be transferred to and merged with the appropriation under the heading ''Detention Trustee'' and shall be available until expended: Provided further, That funds not to exceed $5,000,000 shall be considered ''funds appropriated for State and local law enforcement assistance'' pursuant to 18 U.S.C. 4013(b).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $73,700,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character: Provided, That within 200 days of enactment of this Act, the Inspector General shall conduct an audit and issue a report to the Committees on Appropriations of all expenses of the legislative and public affairs offices at each location of the Justice Department, its bureaus and agencies, including but not limited to every field office and headquarters component; the audit shall include any and all expenses related to these activities.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $12,194,000.

LEGAL ACTIVITIES

GENERAL LEGAL ACTIVITIES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $753,000,000, of which not to exceed $10,000,000 is for litigation support contracts and shall remain available until expended: Provided, That of the total amount appropriated, not to exceed $1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: Provided further, That notwithstanding section 105 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to ''Salaries and Expenses, General Legal Activities'' from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That in addition there is hereby appropriated $6,833,000 for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, to be appropriated from the Vaccine Injury Compensation Trust Fund.

ANTITRUST DIVISION

SALARIES AND EXPENSES

For expenses necessary for the enforcement of antitrust and kindred laws, $155,097,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, not to exceed $139,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2008, so as to result in a final fiscal year 2008 appropriation from the general fund estimated at not more than $16,097,000.

UNITED STATES ATTORNEYS

SALARIES AND EXPENSES

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, $1,747,822,000: Provided, That of the total amount appropriated, not to exceed $8,000,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $20,000,000 shall remain available until expended.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $231,899,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, $184,000,000 of offsetting collections pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2008, so as to result in a final fiscal year 2008 appropriation from the Fund estimated at $0.

FOREIGN CLAIMS SETTLEMENT COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, $1,709,000.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $896,860,000; of which not to exceed $20,000 shall be available for official reception and representation expenses; of which not to exceed $4,000,000 shall be for information technology systems and shall remain available until expended: Provided, That not less than $12,397,000 shall be available for the costs of courthouse security equipment, including furnishings, relocations, and telephone systems and cabling, and shall remain available until expended: Provided further, That an additional $7,845,000 shall be available to carry out the Adam Walsh Child Protection and Safety Act of 2006 offset by a reduction in the amount available for the Advanced Technology Program under the heading ''INDUSTRIAL TECHNOLOGY SERVICES'' in title I of $7,845,000.

CONSTRUCTION

For construction in space controlled, occupied, or utilized by the United States Marshals Service, $8,015,000, to remain available until expended.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, $168,300,000, to remain available until expended: Provided, That, not to exceed $10,000,000 may be made available for construction of buildings for protected witness safesites: Provided further, That not to exceed $3,000,000 may be made available for the purchase and maintenance of armored and other vehicles for witness security caravans: Provided further, That not to exceed $9,000,000 may be made available for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

COMMUNITY RELATIONS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Community Relations Service, $10,230,000: Provided, That notwithstanding section 105 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That of the amount appropriated under this heading, $2,000,000 shall be used for salaries and expenses for hiring additional conciliators for the regional offices of the Community Relations Service of the Department of Justice: Provided further, That not less than 3 of the conciliators hired under the preceding proviso shall be employed in region 6.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, $20,990,000, to be derived from the Department of Justice Assets Forfeiture Fund.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the National Security Division, $78,056,000; of which not to exceed $5,000,000 for information technology systems shall remain available until expended: Provided, That notwithstanding section 204 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under

section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $509,154,000, of which $50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, $6,372,250,000; of which not to exceed $150,000,000 shall remain available until expended; and of which $2,308,580,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to national security: Provided, That not to exceed $205,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $170,000 shall be available for expenses associated with the celebration of the 100th anniversary of the FBI: Provided further, That not later than 60 days after the enactment of this Act, the Director of the FBI shall submit to the Committee on Appropriations and the Committee on Judiciary of each House a report that evaluates the FBI's current work force allocation and assesses the right-sizing and realignment of agents, analysts and support personnel currently in field offices to better meet the FBI's mission requirements and priorities.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of Federally-owned buildings; and preliminary planning and design of projects; $206,400,000, to remain available until expended: Provided, That $63,700,000 shall be available for Sensitive Compartmented Information Facilities (SCIFs).

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $1,854,157,000; of which not to exceed $75,000,000 shall remain available until expended; and of which not to exceed $100,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, including not to exceed $50,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $1,013,980,000, of which not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code; and of which $10,000,000 shall remain available until expended: Provided, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of Justice, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: Provided further, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of ''curios or relics'' in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: Provided further, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to other agencies or Departments in fiscal year 2008: Provided further, That no funds appropriated under this or any other Act with respect to any previous fiscal year, fiscal year 2008, and any fiscal year thereafter may be used to disclose all or part of any information received or generated by the Bureau of Alcohol, Tobacco, Firearms and Explosives in connection with any request to trace a firearm, or information required to be kept by licensees pursuant to 923(g) of title 18, United States Code, or required to be reported pursuant to paragraphs (3) and (7) of title 18, United States Code, except—

(1) to an official of a Federal, State, tribal, local, or foreign law enforcement agency or a Federal, State, or local prosecutor, who certifies that the information is sought solely in connection with and for use in a bona fide criminal investigation or bona fide criminal prosecution, or for national security or intelligence purposes, and will not be used or disclosed for any other purpose;

(2) for use in an action or proceeding commenced by the Attorney General to enforce the provisions of chapter 44 of title 18, United States Code; chapter 53 of title 26, United States Code; chapter 3 of the Arms Export Control Act; or a review of such an action or proceeding; or

(3) for use in an action or proceeding commenced by the Secretary of the Treasury to enforce part III of subchapter D of chapter 32 of the Internal Revenue Code of 1986, or a review of such an action or proceeding:

Provided further, That nothing in the previous proviso shall be construed to prevent the sharing or exchange of such information among and between Federal, State, tribal, local or foreign law enforcement agencies or Federal, State, or local prosecutors, or national security, intelligence, or counterterrorism officials, provided that such information, regardless of its source, is shared, exchanged, or used solely in connection with bona fide criminal investigations or bona fide criminal prosecutions or for national security or intelligence purposes: Provided further, That information in the Firearms Trace System database maintained by the National Trace Center, including all information received or generated by of the Bureau of Alcohol, Tobacco, Firearms and Explosives shall be immune from legal process, shall not be subject to subpoena or other discovery, shall not be used, relied on, or disclosed in any manner, and, regardless of when disclosed including previously disclosed information, shall not be admissible as evidence, nor shall testimony or other evidence based on such data be admissible as evidence, in any civil action pending on or filed after the effective date of this subparagraph in any State or Federal court (including any court in the District of Columbia), or in any administrative proceeding other than a proceeding commenced by the Bureau of Alcohol, Tobacco, Firearms and Explosives to enforce the provisions of chapter 44 of title 18, United States Code; chapter 53 of title 26, United States Code; chapter 3 of the Arms Export Control Act; a proceeding commenced by the Secretary of the Treasury to enforce part III of subchapter D of chapter 32 of the Internal Revenue Code of 1986; or judicial review of such actions or proceedings. This provision shall not be construed to prevent the disclosure of statistical information concerning total production, importation, and exportation by each licensed importer (as defined in section 921(a)(19) of title 18) and licensed manufacturer (as defined in section 921(a)(10) of title 18): Provided further, That no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: Provided further, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code: Provided further, That no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986: Provided further, That notwithstanding any other provision of law, home to work transportation currently allotted to Bureau of Alcohol, Tobacco, Firearms and Explosives field operations is extended to headquarters executive Special Agents and designees.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design or projects; $35,000,000, to remain available until expended.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 640, of which 605 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $5,151,440,000: Provided, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: Provided further, That not to exceed $6,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2009: Provided further, That, of the amounts provided for Contract Confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980 (8 U.S.C. 1522 note), for the care and security in the United States of Cuban and Haitian entrants: Provided further, That the Director of the Federal Prison

System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $495,000,000, to remain available until expended, of which not to exceed $14,000,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $2,477,000 of the funds of the Federal Prison Industries, Incorporated shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 4711 et seq.) (''the 1968 Act''); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1796) (''the 1994 Act''); the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003 (Public Law 108–21; 117 Stat. 650); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) (''the 1974 Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1464) (''the 2000 Act''); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 2960) (''the 2005 Act''); $390,000,000, including amounts for administrative costs, to remain available until expended: Provided, That except as otherwise provided by law, not to exceed 3 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: Provided further, That of the amount provided—

(1) $1,500,000 is for grants for televised testimony, as authorized by part N of the 1968 Act;

(2) $186,500,000 is for grants to combat violence and violent crimes against women, as authorized by part T of the 1968 Act, of which—

(A) $2,000,000 shall be for the National Institute of Justice for research and evaluation of violence against women; and

(B) $17,000,000 shall be for transitional housing assistance grants for victims of domestic violence, stalking, or sexual assault as authorized by section 40299(a) of the 1994 Act;

(3) $55,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act;

(4) $39,500,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(5) $5,500,000 is for training programs to assist probation and parole officers as authorized by section 40152 of the 1994 Act, and for related local demonstration projects;

(6) $3,900,000 is for grants to improve the stalking and domestic violence databases, as authorized by section 40602 of the 1994 Act;

(7) $10,000,000 to reduce violent crimes against women on campus, as authorized by section 304(a) of the 2005 Act;

(8) $46,000,000 is for legal assistance for victims, as authorized by section 1201(c) of the 2000 Act;

(9) $4,500,000 is for enhancing protection for older and disabled women from domestic violence and sexual assault, as authorized by section 40802(a) of the 1994 Act;

(10) $14,500,000 is for the safe havens for children pilot program, as authorized by section 1301(a) of the 2000 Act;

(11) $7,100,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402(a) of the 2000 Act;

(12) $10,000,000 is for sexual assault services, as authorized by section 202 of the 2005 Act;

(13) $2,000,000 is for services to advocate and respond to youth, as authorized by section 401 of the 2005 Act;

(14) $2,000,000 is for grants to assist children and youth exposed to violence, as authorized by section 303 of the 2005 Act;

(15) $1,000,000 is for analysis and research on violence against Indian women, as authorized by section 904 of the 2005 Act; and

(16) $1,000,000 is for tracking of violence against Indian women, as authorized by section 905 of the 2005 Act.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968; the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); including salaries and expenses in connection therewith, the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Justice for All Act of 2004 (Public Law 108–405; 108 Stat. 2260); the Victims of Child Abuse Act of 1990 (Public Law 101–647; 104 Stat. 4792) (''the 1990 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162); and the Victims of Crime Act of 1984 (Public Law 98–473; 98 Stat. 2170), $240,000,000, to remain available until expended: Provided, That grants under subparagraphs (1)(A) and (B) of Public Law 98–473 are issued pursuant to rules or guidelines that generally establish a publicly-announced, competitive process: Provided further, That not more than $35,000,000 of balances made available as a result of prior year deobligations may be obligated for program management and administration: Provided further, That any balances made available as a result of prior year deobligations in excess of $35,000,000 shall only be obligated in accordance with section 505 of this Act: Provided further, That amounts under this heading, or amounts transferred to and merged with this account, for salaries and expenses are for not less than 590 permanent positions and not less than 600 full-time equivalent workyears.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Justice for All Act of 2004 (Public Law 108–405); the Victims of Child Abuse Act of 1990 (Public Law 101–647; 104 Stat. 9792) (''the 1990 Act''); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164; 119 Stat. 3558); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162); and the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); and other programs; $1,430,000,000 (including amounts for administrative costs, which shall be transferred to and merged with the ''Justice Assistance'' account): Provided, That funding provided under this heading shall remain available until expended, as follows—

(1) $660,000,000 for the Edward Byrne Memorial Justice Assistance Grant Program as authorized by subpart 1 of part E of title I of the 1968 Act, as amended by section 1111 of Public Law 109–162, of which—

(A) $75,000,000 for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement, as authorized by section 401 of the Economic Espionage Act of 1996 (42 U.S.C. 13751 note); and

(B) $5,000,000 is for a program to improve State and local law enforcement intelligence capabilities including antiterrorism training and training to ensure that constitutional rights, civil liberties, civil rights, and privacy interests are protected throughout the intelligence process;

(2) $420,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)), of which $30,000,000 for the Southwest Border Prosecutor Initiative to reimburse State, county, parish, tribal, or municipal governments only for costs associated with the prosecution of criminal cases declined by local United States Attorneys offices, and of which $20,000,000 for a Northern Border Prosecutor Initiative to reimburse State, county, parish, tribal, or municipal governments only for costs associated with the prosecution of criminal cases declined by local United States Attorneys offices, subject to section 505 of this Act; and the amount appropriated in this title under the heading ''GENERAL ADMINISTRATION'' is reduced by $20,000,000.

(3) $190,000,000 for discretionary grants, notwithstanding the provisions of section 505 of the 1968 Act;

(4) $15,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386;

(5) $40,000,000 for Drug Courts, as authorized by section 1001(25)(A) of title I of the 1968 Act: Provided, That of the unobligated balances available to the Department of Justice (except for amounts made available for Drug Courts, as authorized by section 1001(25)(A) of title I of the 1968 Act), $15,000,000 are rescinded: Provided further, That within 30 days after the enactment of this Act the Attorney General shall submit to the Committee on Appropriations of the House of Representatives and the Senate a report specifying the amount of each rescission made pursuant to this section;

(6) $10,000,000 for grants for residential substance abuse treatment for State prisoners, as authorized by part S of the 1968 Act;

(7) $25,000,000 for the Capital Litigation Improvement Grant Program as authorized by sections 421, 422, and 426 of Public Law 108–405, to

be equally divided between the Capital Prosecution Improvement Grants and Capital Representation Improvement Grants;

(8) $10,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act;

(9) $2,000,000 for the National Sex Offender Public Registry;

(10) $1,000,000 for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(c) of Public Law 106–386;

(11) $28,000,000 for assistance to Indian tribes, of which—

(A) $15,000,000 shall be available for grants under section 201109(a)(2) of subtitle A of title II of the 1994 Act;

(B) $8,000,000 shall be available for the Tribal Courts Initiative; and

(C) $5,000,000 shall be available for demonstration projects on alcohol and crime in Indian County;

(12) $5,000,000 for prison rape prevention and prosecution programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79);

(13) $15,000,000 is for the court appointed advocate program, as authorized by section 217 of the 1990 Act;

(14) $4,000,000 is for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act; and

(15) $5,000,000 for prescription drug monitoring program:

Provided further, That, if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government shall achieve a net gain in the number of law enforcement officers who perform non-administrative public safety service.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement ''Weed and Seed'' program activities, $50,000,000, to remain available until September 30, 2008, for inter-governmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies, nonprofit organizations, and agencies of local government engaged in the investigation and prosecution of violent and gang-related crimes and drug offenses in ''Weed and Seed'' designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the ''Weed and Seed'' program strategy: Provided, That funds designated by Congress through language for other Department of Justice appropriation accounts for ''Weed and Seed'' program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: Provided further, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of ''Weed and Seed'' program activities only after the Attorney General notifies the Senate Committee on Appropriations in accordance with section 505 of this Act: Provided further, That of the funds appropriated for the Executive Office for Weed and Seed, not to exceed $2,000,000 shall be directed for comprehensive community development training and technical assistance.

COMMUNITY ORIENTED POLICING SERVICES

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (including administrative costs), the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''), the Justice for All Act of 2004 (Public Law 108–405), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162), the USA PATRIOT Improvement and Reauthorization Act (Public Law 109–177; 120 Stat. 192) (including administrative costs), the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003 (Public Law 108–21), $660,000,000, to remain available until expended: Provided, That of the funds under this heading, not to exceed $2,575,000 shall be available for the Office of Justice Programs for any and all reimbursable services, functions and activities associated with programs administered by the Office of Community Oriented Policing Services including activities authorized by sections 1158 and 1159 of Public Law 109–162: Provided further, That section 1703(b) and (c) of the 1968 Act shall not apply to non-hiring grants made pursuant to part Q of title I (42 U.S.C. 3796dd et seq.): Provided further, That the $15,000,000 provided to the National Institute of Standards and Technology's Office of Law Enforcement Standards under this section shall be transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards from the Community Oriented Policing Services Office: Provided further, That the Attorney General shall waive in whole the matching requirement under section 1701(g) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(g)) for any grant recipient located in a county or parish in which the President declared a major disaster (as that term is defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) in response to Hurricane Katrina of 2005 or Hurricane Rita of 2005: Provided further, That of the amounts provided—

(1) $25,000,000 is for the matching grant program for law enforcement armor vests as authorized by section 2501 of part Y of the 1968 Act;

(2) $80,000,000 is for policing initiatives to combat illegal methamphetamine production, sale and use in ''drug hot spots'' as authorized by section 754 of Public Law 109–177;

(3) $110,000,000 is for law enforcement technologies;

(4) $5,000,000 is for grants to upgrade criminal records, as authorized under the Crime Identification Technology Act of 1998 (42 U.S.C. 14601);

(5) $10,000,000 is for an offender re-entry program;

(6) $169,000,000 is for DNA analysis and capacity enhancement program, and for other State, local and Federal forensic activities, of which—

(A) $151,000,000 for the Debbie Smith DNA Backlog Grants as authorized by Public Law 108–405 section 202;

(B) $5,000,000 for the Kirk Bloodsworth Post-Conviction DNA Testing Grant Program as authorized by Public Law 108–405 section 412 and section 413;

(C) $6,000,000 for DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers as authorized by Public Law 108–405 section 303;

(D) $5,000,000 for DNA Research and Development as authorized by Public Law 108–405 section 305;

(E) $2,000,000 for the DNA Identification of Missing Persons as authorized by Public Law 108–405 section 308;

(7) $35,000,000 is for improving tribal law enforcement, including equipment and training assistance to Indian tribes;

(8) $6,000,000 is for training and technical assistance;

(9) $40,000,000 is for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act (42 U.S.C. 3797j et seq.);

(10) $5,000,000 is for the National District Attorneys Association to conduct prosecutorial training by the National Advocacy Center;

(11) $55,000,000 is for a national grant program to arrest and prosecute child predators as authorized by section 1701(d) of part Q of title I of the 1968 Act as amended by section 341 of Public Law 108–21;

(12) $110,000,000 is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title, notwithstanding subsection (i) of such section; and

(13) not to exceed $11,000,000 is for program management and administration.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''), the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162), and other juvenile justice programs, including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, $340,000,000, to remain available until expended, as follows—

(1) $500,000 is for coordination of Federal efforts, as authorized by section 204 of the 1974 Act;

(2) $73,000,000 is for State and local programs authorized by section 221 of the 1974 Act, including training and technical assistance to assist small, non-profit organizations with the Federal grants process;

(3) $76,500,000 is for demonstration projects, as authorized by sections 261 and 262 of the 1974 Act;

(4) $5,000,000 is for juvenile mentoring programs;

(5) $65,000,000 is for delinquency prevention, as authorized by section 505 of the 1974 Act, of which—

(A) $10,000,000 shall be for the Tribal Youth Program; and

(B) $25,000,000 shall be for grants of $360,000 to each State and $6,640,000 shall be available for discretionary grants to States, for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training;

(6) $10,000,000 is for the Secure Our Schools Act as authorized by part AA of the 1968 Act;

(7) $20,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(8) $80,000,000 for the Juvenile Accountability Block Grants program as authorized by part R of the 1968 Act and Guam shall be considered a State for the purpose of that program; and

(9) $10,000,000 shall be for gang resistance education and training and programs:

Provided, That not more than 2 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: Provided further, That not more than 2 percent of each amount may be used for training and technical assistance: Provided further, That the previous two provisos shall not apply to demonstration projects, as authorized by sections 261 and 262 of the 1974 Act.

PUBLIC SAFETY OFFICERS BENEFITS

For payments and expenses authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), such sums as are necessary, as authorized by section 6093 of Public Law 100–690 (102 Stat. 4339–4340) (including amounts for administrative costs, which amounts shall be paid to the ''Justice Assistance'' account), to remain available until expended; and $5,000,000 for payments authorized by section 1201(b) of such Act; and $4,100,000 for educational assistance, as authorized by section 1212 of such Act: Provided, That, hereafter, funds available to conduct appeals under section 1205(c) of the 1968 Act, which includes all claims processing, shall be available also for the same under subpart 2 of such part L and under any statute authorizing payment

of benefits described under subpart 1 thereof, and for appeals from final decisions of the Bureau (under such part or any such statute) to the Court of Appeals for the Federal Circuit, which shall have exclusive jurisdiction thereof (including those pending), and for expenses of representation of hearing examiners (who shall be presumed irrebuttably to enjoy quasi-judicial immunity in the discharge of their duties under such part or any such statute) in connection with litigation against them arising from such discharge.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 201. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: Provided, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 202. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 203. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: Provided, That nothing in this section in any way diminishes the effect of section 202 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 204. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section: Provided further, That none of the funds appropriated to ''Buildings and Facilities, Federal Prison System'' in this or any other Act may be transferred to ''Salaries and Expenses, Federal Prison System'', or any other Department of Justice account, unless the President certifies that such a transfer is necessary to the national security interests of the United States, and such authority shall not be delegated, and shall be subject to section 505 of this Act.

SEC. 205. The Attorney General is authorized to extend through September 30, 2009, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002, Public Law 107–296 (6 U.S.C. 533) without limitation on the number of employees or the positions covered.

SEC. 206. Notwithstanding any other provision of law, Public Law 102–395 section 102(b) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply without fiscal year limitation with respect to any undercover investigative operation initiated by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

SEC. 207. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 208. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

(b) Subsection (a) shall not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

SEC. 209. Any deviation from the amounts designated for specific activities in this Act and accompanying report, or any use of deobligated balances of funds provided under this title in previous years, shall be subject to the procedures set forth in section 505 of this Act.

SEC. 210. Section 112 of title I as contained in division B of the Consolidated Appropriations Act, 2004 (Public Law 108–199) is amended as follows:

(1) by inserting in paragraph (a)(2)(A) ''the Commissioner of Health & Social Services for Alaska, a representative of an Alaska Native healthcare provider'' after ''Village Public Safety Officer programs,'';

(2) by inserting in paragraph (a)(2)(A) ''and a non-voting judge'' after ''non-voting representative''; and

(3) by inserting in paragraph (a)(2)(A) ''The Chief Justice of the Alaska Supreme Court may appoint a non-voting representative of the Alaska Supreme Court to provide technical support.'' at the end of the paragraph.

SEC. 211. Section 589a of title 28, United States Code, is amended in subsection (b) by—

(1) striking ''and'' in paragraph (8);

(2) striking the period in paragraph (9) and inserting ''; and''; and

(3) adding the following new paragraph:

''(10) fines imposed under section 110(l)(4)(A) of title 11, United States Code.''.

SEC. 212. (a) Section 1930(a) of title 28, United States Code, is amended in paragraph (6) by striking everything after ''whichever occurs first.'' and inserting in lieu thereof: ''The fee shall be $325 for each quarter in which disbursements total less than $15,000; $650 for each quarter in which disbursements total $15,000 or more but less than $75,000; $975 for each quarter in which disbursements total $75,000 or more but less than $150,000; $1,625 for each quarter in which disbursements total $150,000 or more but less than $225,000; $1,950 for each quarter in which disbursements total $225,000 or more but less than $300,000; $4,875 for each quarter in which disbursements total $300,000 or more but less than $1,000,000; $6,500 for each quarter in which disbursements total $1,000,000 or more but less than $2,000,000; $9,750 for each quarter in which disbursements total $2,000,000 or more but less than $3,000,000; $10,400 for each quarter in which disbursements total $3,000,000 or more but less than $5,000,000; $13,000 for each quarter in which disbursements total $5,000,000 or more but less than $15,000,000; $20,000 for each quarter in which disbursements total $15,000,000 or more but less than $30,000,000; $30,000 for each quarter in which disbursements total more than $30,000,000. The fee shall be payable on the last day of the calendar month following the calendar quarter for which the fee is owed.''.

(b) This section and the amendment made by this section shall take effect January 1, 2008, or the date of the enactment of this Act, whichever is later.

SEC. 213. Notwithstanding any other provision of law, during fiscal year 2008, Federal reimbursement to the District of Columbia for felons newly sentenced by the District of Columbia Superior Court shall commence no later than the date of sentencing for such felons; and Federal reimbursement to the District of Columbia for recommitted District of Columbia parolees shall commence no later than the date of the commitment of such parolees to prison: Provided, That no more than $8,000,000 shall be made available for such reimbursements from funds made available in this Act.

SEC. 214. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of 28 U.S.C. 545.

SEC. 215. Of the funds appropriated in this Act for the Federal Bureau of Investigation's Sentinel program, $25,000,000 shall not be available for obligation until 60 days after the Committees on Appropriations receive from the Federal Bureau of Investigation a report on the results of a completed integrated baseline review for that program: Provided, That the report shall be submitted simultaneously to the Government Accountability Office: Provided further, That the Government Accountability Office shall review the Bureau's performance measurement baseline for the Sentinel program and shall submit its findings to the Committees on Appropriations of the Senate and House of Representatives within 60 days of its receipt of the report.

SEC. 216. None of the funds appropriated in this or any other Act shall be obligated for the initiation of a future phase or increment of the Federal Bureau of Investigation's Sentinel program until the Attorney General certifies to the Committees on Appropriations that existing phases or increments currently under contract for development or fielding have completed 70 percent of the work for that phase or increment under the performance measurement baseline validated by the integrated baseline review referred to in section 215 of this Act: Provided, That this restriction does not apply to planning and design activities for future phases or increments: Provided further, That the Bureau will notify the Committees of any significant changes to the baseline.

SEC. 217. Notwithstanding any other provision of this title—

(1) the amount appropriated under the heading ''JUSTICE INFORMATION SHARING TECHNOLOGY'' under the heading ''GENERAL ADMINISTRATION'' under this title is reduced by $5,000,000;

(2) the amount appropriated under the heading ''JUVENILE JUSTICE PROGRAMS'' under the heading ''OFFICE OF JUSTICE PROGRAMS'' under this title is increased by $5,000,000; and

(3) of the amount appropriated under the heading ''JUVENILE JUSTICE PROGRAMS'' under the heading ''OFFICE OF JUSTICE PROGRAMS'' under this title, $10,000,000 is for juvenile mentoring programs.

SEC. 218. Notwithstanding any other provision of this title—

(1) the amount appropriated in this title under the heading ''GENERAL ADMINISTRATION'' is reduced by $10,000,000;

(2) the amount appropriated in this title under the heading ''VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS'' under the heading ''OFFICE ON VIOLENCE AGAINST WOMEN'' is increased by $10,000,000; and

(3) of the amount appropriated in this title under the heading ''VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS'' under the heading ''OFFICE ON VIOLENCE AGAINST WOMEN''—

(A) $60,000,000 is for grants to encourage arrest policies, as authorized by part U of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.);

(B) $4,000,000 is for engaging men and youth in prevention programs, as authorized by section 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–4); and

(C) $1,000,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the Violence Against Women Act of 1994 (42 U.S.C. 14043f).

SEC. 219. (a) The Attorney General shall submit quarterly reports to the Inspector General of the Department of Justice regarding the costs and contracting procedures relating to each conference held by the Department of Justice during fiscal year 2008 for which the cost to the Government was more than $20,000.

(b) Each report submitted under subsection (a) shall include, for each conference described in that subsection held during the applicable quarter—

(1) a description of the subject of and number of participants attending that conference;

(2) a detailed statement of the costs to the Government relating to that conference, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services; and

(C) a discussion of the methodology used to determine which costs relate to that conference; and

(3) a description of the contracting procedures relating to that conference, including—

(A) whether contracts were awarded on a competitive basis for that conference; and

(B) a discussion of any cost comparison conducted by the Department of Justice in evaluating potential contractors for that conference.

SEC. 220. LIMITATIONS ON FUNDING FOR CERTAIN CONFERENCES. Notwithstanding any other provision of this Act, not more than $15,000,000 of all funds made available to the Department of Justice under this Act, may be available for any expenses related to conferences, including for conference programs, travel costs, and related expenses. No funds appropriated under this Act may be used to support a conference sponsored by any organization named as an unindicted coconspirator by the Government in any criminal prosecution.

SEC. 221. DEPUTY UNITED STATES MARSHALS. (a) INCREASE POSITIONS.—In each of the fiscal years 2008 through 2012, the Attorney General, subject to the availability of appropriations, may increase by not less than 50 the number of positions for full-time active duty Deputy United States Marshals assigned to work on immigration-related matters, including transporting prisoners and working in Federal courthouses.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General such sums as may be necessary for each of the fiscal years 2008 through 2012 to carry out subsection (a).

SEC. 222. ANNUAL REPORT ON DELAYED BACKGROUND CHECKS. (a) IN GENERAL.—Not later than 60 days after the end of each fiscal year, the Director of the Federal Bureau of Investigation shall submit a report to the congressional committees listed in subsection (b) that contains, with respect to the most recently completed fiscal year—

(1) a statistical analysis of the number of background checks processed and pending, including check requests in process at the time of the report and check requests that have been received but are not yet in process;

(2) the average time taken to complete each type of background check;

(3) a description of the efforts and progress made by the Director in addressing any delays in completing such background checks; and

(4) a description of the progress that has been made in automating files used in the name check process, including investigative files of the Federal Bureau of Investigation.

(b) RECIPIENTS.—The congressional committees listed in this subsection are—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on the Judiciary of the House of Representatives; and

(4) the Committee on Homeland Security of the House of Representatives.

SEC. 223. Notwithstanding any other provision of law, a public or private institution of higher education may offer or provide an officer or employee of any branch of the United States Goverment or of the District of Columbia, who is a current or former student of such institution, financial assistance for the purpose of repaying a student loan or forbearance of student loan repayment, and an officer or employee of any branch of the United States Government or of the District of Columbia may seek or receive such assistance or forbearance.

SEC. 224. Of the unobligated balances made available for the Department of Justice in prior fiscal years, $15,000,000 are rescinded: Provided, That within 30 days after the date of the enactment of this section the Attorney General shall submit to the Committee on Appropriations of the House of Representatives and the Senate a report specifying the amount of each rescission made pursuant to this section.

SEC. 225. FEDERAL BUREAU OF INVESTIGATION ANALYSIS OF DNA SAMPLES. (a) IN GENERAL.—The amount appropriated under the heading ''SALARIES AND EXPENSES '' under the heading ''FEDERAL BUREAU OF INVESTIGATION'' under this title is increased by $23,000,000, which shall be used for personnel, equipment, build-out/acquisition of space, and other resources to be used for the analysis of DNA samples.

(b) REDUCTIONS.—Notwithstanding any other provision of this Act, the amount appropriated for the Advanced Technology Program under the heading ''INDUSTRIAL TECHNOLOGY SERVICES '' under the heading ''NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY'' under title I of this Act is reduced by $23,000,000.

SEC. 226. The Attorney General shall make available $10,000,000 from the Department of Justice Working Capital Fund to incrementally expand Operation Streamline across the entire southwest border of the United States, beginning with the border sector that had the highest rate of illegal entries during the most recent 12-month period.

SEC. 227. ADDITIONAL PROSECUTORS FOR OFFENSES RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN. (a) IN GENERAL.—The amount appropriated under the heading ''SALARIES AND EXPENSES'' under the heading ''UNITED STATES ATTORNEYS'' under this title is increased by $30,000,000, which shall be used for salaries and expenses for hiring 200 additional assistant United States attorneys to carry out section 704 of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248; 120 Stat. 649) concerning the prosecution of offenses relating to the sexual exploitation of children.

(b) REDUCTIONS.—Notwithstanding any other provision of this Act, the amount appropriated under the heading ''PROCUREMENT, ACQUISITION AND CONSTRUCTION'' under the heading ''NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION'' under title I of this Act is reduced by $30,000,000.

SEC. 228. NATIVE AMERICAN METHAMPHETAMINE ENFORCEMENT AND TREATMENT ACT OF 2007. (a) SHORT TITLE.—This section may be cited as the ''Native American Methamphetamine Enforcement and Treatment Act of 2007''.

(b) NATIVE AMERICAN PARTICIPATION IN METHAMPHETAMINE GRANTS.—

(1) IN GENERAL.—Section 2996(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797cc(a)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting '', territories, and Indian tribes (as defined in section 2704)'' after ''to assist States''; and

(ii) in subparagraph (B), by striking ''and local'' and inserting '', territorial, Tribal, and local'';

(B) in paragraph (2), by inserting '', territories, and Indian tribes'' after ''make grants to States'';

(C) in paragraph (3)(C), by inserting '', Tribal,'' after ''support State''; and

(D) by adding at the end the following:

''(4) EFFECT OF SUBSECTION.—Nothing in this subsection, or in the award or denial of any grant pursuant to this subsection—

''(A) allows grants authorized under paragraph (3)(A) to be made to, or used by, an entity for law enforcement activities that the entity lacks jurisdiction to perform; or

''(B) has any effect other than to authorize, award, or deny a grant of funds to a State, territory, or Indian tribe for the purpose described in this subsection.''.

(2) GRANT PROGRAMS FOR DRUG ENDANGERED CHILDREN.—Section 755(a) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (42 U.S.C. 3797cc–2(a)) is amended by inserting '', territories, and Indian tribes (as defined in section 2704 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797d))'' after ''make grants to States''.

(3) GRANT PROGRAMS TO ADDRESS METHAMPHETAMINE USE BY PREGNANT AND PARENTING WOMEN OFFENDERS.—Section 756 of the USA PATRIOT Improvement and Reauthorization Act of 2005 (42 U.S.C. 3797cc–3) is amended—

(A) in subsection (a)(2), by inserting '', territorial, or Tribal'' after ''State'';

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by inserting '', territorial, or Tribal'' after ''State''; and

(II) by striking ''and/or'' and inserting ''or'';

(ii) in paragraph (2)—

(I) by inserting '', territory, Indian tribe,'' after ''agency of the State''; and

(II) by inserting '', territory, Indian tribe,'' after ''criminal laws of that State''; and

(iii) by adding at the end the following:

''(C) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 2704 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797d).''; and

(C) in subsection (c)—

(i) in paragraph (3), by striking ''Indian Tribes'' and inserting ''Indian tribes''; and

(ii) in paragraph (4)—

(I) in the matter preceding subparagraph (A)—

(aa) by striking ''State's''; and

(bb) by striking ''and/or'' and inserting ''or'';

(II) in subparagraph (A), by striking ''State'';

(III) in subparagraph (C), by inserting '', Indian tribes,'' after ''involved counties''; and

(IV) in subparagraph (D), by inserting '', Tribal'' after ''Federal, State''.

This title may be cited as the ''Department of Justice Appropriations Act, 2008''.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601–6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,715,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE, AERONAUTICS AND EXPLORATION

For necessary expenses in the conduct and support of science, aeronautics and exploration research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $10,633,000,000, of which $119,100,000 shall remain available until expended and $10,513,900,000 shall remain available until September 30, 2009: Provided, That, of the amounts provided under this heading, $5,655,110,000 shall be for science, $554,030,000 shall be for aeronautics research, $3,972,490,000

shall be for exploration systems, and $521,380,000 shall be for cross-agency support programs: Provided further, That the amounts in the previous proviso shall be reduced by $70,000,000 in corporate and general administrative expenses and the reduction shall be applied proportionally to each amount therein: Provided further, That within the amounts provided under this heading, management and operations of National Aeronautics and Atmospheric Administration centers shall not exceed $1,150,800,000; corporate general and administrative costs shall not exceed $345,000,000; and institutional investments, including planning, design, maintenance, repair, rehabilitation and modification of existing facilities, construction of new facilities, acquisition and condemnation of real property as authorized by law, and environmental compliance and restoration shall not exceed $195,500,000: Provided further, That funds provided under this heading shall be available only according to the terms and conditions specified in the committee report of the Senate accompanying this Act: Provided further, That of the amounts appropriated or otherwise made available under this heading for cross-agency support programs, $10,000,000 may be made available, and distributed in equal increments, to each of NASA's 10 centers for the development of educational activities in science, technology, engineering, and mathematics related to the civilian space program of the United States.

EXPLORATION CAPABILITIES

For necessary expenses in the conduct and support of exploration capabilities research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $6,792,000,000, of which $5,200,000 shall remain available until expended and $6,786,800,000 shall remain available until September 30, 2009: Provided, That of the amounts provided under this heading, $4,007,760,000 shall be for Space Shuttle operations, production, research, development, and support and $2,238,610,000 shall be for International Space Station operations, production, research, development, and support: Provided further, That within the amounts provided under this heading, management and operations of National Aeronautics and Atmospheric Administration centers shall not exceed $862,200,000; corporate general and administrative costs shall not exceed $263,700,000; and institutional investments, including planning, design, maintenance, repair, rehabilitation and modification of existing facilities, construction of new facilities, acquisition and condemnation of real property as authorized by law, and environmental compliance and restoration shall not exceed $124,200,000: Provided further, That funds provided under this heading shall be available only according to the terms and conditions specified in the committee report of the Senate accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $34,600,000.

RETURN TO FLIGHT

For necessary expenses, not otherwise provided for, in carrying out return to flight activities associated with the space shuttle and activities from which funds were transferred to accommodate return to flight activities, $1,000,000,000 to remain available until expended with such sums as determined by the Administrator of the National Aeronautics and Space Administration as available for transfer to ''Exploration Capabilities'' and ''Science, Aeronautics, And Exploration'' for restoration of funds previously reallocated to meet return to flight activities: Provided, That the amount provided under this heading is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress).

ADMINISTRATIVE PROVISION

For fiscal year 2009 and hereafter, the National Aeronautics and Space Administration shall provide, at a minimum, the following information in its annual budget justification:

(1) The actual, current, proposed funding level, and estimated budgets for the next five fiscal years by directorate, theme, program, project and activity within each appropriations account.

(2) The budget for headquarters including—

(A) the budget by office for the actual, current, proposed funding level, and estimated budgets for the next five fiscal years;

(B) the travel budget for each office for the actual, current, and proposed funding level; and

(C) the civil service full time equivalent assignments per headquarters office including the number of Senior Executive Service, noncareer, detailee, and contract personnel per office.

(3) Concurrent with the submission of the budget to the Congress an accompanying volume shall be provided to the Committee on Appropriations containing the following information for each center and federally funded research and development center operated by the National Aeronautics and Space Administration:

(A) the actual, current, proposed funding level, and estimated budgets for the next five fiscal years by directorate, theme, program, project, and activity;

(B) The proposed programmatic and non-programmatic construction of facilities;

(C) The number of civil service full time equivalent positions per center for each identified fiscal year;

(D) The number of civil service full time equivalent positions considered to be uncovered capacity at each location for each identified fiscal year.

(4) Sufficient narrative shall be provided to explain the request for each program, project, and activity, and an explanation for any deviation to previously adopted baselines for all justification materials provided to the Committee.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $5,156,090,000, to remain available until September 30, 2009, of which not to exceed $510,000,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: Provided, That from funds specified in the fiscal year 2008 budget request for icebreaking services, up to $57,000,000 shall be available for the procurement of polar icebreaking services: Provided further, That the National Science Foundation shall only reimburse the Coast Guard for such sums as are agreed to according to the existing memorandum of agreement: Provided further, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950, as amended, including authorized travel, $244,740,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109, authorized travel, and rental of conference rooms in the District of Columbia, $850,600,000, to remain available until September 30, 2009.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For salaries and expenses necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; and reimbursement of the General Services Administration for security guard services; $285,590,000: Provided, That contracts may be entered into under ''Agency Operations and Award Management'' in fiscal year 2008 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,030,000: Provided, That not to exceed $9,000 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, $12,350,000, to remain available until September 30, 2009.

This title may be cited as the ''Science Appropriations Act, 2008''.

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,000,000: Provided, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964 (29 U.S.C. 206(d) and 621–634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as

authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed $37,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, $378,000,000: Provided, That funds made available under this heading shall only be allocated in the manner specified in the report accompanying this Act: Provided further, That no funds made available under this heading may be used to operate the National Contact Center: Provided further, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Senate Committee on Appropriations has been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $68,400,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $390,000,000, of which $373,000,000 is for basic field programs and required independent audits; $3,200,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $13,800,000 is for management and administration; $3,000,000 is for client self-help and information technology: Provided, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by 5 United States Code 5304, notwithstanding section 1005(d) of the Legal Services Corporation Act, 42 United States Code 2996(d).

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2006 and 2007, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, $3,000,000.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $47,800,000, of which $1,000,000 shall remain available until expended: Provided, That not to exceed $124,000 shall be available for official reception and representation expenses: Provided further, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties: Provided further, That negotiations shall be conducted within the World Trade Organization consistent with the negotiating objectives contained in the Trade Act of 2002, Public Law 107–210.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102–572), $3,500,000: Provided, That not to exceed $2,500 shall be available for official reception and representation expenses.

TITLE V

GENERAL PROVISIONS

SEC. 501. The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Senate Committee on Appropriations a quarterly accounting of the cumulative balances of any unobligated funds that were made available to any such agency in any previous appropriations Act.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Senate Committee on Appropriations is notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Senate Committee on Appropriations is notified 15 days in advance of such reprogramming of funds.

SEC. 506. Hereafter, none of the funds made available in this Act or any other Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 507. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. None of the funds appropriated pursuant to this Act or any other provision of law may be used for—

(1) the implementation of any tax or fee in connection with the implementation of subsection 922(t) of title 18, United States Code; and

(2) any system to implement subsection 922(t) of title 18, United States Code, that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from possessing or receiving a firearm no more than 24 hours after the system advises a Federal firearms licensee that possession or receipt of a firearm by the prospective transferee would not violate subsection (g) or (n) of section 922 of title 18, United States Code, or State law.

SEC. 511. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of $625,000,000 shall not be available for obligation until the following fiscal year.

SEC. 512. None of the funds made available to the Department of Justice in this Act

may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 513. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 514. With the consent of the President, the Secretary of Commerce shall represent the United States Government in negotiating and monitoring international agreements regarding fisheries, marine mammals, or sea turtles: Provided, That the Secretary of Commerce shall be responsible for the development and interdepartmental coordination of the policies of the United States with respect to the international negotiations and agreements referred to in this section.

SEC. 515. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 516. ACCOUNTABILITY AND TRANSPARENCY OF ACTIVITIES CARRIED OUT WITH FUNDS PROVIDED BY THIS ACT. (a) AUDIT PROGRESS REPORTS.—The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) AVAILABILITY TO THE PUBLIC.—Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, or Director, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, or Foundation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) PROHIBITED USE OF FUNDS.—A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(d) CONFLICT OF INTEREST STATEMENT.—Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, or the Director, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(e) APPLICATION TO OTHER FEDERAL GRANTS AND CONTRACTS.—The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office and Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 517. None of the funds appropriated or otherwise made available under this Act may be used to issue patents on claims directed to or encompassing a human organism.

SEC. 518. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than $75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent, the program manager shall immediately inform the Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the Senate Committee on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 519. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 520. Notwithstanding section 505 of this Act, no funds shall be reprogrammed within or transferred between appropriations after June 30, except in extraordinary circumstances.

SEC. 521. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2008 until the enactment of the Intelligence Authorization Act for Fiscal Year 2008.

SEC. 522. The Offices of Inspectors General funded under this Act shall forward copies of all audit reports to the Senate Committee on Appropriations immediately after they are issued and immediately make the Committee aware of any review that recommends cancellation of, or modification to, any major acquisition project or grant, or that recommends significant budgetary savings: Provided, That the Offices of Inspectors General funded under this Act shall withhold from public distribution for a period of 15 days any final audit or investigation report that was requested by the Senate Committee on Appropriations.

SEC. 523. Hereafter, none of the funds made available by the Congress may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 524. None of the funds in this Act or prior Acts making appropriations for the Department of Justice may be used to make a grant allocation, a discretionary grant award, or a discretionary contract award that is specified in the report accompanying this Act, or to publicly announce the intention to make such an award, unless the Attorney General, Secretary, Administrator or Director of the appropriate agency or bureau notifies the Senate Committee on Appropriations, at least three full business days in advance: Provided, That no notification shall involve funds that are not available for obligation.

SEC. 525. None of the funds provided in this Act may be used to implement an involuntary reduction in force at any NASA center during fiscal year 2008.

SEC. 526. (a) MODIFICATION OF ENHANCED-USE LEASE AUTHORITY FOR NASA.—Subsection (a) of section 315 of the National Aeronautics and Space Administration Act of 1958 (42 U.S.C. 2459j) is amended—

(1) by striking ''Notwithstanding any other provision of law, the Administrator'' and inserting ''The Administrator''; and

(2) by striking ''any real property'' and inserting ''any non-excess real property and related personal property''; and

(3) by striking ''at no more than two (2) National Aeronautics and Space Administration (NASA) centers''.

(b) CONSIDERATION.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking ''consideration'' and all that follows through the end of the paragraph and inserting ''cash consideration for the lease at fair market value as determined by the Administrator.'';

(2) by striking paragraph (2);

(3) by redesignating paragraph (3) as paragraph (2); and

(4) in paragraph (2), as redesignated by paragraph (3) of this subsection—

(A) in subparagraph (B), by striking ''maintenance'' and all that follows through ''centers selected for this demonstration program'' and inserting ''capital revitalization and construction projects and improvements of real property assets and related personal property under the jurisdiction of the Administrator''; and

(B) by adding at the end the following new subparagraph:

''(C) Amounts utilized under subparagraph (B) may not be utilized for daily operating costs.''.

(c) LEASE RESTRICTIONS.—Subsection (e) of such section is amended—

(1) by striking ''LEASE RESTRICTIONS.—NASA'' and inserting the following: ''LEASE RESTRICTIONS.—

''(1) NASA''; and

(2) by adding at the end the following new paragraph:

''(2) NASA is not authorized to enter into an out-lease under this section unless the Administrator certifies that such out-lease will not have a negative impact on NASA's mission.''.

(d) REPEAL OF PLAN AND REPORTING REQUIREMENTS.—Such section is further amended by striking subsection (f).

(e) SUNSET.—Such section is further amended by adding at the end the following new subsection (f):

''(f) SUNSET.—The authority to enter into leases under this section shall expire on the date that is ten years after the date of the enactment of the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2008. The expiration under this subsection of authority to enter into leases under this section shall not affect the validity or term of leases or NASA's retention of proceeds from leases entered into under this section before the date of the expiration of such authority.''.

(f) CONFORMING AMENDMENT.—The heading of such section is amended by striking ''Enhanced-use lease of real property demonstration'' and inserting ''Lease of non-excess property''.

SEC. 527. LIMITATION. (a) IN GENERAL.—None of the funds made available in this Act shall be used to initiate or participate in a civil action by or on the behalf of the Equal Employment Opportunity Commission against an entity on the grounds that the entity requires an employee to speak English while engaged in work.

(b) EFFECTIVE DATE.—Subsection (a) shall apply with respect to all civil actions that commence on or after the date of enactment of this Act.

SEC. 528. FUNDS FOR TEACH FOR AMERICA.—Of the funds provided in this Act for the National Aeronautics and Space Administration, under the heading ''SCIENCE, AERONAUTICS, AND EXPLORATION'', $3,000,000 may be for Teach for America for science, technology, engineering, and mathematics related activities.

SEC. 529. Not later than 30 days after the date of enactment of this Act, the Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites—

(1) a direct link to the Internet websites of their Offices of Inspectors General; and

(2) a mechanism on the Offices of Inspectors General website by which individuals may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.

SEC. 530. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

SEC. 531. DIGITAL AND WIRELESS NETWORKS FOR HIGHER EDUCATION PILOT PROGRAM. (a) SHORT TITLE.—This section may be cited as the ''ED 1.0 Act''.

(b) APPROPRIATIONS.—Notwithstanding any other provision of this Act, from the amount appropriated under title I under the heading ''Technology Opportunities Program'', $4,500,000 may be available for the pilot program under this section, to remain available until expended.

(c) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the National Telecommunications and Information Administration.

(2) ELIGIBLE EDUCATIONAL INSTITUTION.—The term ''eligible educational institution'' means an institution that is—

(A) a historically Black college or university;

(B) a Hispanic-serving institution as that term is defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5));

(C) a tribally controlled college or university as that term is defined in section 2(a)(4) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)(4));

(D) an Alaska Native-serving institution as that term is defined in section 317(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)(2)); or

(E) a Native Hawaiian-serving institution as that term is defined in section 317(b)(4) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)(4)).

(3) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term ''historically Black college or university'' means a part B institution as that term is defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)).

(d) MINORITY ONLINE DEGREE PILOT PROGRAM.—

(1) PILOT PROGRAM ESTABLISHED.—

(A) IN GENERAL.—There is established within the National Telecommunications and Information Administration a pilot program under which the Administrator shall award 9 grants to eligible educational institutions to enable the eligible educational institutions to develop digital and wireless networks for online educational programs of study within the eligible educational institutions. The Administrator shall award not less than 1 grant to each type of eligible educational institution, enumerated under subsection (c)(2).

(B) GRANT NUMBER AND AMOUNT.—

(i) NUMBER.—The Administrator shall award a total of 9 grants under this subsection.

(ii) GRANT PAYMENT AMOUNTS.—The Administrator shall make grant payments under this subsection in the amount of $500,000.

(2) PRIORITY.—

(A) IN GENERAL.—In awarding grants under this subsection the Administrator shall give priority to an eligible educational institution that, according to the most recent data available (including data available from the Bureau of the Census), serves a county, or other appropriate political subdivision where no counties exist—

(i) in which 50 percent of the residents of the county, or other appropriate political subdivision where no counties exist, are members of a racial or ethnic minority;

(ii) in which less than 18 percent of the residents of the county, or other appropriate political subdivision where no counties exist, have obtained a baccalaureate degree or a higher education;

(iii) that has an unemployment rate of 7 percent or greater;

(iv) in which 20 percent or more of the residents of the county, or other appropriate political subdivision where no counties exist, live in poverty;

(v) that has a negative population growth rate; or

(vi) that has a family income of not more than $32,000.

(B) HIGHEST PRIORITY.—In awarding grants under this subsection the Administrator shall give the highest priority to an eligible educational institution that meets the greatest number of requirements described in clauses (i) through (vi) of subparagraph (A).

(3) USE OF FUNDS.—An eligible educational institution receiving a grant under this subsection may use the grant funds—

(A) to acquire equipment, instrumentation, networking capability, hardware, software, digital network technology, wireless technology, or wireless infrastructure;

(B) to develop and provide educational services, including faculty development; or

(C) to develop strategic plans for information technology investments.

(4) MATCHING NOT REQUIRED.—The Administrator shall not require an eligible educational institution to provide matching funds for a grant awarded under this subsection.

(5) CONSULTATIONS; REPORT.—

(A) CONSULTATIONS.—The Administrator shall consult with the Committee on Appropriations and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives, on a quarterly basis regarding the pilot program assisted under this subsection.

(B) REPORT.—Not later than 1 year after the date of enactment of this section, the Administrator shall submit to the committees described in subparagraph (A) a report evaluating the progress of the pilot program assisted under this subsection.

(6) LIMITATION ON USE OF OTHER FUNDS.—The Administrator shall carry out this subsection only with amounts appropriated in advance specifically to carry out this subsection.

SEC. 532. (a) The Administrator of the National Aeronautics and Space Administration shall submit quarterly reports to the Inspector General of the National Aeronautics and Space Administration regarding the costs and contracting procedures relating to each conference or meeting, held by the National Aeronautics and Space Administration during fiscal year 2008, and each year thereafter, for which the cost to the Government was more than $20,000.

(b) Each report submitted under subsection (a) shall include, for each conference described in that subsection held during the applicable quarter—

(1) a description of the number of and purpose of participants attending that conference or meeting;

(2) a detailed statement of the costs to the Government relating to that conference or meeting, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of all related travel; and

(D) a discussion of the methodology used to determine which costs relate to that conference or meeting; and

(3) a description of the contracting procedures relating to that conference or meeting, including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the National Aeronautics and Space Administration in evaluating potential contractors for any conference or meeting.

SEC. 533. LIMITATION AND REPORTS ON TRAVEL EXPENSES TO CONFERENCES. (a) In this section, the term conference means a meeting that—

(1) is held for consultation, education, awareness, or discussion;

(2) includes participants who are not all employees of the same agency;

(3) is not held entirely at an agency facility;

(4) involves costs associated with travel and lodging for some participants; and

(5) is sponsored by 1 or more agencies, 1 or more organizations that are not agencies, or a combination of such agencies or organizations.

(b) The Administrator of NASA shall, not later than September 30, 2008, submit to the appropriate committees of Congress and post on the public Internet website of the agency in a searchable, electronic format, a report on each conference for which the agency paid travel expenses during fiscal year 2008 that includes—

(1) the itemized expenses paid by the agency, including travel expenses and any agency expenditure to otherwise support the conference;

(2) the primary sponsor of the conference;

(3) the location of the conference;

(4) in the case of a conference for which the agency was the primary sponsor, a statement that—

(A) justifies the location selected;

(B) demonstrates the cost efficiency of the location;

(C) the date of the conference;

(D) a brief explanation how the conference advanced the mission of the agency; and

(E) the total number of individuals who travel or attendance at the conference was paid for in part or full by the agency.

SEC. 534. None of the funds appropriated or otherwise made available in this Act may be used in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws to preserve the ability of the United States—

(1) to enforce vigorously its trade laws, including antidumping, countervailing duty, and safeguard laws;

(2) to avoid agreements that—

(A) lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies; or

(B) lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.

SEC. 535. None of the funds appropriated or otherwise made available by this Act may be made available for a public-private competition conducted under Office of Management and Budget Circular A–76 or to convert a function performed by Federal employees to private sector performance without such a competition unless a representative designated by a majority of the employees engaged in the performance of the activity or function for which the public-private competition is conducted or which is to be converted without such a competition is treated as an interested party with respect to such competition or decision to convert to private sector performance for purposes of subchapter V of chapter 35 of title 31, United States Code.

SEC. 536. None of the funds made available under this Act may be used to circumvent any statutory or administrative formula-driven or competitive awarding process to award funds to a project in response to a request from a Member of Congress (or any employee of a Member or committee of Congress), unless the specific project has been disclosed in accordance with the rules of the Senate or House of Representatives, as applicable.

SEC. 537. None of the funds made available under this Act may be used to purchase first class or premium airline travel that would not be consistent with sections 301–10.123 and 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 538. Section 2301 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (47 U.S.C. 901 note) is amended by striking ''the 'Improving Emergency Communications Act of 2007'.'' and inserting ''the '911 Modernization Act'.''.

SEC. 539. Section 504(a)(11)(E) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134; 110 Stat. 1321–55) is amended by inserting before ''an alien'' the following: ''a nonimmigrant worker admitted to, or permitted to remain in, the United States under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) for forestry labor or''.

SEC. 540. SMALL AND SEASONAL BUSINESSES. (a) IN GENERAL.—Section 214(g)(9)(A) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(9)(A)) is amended by striking ''an alien who has already been counted toward the numerical limitation of paragraph (1)(B) during fiscal year 2004, 2005, or 2006 shall not again be counted toward such limitation during fiscal year 2007.'' and inserting ''an alien who has been present in the United States as an H–2B nonimmigrant during any 1 of the 3 fiscal years immediately preceding the fiscal year of the approved start date of a petition for a nonimmigrant worker described in section 101(a)(15)(H)(ii)(b) shall not be counted toward such limitation for the fiscal year in which the petition is approved.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be effective during the 1-year period beginning October 1, 2007.

TITLE VI

RESCISSIONS

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

Of the unobligated balances available under this heading, $10,000,000 are rescinded.

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

Of the unobligated balances made available for the Department of Justice in prior fiscal years, $110,000,000 are rescinded: Provided, That within 30 days after the date of enactment of this section the Attorney General shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the amount of each rescission made pursuant to this section.

WORKING CAPITAL FUND

(RESCISSION)

Of the unobligated balances available under this heading, $41,000,000 are rescinded.

DETENTION TRUSTEE

(RESCISSION)

Of the unobligated balances available under this heading, $135,000,000 are rescinded.

LEGAL ACTIVITIES

ASSETS FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $240,000,000 are rescinded.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

(RESCISSION)

Of the unobligated balances available under this heading, $87,500,000 are rescinded.

COMMUNITY ORIENTED POLICING SERVICES

(RESCISSION)

Of the unobligated balances available under this heading, $37,500,000 are rescinded.

TITLE VII—RESTITUTION

SEC. 701. SHORT TITLE.

This title may be cited as the ''Restitution for Victims of Crime Act of 2007''.

Subtitle A—Collection of Restitution

SEC. 721. SHORT TITLE.

This subtitle may be cited as the ''Collection of Restitution Improvement Act of 2007''.

SEC. 722. PROCEDURE FOR ISSUANCE AND ENFORCEMENT OF RESTITUTION.

Section 3664(f) of title 18, United States Code, is amended by striking paragraphs (2) through (4) and inserting the following:

''(C)(i) Each restitution order shall—

''(I) contain information sufficient to identify each victim to whom restitution is owed;

''(II) require that a copy of the court order be sent to each such victim; and

''(III) inform each such victim of the obligation to notify the appropriate entities of any change in address.

''(ii) It shall be the responsibility of each victim to whom restitution is owed to notify the Attorney General, or the appropriate entity of the court, by means of a form to be provided by the Attorney General or the court, of any change in the victim's mailing address while restitution is still owed to the victim.

''(iii) The confidentiality of any information relating to a victim under this subparagraph shall be maintained.

''(2) The court shall order that the restitution imposed is due in full immediately upon imposition.

''(3) The court shall direct the defendant—

''(A) to make a good-faith effort to satisfy the restitution order in the shortest time in which full restitution can be reasonably made, and to refrain from taking any action that conceals or dissipates the defendant's assets or income;

''(B) to notify the court of any change in residence; and

''(C) to notify the United States Attorney for the district in which the defendant was sentenced of any change in residence, and of any material change in economic circumstances that might affect the defendant's ability to pay restitution.

''(4) Compliance with all payment directions imposed under paragraphs (6) and (7) shall be prima facie evidence of a good faith effort under paragraph (3)(A), unless it is shown that the defendant has concealed or dissipated assets.

''(5) Notwithstanding any other provision of law, for the purpose of enforcing a restitution order, a United States Attorney may receive, without the need for a court order, any financial information concerning the defendant obtained by the grand jury that indicted the defendant for the crime for which restitution has been awarded, the United States Probation Office, or the Bureau of Prisons. A victim may also provide financial information concerning the defendant to the United States Attorney.

''(6)(A) At sentencing, or at any time prior to the termination of a restitution obligation under section 3613 of this title, the court may—

''(i) impose special payment directions upon the defendant or modify such directions; or

''(ii) direct the defendant to make a single, lump sum payment, partial payments at specified intervals, in-kind payments, or a combination of payments at specified intervals and in-kind payments.

''(B) The period of time over which scheduled payments are established for purposes of this paragraph shall be the shortest time in which full payment reasonably can be made.

''(C) In-kind payments may be in the form of the return of property, replacement of property, or, if the victim agrees, services rendered to the victim or a person or organization other than the victim.

''(D) In ordering restitution, the court may direct the defendant to—

''(i) repatriate any property that constitutes proceeds of the offense of conviction, or property traceable to such proceeds; and

''(ii) surrender to the United States, or to the victim named in the restitution order, any interest of the defendant in any nonexempt asset.

''(E) The court may enter a restraining order or injunction, require the execution of a satisfactory performance bond, or take any other action to preserve the availability of property for restitution.

''(7)(A) In determining whether to impose or modify specific payment directions, the court may consider—

''(i) the need to provide restitution to the victims of the offense;

''(ii) the financial ability of the defendant;

''(iii) the economic circumstances of the defendant, including the financial resources and other assets of the defendant and whether any of those assets are jointly controlled;

''(iv) the projected earnings and other income of the defendant;

''(v) any financial obligations of the defendant, including obligations to dependents;

''(vi) whether the defendant has concealed or dissipated assets or income; and

''(vii) any other appropriate circumstances.

''(B) Any substantial resources from any source, including inheritance, settlement, or other judgment, shall be applied to any outstanding restitution obligation.

''(8)(A) If the court finds that the economic circumstances of the defendant do not allow the payment of any substantial amount as restitution, the court may direct the defendant to make nominal payments of not less than $100 per year toward the restitution obligation.

''(B) Any money received from the defendant under subparagraph (A) shall be disbursed so that any outstanding assessment imposed under section 3013 is paid first in full.

''(9) Court-imposed special payment directions shall not limit the ability of the Attorney General to maintain an Inmate Financial Responsibility Program that encourages sentenced inmates to meet their legitimate financial obligations.

''(10)(A) The ability of the Attorney General to enforce restitution obligations ordered under paragraph (2) shall not be limited by appeal, or the possibility of a correction, modification, amendment, adjustment, or reimposition of a sentence, unless the court expressly so orders for good cause shown and stated on the record.

''(B) Absent exceptional circumstances, as determined by the court, an order limiting the enforcement of restitution obligations shall—

''(i) require the defendant to deposit, in the registry of the district court, any amount of the restitution that is due;

''(ii) require the defendant to post a bond or other security to ensure payment of the restitution that is due; or

''(iii) impose additional restraints upon the defendant to prevent the defendant from transferring or dissipating assets.

''(C) No order described in subparagraph (B) shall restrain the ability of the United States to continue its investigation of the defendant's financial circumstances, conduct discovery, record a lien, or seek any injunction or other relief from the court.''.

SEC. 723. IMPOSITION OF CRIMINAL FINES AND PAYMENT DIRECTIONS.

Subsection 3572(d) of title 18, United States Code, is amended to read as follows:

''(d) PAYMENT.—

''(1) IN GENERAL.—The court shall order that any fine or assessment imposed be due in full immediately upon imposition.

''(2) EFFORTS TO MAKE PAYMENT.—The court shall—

''(A) direct the defendant to make a good-faith effort to satisfy the fine and assessment in the shortest time in which full payment can be reasonably made, and to refrain from taking any action that conceals or dissipates the defendant's assets or income;

''(B) direct the defendant to notify the court of any change in residence; and

''(C) order the defendant to notify the United States Attorney for the district in which the defendant was sentenced of any change in residence, and of any material change in economic circumstances that might affect the defendant's ability to pay restitution.

''(3) GOOD FAITH.—Compliance with all payment directions imposed by paragraphs (5) and (6) shall be prima facie evidence of a good faith effort under paragraph (2)(A), unless it is shown that the defendant has concealed or dissipated assets;

''(4) ACCESS TO INFORMATION.—Notwithstanding any other provision of law, for the purpose of enforcing a fine or assessment, a United States Attorney may receive, without the need for a court order, any financial information concerning the defendant obtained by a grand jury, the United States Probation Office, or the Bureau of Prisons.

''(5) PAYMENT SCHEDULE.—

''(A) IN GENERAL.—At sentencing, or at any time prior to the termination of a restitution obligation under section 3613 of this title, the court may—

''(i) impose special payment directions upon the defendant or modify such directions; or

''(ii) direct the defendant to make a single, lump sum payment, or partial payments at specified intervals.

''(B) PERIOD OF TIME.—The period of time over which scheduled payments are established for purposes of this paragraph shall be the shortest time in which full payment can reasonably be made.

''(C) REPATRIATION.—The court may direct the defendant to repatriate any property that constitutes proceeds of the offense of conviction, or property traceable to such proceeds.

''(D) SURRENDER.—In ordering restitution, the court may direct the defendant to surrender to the United States any interest of the defendant in any non-exempt asset.

''(E) THIRD PARTIES.—If the court directs the defendant to repatriate or surrender any property in which it appears that any person other than the defendant may have a legal interest—

''(i) the court shall take such action as is necessary to protect such third party interest; and

''(ii) may direct the United States to initiate any ancillary proceeding to determine such third party interests in accordance with the procedures specified in section 413(n) of the Controlled Substances Act (21 U.S.C. 853(n)).

''(F) EXCLUSIVITY OF REMEDY.—Except as provided in this section, no person may commence an action against the United States concerning the validity of the party's alleged interest in the property subject to reparation or surrender.

''(G) PRESERVATION OF PROPERTY.—The court may enter a restraining order or injunction, require the execution of a satisfactory performance bond, or take any other action to preserve the availability of property for payment of the fine or assessment.

''(6) CONSIDERATIONS.—In determining whether to impose or modify special payment directions, the court may consider—

''(A) the need to satisfy the fine or assessment;

''(B) the financial ability of the defendant;

''(C) the economic circumstances of the defendant, including the financial resources and other assets of the defendant, and whether any of those assets are jointly controlled;

''(D) the projected earnings and other income of the defendant;

''(E) any financial obligations of the defendant, including obligations to dependents;

''(F) whether the defendant has concealed or dissipated assets or income; and

''(G) any other appropriate circumstances.

''(7) USE OF RESOURCES.—Any substantial resources from any source, including inheritance, settlement, or other judgment shall be applied to any fine or assessment still owed.

''(8) NOMINAL PAYMENTS.—If the court finds that the economic circumstances of the defendant do not allow the immediate payment of any substantial amount of the fine or assessment imposed, the court may direct the defendant to make nominal payments of not less than $100 per year toward the fine or assessment imposed.

''(9) INMATE FINANCIAL RESPONSIBILITY PROGRAM.—Court-imposed special payment directions shall not limit the ability of the Attorney General to maintain an Inmate Financial Responsibility Program that encourages sentenced inmates to meet their legitimate financial obligations.

''(10) ENFORCEMENT.—

''(A) IN GENERAL.—The ability of the Attorney General to enforce the fines and assessment ordered under paragraph (1) shall not be limited by an appeal, or the possibility of a correction, modification, amendment, adjustment, or reimposition of a sentence, unless the court expressly so orders, for good cause shown and stated on the record.

''(B) EXCEPTIONS.—Absent exceptional circumstances, as determined by the court, an order limiting enforcement of a fine or assessment shall—

''(i) require the defendant to deposit, in the registry of the district court, any amount of the fine or assessment that is due;

''(ii) require the defendant to post a bond or other security to ensure payment of the fine or assessment that is due; or

''(iii) impose additional restraints upon the defendant to prevent the defendant from transferring or dissipating assets.

''(C) OTHER ACTIVITIES.—No order described in subparagraph (B) shall restrain the ability of the United States to continue its investigation of the defendant's financial circumstances, conduct discovery, record a lien, or seek any injunction or other relief from the court.

''(11) SPECIAL ASSESSMENTS.—The requirements of this subsection shall apply to the imposition and enforcement of any assessment imposed under section 3013 of this title.''.

SEC. 724. COLLECTION OF UNPAID FINES OR RESTITUTION.

Section 3612(b) of title 18, United States Code, is amended to read as follows:

''(b) INFORMATION TO BE INCLUDED IN JUDGMENT; JUDGMENT TO BE TRANSMITTED TO THE ATTORNEY GENERAL.—

''(1) IN GENERAL.—A judgment or order imposing, modifying, or remitting a fine or restitution order of more than $100 shall include—

''(A) the name, social security account number, mailing address, and residence address of the defendant;

''(B) the docket number of the case;

''(C) the original amount of the fine or restitution order and the amount that is due and unpaid;

''(D) payment orders and directions imposed under section 3572(d) and section 3664(f) of this title; and

''(E) a description of any modification or remission.

''(2) TRANSMITTAL OF COPIES.—Not later than 10 days after entry of the judgment or order described in paragraph (1), the court shall transmit a certified copy of the judgment or order to the Attorney General.''.

SEC. 725. ATTORNEY'S FEES FOR VICTIMS.

(a) ORDER OF RESTITUTION.—Section 3663(b) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''or'' at the end;

(B) by redesignating subparagraph (B) as subparagraph (C);

(C) by inserting after subparagraph (A) the following:

''(B) reimburse the victim for attorneys' fees reasonably incurred in an attempt to retrieve damaged, lost, or destroyed property (which shall not include payment of salaries of Government attorneys); or''; and

(D) in subparagraph (C), as so redesignated by this subsection, by inserting ''or (B)'' after ''subparagraph (A)'';

(2) in paragraph (4)—

(A) by inserting ''(including attorneys' fees necessarily and reasonably incurred for representation of the victim, which shall not include payment of salaries of Government attorneys)'' after ''other expenses related to participation in the investigation or prosecution of the offense''; and

(B) by striking ''and'' at the end;

(3) in paragraph (5), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(6) in any case, reimburse the victim for reasonably incurred attorneys' fees that are necessary and foreseeable results of the defendant's crime (which shall not include payment of salaries of Government attorneys).''.

(b) MANDATORY RESTITUTION TO VICTIMS OF CERTAIN CRIMES.—Section 3663A(b) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''or'' at the end;

(B) by redesignating subparagraph (B) as subparagraph (C);

(C) by inserting after subparagraph (A) the following:

''(B) reimburse the victim for attorneys' fees reasonably incurred in an attempt to retrieve damaged, lost, or destroyed property (which shall not include payment of salaries of Government attorneys); or''; and

(D) in subparagraph (C), as so redesignated by this subsection, by inserting ''or (B)'' after ''subparagraph (A)'';

(2) in paragraph (3), by striking ''and'' at the end;

(3) in paragraph (4)—

(A) by inserting ''(including attorneys' fees necessarily and reasonably incurred for representation of the victim, which shall not include payment of salaries of Government attorneys)'' after ''other expenses related to participation in the investigation or prosecution of the offense''; and

(B) by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(5) in any case, reimburse the victim for reasonably incurred attorneys' fees that are necessary and foreseeable results of the defendant's crime (which shall not include payment of salaries of Government attorneys).''.

Subtitle B—Preservation of Assets for Restitution

SEC. 741. SHORT TITLE.

This subtitle may be cited as the ''Preservation of Assets for Restitution Act of 2007''.

SEC. 742. AMENDMENTS TO THE MANDATORY VICTIMS RESTITUTION ACT.

(a) IN GENERAL.—Chapter 232 of title 18, United States Code, is amended by inserting after section 3664 the following:

''§ 3664A. Preservation of assets for restitution

''(a) PROTECTIVE ORDERS TO PRESERVE ASSETS.—

''(1) IN GENERAL.—Upon the Government's ex parte application and a finding of probable cause to believe that a defendant, if convicted, will be ordered to satisfy an order of restitution for an offense punishable by imprisonment for more than 1 year, the court—

''(A) shall—

''(i) enter a restraining order or injunction;

''(ii) require the execution of a satisfactory performance bond; or

''(iii) take any other action necessary to preserve the availability of any property traceable to the commission of the offense charged; and

''(B) if it determines that it is in the interests of justice to do so, shall issue any order necessary to preserve any nonexempt asset (as defined in section 3613) of the defendant that may be used to satisfy such restitution order.

''(2) PROCEDURES.—Applications and orders issued under paragraph (1) shall be governed by the procedures under section 413(e) of the Controlled Substances Act (21 U.S.C. 853(e)) and in this section.

''(3) MONETARY INSTRUMENTS.—If the property in question is a monetary instrument (as defined in section 1956(c)(5)) or funds in electronic form, the protective order issued under paragraph (1) may take the form of a warrant authorizing the Government to seize the property and to deposit it into an interest-bearing account in the Registry of the Court in the district in which the warrant was issued, or into another such account maintained by a substitute property custodian, as the court may direct.

''(4) POST-INDICTMENT.—A post-indictment protective order entered under paragraph (1) shall remain in effect through the conclusion of the criminal case, including sentencing and any post-sentencing proceedings, until seizure or other disposition of the subject property, unless modified by the court upon a motion by the Government or under subsection (b) or (c).

''(b) DEFENDANT'S RIGHT TO A HEARING.—

''(1) IN GENERAL.—In the case of a preindictment protective order entered under subsection (a)(1), the defendant's right to a post-restraint hearing shall be governed by paragraphs (1)(B) and (2) of section 413(e) of the Controlled Substances Act (21 U.S.C. 853(e)).

''(2) POST-INDICTMENT.—In the case of a post-indictment protective order entered under subsection (a)(1), the defendant shall have a right to a post-restraint hearing regarding the continuation or modification of the order if the defendant—

''(A) establishes by a preponderance of the evidence that there are no assets, other than the restrained property, available to the defendant to retain counsel in the criminal case or to provide for a reasonable living allowance for the necessary expenses of the defendant and the defendant's lawful dependents; and

''(B) makes a prima facie showing that there is bona fide reason to believe that the court's ex parte finding of probable cause under subsection (a)(1) was in error.

''(3) HEARING.—

''(A) IN GENERAL.—If the court determines that the defendant has satisfied the requirements of paragraph (2), it may hold a hearing to determine whether there is probable cause to believe that the defendant, if convicted, will be ordered to satisfy an order of restitution for an offense punishable by imprisonment for more than 1 year, and that the seized or restrained property may be needed to satisfy such restitution order.

''(B) PROBABLE CAUSE.—If the court finds probable cause under subparagraph (A), the protective order shall remain in effect.

''(C) NO PROBABLE CAUSE.—If the court finds under subparagraph (A) that no probable cause exists as to some or all of the property, or determines that more property has been seized and restrained than may be needed to satisfy a restitution order, it shall modify the protective order to the extent necessary to release the property that should not have been restrained.

''(4) REBUTTAL.—If the court conducts an evidentiary hearing under paragraph (3), the court shall afford the Government an opportunity to present rebuttal evidence and to cross-examine any witness that the defendant may present.

''(5) PRETRIAL HEARING.—In any pretrial hearing on a protective order issued under subsection (a)(1), the court may not entertain challenges to the grand jury's finding of probable cause regarding the criminal offense giving rise to a potential restitution order. The court shall ensure that such hearings are not used to obtain disclosure of evidence or the identities of witnesses earlier than required by the Federal Rules of Criminal Procedure or other applicable law.

''(c) THIRD PARTY'S RIGHT TO POST-RESTRAINT HEARING.—

''(1) IN GENERAL.—A person other than the defendant who has a legal interest in property affected by a protective order issued under subsection (a)(1) may move to modify the order on the grounds that—

''(A) the order causes an immediate and irreparable hardship to the moving party; and

''(B) less intrusive means exist to preserve the property for the purpose of restitution.

''(2) MODIFICATION.—If, after considering any rebuttal evidence offered by the Government, the court determines that the moving party has made the showings required under paragraph (1), the court shall modify the order to mitigate the hardship, to the extent that it is possible to do so while preserving the asset for restitution.

''(3) INTERVENTION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B) or paragraph (1), a person other than a defendant has no right to intervene in the criminal case to object to the entry of any order issued under this section or otherwise to object to an order directing a defendant to pay restitution.

''(B) EXCEPTION.—If, at the conclusion of the criminal case, the court orders the defendant to use particular assets to satisfy an order of restitution (including assets that have been seized or restrained pursuant to this section) the court shall give persons other than the defendant the opportunity to object to the order on the ground that the property belonged in whole or in part to the third party and not to the defendant, as provided in section 413(n) of the Controlled Substances Act (21 U.S.C. 853(n)).

''(d) GEOGRAPHIC SCOPE OF ORDER.—

''(1) IN GENERAL.—A district court of the United States shall have jurisdiction to enter an order under this section without regard to the location of the property subject to the order.

''(2) OUTSIDE THE UNITED STATES.—If the property subject to an order issued under this section is located outside of the United States, the order may be transmitted to the central authority of any foreign state for service in accordance with any treaty or other international agreement.

''(e) NO EFFECT ON OTHER GOVERNMENT ACTION.—Nothing in this section shall be construed to preclude the Government from seeking the seizure, restraint, or forfeiture of assets under the asset forfeiture laws of the United States.

''(f) LIMITATION ON RIGHTS CONFERRED.—Nothing in this section shall be construed to create any enforceable right to have the Government seek the seizure or restraint of property for restitution.

''(g) RECEIVERS.—

''(1) IN GENERAL.—A court issuing an order under this section may appoint a receiver under section 1956(b)(4) to collect, marshal, and take custody, control, and possession of all assets of the defendant, wherever located, that have been restrained in accordance with this section.

''(2) DISTRIBUTION OF PROPERTY.—The receiver shall have the power to distribute property in its control to each victim identified in an order of restitution at such time, and in such manner, as the court may authorize.''.

(b) CONFORMING AMENDMENT.—The section analysis for chapter 232 of title 18, United States Code, is amended by inserting after the item relating to section 3664 the following:

''Sec. 3664A. Preservation of assets for restitution.''.

SEC. 743. AMENDMENTS TO THE ANTI-FRAUD INJUNCTION STATUTE.

Section 1345(a) of title 18, United States Code, is amended—

(1) in paragraph (1)—

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

(B) by inserting after subparagraph (C) the following:

''(D) committing or about to commit a Federal offense that may result in an order of restitution;''; and

(2) in paragraph (2)—

(A) by striking ''a banking violation'' and all that follows through ''healthcare offense'' and inserting ''a violation or offense identified in paragraph (1)''; and

(B) by inserting ''or offense'' after ''traceable to such violation''.

SEC. 744. AMENDMENTS TO THE FEDERAL DEBT COLLECTION PROCEDURES ACT.

(a) PROCESS.—Section 3004(b)(2) of title 28, United States Code, is amended by inserting after ''in which the debtor resides.'' the following: ''In a criminal case, the district court for the district in which the defendant was sentenced may deny the request.''.

(b) PREJUDGMENT REMEDIES.—Section 3101 of title 28, United States Code, is amended—

(1) in subsection (a)(1) by inserting after ''the filing of a civil action on a claim for a debt'' the following: ''or in any criminal action where the court may enter an order of restitution''; and

(2) in subsection (d)—

(A) by inserting after ''The Government wants to make sure [name of debtor] will pay if the court determines that this money is owed.'''' the following:

''''In a criminal action, use the following opening paragraph: You are hereby notified that this [property] is being taken by the United States Government [the Government], which says that [name of debtor], if convicted, may owe as restitution $ [amount]. The Government says it must take this property at this time because [recite the pertinent ground or grounds from section 3101(b)]. The Government wants to make sure [name of debtor] will pay if the court determines that restitution is owed.'''';

(B) by inserting after ''a statement that different property may be so exempted with respect to the State in which the debtor resides.]'''' the following:

''''[In a criminal action, the statement summarizing the types of property that may be exempt shall list only those types of property that may be exempt under section 3613 of title 18.]''''; and

(C) by inserting after ''You must also send a copy of your request to the Government at [address], so the Government will know you want the proceeding to be transferred.'''' the following:

''''If this Notice is issued in conjunction with a criminal case, the district court where the criminal action is pending may deny your request for a transfer of this proceeding.'''';

(c) ENFORCEMENT.—Section 3202(b) of title 28, United States Code, is amended—

(1) by inserting after ''a statement that different property may be so exempted with respect to the State in which the debtor resides.]'''' the following:

''''[In a criminal action, the statement summarizing the types of property that may be exempt shall list only those types of property that may be exempt under section 3613 of title 18.]''''; and

(2) by inserting after ''you want the proceeding to be transferred.'''' the following:

''''If this notice is issued in conjunction with a criminal case, the district court where the criminal action is pending may deny your request for a transfer of this proceeding.'''';

This Act may be cited as the ''Departments of Commerce and Justice, Science, and Related Agencies Appropriations Act, 2008''.

NATIONAL CHARACTER COUNTS WEEK

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 351, which was submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 351) designating the week beginning October 21, 2007, as ''National Character Counts Week.''

There being no objection, the Senate proceeded to consider the resolution.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

● Mr. DODD. Mr. President, today Senator DOMENICI and I submitted a resolution designating next week, the week of October 21–27, 2007 as ''National Character Counts Week.'' I have worked for many years on the issue of character education and hope that by designating a special week to this important cause, students and teachers will come together to participate in character building activities in their schools this week and throughout the year.

Senator DOMENICI and I first established the Partnerships in Character Education Pilot Project in 1994 and since then we have worked together regularly to commemorate National Character Counts Week. Character education is about celebrating what's right with young people while enabling them to develop the knowledge and life skills necessary in order to embrace ethical and responsible behavior. I am pleased that we are continuing our efforts today to help expand the ability of States and schools to make character education a central part of every child's education.

While English, math and science provide the figurative bricks of schools, character education provides the mortar. Trustworthiness, respect, responsibility, fairness, caring, and citizenship are the six pillars of character. The standards of conduct that arise out of those values constitute the foundation of ethics, and therefore, of ethical decisionmaking. Character education provides students a context within which to learn. If we view education simply as the imparting of knowledge to our children, then we will not only miss an opportunity, but we will also jeopardize our future.

Currently, there are character education programs across all 50 States in rural, urban and suburban areas at every grade level. I hope that in celebrating National Character Counts Week, that more schools in every State adopt similar programs.

Character education programs work. Schools across the country that have adopted strong character education programs report better student performance, fewer discipline problems, and increased student involvement within their communities. Children want direction; they want to be taught right from wrong. Young people yearn for consistent adult involvement, and when they get it, according to surveys, they are less inclined to use illegal drugs, vandalize property or commit suicide. The American public wants character education in our schools, too. Studies show that approximately 90 percent of Americans support schools teaching character education.

Character education can and is being incorporated into children's lives in and outside of the classroom. It provides a helping hand to our schools and communities to ensure our children's futures are bright and filled with opportunities for success. Character education not only cultivates minds, it nurtures hearts. While our children may only represent one-quarter of our population, they are 100 percent of our future.

I submit that character transcends religious, cultural, political, and socioeconomic barriers. I believe our country is having a renewed focus on character and this resolution sends a wonderful message to Americans and will help those of us involved in character education reinvigorate our efforts to get more communities and schools involved. So today, Senator DOMENICI and I submitted a resolution to accomplish just that and hopefully our renewed effort will bring together even more communities to ensure that character education is a part of every child's life. I hope that my colleagues will join us in this important effort.●

Mr. DOMENICI. Mr. President, today my good friend Senator DODD and I submitted a resolution designating the week of October 21 as the 2007 National Character Counts Week.

Our character is the foundation of who we are as people and how we are perceived by the world. Every day our character and ethics are tested through the decisions we make and the behavior we exhibit. The National Character Counts program focuses on ''Six Pillars of Character'' which are promoted through school and community based character education programs across the country. The six pillars are: trustworthiness, respect, responsibility, fairness, caring, and citizenship.

I have supported Character Counts throughout the years because I believe this program reaches out to all youth and adults, as the Character Counts Coalition states, no matter the individual's race, creed, politics, gender, and wealth. In my home state of New Mexico, we have run many successful Character Counts programs throughout the

years. While many schools initiate Character Counts programs there are also many other organizations that develop character based programming. I would like to take the time to recognize some of the successful programs we have had in New Mexico for 2007.

Character Counts works in New Mexico because it is truly a community partnership. There was a brilliant example last week during the Albuquerque International Balloon Fiesta. The Balloon Fiesta staff hosted 60 selected school kids for 2 days of festive activities. Northrop Grumman provided tethered balloon rides. Meals on Wheels fed the young people lunch, and the Albuquerque Balloon Museum gave some of the students a tour of the exhibits to show them the history of hot air balloons. These were fun days, but the children certainly learned about civic responsibility with some of our state's top business and community leaders. A once in a lifetime experience for many of these kids, and exposure to adults demonstrating respect, responsibility, trustworthiness, fairness, citizenship, and caring; the ''Six Pillars of Character.''

During the week of October 21, I hope everyone takes the time to participate in a Character Counts event in their local area. I know in New Mexico we will be having some special celebrations. On October 19 in Albuquerque, NM, there will be a Character is the Heart of New Mexico Parade, put on by Duranes Elementary beginning at the Old Town Plaza and ending at the Albuquerque Museum. On October 25, Roswell will celebrate 13 years of Character Counts with a Character Counts Super Celebration at Roswell High School. And on October 27, Gallup will celebrate with a Character Counts Parade starting at Fourth and Coal and ending at Lincoln Elementary School. All of these organizations and schools as well as the many others not mentioned here, are to be commended for their hard work in developing these programs and spreading the message that character truly does count.

I believe this program is making a difference in my home State and across the country. I want to encourage more people to become involved with the Character Counts program, but most of all I hope individuals will take the time to reflect on what the ''Six Pillars of Character'' mean to them.

I hope all of my colleagues will support this effort.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 351) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 351

Whereas the well-being of the United States requires that the young people of the United States become an involved, caring citizenry with good character;

Whereas the character education of children has become more urgent as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas, although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play a role in determining the future of the United States;

Whereas effective character education is based on core ethical values, which form the foundation of democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of our youth reflect the character and conduct of society, and, therefore, every adult has the responsibility to teach and model ethical values and every social institution has the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those who have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize the need, and have taken steps, to integrate the values of their communities into their teaching activities; and

Whereas the establishment of National Character Counts Week, during which individuals, families, schools, youth organizations, religious institutions, civic groups, and other organizations focus on character education, is of great benefit to the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning October 21, 2007, as ''National Character Counts Week''; and

(2) calls upon the people of the United States and interested groups—

(A) to embrace the elements of character identified by local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, and citizenship; and

(B) to observe the week with appropriate ceremonies, programs, and activities.

20TH ANNIVERSARY OF UNITED STATES-MONGOLIA RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 352, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 352) expressing the sense of the Senate regarding the 20th anniversary of United States-Mongolia relations.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 352) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 352

Whereas the United States established diplomatic relations with the Government of Mongolia in January 1987 and established its first embassy in Ulaanbaatar in June 1988;

Whereas the United States and Mongolia are both fully democratic states committed to the rule of law;

Whereas, in 1991, the United States established normal trade relations with Mongolia and began a Peace Corps program that now boasts approximately 100 volunteers;

Whereas the United States has a continued commitment to Mongolia's economic and political development and has contributed over $150,000,000 in aid for that purpose since 1991;

Whereas the United States has supported Mongolia's participation in the International Monetary Fund, the World Bank, and the Asian Development Bank;

Whereas the United States and Mongolia strengthened their trade relationship through the signing of a Trade and Investment Framework Agreement in 2004 to boost bilateral commercial ties and resolve trade disputes;

Whereas Mongolia continues to work with the United States to combat global terrorism and, since April 2003, has contributed engineers, troops, and medical personnel to Operation Iraqi Freedom and has participated in training National Army artillery units in Afghanistan;

Whereas Mongolia has demonstrated an expanding desire to join the United States in global peacekeeping activities by sending a contingent of 250 soldiers to protect the Special Court for Sierra Leone, a platoon to participate in the North Atlantic Treaty Organization (NATO) mission in Kosovo, and personnel to serve as United Nations observers in Sudan, Ethiopia, and Eritrea;

Whereas the United States and Mongolia share an interest in promoting peaceful cooperation in south central Asia; and

Whereas Mongolia was named eligible for Millennium Challenge Compact assistance on May 6, 2004, submitted its official proposal on October 13, 2005, and had its proposal approved by the Millennium Challenge Corporation on September 12, 2007: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the strength and endurance of the partnership between the United States and Mongolia should be acknowledged and celebrated;

(2) the United States should encourage continued economic cooperation with Mongolia, including in areas such as mining, construction, information technology, tourism, and meat processing, to the betterment of both our economies;

(3) the United States should continue to work with the International Monetary Fund, the World Bank, and the Asian Development Bank to improve Mongolia's economic system;

(4) the United States should provide Mongolia assistance under the Millennium Challenge Compact and work to finalize the compact in a timely fashion; and

(5) the United States should encourage greater academic and cultural exchanges with Mongolia.

EXPRESSING IMPORTANCE OF A SOVEREIGN, DEMOCRATIC, AND PROSPEROUS LEBANON

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 353, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 353) expressing the sense of the Senate regarding the importance of a sovereign, democratic, and prosperous Lebanon and the need for free and fair presidential elections in Lebanon without intimidation or foreign interference.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 353) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 353

Whereas, in 2004, the term of the current President of Lebanon, Émile Lahoud, was extended through the interference of the Government of Syria in the internal affairs of the Government of Lebanon;

Whereas United Nations Security Council Resolution 1559, adopted on September 2, 2004, called for free and fair presidential elections in Lebanon conducted in accordance with the constitution of Lebanon and without foreign interference and influence;

Whereas such a presidential election has not yet occurred;

Whereas the Parliament of Lebanon is preparing to elect a new president of Lebanon before the November 24, 2007, conclusion of the mandate of the current President;

Whereas the Governments of Syria and Iran, through their proxies in Lebanon, have sought undue influence over the election of the next president of Lebanon;

Whereas the preparation for these elections has thus far been characterized by violence and intimidation tactics, and on September 19, 2007, Member of the Parliament of Lebanon Antoine Ghanem became the 8th Lebanese leader to be assassinated since 2005;

Whereas the democratically-elected Government of Lebanon has been under steady attack by domestic and foreign elements and forces that have been instigating civil unrest, disrupting the operation of the cabinet and Parliament, and perpetrating acts of terror against the people of Lebanon;

Whereas United Nations Security Council Resolution 1701, adopted on August 11, 2006, reiterated "strong support for the territorial integrity, sovereignty, and political independence of Lebanon within its internationally recognized borders", and called on states to "take the necessary measures to prevent . . . the sale or supply to any entity or individual in Lebanon of arms and related materiel of all types";

Whereas President Lahoud has threatened to create an unconstitutional rival cabinet and hand over power to it if the opposition is not satisfied with the results of the constitutional electoral process;

Whereas the Governments of Syria and Iran, in clear contravention of numerous United Nations Security Council resolutions, have violated Lebanon's sovereignty by providing arms to illegitimate militias in Lebanon and to other terrorist organizations;

Whereas the armed forces of Lebanon are protecting Lebanon and its people from terrorist organizations like Fatah al Islam;

Whereas United Nations Security Council Resolution 1757 established a Special Tribunal for Lebanon, to be convened outside of Lebanon, to try those accused of the assassination of former Prime Minister of Lebanon Rafiq Hariri and others; and

Whereas a sovereign, democratic, and prosperous Lebanon is in the national security interest of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) calls for free and fair presidential elections in Lebanon, conducted according to the constitution of Lebanon and free from foreign interference and influence or the use of intimidation tactics;

(2) supports ongoing efforts by leaders in Lebanon to reach agreement on a presidential candidate committed to upholding Lebanon's sovereignty and independence;

(3) condemns the Governments of Syria and Iran for their undue material interference in the internal political affairs of Lebanon, including in the election of a new president, and for their repeated violations of the sovereignty and independence of Lebanon, and calls on the Governments of Syria and Iran to comply with United Nations Security Council Resolution 1701, particularly with respect to preventing unauthorized shipment of arms into Lebanon;

(4) affirms its strong support for the armed forces of Lebanon as they work to secure Lebanon against terrorists and illegal armed militias, and conveys its readiness to provide support to assist in these ends;

(5) urges the Secretary of State to continue efforts in support of a Special Tribunal for Lebanon to end impunity for political assassinations, including assisting in efforts to convene the Special Tribunal as soon as possible, affirms its readiness to continue to provide material support to this cause, and calls on all countries to make timely and generous contributions to this end; and

(6) urges the President to use all peaceful means at the disposal of the United States to help promote an independent, democratic, and prosperous Lebanon, including increased diplomatic coordination with key partners in Europe and the Middle East, and supports efforts by the United States to provide ongoing and substantial assistance for reconstruction efforts in Lebanon.

SUPPORTING "LIGHTS ON AFTERSCHOOL"

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Con. Res. 51, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 51) supporting "Lights on Afterschool!", a national celebration of after school programs.

There being no objection, the Senate proceeded to consider the concurrent resolution.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD)

• Mr. DODD. Mr. President, today Senator ENSIGN and I, along with 29 cosponsors, are submitting a concurrent resolution with the House of Representatives designating October 18, 2007 as Lights On Afterschool Day. Lights on Afterschool brings students, parents, educators, lawmakers, and community and business leaders together to celebrate afterschool programs. This year, more than 1 million Americans are expected to attend about 7,500 events designed to raise awareness and support for these much needed programs. In addition, Lights On Afterschool 2007 marks the 10th anniversary of 21st Century Community Learning Centers, the primary Federal initiative supporting afterschool programs.

Approximately 90 percent of parents say that having a safe, positive place where their child can go after school will improve their child's well-being. However, 14 million school-age children—or 25 percent of all school-age children—are left unsupervised after school and miss the opportunity to attend a safe, positive place that supports their growth and well-being.

Quality afterschool programs benefit youth, families, and communities. Students enrolled in afterschool programs are more likely to be engaged and go farther in education. They are also more likely to avoid risky behavior and criminal activity. Afterschool programs help parents successfully balance their work and home-life. In addition, these programs promote adult involvement with youth, which helps to create more cohesive communities invested in the future of our children.

In our work on the Senate Afterschool Caucus, Senator ENSIGN and I have been working for more than three years to impress upon our colleagues the importance of afterschool and are proud to say that 35 of our colleagues have joined the Caucus. We hope that they, along with other Members of the Congress, will join us on October 18 to celebrate the importance of afterschool programs in their communities back home.•

Mr. DURBIN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table en bloc, and that any statements relating thereto be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 51) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 51

Whereas high quality after school programs provide safe, challenging, engaging, and fun learning experiences to help children and youth develop their social, emotional, physical, cultural, and academic skills;

Whereas high quality after school programs support working families by ensuring that the children in such families are safe and productive after the regular school day ends;

Whereas high quality after school programs build stronger communities by involving the Nation's students, parents, business leaders, and adult volunteers in the lives of the Nation's youth, thereby promoting positive relationships among children, youth, families, and adults;

Whereas high quality after school programs engage families, schools, and diverse community partners in advancing the well-being of the Nation's children;

Whereas ''Lights On Afterschool!'', a national celebration of after school programs held on October 18, 2007, promotes the critical importance of high quality after school programs in the lives of children, their families, and their communities;

Whereas more than 28,000,000 children in the United States have parents who work outside the home and 14,300,000 children in the United States have no place to go after school; and

Whereas many after school programs across the United States are struggling to keep their doors open and their lights on: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress supports the goals and ideals of ''Lights On Afterschool!'' a national celebration of after school programs.

COMMENDING NASA LANGLEY RESEARCH CENTER

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 222, just received from the House and at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 222) congratulating and commending the men and women of NASA Langley Research Center for their accomplishments and role in inspiring the American people.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid on the table, without intervening action or debate.

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

The concurrent resolution (H. Con. Res. 222) was agreed to.

The preamble was agreed to.

EXTENDING THE TIME TO OBTAIN A STATUE OF ROSA PARKS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to immediate consideration of S. 2206, introduced earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2206) to provide technical corrections to Public Law 109–116 (2 U.S.C. 2131a note) to extend the time period for the Joint Committee on the Library to enter into an agreement to obtain a statue of Rosa Parks, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mrs. FEINSTEIN. Mr. President, Rosa Parks has been described as the ''Mother of the Modern-Day Civil Rights Movement.''

Her actions on a Montgomery bus in 1955 sparked one of the Nation's largest movements against racial segregation: the Montgomery Bus Boycott.

Due to those brave actions, Rosa Parks became an icon of civil disobedience.

In 2005, Congress voted to preserve the legacy of Rosa Parks by authorizing a statue of her to be placed in the U.S. Capitol's Statuary Hall.

A statue of Rosa Parks would be a fitting tribute to the struggle for equal rights for all Americans.

But two years later, the statue has not been obtained. It is time to remove the hurdles, and ensure that Rosa Parks is honored as Congress intended.

The law designated Congress's Joint Committee on the Library to obtain the statue. But it was later determined that the Joint Committee does not have the technical ability or resources to enter into contracts or pay for the statue.

And now that law is set to expire on December 1, 2007, without ever achieving its intended goal.

So, to correct the problems in the original law, I have introduced a stand alone bill that would: designate the Architect of the Capitol as the agent of the Joint Committee; and extend the deadline by 2 more years.

This legislation would allow for the Architect of the Capitol to distribute funds on behalf of the Joint Committee on the Library.

This legislation has been cosponsored by seven other Senators, including: Senators BENNETT, KERRY, DURBIN, LEVIN, SCHUMER, DODD, and STABENOW.

It is so important that we honor this great American.

Mrs. Parks' actions on a single day in December 1955 changed the lives of so many who followed her.

Let me tell you a little more about Rosa Parks:

Mrs. Parks was born Rosa Louise McCauley, February 4, 1913, in Tuskegee, AL. Her parents were a carpenter and a teacher.

Rosa Parks grew up and lived in a segregated South. And when she married, she and her husband became active in the local NAACP chapter.

On December 1, 1955, after a day of work at a department store in downtown Montgomery, AL, Rosa Parks boarded a bus to go home. She paid her fare, and took an empty seat in the first row of seats reserved for Blacks.

As the bus traveled along its route, all of the White-only seats in the bus filled up. When the bus reached its next stop, several White passengers boarded.

As was standard practice at that time, the busdriver told the Black passengers seated in the rows behind the White-only section to move. This included Mrs. Parks and three other passengers.

The three other Black passengers moved at the bus driver's insistence. But Mrs. Parks did not.

As she recalled in her autobiography, she was simply ''tired of giving in'':

People always say that I didn't give up my seat because I was tired, but that isn't true. I was not tired physically, or no more tired than I usually was at the end of a working day.

I was not old, although some people have an image of me as being old then. I was forty-two. No, the only tired I was, was tired of giving in.

This action of civil disobedience sparked the Montgomery Bus Boycott, which became one of the Nation's largest movements against racial segregation.

Rosa Parks was presented with the Presidential Medal of Freedom in 1996. She received a Congressional Gold Medal in 1999. And in 2005, Congress voted to honor her with a statue in the U.S. Capitol. The Architect of the Capitol is prepared to work with the National Endowment for the Arts to find suitable artists and statues to be considered for this honor. But until the funds for this project can be allocated, the search for a statue will not move forward. The legislation introduced today would fix this problem and allow the funds to be released. But more importantly, this legislation would ensure that Rosa Parks an American hero is honored as she so deserves.

Mr. DURBIN. I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid on the table, and any statement be printed in the RECORD.

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

The bill (S. 2206) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2206

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

SECTION 1. ROSA PARKS STATUE.

(a) IN GENERAL.—Section 1(a) of Public Law 109–116 (2 U.S.C. 2131a note) is amended by—

(1) striking ''2 years'' and inserting ''4 years''; and

(2) adding at the end the following: ''The Joint Committee may authorize the Architect of the Capitol to enter into the agreement and related contracts required under this subsection on its behalf, under such terms and conditions as the Joint Committee may require.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of Public Law 109–116.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2007

Mr. DURBIN. Mr. President, I ask unanimous consent that the Veterans' Affairs Committee be discharged from further consideration of H.R. 1284, and the Senate then proceed to its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1284) to increase, effective as of December 1, 2007, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

There being no objection, the Senate proceeded to consider the bill.

Mr. AKAKA. Mr. President, as chairman of the Senate Committee on Veterans' Affairs, I am speaking in support of Senate passage of S. 423, the ''Veterans' Compensation Cost-of-Living Adjustment Act of 2007.'' This measure, which I introduced earlier this year and which the Committee on Veterans' Affairs reported on July 24, would direct the Secretary of Veterans' Affairs to increase, effective December 1, 2007, the rates of veterans' compensation to keep pace with the rising cost-of-living in this country. The rate adjustment is equal to that provided on an annual basis to Social Security recipients and is based on the Bureau of Labor Statistics' Consumer Price Index.

Congress regularly enacts an annual cost-of-living adjustment,''COLA,'' for veterans' compensation in order to ensure that inflation does not erode the purchasing power of the veterans and their families who depend upon this income to meet their needs. This past year Congress passed, and the President signed into law, Public Law 109–361, which resulted in a COLA increase of 3.3 percent for 2007. The cost-of-living adjustment for 2008 will be 2.3 percent.

As I have stated many times, it is important that we view veterans compensation, including the annual COLA, and all benefits earned by veterans, as a continuing cost of war. Unfortunately, it seems highly likely that the ongoing conflicts in Iraq and Afghanistan will continue and this in turn will result in injuries and disabilities that will yield an increase in claims for compensation. One million, six hundred thousand servicemembers have deployed in support of Operations Enduring and Iraqi Freedom, and studies by VA indicate that the most significant predictor of new claims activity is the size of the active force.

The COLA affects, among other benefits, veterans' disability compensation and dependency and indemnity compensation for surviving spouses and children. Many of the more than 3 million recipients of those benefits depend upon these tax-free payments not only to provide for their own basic needs, but those of their spouses, children and parents as well. Without an annual COLA increase, these veterans and their families would see the value of their hard-earned benefits slowly dwindle, and we, as a Congress, would be in abandonment of our duty to ensure that those who sacrificed so much for this country receive the benefits and services to which they are entitled.

Disbursement of disability compensation to our nation's veterans constitutes a core responsibility of the Department of Veterans Affairs. It is a necessary measure of gratitude afforded to those veterans whose lives were irrevocably altered by their service to this country.

I urge all of our colleagues to support passage of this COLA increase. I also ask our colleagues for their continued support for our Nation's veterans.

Mr. DURBIN. I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid on the table, and any statement be printed in the RECORD.

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

The bill (H.R. 1284) was ordered to be read a third time, was read the third time, and passed.

ATLANTIC FREEDOM TOUR OF THE FREEDOM SCHOONER AMISTAD

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 399, S. Res. 258.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 258) recognizing the historical and educational significance of the Atlantic Freedom Tour of the Freedom Schooner Amistad, and expressing the sense of the Senate that preserving the legacy of the Amistad story is important in promoting multicultural dialogue, education, and cooperation.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, en bloc; and that any statements relating thereto be printed in the RECORD.

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

The resolution (S. Res. 258) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 258

Whereas the Slave Trade Act of the British Parliament in 1807 was the first major legislation to abolish the slave trade and began the march to end slavery;

Whereas, in 1839, 53 Africans were illegally kidnapped from Sierra Leone and sold into the transatlantic slave trade;

Whereas the captives were brought to Havana, Cuba, aboard the Portuguese vessel Tecora, where they were fraudulently classified as native-born Cuban slaves;

Whereas the captives were sold to José Ruiz and Pedro Montez of Spain, who transferred them onto the coastal cargo schooner La Amistad;

Whereas, on the evening of the rebellion, La Amistad was secretly directed to return west up the coast of North America, where after two months the Africans were seized and arrested in New London, Connecticut;

Whereas the captives were jailed and awaited trial in New Haven, Connecticut;

Whereas the trial of the captives became historic when former President John Quincy Adams argued on behalf of the enslaved before the United States Supreme Court and won their freedom;

Whereas, in 2007, the Freedom Schooner Amistad will embark on its first transatlantic voyage to celebrate the 200th anniversary of the abolition of the transatlantic slave trade; and

Whereas the Amistad case represents an opportunity to call to public attention the evils of slavery and the struggle for freedom and the restoration of human dignity: Now, therefore, be it

Resolved, That—

(1) the Senate recognizes the historical and educational significance of the Atlantic Freedom Tour of the Freedom Schooner Amistad;

(2) the Senate encourages the people of the United States to learn about the history of the United States and better understand the experiences that have shaped this Nation; and

(3) it is the sense of the Senate that preserving the legacy of the Amistad should be regarded as a means in fostering multicultural dialogue, education, and cooperation.

REQUIREMENT FOR REPORTS ON ACTS OF TERROR AGAINST AMERICANS BY THE GOVERNMENT OF LIBYA

Mr. DURBIN. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 418, S. 1839.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1839) to require periodic reports on claims related to acts of terrorism against Americans perpetrated or supported by the Government of Libya.

There being no objection, the Senate proceeded to consider the bill.

Mr. DURBIN. Mr. Presdient, I ask unanimous consent that the bill be read a third time, passed, and the motion to reconsider be laid on the table,

that any statements relating thereto be printed in the RECORD.

The bill (S. 1839) was ordered to a third reading, was read the third time, and passed, as follows:

S. 1839

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

SECTION 1. PERIODIC REPORTS ON CLAIMS RELATED TO ACTS OF TERRORISM AGAINST AMERICANS PERPETRATED OR SUPPORTED BY THE GOVERNMENT OF LIBYA.

(a) REPORTS REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, and every 180 days thereafter until December 31, 2009, or the Secretary of State makes the certification under subsection (b), the Secretary of State shall submit to the appropriate congressional committees a report on unresolved claims by nationals of the United States against the Government of Libya for acts described in section 1605(a)(7) of title 28, United States Code.

(2) CONTENT.—Each report submitted under paragraph (1) shall include—

(A) information on the status of negotiations between the Government of Libya and the United States claimants;

(B) a description of the specific actions that the United States Government is taking to encourage the Government of Libya to resolve such claims; and

(C) any other information that the Secretary of State considers appropriate.

(b) CERTIFICATION.—The certification referred to in paragraph (1) of subsection (a) is a certification submitted by the Secretary of State to the appropriate congressional committees that all claims by nationals of the United States described in such paragraph have been resolved.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) The term ''national of the United States'' has the meaning given the term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)).

MEASURES READ THE FIRST TIME—S. 2198 AND S. 2205

Mr. DURBIN. I understand there are two bills at the desk. I ask for their first reading, en bloc.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title for the first time.

The legislative clerk read as follows:

A bill (S. 2198) to require the Architect of the Capitol to permit the acknowledgment of God on flag certificates.

A bill (S. 2205) to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

Mr. DURBIN. Mr. President, I ask for their second reading and object to my own request.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be read a second time on the next legislative day.

ORDERS FOR FRIDAY, OCTOBER 19, 2007

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Friday, October 19; that on that day, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders reserved for their use later in the day, and the Senate then resume consideration of H.R. 3043.

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

PROGRAM

Mr. DURBIN. On behalf of the leader, I wish to reiterate his earlier announcement that there will be no rollcall votes during Friday's session. However, the bill managers will be here to work with Members who do have amendments. Also, as a reminder, there is a 1 p.m. filing deadline for first-degree amendments on Friday.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. If there is no further business, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:24 p.m., adjourned until Friday, October 19, 2007, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

FEDERAL HOUSING FINANCE BOARD

ALLAN I. MENDELOWITZ, OF CONNECTICUT, TO BE A DIRECTOR OF THE FEDERAL HOUSING FINANCE BOARD FOR A TERM EXPIRING FEBRUARY 27, 2014. (REAPPOINTMENT)

BROADCASTING BOARD OF GOVERNORS

JOAQUIN F. BLAYA, OF FLORIDA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2008. (REAPPOINTMENT)

JOAQUIN F. BLAYA, OF FLORIDA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2011. (REAPPOINTMENT)

EDWARD E. KAUFMAN, OF DELAWARE, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2009. (REAPPOINTMENT)

SUSAN M. MCCUE, OF VIRGINIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2010, VICE NORMAN J. PATTIZ, TERM EXPIRED.

DENNIS M. MULHAUPT, OF CALIFORNIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2008, VICE BLANQUITA WALSH CULLUM, TERM EXPIRED.

DENNIS M. MULHAUPT, OF CALIFORNIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2011. (REAPPOINTMENT)

STEVEN J. SIMMONS, OF CONNECTICUT, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2009. (REAPPOINTMENT)

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DONALD L. RUTHERFORD, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COLONEL JOSEPH CARAVALHO, JR., 0000
COLONEL RHONDA L. S. CORNUM, 0000
COLONEL KEITH W. GALLAGHER, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES AIR FORCE ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 9333(B) AND 9336(A):

To be colonel

CHERYL A. KEARNEY, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

NOEL P. KORNETT, 0000

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be major

MICHAEL MAINE, JR., 0000

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

MICHAEL T. BUTLER, 0000
ROBERT CANNON, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

GARY TABACH, 0000

To be lieutenant commander

BRADLEY L. KINKEAD, 0000
ERIC E. PERCIVAL, 0000
KELVIN L. REED, 0000

EXTENSIONS OF REMARKS

HONORING THE CAREER OF DR. DHARMAPURI VIDYASAGER

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. DAVIS of Illinois. Madam Speaker, I would like to take this opportunity to recognize the service of a distinguished faculty member in the College of Medicine at the University of Illinois at Chicago. Dr. Dharmapuri Vidyasager currently serves as the Director of Neonatology and Co-Director of the Perinatal Center at UIC. Hired specifically to establish a Neonatal Intensive Care unit, he began his career with UIC as the Director of Newborn Nurseries in 1974. During the interim 33 years, he became a full professor in 1977 and served as the interim Head of the Department of Pediatrics in 1983. I seek to recognize Dr. Vidyasager today in anticipation of his retirement in November of this year.

Without question, Dr. Vidyasager has contributed significantly to the field of neonatology as a physician, a researcher, and an educator. From establishing the first neonatal care unit in the State of Illinois at Cook County Hospital in 1971 to helping decrease the Illinois infant mortality rate from 25 to 7 deaths per 1,000 births to aiding other nations in reducing neonatal and infant mortality, his medical work has had a substantial, direct effect on newborn children. Dr. Vidyasager's research on surfactant systems in lungs and the treatment of the hyaline membrane disease has proved quite essential to the major advancements that have taken place in the field of neonatology. In addition, Dr. Vidyasager has demonstrated a strong commitment to developing high caliber physicians. During his tenure, Dr. Vidyasager trained more than 70 neonatologists, some of whom are nationally and internationally known academicians. He was responsible for developing the UIC Medical Center's teaching program into one of the most highly recognized physician training centers. Further, he has conducted training sessions and provided free consultations on the establishment of modern neonatal intensive care units across the globe including—but not limited to—China, India, Poland, Lithuania, and Uzbekistan.

In 2006, Dr. Vidyasager's work was honored via his nomination for inclusion in the Castle Connolly Medical Ltd.'s Top Doctors of America and The Best Doctors Directory. His service to the field of neonatology, his patients, the University of Illinois at Chicago, and to the City of Chicago has been quite extraordinary. I honor his retirement in November 2007 with the words of Frederick Douglass as he once said, "Man's greatness consists in his ability to do and the proper application of his powers to things needed to be done." The accomplishments of Dr. Vidyasager over the last three decades have done a great deal to illustrate his greatness.

IN HONOR OF THE 150TH ANNIVERSARY OF THE SACRAMENTO PUBLIC LIBRARY

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Ms. MATSUI. Madam Speaker, I rise in honor of the Sacramento Public Library's 150 years of providing excellent service to Sacramento residents. In 1857 the Sacramento Library was established by community leaders and has grown to include 26 other branches and bookmobiles. I ask all of my colleagues to join with me in saluting 150 years of first-rate service provided by the Sacramento Public Library.

The Central Library, located in downtown Sacramento has evolved since Sacramento's leaders established it as the center for scholarly thought in the region in 1857. Led by the efforts of distinguished Sacramentans such as Leland Stanford, Charles Crocker, Collis Potter Huntington, Mark Hopkins and Newton Booth, the library officially opened on November 6, 1857. At its inception, the library originally served about 40 visitors per day and issued 150 books per week. A decade later the library association's prosperity continued to increase, and they were able to purchase a downtown lot on I Street. Eventually, through donations from the Carnegie Foundation and the city, the Central Library moved into the distinctive 3 story brick building on April 23, 1918. Today, the Central Library's vast collection has grown to include nearly 300,000 volumes, with more than 1,000 periodical subscriptions. Their catalog also includes special collections and a variety of historic government documents.

The Sacramento Public Library provides service to 1,269,000 residents in the Sacramento region making it the fifth largest library in California. Its extensive collection makes it the sixth largest library in terms of materials held. The library's 340 staff members help to operate the 27 branches. The library owns over 100,000 audio-visual items, subscribes to 4,000 periodicals and provides 345 technology workstations for public use.

In 1984, The Sacramento Public Library Foundation was created as a nonprofit corporation to encourage and support the benefits of the Sacramento Public Library. The Foundation has been instrumental in raising money to purchase books, computers, reading enrichment programs, bookmobiles, literacy classes, and after school homework centers. Without the $7 million raised by the Foundation to date, many of these vital services would not be possible. The Foundation's strength stems from its wide support of over 16,000 donors who have been supportive of the Sacramento Public Library and its abundance of resources.

Madam Speaker, I am honored to recognize the 150 years of service provided by the Sacramento Public Library. In the coming years the library will continue to expand its collection and make its services more readily available to Sacramento residents. As the Sacramento Community and library's supporters gather to celebrate 150 years of success, I ask all my colleagues to join me in honoring the Sacramento Public Library.

NATO PARLIAMENTARY ASSEMBLY MEETINGS IN REYKJAVIK, ICELAND

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. TANNER. Madam Speaker, I recently led a bipartisan House delegation to NATO Parliamentary Assembly meetings in Reykjavik, Iceland, from October 5–October 9. The co-chair of my delegation was the Hon. JOHN SHIMKUS. In addition, Representatives JOHN BOOZMAN, JO ANN EMERSON, JEFF MILLER, DENNIS MOORE, RALPH REGULA, MIKE ROSS, DAVID SCOTT, ELLEN TAUSCHER, and TOM UDALL, and staff, worked to make these meetings a success in the examination of a number of front-line NATO issues.

The NATO Parliamentary Assembly brings together members of parliament from all 26 allied states. In addition, observer delegations from such countries as Russia, Georgia, Macedonia, Croatia, and Albania bring a wide range of views to the table in discussion of issues of interest to Americans and Europeans. The NATO Parliamentary Assembly breaks into committees for presentation and discussion of reports by the parliamentary delegates. These sessions provide an opportunity to gauge the issues of greatest interest to NATO governments, and give our own Members not only the chance to voice their own views, but to understand the debates occurring in such key countries as Germany, France, and Britain.

There were several key issues that surfaced in the different committees. NATO's mission in Afghanistan was perhaps the most important. The future of Kosovo, now in the final stages of its quest for independence, was another. Enlargement of the alliance, an important subject of discussion at the coming NATO summit in Bucharest in April 2008, drew considerable attention. Other issues evident in the different committees were Russia's relations with the alliance, energy security, and missile defense.

I have been chairman of the Committee on Economics and Security, and was re-elected to that position in Reykjavik. I will take the opportunity to mention that Rep. BOOZMAN was also re-elected to serve another year as a rapporteur in that committee. Together with a Lithuanian member of parliament, he presented a well-received report on the rise of an east Asian economic system. There was also a report on trends in allied defense management in burdensharing. The report triggered a vigorous discussion of NATO's effort to stabilize Afghanistan. Forces from the United

States, Britain, Canada, and the Netherlands bear the brunt of the fighting there, and there was an appeal for other member governments to contribute more troops and other resources. While there is widespread agreement in the alliance that stabilization of Afghanistan is a critical step in the effort to subdue terrorism, some governments with capable forces remain reluctant to put their troops in harm's way.

The Political Committee also saw a contentious debate over Afghanistan. A Canadian delegate ably presented a report calling for a reduction in caveats—the restrictions that some governments place on the use of their forces—and for more troops. There was also a report on NATO's efforts in the conflict against terrorism. The report laid out the good cooperation between the United States and the European Union in law-enforcement efforts to undercut terrorist financing schemes and to intercept terrorists as they move about the world; it also noted that NATO as an institution can bring political pressure to bear on governments around the world that support or turn a blind eye to terrorist activity on their soil. Another subject of vigorous debate was a resolution on the NATO-Russian relationship. The resolution was rightfully critical of Russia's efforts to intimidate such allies as Lithuania through cutoffs of energy supplies, and such friendly governments as Georgia by support for rebel groups within those governments' territories. The Russian delegates defended the actions of their government, and tried to water down the resolution. Mr. ROSS and Mr. UDALL strongly supported the key points of the resolution, which passed with nearly unanimous support from the delegates from the allied states. Mr. ROSS was elected as a rapporteur in the Political Committee, and will present a report on NATO and Iran at the spring meetings of the Parliamentary Assembly in Berlin.

The Committee on the Civil Dimension of Security saw the presentation of reports on Montenegro's role in the Balkans, and on the protection of critical infrastructure, such as oil pipelines and communications networks, in allied states. There were also two presentations by outside speakers that drew considerable interest. Mark Lowenthal, a former staff director of the House Intelligence Committee and later the Counselor at the CIA, made a well-defined presentation on intelligence, terrorism, and civil liberties. The delegates followed his presentation with a discussion of appropriate oversight of intelligence operations by parliaments in the effort to protect personal freedoms. Next, an Icelandic government minister gave a presentation on an emerging issue: as climate change causes the melting of part of the Arctic ice pack, claims by a number of states to seabed resources and the right to move through the "Northwest Passage" have begun to emerge. Transit through the Northwest Passage, if feasible, could reduce the voyage of petroleum tankers from the North Sea, for example, to Asia by approximately 4,000 miles. NATO governments have begun a quiet debate over how to provide security for ships using northern routes around Iceland and through possible sea lanes north of Canada.

Two members of our delegation assumed offices on the Committee on Civil Dimension of Security. JO ANN EMERSON was re-elected a vice-chair of the subcommittee on democratic governance, and DENNIS MOORE was elected vice-chair of the full committee.

The Committee on Science and Technology heard reports on a range of issues, the most interesting being a report on climate change, and another on proliferation of missile technologies. The discussion on climate change, given the setting in Iceland where glaciers are reportedly melting with unforeseen rapidity, was vigorous and thoughtful. The discussion on proliferation led to a debate over missile defense. Rep. TAUSCHER made several crisp, clear interventions that outlined the U.S. debate over a prospective missile defense against Iran. She also provided a telling critique of a Russian delegate's wandering and often inaccurate presentation on elements of U.S. defense policy. The committee voted not to adopt the Russian delegate's report.

The Committee on Defense and Security also heard a debate, contentious at times, on NATO operations in Afghanistan. The British delegate who presented the report called on allied governments with minimal resources committed to Afghanistan to work to persuade their publics of the importance of the operations of NATO's International Security Assistance Force (ISAF), and to contribute more troops. The alliance needs more helicopters and combat troops, especially for rapid-response actions, in the areas of the country where the Taliban are active. There was also a report on the efforts of NATO's three candidate states—Croatia, Albania, and Macedonia—to receive invitations to enter the alliance at the upcoming Bucharest summit. It is evident that the three governments have made considerable progress in defense reform, but some European parliamentarians questioned their progress in democratic governance. It is by no means a certainty that all three governments will receive invitations at Bucharest. There was also a report on the trip to Afghanistan by a number of parliamentarians, including Rep. SHIMKUS, on the progress to date of the ISAF mission. Rep. SHIMKUS also gave a well-received report on NATO-EU coordination in security matters. He analyzed the positive steps in such coordination, as well as some of the shortfalls, including the difficulties encountered in NATO's efforts to provide security to the EU's important police-training mission in Afghanistan. Rep. SHIMKUS was elected a vice-chair of the subcommittee on transatlantic defense and security cooperation, and Rep. TAUSCHER was elected the chair of the subcommittee on future security and defense capabilities.

It should also be noted that Rep. EMERSON was elected a vice-president of the NATO Parliamentary Assembly to fill out the term of the late Paul Gillmor. This is a senior position that reflects her dedication to the Assembly's work and her evocation of the importance of the alliance to the United States.

One of the more valuable aspects of Assembly meetings is the opportunity afforded for side meetings with senior U.S. and European officials. Before we left for Reykjavik, we had a briefing on allied matters from our ambassador to NATO, Victoria Nuland, and from Daniel Fried of the State Department and Dan Fata from the Pentagon. Each outlined clearly some of the key issues facing the alliance. In Reykjavik, we had a private discussion with Jaap de Hoop Scheffer, the NATO Secretary General; we discussed Afghanistan, enlargement, and Kosovo's future, as well as other issues. The U.S. ambassador to Iceland, Carol van Voorst, and her staff provided insight into and advice on U.S.-Icelandic relations. We also held a private meeting with the Macedonian foreign minister, Antonio Milososki, where there was a good discussion of his country's efforts to qualify for NATO membership. Before our departure for Reykjavik, staff also held a meeting in Washington with representatives of the Croatian government to discuss Zagreb's efforts to qualify for membership. It must be said that one of the great values of the NATO Parliamentary Assembly is the opportunity to meet our counterparts from the parliaments of allied states. The chance to learn national and regional perspectives provides our own delegation with insights into key allied issues, and how we might resolve a range of questions of great importance to U.S. security.

I wish to add that this was the first meeting in many years that we were without our friend, the late Rep. Paul Gillmor. He had been my delegation co-chair since the beginning of the 110th Congress, and we conducted many meetings together, in harmony and friendship. He served in a number of offices in the NATO Parliamentary Assembly, and was always the voice of reason and judiciousness. He was widely admired, not only here in the United States, but by his Assembly colleagues across the political spectrum. There was a moving tribute to his memory during the plenary session of the Assembly on October 9. He will be greatly missed.

As always, our military personnel played an important role in the success of the delegation's trip. The air crew came from the 1st Airlift Squadron, which is part of the 89th Airlift Wing located at Andrews Air Force Base. They are all on active duty. In addition, three Air Force active duty personnel and one reservist served as our congressional escort team. All worked long hours to ensure that our trip went smoothly. I thank them for their hard work and their dedication to duty.

INTRODUCTION OF THE FEDERAL LABOR-MANAGEMENT PARTNERSHIP ACT OF 2007

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. DAVIS of Illinois. Madam Speaker, Former President Clinton once said, "Only by changing the nature of federal labor-management relations, so that managers, employees, and employees' representatives serve as partners, will it be possible to design and implement comprehensive changes necessary to government." With this ideal in mind, I am proud to introduce the Federal Labor-Management Partnership Act of 2007, the Act.

The Act codifies Executive Order 12871, signed by former President Clinton in 1993. During its implementation, labor-management partnerships created a co-equal forum for managers and labor representatives to negotiate, plan, and exercise collective bargaining and effective decision-making. The impetus behind the Executive Order was recognition of the need to transform hostile, adversarial labor-management relationships into valuable problem solving partnerships. This method of bilateral affiliation proved to be successful for the civil service. It helped boost employee morale, and aided agencies in improving and upholding their service missions.

The need to re-establish labor-management partnerships is clear. In many Government agencies there is a lack of trust exhibited between managers, employees, and their representatives. This has created a morale problem at many mission critical agencies; including the Department of Homeland Security, DHS, which was named in a recent study by the Office of Personnel Management as having the lowest level of morale in the Federal Government.

Now, more than ever, the American people expect Government to lead by example. Therefore, it is imperative to restore labor-management partnerships. Partnership is a proven practice that works. Partnership gives added value to the federal workforce; and it is my fervent belief that partnership is essential for a more productive civil service.

TRIBUTE TO DR. BEVERLY A. SCOTT

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Ms. MATSUI. Madam Speaker, I rise today in recognition of Dr. Beverley A. Scott's service as Genera Manager and Chief Executive Officer of the Sacramento Regional Transit District. Dr. Scott leaves a lasting legacy in Sacramento and she will be deeply missed. I ask all my colleagues to join me in honoring one of Sacramento's finest public servants.

Dr. Scott has been a tireless advocate for public transportation. After earning a doctorate in political science from Howard University, she started her career in 1977 at Texas Southern University as one of four national recipients of a Carnegie Foundation Fellowship. Dr. Scott went on to work as the general manager at the Rhode Island Public Transit Authority as well as holding executive management positions with transit agencies in New York, New Jersey and Washington, DC. In New York, Dr. Scott was the first woman appointed vice president of surface transit and she was responsible for the daily transit operations of New York and Staten Island Rail.

With such an accomplished past, Dr. Scott joined the Sacramento Regional Transit District in October of 2002 and increased morale immediately. Using a variety of tools, Dr. Scott created a new strategic plan involving a wide variety of partners, both inside and outside of Regional Transit's organization. Under her leadership, the Regional Transit successfully expanded light rail to Sunrise Boulevard, followed by an extension to the City of Folsom. Light rail has also expanded in downtown Sacramento to the Amtrak station.

Dr. Scott played an instrumental role in the renewal of Measure A, which provides local funding for mass transit and transportation priorities. For the past 3 years, Regional Transit has been awarded a financial accountability award of excellence for their improved budget reporting, and fiscal management. Dr. Scott also created the Regional Transit University to improve employee training. With Transit Etiquette Program forums and the restructuring of RT's Mobility Advisory Committee Dr. Scott's leadership has helped Regional Transit serve all of us in Sacramento that use public transit.

The Sacramento Regional Transit District, also known as RT, has recently celebrated the 20th anniversary of light rail. RT operates a comprehensive public transit system that includes 97 bus routes and 37 miles of light rail, covering a 418 square-mile service area. Buses and light rail run 365 days a year from 5 a.m. to 11:30 p.m., giving riders ample opportunities to utilize their services. Using 76 light rail vehicles, 254 buses powered by compressed natural gas and 17 shuttle vans, RT is not only affordable and convenient but also environmentally friendly.

Personally, Dr. Scott has been a pleasure to work with. Her compassion and spirit has made her a wonderful addition to the Sacramento community as well. She is a caring, smart and thoughtful administrator, who knows how to be tough when needed. I have been told that she is affectionately known as "Hurricane Bev" for her energy, enthusiasm and dedication to getting the job done, while those who work with her also call her "Mummy."

For her work in Sacramento and across the Nation, Dr. Scott has received numerous awards, including awards from the U.S. Department of Transportation, American Public Transportation Association, National Business League, Women's Transportation Seminar, Rhode Island Professional Engineers Society, Sierra Club, Conference of Minority Transportation Officials, the National Forum for Black Public Administrators, the Urban League, City Year, and Paratransit.

Madam Speaker, I am honored to pay tribute to Dr. Beverly A. Scott's distinguished commitment to Sacramento's public transportation. Dr. Scott has stood as an instrumental force behind the advancement of the Sacramento Regional Transit District and has helped improve the overall quality of life for generations to come. We all are thankful for her efforts. As Dr. Scott's colleagues, family and friends gather to honor her service, I ask all my colleagues to join me in wishing her continued good fortune in her future endeavors.

IN TRIBUTE TO SENIOR MASTER SERGEANT THOMAS NEWTON ON HIS RETIREMENT FROM THE UNITED STATES AIR FORCE

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. TANNER. Madam Speaker, on the occasion of his retirement from the United States Air Force, I want to recognize SMSgt Tom Newton for his 24 years of dedicated service to our country. In his most recent assignment, he serves as the Superintendent, Office of Legislative Liaison, Secretary of the Air Force, where he is responsible for Air Force legislative matters and facilitating worldwide Congressional travel. As you know, Madam Speaker, Sergeant Newton has professionally served as your escort for two Congressional delegations this year and a dozen other delegation trips around the world since 2004.

Prior to June 2004, he was the Chief, Workgroup Manager for Headquarters Security Forces, Pentagon, responsible to the Director for network security, antiterrorism, force protection, and supporting Operation Global Eagle. From 1998 to 2001, Sergeant Newton was the Information Management Superintendent for the Force Structure, Resources, and Assessments (J–8) Directorate, Joint Staff, Pentagon. He served as Deputy Executive and facilitated multiple Joint Warfighting Capabilities Assessments on behalf of the Director. Prior to January 1998, he served as Instructor, Information Management Craftsmen Course at Keesler AFB in Mississippi, where he earned Master Instructor Certification. Sergeant Newton began his illustrious career at the 4th Wing, Seymour Johnson AFB, NC, where he directly supported the 4404th Provisional Wing during Operation Desert Storm/Shield.

Madam Speaker, I join my colleagues in expressing our sincere appreciation to SMSgt Tom Newton for his outstanding service to both legislative branches and our United States Air Force. We wish him the best as he transitions into a new career. Senior Master Sergeant Newton is a true professional and a credit to himself and the United States Air Force.

CODELS FOR SMSGT NEWTON

2004

CODEL Bilirakis—Athens, Greece/Venice, Italy (7–16 Nov).

2005

CODEL Shimkus—St. Louis, Missouri (26–28 Jan).

CODEL Bilirakis—Brussels, Belgium/Paris, France/London, UK (18–28 Feb).

CODEL King—Vienna, Austria/Aman, Jordan/Tel Aviv, Israel/Cairo, Egypt/Rabat, Morocco (30 Jul–7 Aug).

SPEAKER Hastert—Glasgow, Scotland/Luxembourg (15–20 Sep).

2006

CODEL Hefley—San Diego, California (25–29 Jan).

CODEL Hefley—Brussels, Belgium/Paris, France/London, UK (17–28 Feb).

CODEL Goodlatte—Denver, Colorado/San Angelo, Texas (7–9 May).

CODEL Young—Alaska (29 Jul–6 Aug).

2007

SPEAKER Pelosi—Jerusalem, Israel/Damascus, Syria/Riyadh, Saudi Arabia/Lisbon, Portugal (29 Mar–7 Apr).

CODEL Tanner—Lisbon, Portugal/Tunis, Tunisia/Rabat, Morocco (24 May–3 Jun).

SPEAKER Pelosi—New Orleans, Louisiana (12–15 Aug).

IN MEMORY OF MATTHEW RICHARD WILL

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. FARR. Madam Speaker, I rise today to honor the memory of Matthew Richard Will, a father, husband, firefighter, and hero who died recently in the line of duty helping to protect the people he had sworn to serve.

Matthew Will was a Heavy Fire Equipment Operator for the California Department of Forestry and Fire Protection, also known as Cal Fire. Will started his career with Cal Fire in 2003 and recently graduated from the department's fire academy in Ione. He was assigned to the Hollister Air Attack Base in Cal Fire's San Benito-Monterey Unit.

Earlier this month a house fire broke out in the heavily wooded and rugged area of Big

Sur, California, known as Palo Colorado Canyon. The fire soon spread to the surrounding brush and began to threaten the lives and property of other Palo Colorado Canyon residents. Quick action by Matthew and his comrades from Cal Fire and the other responding fire fighting agencies kept the fire from engulfing the whole canyon, limiting the damage to the initial home and about fifty surrounding acres. As part of this effort, Matthew was on his bulldozer working to check the spread of the fire by clearing a fire break. Tragically, Matthew's bulldozer slipped and tumbled down a steep slope. Matthew later died of his injuries.

Matthew Will's youth magnifies this tragedy. He was just 30 years old. He is survived by his wife Diana ''Dee Dee'' Will of Hollister, California; 10-year-old son Trysten; 8-year-old daughter Elsie; parents Gary and Debbie Will of Campo, California; and brothers Brandon and Justin Will of Campo, California.

Madam Speaker, I have been an occasional Big Sur resident myself for over 50 years. In that time I have seen fire threaten or destroy the homes and property of neighbors and acquaintances. The people of Big Sur live with a heightened sense of fire's danger and a deep respect for the men and women who risk their lives fighting those fires. I know I speak for this House and my neighbors when I share our deep gratitude for his service as a firefighter, and our deep sorrow at his death. Our prayers are with Matthew Will's family, friends, and colleagues at this time of grief and loss.

CONGRATULATIONS AND FAREWELL TO MR. WILLIAM DUNN, A GREAT AMERICAN AND TEXAN, FOR 25 YEARS OF DEDICATED SERVICE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. SAM JOHNSON of Texas. Madam Speaker, a congratulations and farewell is in order today for Mr. William ''Cotton'' Dunn.

Cotton graduated with a degree in accounting but quickly learned his true love and passion was for the game of golf. He went on to play tours, set records, and earn many respectable titles.

For the past 25 years Cotton has served as the Director of Golf at the Prestonwood Country Club. Over the years, he has received many honors. Most recently, he received the 2006 Distinguished Service Award from the Northern Texas PGA.

Much of the strength of the Lone Star State comes from the commitment and good will of individuals, and Cotton is no exception. His leadership both on and off the course has motivated, inspired, and encouraged hundreds of people, and for those reasons he will be missed.

We would like to wish you a long and happy retirement!

THE DEPLOYMENT OF THE OKLAHOMA NATIONAL GUARD'S 45TH INFANTRY BRIGADE COMBAT TEAM

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. SULLIVAN. Madam Speaker, I rise today to commemorate the Oklahoma National Guard's 45th Infantry Brigade Combat Team (IBCT) which is set to deploy to Iraq early next year in support of Operation Iraqi Freedom.

Today, a farewell ceremony honoring 2,400 deploying soldiers in the 45th IBCT is taking place at the Lloyd Noble Center in Norman, Oklahoma. Families and friends throughout the state will have an opportunity to celebrate the patriotism and courage of Oklahoma's citizen soldiers. This will be the largest single deployment of Oklahoma's citizen soldiers since the Korean War, an important event in the history of the Oklahoma National Guard.

On October 19, 2007, the 45th IBCT will begin to move their soldiers to the mobilization station at Fort Bliss, Texas. While at Fort Bliss, the brigade will undergo 10 to 12 weeks of intense mission specific training which will prepare them for any mission unique tasks that they will be required to perform while deploying to Iraq next year.

The stakes could not be higher for success in the Global War on Terror. The 45th IBCT will play a critical role in securing Iraq from al-Qaeda and other militants seeking to undermine Iraq's growth and security, and protect America from future threats.

I know this is not the first deployment for many of these brave men and women and their families back home. Their collective sacrifice for our Nation's security is symbolic of the pride Oklahoma has for our citizen soldiers serving in times of war and conflict.

I am confident the 45th IBCT is ready to answer the call in the defense of our Nation. With this deployment, they are carrying forward the proud history of this brigade. It is an honor to represent many of these brave citizen soldiers in Congress, and I look forward to supporting the 45th IBCT's critically important mission to the fullest extent possible.

A TRIBUTE TO TYPECRAFT WOOD & JONES

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. SCHIFF. Madam Speaker, I rise today to honor Typecraft Wood & Jones, a family-owned business, which is celebrating the one-hundredth anniversary of Wood & Jones Printers and the sixtieth anniversary of Typecraft, Inc.

Wood & Jones Printers was founded in 1907 in Pasadena, California by Bert Wood, a pressman from New England and Fred Jones, a typographer from Canada. Bert's son, Richard Wood, introduced offset lithography to the business in the 1940s. Chris Wood, Bert's grandson, introduced phototypesetting and added a drive-through photocopy division to the business in the 1980s. Richard operated and expanded the business in partnership with Bert's nephew, David Wood into the 1980s, and in 1987, Hanna Wood, granddaughter of Bert, assumed responsibility for the business.

Typecraft, Inc. was formed in 1947 by Emer Bates, and Len Jasmin, former publisher and former manager of the Pasadena Independent Newspaper. In the 1960s, Harry Montgomery joined Typecraft, Inc., partnering with Len Jasmin.

J.J. Gish, whose father Jerry Gish was a 50-year employee of Typecraft, Inc., purchased Wood & Jones Printers in 1994 and became partners with Harry Montgomery, Emer Bates' son-in-law in 2000. Typecraft, Inc. and Wood & Jones Printers were merged at that time into one company.

Both Typecraft, Inc. and Wood & Jones Printers separately and together have kept abreast of the latest technologies, creating quality printed materials for businesses, nonprofit organizations, schools, museums, and fine art museums. Typecraft Wood & Jones is the annual print sponsor for AIGS Los Angeles, the Professional Association for Design.

Over the last century, Typecraft Wood & Jones has supported a variety of worthwhile local organizations and institutions such as the Boys and Girls Clubs of Pasadena, Boy Scouts of America, the Pasadena Library Foundation, Aids Service Center, Huntington Memorial Hospital, Zonta Club, John Marshall Fundamental School and the Pasadena Senior Center. In addition, Typecraft Wood & Jones also contributes to the Pasadena Art Alliance, the Los Angeles County Museum of Art, Pasadena Playhouse, Armory Center for the Arts and Pasadena City College School of Fine Arts.

It is my great honor to recognize Typecraft Wood & Jones upon the combined one-hundred sixty years of dedicated service to the community of greater Pasadena. I ask all members to join me in commending their efforts.

FEDERAL RAILROAD SAFETY IMPROVEMENT ACT OF 2007

SPEECH OF

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 17, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2095) to, amend title 49, United States Code, to prevent railroad fatalities, injuries, and hazardous materials releases, to authorize the Federal Railroad Safety Administration, and for other purposes:

Mr. CUMMINGS. Mr. Chairman, I rise today in strong support of the Federal Railroad Safety Improvement Act of 2007, H.R. 2095, authored by Congressman JAMES OBERSTAR, Chairman of the Committee on Transportation and Infrastructure, and Congresswoman CORRINE BROWN, Chairwoman of the Subcommittee on Railroads, Pipelines, and Hazardous Materials.

This legislation, which I believe adequately balances overdue safety improvements with the need to keep commerce moving, is the first significant rail safety legislation to come before the House since the most recent authorization of federal safety programs expired nearly 10 years ago.

I am proud to be a co-sponsor of this measure and I applaud the dedicated leadership that has brought this legislation to the floor today.

Particular attention should be given to the measures included in H.R. 2095—and in the manager's amendment also under consideration—that address the unique safety concerns associated with railroad tunnels and bridges.

On July 18, 2001, a CSX train traveling through the Howard Street Tunnel in my district in Baltimore derailed, puncturing several tank cars and igniting a flammable liquid that created a massive fire.

Following that terrible accident, I joined Chairman OBERSTAR in requesting the Government Accountability Office (GAO) to undertake a study on railroad tunnel and bridge safety. This study was released on August 30th of this year.

In brief, the study found that Class I railroads own and maintain more than 61,000 bridges and more than 800 tunnels—while Class II railroads own and maintain more than 15,000 bridges. These are staggering numbers that clearly demonstrate how important the safety of these pieces of infrastructure is to the operation of our Nation's rail network.

The legislation and manager's amendment before us today address concerns raised both in the GAO report and in the National Transportation Safety Board's (NTSB) report on the Howard Street Tunnel fire.

Section 609 of the underlying bill, which I offered as an amendment during the Committee markup of this legislation, is intended to ensure that the first responders called to incidents in rail tunnels have all of the information they need to provide an effective response to the situation they encounter.

Section 609 responds directly to the NTSB's findings in its investigation of the Howard Street Tunnel fire that Baltimore City first responders did not have adequate information on hazardous discharge procedures in the Tunnel or on ingress and egress pathways into and out of the Tunnel.

To ensure that such a situation is never repeated, Section 609 requires railroads to make available to local jurisdictions information on rail tunnel ingress and egress pathways and on the types of cargoes transported through long tunnels or tunnels through which more than 5 passenger trains per day or more than 500 carloads of toxic inhalation materials per year are moved.

The manager's amendment before us responds directly to the findings of the recent GAO report by imposing significant new safety requirements on railroads regarding the assessment of bridge weight bearing capacity and bridge inspection procedures.

Additionally, it imposes new requirements on the review of bridge inspection data by the Federal Railroad Administration.

Through these measures, the manager's amendment seeks to create a comprehensive safety regime for railroad bridges—which is long overdue.

The measures in H.R. 2095 on railroad tunnels and bridges are just two of the many safety improvements that this bill would make in the operation of our Nation's railroad network—but are examples of how this bill responds directly to the safety concerns that have been identified since the last reauthorization of the Federal Railroad Administration.

I am confident that enactment of H.R. 2095 will significantly improve the safety of rail operations in the United States. I again thank Chairman OBERSTAR—and Chairwoman BROWN—for their work on this measure and I urge its passage.

CELEBRATING THE WORLD-CLASS PIEROGIES OF CLIFTON, NEW JERSEY

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. PASCRELL. Madam Speaker, I rise today to inform Congress what so many people in my district have known for years—that Clifton, New Jersey is indeed a pierogi lover's heaven.

Clifton has a rich history of Eastern European ancestry, and this delicacy is indeed one of the many fine contributions made by those of that region in the world.

And in the Eighth District of New Jersey—one of the most diverse in the country—people from all cultures and walks of life can agree that the city of Clifton has some of the finest pierogies in America.

Indeed, the pierogi has reached almost mythical status in Clifton. It is sold in restaurants and delis, churches and schools. One would be hard pressed to find the dish absent from a single menu in the city.

The people of Clifton possess a genuine love for the pierogi, more so than anywhere else I have seen, whether stuffed with the traditional potato and cheese, or more exotic fillings, like papayas and blueberries.

Showing their true dedication, last month the City Council of Clifton decreed that every day of the year in Clifton is now officially "Pierogi Day."

And it has now come to my attention that Clifton is one of five cities vying for the title of pierogi capital of the Nation. The public can vote online at www.pierogypocket.com. I could not recommend Clifton more strongly.

In the Eighth District, we are proud of the strong cultural ties that each of us has to our heritage. The City of Clifton's love for the pierogi truly embodies this spirit.

Clifton desires neither the fame nor fortune that would come with being named pierogi capital of the world. They only seek to confirm the obvious. The title would be the sour cream and fried onions on top.

TRIBUTE TO THE REVEREND CANON RICHARD LIVINGSTON MARQUESS-BARRY

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. MEEK of Florida. Madam Speaker, I rise today to pay tribute to The Reverend Canon Richard Livingston Marquess-Barry, Pastor of the Historic Saint Agnes' Episcopal Church in Miami, Florida.

A native of Miami, Florida, Reverend Barry obtained his early education from the Miami-Dade County Public Schools. He is a proud graduate of Miami Northwestern Sr. High School Class of 1958 where his portrait still hangs in the school's Hall of Fame. He furthered his education at Saint Augustine's College, in Raleigh, North Carolina and went on to get his Doctor of Human Letters degree from Barbar-Scotia College, Concord, North Carolina in 1995.

Married to Virla Rolle Barry, Reverend Barry has been blessed in this holy matrimony for over 40 years. Also blessed to this union is one daughter Diana, who is married to Ronald Frazier, II, and two grandsons Richard and Ronald.

This visionary of a pastor became God's shepherd par excellence under the anointing of the Holy Spirit, as he continues to guide his Congregation. He has led Saint Agnes' Episcopal Church with a good mixture of old-time religion and civic responsibility that continues to encourage the members not only to become spiritual and moral leaders, but also responsible and conscientious guardians of good government and community pride.

Reverend Barry has dedicated his life to making the lives of those around him better. Further demonstrated, as one of the many programs under his leadership, the church adopted a HUD project, Rainbow Village Housing Development and lobbied the Miami-Dade Housing Authority to completely renovate the complex. As a result of this action, the tenant council of Rainbow Village and the Vestry of this parish formed the Saint Agnes' Rainbow Village Community Development Corporation (CDC). Through the CDC, 80 two-story, three and four bedroom/two and one-half bath, single-family homes for ownership were built for low and moderate income families.

An ordained priest of the Episcopal Church and having served as a Priest for 39 years, Father Barry's leadership is genuinely admirable. As a servant of God and as a spiritual leader immersed in Scriptural commitment, he has earned the community's deepest respect. This is the legacy with which he now guides his Church.

Indeed, it is fitting and proper to give praise to Almighty God for blessing the Saint Agnes' Episcopal Church with the longevity of leadership through Reverend Barry. His service to his Congregation and to all those who seek comfort and solace in its Church sanctuary leaves an everlasting mark.

Today, I honor Reverend Barry for the years of dedication and commitment to his church and the community.

A TRIBUTE TO THE GUARDSMEN OF COAST AIR STATION ELIZABETH CITY SEARCH AND RESCUE

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. BUTTERFIELD. Madam Speaker, it is with tremendous pride that I rise today to pay a sincere tribute to the Search and Rescue Team of Lieutenant Marc Tunstall, Ensign Jason Evans, Petty Officer 2nd Class Mike Ackermann and Petty Officer 3rd Class Steven Acuna. These men of Coast Guard Air Station Elizabeth City rescued a downed Navy fighter pilot from the Atlantic Ocean this past Thursday.

At 6 p.m. on October 11, 2007, Lt. Marc Tunstall and Ensign Jason Evans, pilot and co-pilot of a Coast Guard HH–60 Jayhawk helicopter found the downed F/A–18 Hornet nearly 80 miles off Cape Henry, Virginia. Rescue swimmer Petty Officer 2nd Class Mike Ackermann was dispatched to retrieve the pilot from the ocean, whereupon the rescued pilot was hoisted in the helicopter by flight mechanic Petty Officer 3rd Class Steven Acuna. The rescued pilot was transported to Sentara Norfolk General Hospital where he is in stable condition, with only minor injuries from the crash.

Madam Speaker, this successful rescue is one of nearly 360 search and rescue missions executed every year by the men and women of Coast Guard Air Station Elizabeth City. In the last 60 years, the Air Station has rescued or assisted over 10,000 people. I am proud that Coast Guard Air Station Elizabeth City is located in my district, and more proud of the exemplary work and bravery exhibited by the men and women who save hundreds of lives each year. I ask my colleagues to join me in paying tribute to the commendable work of Lt. Tunstall, Ensign Evans, Petty Officer 2nd Class Ackermann and Petty Officer 3rd Class Acuna.

EXPRESSING THE SENSE OF THE HOUSE REGARDING WITHHOLDING OF INFORMATION RELATING TO CORRUPTION IN IRAQ

SPEECH OF

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 16, 2007

Mr. CUMMINGS. Mr. Speaker, five years ago today, President George W. Bush signed into law the "Joint Resolution to Authorize the Use of United States Armed Forces Against Iraq," H.J. Res. 114.

In the House, the bill passed on October 10, 2002, by a vote of 296–133. I was one of 126 Democrats who voted against this grossly misguided bill, concluding that further diplomacy was needed over a U.S. military strike.

And today—I remain unyielding in my stance that diplomacy, rather than military action is the answer to creating political reconciliation in Iraq.

We must implement a diplomatic strategy that is framed upon the doorway of the U.N. and hinges on the Arab League, the Organization of the Islamic Conference, U.S. allies and the will of the Iraqi people.

Mr. Speaker, as the Iraq Study Group concluded, a diplomatic strategy of gaining multilateral and bilateral support throughout the international community, especially with Iraq's neighboring states will help marginalize extremists and terrorists, promote U.S. values and interests, and improve America's global image.

Unfortunately, to date, the President's new strategy is not a new strategy at all and continues the same failed plan that was utilized prior to the surge. His failed plan has resulted in over 3,800 U.S. soldiers being killed and over 27,000 American soldiers being wounded.

Additionally, at least 150,000 of our service members have been victims of concussions, many of whom will suffer from life long injuries that have no medical or technological resolutions—including blindness, deafness, Post-Traumatic Stress Disorder and Traumatic Brain Injury. In the great State of Maryland alone, we continue to mourn the deaths of 70 service members and our prayers go out to over 392 brave men and women in uniform who suffer from wounds gained on the battlefield of Iraq.

Mr. Speaker, as we look back over the last five years we can only point to meager accomplishments while the overwhelming factor that shatters the forefront of our memory is the onslaught of bloodshed, further internal and external displacement of the Iraqi people, further corruption of the Iraqi government and further strained relations in the Middle East due in large part to the President's stubborn course of military operations in Iraq.

In fact, corruption within the Iraqi government is as bad as ever and has become what has been described by Stuart Bowen, the U.S. State Department's Special Inspector for Reconstruction in Iraq as a 'second insurgency' threatening to undermine U.S. and Iraqi efforts to build a stable democracy. As concluded by the Iraqi Commission for Public Integrity, corruption cases have increased by a staggering 70 percent in the last year, despite the Administration's efforts to quell these concerns by layering them in bureaucratic red tape and retroactively labeling unwarranted information as being classified.

As such, I congratulate my colleagues on passing H. Res. 734, which is a step in the right direction. Specifically, this legislation sends a strong message to the Administration that anti-democratic practices will not be tolerated. It also sends a message to the Iraqi Government that the U.S. Government will not sit idly by as Americans continue to sacrifice their lives at the expense of sustaining a mismanaged Iraqi Government.

Considering the ongoing corruption in Iraq, it is clear that our military can not do what should be the job of ambassadors, foreign dignitaries and heads of state.

As we look to the future, I hope that the Administration will shift from these failed policies in Iraq to a new policy that is fundamentally diplomatic and weighs heavily on the assistance of the international community.

We owe this to our brave soldiers, their families and friends, the American people, and to the people of Iraq.

TRIBUTE TO MAXINE PIERCE FROST

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community of Riverside, California has been exceptional. The Riverside educational community has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent for the betterment of our children. Maxine Frost is one of these individuals. On December 8, 2007, Maxine will be honored at a retirement dinner after serving 40 years as a member of the Riverside Unified School District Board of Education.

Mrs. Maxine Frost graduated from Stanford University with a bachelor's degree in history and has been a resident and active member of the Riverside community since 1958. Mrs. Frost's interest in education began with her involvement in the education of her children. She was an active mother who served on various school committees. In 1967, the President of the Riverside Unified School District Board of Education selected Maxine to fill a vacancy on the Board of Education. During her tenure, Mrs. Frost witnessed history including the desegregation of the Riverside school district. Maxine went on to serve on the California School Boards Association and in 1981 she was elected President of the organization.

During her tenure on the Board, Maxine has been elected by her fellow board members to serve as board president, vice-president and clerk. One of Maxine's many success stories is the creation and development of the AVID program: Achievement Via Individual Determination. AVID offers average students the opportunity to take college prep classes while teaching them study techniques and teamwork.

Mrs. Frost's involvement in the community is not limited to education; she has also dedicated her time to many other organizations that improve our quality of life including the Riverside Art Alliance, Junior League of Riverside, League of Women Voters and the National Charity League. One reflection of Maxine's many contributions to the community are the countless awards and honors she has received over the years. Recently the Riverside Unified School District Board of Education voted to name a school after Maxine, a vote which required the Board to make an exception to its policy which requires that a person be deceased for two years before a facility can be designated.

Mrs. Maxine Frost's tireless passion for community service has contributed immensely to the betterment of the community of Riverside, California. She has been the heart and soul of the Riverside Unified School District Board of Education and many other community organizations. I am proud to call Maxine a fellow community member, American and friend. I know that many community members are grateful for her service and salute her as she retires.

INDIA IS A DEFICIENT DEMOCRACY

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. BURTON of Indiana. Madam Speaker, I was extremely disappointed today to see the Human Rights Watch had to issue a statement calling on the Government of India to finally take concrete steps to hold accountable members of its security forces who killed, "disappeared," and tortured thousands of Sikhs during its military campaign in the Punjab. I was disappointed because India should already be doing this. I was disappointed because this call to action is simply further proof that India—which prides itself on being the

world's most populous democracy—is in reality a highly deficient democracy; and that it has yet to do what it legally and morally must do; which is to clean up its atrocious human rights record.

The massive human rights violations of the Indian Government have been well documented. In fact, according to the Department of State's 2006 Human Rights Report for India: "Major problems included extrajudicial killings of persons in custody, disappearances, torture and rape by police and security forces. The lack of accountability permeated the government and security forces, creating an atmosphere in which human rights violations often went unpunished. Although the country has numerous laws protecting human rights, enforcement was lax and convictions were rare." Again, these are not my words; this is from the State Department's official report on Human Rights.

Although relations between India and the United States have been rocky in the past, since 2004 Washington and New Delhi have been pursuing a "strategic partnership" based on shared values such as democracy, multiculturalism, and rule of law. In addition, numerous economic, security and globally focused initiatives, including plans for "full civilian nuclear energy cooperation," are currently underway. I support these initiatives but I remain deeply concerned about the numerous serious problems that remain when it comes to India's respect for the rights of all of her citizens.

Madam Speaker, I ask unanimous consent to place a copy of the Human Rights press release into the RECORD at this time. I urge my colleagues to read it and remember it and as the United States and India move towards greater cooperation in numerous endeavors to insist that India live up to its moniker and adhere to the full expression of democracy and basic human rights; especially for members of ethnic or religious minorities.

INDIA: TIME TO DELIVER JUSTICE FOR ATROCITIES IN PUNJAB

DELHI.—The Indian government must take concrete steps to hold accountable members of its security forces who killed, "disappeared," and tortured thousands of Sikhs during its counterinsurgency campaign in the Punjab, Human Rights Watch and Ensaaf said in a new report released today.

In order to end the institutional defects that foster impunity in Punjab and elsewhere in the country, the government should take new legal and practical steps, including the establishment of a commission of inquiry, a special prosecutor's office, and an extensive reparations program.

The 123-page report, "Protecting the Killers: A Policy of Impunity in Punjab, India," examines the challenges faced by victims and their relatives in pursuing legal avenues for accountability for the human rights abuses perpetrated during the government's counterinsurgency campaign. The report describes the impunity enjoyed by officials responsible for violations and the near total failure of India's judicial and state institutions, from the National Human Rights Commission to the Central Bureau of Investigation (CBI), to provide justice for victims' families.

Beginning in the 1980s, Sikh separatists in Punjab committed serious human rights abuses, including the massacre of civilians, attacks upon Hindu minorities in the state, and indiscriminate bomb attacks in crowded places. In its counterinsurgency operations in Punjab from 1984 to 1995. Indian security forces committed serious human rights abuses against tens of thousands of Sikhs. None of the key architects of this counterinsurgency strategy who bear substantial responsibility for these atrocities have been brought to justice.

"Impunity in India has been rampant in Punjab, where security forces committed large-scale human rights violations without any accountability," said Brad Adams, Asia director at Human Rights Watch. "No one disputes that the militants were guilty of numerous human rights abuses, but the government should have acted within the law instead of sanctioning the killing, 'disappearance,' and torture of individuals accused of supporting the militants."

A key case discussed in detail in the report is the Punjab "mass cremations case," in which the security services are implicated in thousands of killings and secret cremations throughout Punjab to hide the evidence of wrongdoing. The case is currently before the National Human Rights Commission, a body specially empowered by the Supreme Court to address this case. However, the commission has narrowed its efforts to merely establishing the identity of the individuals who were secretly cremated in three crematoria in just one district of Punjab. It has rejected cases from other districts and has ignored the intentional violations of human rights perpetrated by India's security forces. For more than a decade, the commission has failed to independently investigate a single case and explicitly refuses to identify any responsible officials.

"The National Human Rights Commission has inexplicably failed in its duties to investigate and establish exactly what happened in Punjab," said Adams. "We still hold out hope that it will change course and bring justice to victims and their families."

The report discusses the case of Jaswant Singh Khalra, a leading human rights defender in Punjab who was abducted and then murdered in October 1995 by government officials after being held in illegal detention for almost two months. Despite credible eyewitness testimony that police chief KPS Gill was directly involved in interrogating Khalra in illegal detention just days prior to Khalra's murder, the Central Bureau of Investigation has thus far refused to investigate or prosecute Gill. In September 2006, Khalra's widow, Paramjit Kaur, filed a petition in the Punjab & Haryana High Court calling on the CBI to take action against Gill. More than a year later, she is still waiting for a hearing on the merits.

"Delivering justice in Punjab could set precedents throughout India for the redress of mass state crimes and superior responsibility," said Jaskaran Kaur, co-director of Ensaaf. "Indians and the rest of the world are watching to see if the current Indian government can muster the political will to do the right thing. It if fails, then the only conclusion that can be reached is that the state's institutions cannot or will not take on the security establishment. This has grave implications for Indian democracy."

Victims and their families seeking justice face severe challenges, including prolonged trials, biased prosecutors, an unresponsive judiciary, police intimidation and harassment of witnesses, and the failure to charge senior government officials despite evidence of their role in the abuses.

Tarloehan Singh described the hurdles he has faced in his now 18–year struggle before Indian courts for justice for the killing of his son, Kulwinder Singh:

"I used to receive threatening phone calls. The caller would say that they had killed thousands of boys and thrown them into canals, and they would also do that to Kulwinder Singh's wife, kid, or me and my wife . . .

"The trial has been proceeding . . . with very little evidence being recorded at each hearing, and with two to three months between hearings. During this time, key witnesses have died."

After Mohinder Singh's son Jugraj Singh was killed in an alleged faked armed encounter between security forces and separatists in January 1995, he pursued numerous avenues of justice. He brought his case before the Punjab & Haryana High Court and the CBI Special Court, but no police officer was charged. A CBI investigation found that Jugraj Singh had been killed and cremated by the police. However, 11 years and a few inquiry reports later, the CBI court ended Mohinder Singh's pursuit for accountability by dismissing his case in 2006. Mohinder Singh describes his interactions with the CBI:

"On one occasion when [the officer] from the CBI came to my house, he told me that I wasn't going to get anything out of this. Not justice and not even compensation. He further said that: 'I see you running around pursuing your case. But you shouldn't get into a confrontation with the police. You have to live here and they can pick you up at any time.' He was indirectly threatening me."

Human Rights Watch and Ensaaf expressed concern that the Indian government continues to cite the counterinsurgency operations in Punjab as a model for preserving national integrity.

"The government's illegal and inhuman policies in the name of security have allowed a culture of impunity to prevail that has brutalized its police and security forces," said Kaur.

The report suggests a comprehensive framework to address the institutionalized impunity that has prevented accountability in Punjab. The detailed recommendations include establishing a commission of inquiry, a special prosecutor's office, and an extensive reparations program.

"The Indian government needs to send a clear message to its security services, courts, prosecutors, and civil servants that it neither tolerates nor condones gross human rights violations under any circumstances," said Adams. "This requires a comprehensive and credible process of accountability that delivers truth, justice, and reparations to its victims, who demand nothing more than their rights guaranteed by India's constitution and international law."

HONORING ROBERT C. THOMPSON

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. WOLF. Madam Speaker, I want to call to the attention of the House the outstanding public service of Robert C. Thompson of McLean, Virginia, in my congressional district, as he prepares to retire this month.

Mr. Thompson has contributed more than 30 years of public service to our Nation, most recently as Deputy Director for Management and Administration of the Naval Criminal Investigative Service, which he helped completely restructure from the ground up following 9/11. He has proven himself a pioneering, tireless leader in the Navy's efforts to combat terrorism around the globe.

Robert Thompson began his career in the Army, where he saw armed conflict in Vietnam, and was stationed in the Republic of

Korea and stateside. After leaving the Army, Mr. Thompson joined the Naval Investigative Service as a special agent in 1976, where he quickly made a name for himself in counterintelligence. He was selected to head counterintelligence operations for the Navy in 1984, and was awarded the National Intelligence Medal of Achievement in December 1990.

In 1994, Mr. Thompson was detailed to the National Security Council, where he helped build the foundation of U.S. counterintelligence strategy. His contributions to this effort permanently improved this Nation's efforts in combating terrorism. During a later tenure as Acting Director of the National Counterintelligence Center, Mr. Thompson was entrusted with performing several high-profile damage assessments on the impact of espionage and security breaches of the highest order of importance to the U.S. government. His exemplary service was recognized with the National Intelligence Distinguished Service Medal, the highest award bestowed by the U.S. Intelligence Community, in November 2001.

In retirement, Mr. Thompson looks forward to traveling with his wife, Betty Ann, and enjoying the outdoors with his family. His son, Robert, is currently on his second tour with the Virginia National Guard in the Middle East.

I am proud to call attention to Mr. Thompson's dedication. I congratulate Mr. Thompson on his exceptional performance, leadership, and unfailing commitment to his country. The contributions he has made to the intelligence community will serve as a strong foundation for future success in the global war on terror for years to come.

A TRIBUTE TO MRS. HAZEL BALDWIN FORBES

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Mrs. Hazel Baldwin Forbes. Hazel is a native of Lake Waccamaw, North Carolina and the daughter of Colene M. Baldwin Stanley and Prince Baldwin. She showed a genuine interest and aptitude for music at an early age. She first studied piano under the tutelage of Mrs. Tabitha Thompson from age seven through high school. At the age of 15, she became solely responsible for directing the senior choir at the Little Wheel of Hope Baptist Church in Lake Waccamaw. During her years as a teen musical prodigy, she was in great demand for performances at weddings, funerals, concerts, recitals and as an accompanist for soloists and vocalists.

Upon Hazel's admission to Shaw University, she auditioned and was selected as a pianist and accompanist for the University Chorale Society under the direction of Professor Harry GilSmyth. Holding a double major in English and Music, she graduated from Shaw University with a Bachelor of Arts Degree. She subsequently earned a Master's of Social Work Degree from Virginia Commonwealth University in Richmond.

For more than 30 years, Hazel served as a Clinical Social Worker. Her practice includes work with adolescent girls, families, couples, parents and children; individuals living with mental illness, abuse, neglect, fears, and violence that interfere with meaningful relationships and a positive sense of self. Hazel now focuses her practice on providing clinical supervision and coaching to psychiatrists, nurses, other clinical social workers, and case managers.

Though Hazel remained true to her trade, she never lost her passion for music. She found time to keep active in a variety of musical interests. She has served choirs as their directress and accompanist for more than 25 years in New York City, Richmond, Virginia, and Raleigh, North Carolina. In New York, she was employed as a music instructor at Bedford Stuyvesant's Junior High School 35. She also served for a number of years on the faculty of the Hampton Ministers' Conference and Organist and Musicians Guild and most recently as Directress of the Adult Choir at Christian Faith Baptist Church from which she is now retiring.

Madam Speaker, I would like to recognize the impressive achievements of Hazel Baldwin Forbes and her commitment as a social worker and a gifted musician. I also want to thank and applaud Mrs. Forbes for sharing that gift with the rest of us.

Madam Speaker, I urge my colleagues to join me in paying tribute to this wonderful, caring and talented woman.

PERSONAL EXPLANATION

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. SHERMAN. Madam Speaker, because I was unavoidably detained, I was not able to vote on passage of H.R. 2102 (rollcall No. 973). Had I been present for the vote, I would have voted ''yea.''

35TH ANNIVERSARY OF THE CLEAN WATER ACT

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. WU. Madam Speaker, I rise today in recognition of the 35th anniversary of the passing of one of the most important laws in this country: the Clean Water Act.

The Clean Water Act is a keystone law for the protection of our Nation's waters. This law ensures water quality for a healthy environment, the vitality of plant and animal species and most notably, it is fundamental to public health and our survival.

Two-thirds of cities in the United States draw their water from rivers, and our health relies on the health of the rivers. An entire generation has grown up in this country taking for granted the cleanliness of our Nation's waters. For us, it has been as easy as turning on the faucet for a glass of clean, safe drinking water. And I am confident that without the Clean Water Act, this would be in jeopardy.

The Clean Water Act, using both regulatory and non-regulatory tools, has reduced pollution in our waterways. The act established the basic structure for regulating pollutants and gave the Environmental Protection Agency the authority to implement pollution control programs. The act brought us water quality standards and made it unlawful for any person to discharge any pollutant into navigable waters at any time.

My home State of Oregon has worked hard to do its part in solving its water pollution problems, and no city has done more to advance innovative strategies to mitigate storm water run-off pollution than Portland, Oregon. Run-off is a serious threat to our water quality. In fact, runoff from roads is responsible for 80 percent of the degradation of the Nation's surface water.

Portland has been making an extraordinary investment toward a comprehensive Greenstreets Implementation Program that will reduce impervious surfaces, treat and filter storm water at its source, reduce demands on the city's collection system, support regulatory compliance and enhance watershed health. In short, greenstreets filter storm water before the water soaks into the ground, pours into a river or ends up in the sewer system. The city of Portland estimates that its green street projects reduce pollution in runoff by up to 90 percent.

Greenstreets also save money for sewer ratepayers and taxpayers. According to the city of Portland, traditional pipe and stormwater disposal systems can cost up to twice as much as green streets. What more could you ask for: safe drinking water and clean rivers, at less cost to the taxpayer.

Portland is a national leader in this and will continue to be a laboratory for techniques that other jurisdictions can use to meet regulations of the Clean Water Act. It is through these innovative technologies and techniques that the Clean Water Act will continue to meet its mission to provide the public with safe, clean drinking water.

ON H.R. 3580

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. KUCINICH. Madam Speaker, I opposed H.R. 3580, a bill to reauthorize the Prescription Drug User Fee Act (PDUFA), because it failed to address the fundamental drivers of the high cost of pharmaceuticals, the pharmaceutical industry's deplorable safety record, and their lack of accountability.

The bill ignores the single biggest conflict of interest at the FDA. The pharmaceutical industry pays hundreds of millions of dollars every year to the Food and Drug Administration, which is tasked with regulating them. The result is that the FDA has a relationship with industry that treats them more like a customer than an entity in need of oversight and evaluation. A 2002 Government Accountability Office report found that ''Our analysis of FDA data found that a higher percentage of drugs has been withdrawn from the market for safety-related reasons since PDUFA's enactment than prior to the law's enactment . . .'' Furthermore, FDA staff morale has declined. The GAO found that ''FDA's attrition rates for most of the scientific occupations involved in its drug review process are higher than those for comparable occupations in other federal public health agencies and the remainder of the federal government.'' A Consumer Reports poll in

April 2007 found that 67% of customers "are concerned that much of the FDA's funding comes from the drug industry." This bill actually increases the amount the drug companies pay to the FDA. To ensure independence, the drug approval process should be funded by Congress.

Second, the bill passed on a rare opportunity to address ways in which the pharmaceutical industry makes profits at the expense of health. An early version of the bill gave the FDA authority to ban Direct to Consumer advertising for three years, a practice which has repeatedly proven to influence drug use based on reason other than the merits of the drug. This bill contained only authority to assess penalties which pale in comparison to the profit to be made from running the ads.

Another opportunity lost was to address the failure of the industry to put out new drugs that are substantially different from drugs that are already on the market, but which are less profitable because their patent monopolies are running out. Requiring clinical trials to compare new drugs not only to placebos but to existing drugs would, for the first time, give a clear indication of how useful the proposed drug is. It would also therefore provide a powerful incentive for the industry to focus its resources on truly innovative drugs instead of spending copiously on marketing to sell more profitable but less beneficial drugs. This bill gives lip service to these head-to-head trials when it should require them.

IN HONOR OF THE 100TH ANNIVERSARY OF THE FOUNDING OF THE SOUTHWEST MUSEUM

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. BECERRA. Madam Speaker, it is with great pleasure and privilege that I rise today to pay tribute to the 100th anniversary of the founding of the Southwest Museum in Los Angeles, California. On October 21, 2007, community members and leaders throughout Los Angeles will gather at the Southwest Museum to celebrate the institution's 100 years of service, historical significance, and role as an educational pillar in the worldwide community.

The Southwest Museum is the second oldest museum west of the Mississippi River, and the first museum in Los Angeles. Initially located in the Hamburger Building at Eighth Street and Broadway in downtown Los Angeles, the Southwest Museum moved into its historic home above the Arroyo Seco in 1914, opening its doors to the public in August of that year. The beautiful Mission/Spanish Colonial Revival style building, designed by Sumner Hunt and Silas Bums, has stood as a cultural and educational landmark and destination in northeast Los Angeles since that time.

The Southwest Museum was established in 1907 by Charles Lummis and the Southwest Society, who originally conceived it as a museum of science, history, and art. By the 1920s, the mission of the Southwest Museum had narrowed to study the history and culture of America's indigenous peoples. Over the course of time, the Southwest Museum has assembled one of the world's largest and most important collections of Native American material, representing indigenous peoples, spanning the breadth of North America. Its 250,000 ethnographic, archaeological, and historic artifacts comprise one of the largest nongovernmental collections of this type.

On May 27, 2003, the Southwest Museum merged with the Autry Museum of Western Heritage to create the Autry National Center. Through conservation of the collections, work on rehabilitation of the historic building, and plans for exhibitions, as well as cultural and educational programming, the Autry National Center is working to secure a vibrant life for the Southwest Museum's next 100 years. I am pleased to serve as a charter member of The Southwest Society, a newly established group committed to restoring and revitalizing the Southwest Museum in the vision of its founder, Charles Lummis.

Through the years I have been fortunate to hold a number of community town hall meetings and art competition ceremonies at the Southwest Museum. Each time I visit this site, I am awestruck by the combination of the buildings' architecture, the natural oak tree-covered hillside, and the display of amazing artifacts—it really takes me back in time. When I go to the Southwest Museum, I find myself slowing down, and taking time to pause and wonder about eras and peoples past. We desperately need such historic treasures preserved in our communities and as part of The Southwest Society, I am committed to helping transform these preeminent historic resources into premiere cultural and educational destinations for even more Angelenos and visitors alike.

Madam Speaker, while I opened by highlighting the Southwest Museum's century-long service to the world wide community, I want to close by recognizing the nearby Northeast Los Angeles community neighbors' dedication and passion for the Southwest Museum. Many share an intense loyalty and kinship with this historic institution in their neighborhood. They've come to the museum as school children and then shared the displays with their own children. As these neighbors go about their daily errands, they gaze up to see the Southwest Museum's Caracol Tower understanding that this institution is part of their fabric of life. I know that many of these neighbors will be joining in this Sunday's celebration of the Southwest Museum's 100-year anniversary, and I also wish to salute them for their steadfast loyalty in seeking to preserve their wonderful neighbor.

IN HONOR OF THE LIPPMAN FAMILY'S PUBLIC SERVICE TO NORTH JERSEY'S SENIOR CITIZENS

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to join the Jewish community of North Jersey in honoring an extraordinary family that has made giving back a multi-generational legacy.

This Sunday, October 21st, the Jewish Home Foundation of North Jersey will honor the Lippman Family of New Jersey for their intergenerational support for programs and services aiding thousands of Jewish seniors. Bill and Doris Lippman instilled strong values of community, compassion, and service in their children, who in turn have passed those very values onto their children. As a result, three generations of Lippman lineage have spent countless hours supporting their synagogues, local charitable organizations, and senior care programs. Though the family mourns the passing of their tremendous matriarch Doris, they carry on her legacy with respect and love for her memory.

In Hebrew, the word commonly referred to as the equivalent of the English charity is tzedakah. But, as scholars often point out, tzedakah goes far beyond the simple concept of benevolence and generosity; it implies an act of justice and righteousness. The Lippman Family has taken this concept even further, making the love of giving back to one's community a gift that is passed down from generation to generation.

As the Jewish Home Foundation celebrates the opening of its newest assisted living facility in River Vale, New Jersey and continues its notable tradition of caring at the facility in Rockleigh, I join them in saluting the tremendous public service of the Lippman Family whose generosity and support has made the Foundation's work possible.

TRIBUTE TO LOUIS FINE

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. STUPAK. Madam Speaker, I rise today to pay tribute to a man who, throughout his life, exhibited leadership and dedication in serving the working men and women of the Upper Peninsula and our Nation. On Saturday, the men and women of Michigan's Upper Peninsula will honor Louis Fine by inducting him into the Upper Peninsula Labor Hall of Fame.

The organized labor movement enjoys a rich and storied history in Michigan's Upper Peninsula (U.P.). From the Copper Country mining strikes of 1913, which were immortalized in Woody Gutherie's 1913 Massacre, to the modern day, working men and women across the U.P. have a proud heritage of trade unionism. Likewise, throughout his life, Louis Fine exemplified that rich tradition, generously donating his personal time and effort to his local Union and to the Labor movement.

A member of the United Brotherhood of Carpenters and Joiners Local 598, Louis developed a reputation as someone always willing to go the extra mile and take on additional duties in support of his local union. Throughout his lifetime of union involvement, he served his union in many different capacities. He served as an Apprentice Instructor for carpenters and millwrights during the early 1990's. He was a delegate for his local Union to the Marquette County Labor Council, AFL–CIO. He also served as Treasurer and distinguished President of Local 958 for many years.

Louis was well respected and greatly loved, not only in the U.P. Labor movement, but in the greater Marquette community and, indeed, throughout much of the U.P. Beyond his work in the labor movement he was a dedicated community volunteer. Those who knew him

best describe how he was always willing to give of himself to help others, never asking or expecting recognition for his selfless acts. Not only did he regularly volunteer for Labor causes and programs, but he often made time to help programs for the disadvantaged and other charitable causes.

Perhaps one of Louis' greatest accomplishments for the Labor movement was the revival of the Upper Peninsula Labor Day picnic, parade and program in the early 1990s. Louis is widely recognized as the driving force that helped to reinvigorate this annual celebration, which means so much to the working men and women of the U.P.

After a lifetime of hard work, Louis Fine passed away in 2003. He is survived by his loving wife of many years, Betty.

Madam Speaker, one of the titans of the American Labor movement, the head of the American Federation of Labor Samuel Gompers once called Labor Day, ''[T]he day for which the toilers in past centuries looked forward when their rights and their wrongs would be discussed . . . that the workers of our day may not only lay down their tools of labor fore a holiday, but upon which they may touch shoulders in marching phalanx and feel the stronger for it.

Every year, as the working men and women of the U.P. march shoulder to shoulder, we remember and honor the sacrifices of our predecessors in the Labor movement. Henceforth, every Labor Day, as we remember our ancestors of the Labor movement, the working men and women of the U.P. will remember Mr. Louis Fine for bringing back the hallowed tradition of the annual U.P. Labor Day picnic and parade.

Madam Speaker, since 1993, outstanding labor leaders in northern Michigan have been honored with induction into the Upper Peninsula Labor Hall of Fame. The Hall of Fame is housed in the Superior Dome on the campus of Northern Michigan University in Marquette. Louis Fine is a deserving addition to this august group and, I salute his memory. I would ask, Madam Speaker, that you and the entire U.S. House of Representatives join me in recognizing his many contributions to the Upper Peninsula Labor movement, his dedication to all working men and women, and his commitment to the Marquette and Upper Peninsula community.

INTRODUCTION OF THE PARENTS' EMPOWERMENT ACT

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. HUNTER. Madam Speaker, today I am reintroducing a bill that is of extreme importance to our nation's parents and the future protection of their children: the Parents' Empowerment Act. As we all know, millions of children access the Internet and other interactive entertainment products each and every day. As this number increases, more and more of our nation's children are unexpectedly and tragically exposed to pornography and other indecent material. According to a study by Grunwald and Associates, 25 percent of American children have had at least one unwanted experience with on-line pornography. The Department of Justice, until the past few years, has not been prosecuting obscenity and child pornography cases.

The Parents' Empowerment Act is very simple. It allows the parent or legal guardian of a minor to sue, in a district court, any person who knowingly sells or distributes a product that contains material that is harmful to minors that:

I . A reasonable person would expect a substantial number of minors be exposed to the material and;

2. As a result of exposure to such material, the minor in question suffers personal injury, or injury to their mental or moral welfare.

If the minor is the prevailing party, they will be awarded a minimum of $10,000 for each instance of damaging material. In addition, the court can order the minor's attorney fees to be covered and punitive damages to be awarded.

This bill establishes a new and appropriate test for what is obscene for a minor. Currently, the United States Supreme Court utilizes the ''Miller Test'' to determine if material can be labeled obscene and not protected by the First Amendment. The Parents' Empowerment Act builds upon the same test, but, in the case of minors, modifies the ''third prong'' of the test by requiring any material to ''lack serious literary, artistic, political and scientific value for minors sufficient to overcome the pernicious effect of that material.'' In other words, what is obscene for an adult is entirely different than what should be considered obscene for a minor and, as a result, should be treated as such.

Madam Speaker, this legislation is a step in the right direction in providing parents with the resources they need for what is their number one priority, protecting their kids. I am proud to once again introduce the Parents' Empowerment Act and request my colleagues give this important legislation their utmost consideration.

MEXICAN TRUCKS ON AMERICAN ROADS

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. BACA. Madam Speaker, I want to thank Congressman TIM RYAN and others for organizing a special order to discuss the dangers of allowing Mexican trucks on American roads.

I rise today because I am concerned that allowing Mexican trucks open access to American roads will threaten American wages and the safety on our highways.

There is no question that foreign competition from lower paid Mexican drivers will compromise the hard and dedicated fight by American workers.

American workers deserve fair wages for their hard work and Mexican workers should not be exploited either.

There are concerns about safety including whether Mexican trucks are safe and what allowing them on U.S. highways would do.

There is no question that road safety and vehicle standards in Mexico are not the same as what we require in the United States of America.

I believe that both the United States and Mexico should have a strong and healthy workforce but the U.S. worker should not be the compromise.

Let us protect the American worker and not compromise the safety and well-being of our children and families.

HONORING THE TOP DOG ALUMNI

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate all of the Top Dog Award recipients from California State University, Fresno.

The Top Dog Awards is a great tradition for CSU Fresno. It allows the University to honor alumni that continue to give back to the University. There are three award categories; Distinguished Alumnus Award, Outstanding Alumni Awards and the Arthur Safstrom Service Award.

The Distinguished Alumnus Award is the highest honor given to an alumna of the University. The award is based on scholarship, leadership and service to CSU Fresno, the San Joaquin Valley and the State of California. It has been established to provide special recognition to an individual who has distinguished themselves through outstanding achievement during their post-collegiate career. The University President and the Alumni Association present the award.

For 2007 the Distinguished Alumnus Award is being awarded to Larry Dickenson, class of 1965. Mr. Dickenson is Boeing Company's Commercial Airplanes Group Senior Vice President of Sales. He was raised in Bakersfield, California and graduated from CSU Fresno with a Bachelor's Degree in Business Administration. From there he has worked with McDonnell Douglas Corporation, Texas Air Corporation and began his career with Boeing in 1986 as the Vice President of Asia/Pacific for the Commercial Airplanes Group. Mr. Dickenson has won major contracts that have helped to assure the launch of Boeing's 787 Dreamliner passenger aircraft. He also helped Boeing consolidate sales of cargo jets in the Pacific Rim market and interest airlines in the company's more efficient new 747–8 jumbo jetliners. Mr. Dickenson was named as one of ''World Trade's 25 Most Influential U.S. Global Visionaries'' in the June 1997 issue of World Trade magazine, and was featured in Investor's Business Daily in the ''Leaders and Success'' column. With all of this success, Mr. Dickenson still finds the time to be active in service to CSU Fresno by serving on several boards, including the National Board of Visitors.

The Outstanding Alumni Awards recognizes a CSU Fresno alumna for outstanding accomplishments in their field and to present such alumni to current CSU Fresno students as examples of exceptional achievement. The Alumni Association works in conjunction with the deans of CSU Fresno's eight schools/colleges, as well as the dean of student affairs and the athletic director to identify and select candidates for the awards.

This year there are fourteen Outstanding Alumni Awards from the various schools, colleges and divisions. The honorees are:

Rod Kraft (class of 1977) from the Athletics Department, football. Mr. Kraft is a family and

sports medicine physician, practicing in Fresno. He has assisted CSU Fresno student-athletes for numerous years.

Ernest A. Bedrosian (class of 1955), Krikor Y. Bedrosian (class of 1957) and J. Kenneth Bedrosian (class of 1967) from the College of Agricultural Sciences and Technology. The brothers are partners and leaders in the raisin industry.

John E. Horstmann (class of 1958) from the Craig School of Business. Mr. Horstmann is president of Horstmann Financial and Insurance Services in Fresno. He has been an agent of New York Life Insurance Company for almost fifty years.

James Finley (class of 1974) from the Division of Graduate Studies. Mr. Finley works the U.S. Department of Defense as the deputy undersecretary for acquisition and technology.

Larry Powell (class of 1971) from the Kremen School of Education and Human Development. Mr. Powell was elected to the Fresno County Superintendent of Schools is 2006 and has also served on numerous advisory boards for CSU Fresno.

Charles ''Frank'' Markarian (class of 1962) from the College of Engineering. Mr. Markarian has worked in assessment and development of advanced technologies for air-launched weapons. He was awarded the U.S. Navy's highest award for civilian service.

Dr. Bette Rusk Keltner (class of 1972 and 1974) from the College of Health and Human Services. Dr. Keltner is the Dean of the School of Nursing and Health Studies at Georgetown University.

Dr. Marlene Dong Wong (class of 1969) from the Henry Madden Library. Dr. Wong is the Director of Crisis Counseling and Intervention Services for the Los Angeles Unified School District and is considered to be an expert on school safety programs.

Dr. Joan Otomo-Corgel (class of 1972) from the College of Science and Mathematics. Dr. Otomo-Corgel is a former CSU trustee who is a dentist and a UCLA adjunct professor. She serves on the CSU Fresno National Board of Visitors.

Steve Magarian (class of 1972 and 1974) from the College of Social Sciences. Mr. Magarian is a former Fresno County sheriff.

Gerald Tahajian (class of 1963) from the Division of Student Affairs. Mr. Tahajian was a CSU Fresno student body president and is now a prominent lawyer.

The third award, the Arthur Safstrom Service Award, is awarded to an alumna or friend of CSU Fresno who has given outstanding service to the Alumni Association and/or the University. This year the award is presented to Rosellen Kershaw (class of 1947), whose volunteer services and financial support has benefited numerous community organizations, including the University.

Madam Speaker, I rise today to commend and congratulate all of the Top Dog Award recipients for their individual contributions. I invite my colleagues to join me in wishing the honorees many years of continual success.

IN RECOGNITION OF THE RETIREMENT OF DR. BETTY CLECKLEY AND HER YEARS OF SERVICE TO MARSHALL UNIVERSITY

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. RAHALL. Madam Speaker, I rise today to recognize Dr. Betty Cleckley, a dedicated educator for her 17 years of service and leadership to Marshall University. She has been at Marshall since 1989 when she accepted the new position of Vice President for Multicultural Affairs in Huntington, West Virginia. For her years of service to the students, faculty and staff of Marshall University and the community of Huntington I offer my deepest thanks and gratitude.

A native West Virginian, Dr. Cleckley graduated from Douglass High School before going on to earn a Bachelor of Science degree from Marquette University, a Master of Social Science degree from Smith College, A Ph.D. degree from Brandeis University and a post doctoral certificate in Higher Education Management from Harvard University.

Before working at Marshall, Dr. Cleckley held a number of administrative and teaching positions in the health and higher education fields. She was Associate Dean and Associate Professor of the School of Social Work at the University of Tennessee, Knoxville; Assistant Vice President of Academic Affairs, Interim Vice President of Institutional Advancement and Executive Assistant to the President and Coordinator of Meharry's Centers of Excellence at Meharry Medical College, Nashville, Tennessee. She also served as the Director of the Black College Initiative at the Agency on Alcohol, Drug Abuse, and Mental Health Administration in Washington, DC.

In 1989, when Dr. Cleckley returned to Huntington, she did so with dreams of making a difference in her hometown community. The Harmony Institute at Marshall University was one of the many dreams she was able to realize during her tenure. The institute was conceived in 1997 with the mission to actively promote an appreciation for human and civil rights, social justice and racial harmony among students, administrators, faculty and staff, as well as among residents of surrounding communities so that they may have a global impact on achieving racial equality in this rapidly changing multicultural society. Over the years, the Harmony Institute has continued to fulfill that multicultural mission through community engagement and scholarly developments.

During her time at Marshall, she has been an active member of the community and has been honored many times over for her hard work and dedication. Dr. Cleckley served on the State of West Virginia Human Rights Commission and currently serves on the Martin Luther King, Jr. State of West Virginia Holiday Commission, Cabell Huntington Hospital Foundation and the Center for Aging and Health Care in West Virginia, Ins. She is also a life member of the National Association for the Advancement of Colored People.

Some of the many honors she has received are: ''The WV Civil Rights Award'' from the Governor of West Virginia in 2003, the ''Celebrate Women Award in Education'' award by the West Virginia's Women Commission in 2003 and the ''Betty Jane Cleckley Minority Research Award'' which was established by the American Public Health Association and recognizes research on minority health issues, particularly among the elderly.

In her poem, ''Still I Rise'', poet and educator Maya Angelou writes:

Just like moons and like suns,
With the certainty of tides,
Just like hopes springing high,
Still I'll rise.

Time and again, Dr. Betty Cleckley has proven her ability to rise up and take on new challenges. Her time at Marshall has left an indelible footprint and a legacy that will be a hard act to follow. I wish Dr. Cleckley my best in all of her future endeavors and know that whatever new tasks she decides to take on, she will as always rise to the challenge.

PERSONAL EXPLANATION

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Ms. MATSUI. Madam Speaker, I was unavoidably detained on Wednesday afternoon, October 17, 2007 and missed 2 votes. Please note in the appropriate place in the CONGRESSIONAL RECORD that had I been present, I would have voted as noted below: Rollcall vote 979 nay; Rollcall vote 980 yea.

A MAN OF HONOR, A LIFE OF VALOR (CAPTAIN RICHARD MACON)

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. CONYERS. Madam Speaker, I rise today to pay homage to a great American. CPT Richard Macon was not only a hero to this country, but an example of how true tenacity can overcome any obstacle. Richard Macon, a prestigious Tuskegee Airmen and one of this country's most skilled pilots, taught us that determination and commitment have the ability to help one achieve his/her dreams. Captain Macon also taught us that even the ugly head of discrimination and institutional racism cannot suppress the enduring American spirit which keeps this country a leader in the world.

Macon, with a bachelor's degree in mathematics, joined the Army Air Forces in 1943 and graduated from the segregated flying school for black airmen at Tuskegee, AL, to become a fighter pilot. Lt. Macon served as a replacement pilot with the 99th Fighter Squadron and had 16 successful missions to his credit. On August 12, 1944, he was strafing ground targets over southern France when his P–51 Mustang was hit by ground fire while escorting bombers over a German radar station. His plane was flipped upside down at treetop level and the right wing separated. Macon learned that his plane had crashed into a building used by the Germans as a headquarters, killing 40 German officers and soldiers. Macon's neck was broken and the lower

part of his body was temporarily paralyzed. Narrowly missing being shot by a firing squad, he became a war prisoner for more than 9 months. Captain Macon is quoted as saying, ''It was the greatest feeling in the world, seeing them tear down the swastika and raising the stars and stripes.'' That feeling was tempered when he returned home on a troop ship at Boston Harbor. There he was greeted by the grim reality that African Americans still had a long way to go. At the end of the gangplank were two directional signs: white go this way and colored go this way,'' he said. ''Uh huh, the war is just starting.'' Captain Macon's decorations include the Air Medal, Presidential Citation and Purple Heart. He retired with the rank of Captain.

Macon's life itself is a lesson in how to succeed but Richard Macon's desire to teach others led him to acquire a master's degree and join the ranks of public education, teaching at the high school level at Northern High School and progressing to the level of principal and personnel administration in his later years. He was a truly caring person who enjoyed helping others and believed in education as a means of bettering oneself. We will remember him as an officer, a gentleman, a teacher, and a leader amongst men of greatness.

RECOGNIZING THE 130TH ANNIVERSARY OF THE CITY OF BAKERSFIELD FIRE DEPARTMENT

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. MCCARTHY of California. Madam Speaker, I along with my colleague Congressman COSTA, would like to recognize the City of Bakersfield Fire Department on 130 years of excellent service to the residents of Bakersfield, Kern County, and the surrounding area in the Central Valley of California. Congressman COSTA and I both represent the City of Bakersfield and are extremely supportive and proud of the Bakersfield Fire Department.

In 1868, Colonel Thomas Baker moved into the Central Valley and settled near the present-day intersection of Truxtun Avenue and R Street. Recognized as a good neighbor, Colonel Baker would help people fight fires using buckets, a hand-drawn hook and ladder truck, and several hand-drawn two wheeled hose carts.

In 1877, the City of Bakersfield Fire Department was officially formed, relying first on hand-drawn and eventually on horse-drawn carts. Today, the Bakersfield Fire Department consists of 13 fire stations, uses modern equipment and has 13 engine companies. The department employs 183 professionally trained and sworn firefighters and 25 dedicated civilians. In fact, the Central Fire Station, which was constructed in 1939, is still in operation today.

What started in 1877 as a group of residents who wanted to keep their developing town safe from fires is now a professional, disciplined, and elite force that serves and protects more than 300,000 people and has a primary jurisdiction of more than 83,000 acres. In addition to its primary responsibilities in Bakersfield, the Fire Department also provides support services to neighboring jurisdictions in the event of natural disasters, forest fires, and other emergencies.

My family and I have a history fighting fires in the area. My father, Owen, was an Assistant Chief for the Bakersfield Fire Department. My uncle, Tom, was the Chief of the Kern County Fire Department. Like my uncle, I also worked for the Kern County Fire Department as a Seasonal Firefighter.

For well over a century, the City of Bakersfield Fire Department has been fighting the area's fires, earning these firefighter professionals the respect and admiration of a grateful community. It is a singular person who races into burning buildings at risk of life and limb to save the lives of fellow human beings, and to drive with sirens wailing towards disaster areas to provide vital emergency and recovery services, when others are evacuating. Congressman COSTA and I are fortunate that the City that we both represent is protected by our brave firefighters. The Bakersfield Fire Department, through the service of its current and former employees, has exemplified dedication to service in the Bakersfield area for the past 130 years. I am honored to recognize the Bakersfield Fire Department's 130th Anniversary.

PERSONAL EXPLANATION

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, due to the death of my mother, I was unable to be present for rollcall votes 961–979 on Monday, October 5 through Thursday, October 18, 2007. I would like the RECORD to reflect that had I been present, I would have voted in the following manner:

''Yea'' on rollcall votes 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 973, 974, 975, 976, 977, 978, 980, 981, 982; and

''Nay'' on rollcall votes 972, 979.

IN HONOR OF A YOUNG HERO, JAZMYNE ROBINSON

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise today in recognition of a special young hero in my district.

Jazmyne Robinson is only nine years old, yet when she found her two year old brother floating face down in the family swimming pool, she had the presence of mind to call her father for help and then immediately dial 911. Keeping her composure, she gave her address to the operator and remained on the phone until help arrived.

The unconscious two year old was rushed to Joe DiMaggio Children's Hospital at Memorial Regional Hospital in Hollywood, where he made a full recovery after one month in a coma.

It is important that Jazmyne is recognized not only for her heroism, but so that her lifesaving actions can set an example for others. Touched by Jazmyne's heroic deed, and her baby brother's miraculous recovery, the Baby Otter Swim School in Fort Lauderdale presented the family with a gift package of free swim lessons and two water safety DVD's. The surviving toddler is no longer afraid of the water and loves to swim.

Unfortunately, not every story has a happy ending. The Center for Disease Control estimates that nine people die every day due to unintentional drowning. It is the second leading cause of death for children ages one to fourteen, and in California, Arizona and Florida, it is the number one cause of death in children under five.

The importance of drowning prevention and swimming pool safety cannot be emphasized enough. We must all work together to dramatically lower the drowning statistics in the United States and around the world. Jazmyne Robinson is an example that no one is too young or too small to benefit from pool safety and drowning education. Her heroic efforts were rewarded with a medal of honor from the Baby Otter Swim School at a ceremony with the Pembroke Pines Mayor and Broward County Commissioners.

Last week, the House of Representatives passed H.R. 1721, The Virginia Graeme Baker Pool and Spa Safety Act, a bill that I sponsored which seeks to prevent incidents like the one that would have taken the life of Jazmyne's brother had it not been for her heroism. Our nation is touched by Jazmyne's courage and fast action.

THE U.S. INSTITUTE OF PEACE, USIP

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. INSLEE. Madam Speaker, 40 years ago, U.S. Senator Vance Hartke envisioned the creation of the U.S. Institute of Peace, USIP. Now, the realization of his dream is taking shape. We have broken ground on a new building to house the USIP on the consecrated ground of the National Mall in the Nation's capital between the Lincoln Memorial and the Kennedy Center. Senator Hartke's dream truly is a manifestation of the most ancient and ageless dream of humanity—enduring peace on earth. ''I have the unshakeable conviction,'' Senator Hartke declared when he introduced the legislation, ''that we will have it within our power and capacity not only to end the Vietnam War, but the syndrome of war itself.''

This center is not the only mark on democracy he has left behind. His son Jan continues to help shape the country in the finest tradition of his father in many matters, including efforts to stop global warming, itself a threat to long-term peace.

The USIP will not be a monument to an individual nor a memorial to a significant event in our Nation's past; instead, it will be a building dedicated to an idea and the future of all people. It will be a working building where scholars with different disciplines can sift through the dynamics of war and peace and gain insights that can help America and the world avoid unnecessary or accidental conflicts and wars. With its large auditorium, it will be a place where heads of state from many different lands and cultures will be able to address their own strategies for peace. Most of

all, it will be a place that illuminates and advances the greatest ideal of all. For without peace, all our other cherished causes and values cannot prevail.

The idea for the USIP arose during the Vietnam war, when Senator Hartke had just broken with his close friend, President Johnson. Even though Senator Hartke opposed the war because he believed it was morally indefensible and financially antithetical to the goals of the Great Society, President Johnson interpreted dissent as disloyalty to him and his administration. At that point, Senator Hartke realized that something was missing in the Nation's decision-making apparatus on the great issues of war and peace. Senator Hartke's son Jan remembers, ''Late at night, Dad would be sitting in his chair, reading stacks of books about the causes of past wars. He was appalled at how many wars could have been avoided, reduced in their severity or shortened. He concluded that America needed a non-partisan voice with analytical depth and institutional heft whose sold mandate was to make the case for peace, especially when the drums of war beat the loudest.'' Senator Hartke saw the USIP as a trusted, convincing and unequivocal voice for peace that could speak to the President, the Congress and the people.

Senator Hartke knew the terrible costs of war, having served with both his brothers in WWII. He passed legislation to create the Veterans' Affairs Committee in the U.S. Senate. He wrote the law to establish the Business People's Peace Corps and the International Executive Service Corps, to address the root causes of war. Along with USIP, he also introduced legislation to create a cabinet-level Department of Peace.

Senator Hartke's challenging and prophetic words still ring true today, ''The attainment of a just and lasting peace will be the supreme moral achievement of civilization. Yet it will not be won by the cynics or the naysayers, nor by those who are afraid of ridicule for being perceived as soft or utopian, nor by those lacking infinite patience or resolve. The victory of world peace will be won by those hearts and minds that never give up on the noblest quest of them all. For in the end, it is the dreamer who is the greatest realist.''

Senator Hartke's dedication to peace was recognized widely. His widow, Martha, recalls, ''After Vance passed away in 2003, his friend President Clinton called my son and told him, 'When I came to work in the Senate as a young man, I saw your father as a shining star because of his principled opposition to the Vietnam War.' '' Through the work of the U.S. Institute of Peace, Senator Hartke's star need not fade, but will continue to shed light on the path to peace.

CONGRATULATING DR. SCOTT RANSOM

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. BURGESS. Madam Speaker, I rise today to congratulate Dr. Scott Ransom for becoming the fifth president of the University of North Texas Health Science Center in Fort Worth, Texas in August of 2006.

Prior to his Presidency at the University of North Texas Health Science Center, Dr. Ransom served as the executive director of the Program for Healthcare Improvement and Leadership Development at the University of Michigan at Ann Arbor. He was also director of Women's Health and Gynecology at the Ann Arbor VA Medical Center. Dr. Ransom has served as the Senior Vice President and Senior Quality Officer at the Detroit Medical Center, as well as the Medical Director and OB/GYN Head at the Henry Ford Health System in Detroit.

Since 2003, Dr. Ransom has led research and consulting teams that focus on improving health care delivery, women's health, leadership development and performance improvements. He has also led research in health disparities, including infant mortality, an issue that is very important to my district.

His efforts have garnered significant funding from reputable organizations such as the National Institutes of Health and the National Science Foundation.

Dr. Ransom has a master of business association degree from the University of Michigan at Ann Arbor, and a doctor of osteopathic medicine degree from the University of Health Sciences' College of Osteopathic Medicine in Kansas City. He is involved with such organizations as the American College of Healthcare Executives, the American College of Physician Executives, the American College of Surgeons, and the American College of Obstetrics and Gynecology. He has published over 100 articles and seven books related to clinical improvement.

The North Texas region is truly fortunate to have the type of dedicated medical professional that Dr. Scott Ransom personifies, and I wish him every success during his tenure as president at the University of North Texas Health Science Center.

HONORING CADET COLONEL DANIEL ROMAN

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. ROSKAM. Madam Speaker, it is my great pleasure to rise today to recognize an outstanding young man from my Congressional District, Cadet Colonel Daniel Roman, for his remarkable achievements as a member of the Civil Air Patrol.

In just a few days, Daniel will be presented with the General Carl A. Spaatz Award. The Spaatz Award is the Civil Air Patrol's highest cadet honor, presented to cadets who demonstrate extraordinary leadership, character, fitness, and aerospace knowledge. For every one thousand cadets, only two are selected for this distinct honor.

Daniel first joined the Civil Air Patrol in July 2000. From his first moments in Fox Valley Composite Squadron IL–274, Daniel has exhibited a true love of flying. His hard work and commitment paid off as he was chosen to attend Officer Training School in Wisconsin and Air Education Training Command at Laughlin Air Force Base in Texas. Throughout his time in the Civil Air Patrol, Daniel has set an example for others. For over 7 years, he committed himself fully to learning and developing the skills of a seasoned member of the Civil Air Patrol.

On June 15, 2007, Daniel successfully completed the Carl A. Spaatz Exam, the final stage of a long and grueling journey through sixteen rigorous skill tests. Having overcome this final obstacle, he now joins the ranks of the Civil Air Patrol's best and brightest, a recipient of the General Carl A. Spaatz Award for outstanding cadets.

Daniel, today I join with your family and friends in offering my congratulations for this well deserved honor. You've made us all proud.

Finally, Daniel, I want to challenge you to maintain the dedication and commitment that has taken you so far already. Although the road ahead of you surely contains many more challenges, you have shown that you can and will overcome each obstacle as you pursue your dreams.

Madam Speaker and distinguished colleagues, please join me in congratulating Cadet Colonel Daniel Roman, recipient of the Civil Air Patrol General Carl A. Spaatz Award.

WDAS-AM: A PIONEERING AFRICAN AMERICAN VOICE IN PHILADELPHIA, PA

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. FATTAH. Madam Speaker, I rise today to recognize and memorialize WDAS-AM, a pioneering radio station in Philadelphia, Pennsylvania, for its extraordinary and historic acts of cultural, spiritual and political bravery. This organization has stood for the causes of freedom and justice in helping secure the civic and human rights of African Americans and deserves the recognition and thanks of this body. The momentous victories of the civil rights and protest movements, aided by WDAS, led the United States on a new path recognizing the human dignity of all people and sparking the modern movements for the rights of women, Native Americans, Hispanics and other historically disenfranchised people.

Although WDAS in its historic role is effectively gone, the station's phenomenal impact on my hometown and our nation is a story that should be told. I am sharing, for the record, a letter I received from Wynne Alexander, a Philadelphian who is both a historian of WDAS and the daughter of a station co-founder. I believe her words are helpful in understanding this remarkable story.

In 1951, Dr. Max M. Leon and Bob Klein undertook a revolutionary endeavor, instituting one of the nation's first Black Radio stations, WDAS–AM of Philadelphia, Pennsylvania. This industry-leading broadcast facility had a galvanizing social impact in our state, and in fact, across this country. This was not just a radio station, it was a cultural institution bringing its listeners aspects of every known societal necessity from award winning news coverage, to the finest musical programming, to governmental and religious affairs.

Thanks to their pioneering actions, station WDAS–AM was eventually joined by other such stations. But none was ever more effective in standing for justice and encouraging enlightenment both locally and nationally. Because of its unique position and timing,

its contributions to the causes of freedom and justice make WDAS–AM the premiere Black station in the history of this country.

Dr. Leon and Mr. Klein did not do this in a time of peace and prosperity. It was a time of dangerous social upheaval. The realities of Jim Crow America were still very much alive in 1951, including racially motivated murders of social progressives, lynchings, segregated schools, housing, public transportation, drinking fountains, and certainly the majority of White shop owners did not want Black people shopping in their stores. This was the climate in which Leon and Klein found themselves having to change the minds of White, retail America, showing them and Madison Avenue the humanity, strength and beauty of the Black community. In their everyday actions, these two White men finessed, asked, implored and when necessary demanded that the rest of White Philadelphia and White America respect the Black community the way they did. What Max Leon did in allowing his young son-in-law to make this stand was an extraordinary act of courage and should go down as one of the greatest leaps of faith in the history of American Business.

WDAS was the only station to stand up for the rights of minority broadcasters, successfully suing Arbitron Industries, proving they were racist in their listenership accounting methods of America's minorities. In winning this class action judgment against Arbitron, WDAS paved the way for equality in the market place for all minority broadcasters and with the ensuing enhanced revenues, proved to all of corporate America the vitality and economic strength of the Black community.

By the mid 1950s, WDAS had established one of the first and only full service broadcast news departments providing major coverage of every civil rights breakthrough during a historic era in our nation's history. The newsroom was packed with cutting edge, highly talented journalists. WDAS was there bringing first hand reporting from Brown v. the Topeka Board of Education, Rosa Parks' refusal to take a back seat, the Montgomery Bus Boycott, to the Little Rock, Arkansas riots, the Birmingham Church Bombings, the integration of Alabama University, Dr. King's marches on Washington D.C., his winning the Nobel Peace Prize, the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965. WDAS reporters and radio personalities covered every aspect, from the marches in the street to the presidential signatures at the White House.

WDAS was responsible for bringing Dr. King to Philadelphia, forging his alliance with NAACP president Cecil Moore, Esq. WDAS then sponsored a parade down Market Street in Philadelphia introducing Dr. King to the city. They also commissioned buses taking Freedom Riders to the South and supplied buses to take people to all of Dr. King's marches. WDAS' unprecedented and innovative programming efforts are also credited with keeping Philadelphia calm in the wake of King's assassination. Other cities expressed their anguish in violent riots. Philadelphia mourned their loss in the non-violent manner Dr. King always advocated.

In a letter written one year after King's assassination, King confidant and Ambassador Andrew Young said this about WDAS:

''For the past number of years WDAS and its manager Robert Klein have been of great service to Dr. King and the Southern Christian Leadership Conference. They have supported us editorially, financially, spiritually and with a great amount of their air time. . . To our knowledge there is no station in America that has worked harder, longer and with more dedication for Black people than WDAS in Philadelphia.''

Demonstrating its enormous cultural awareness and forward thinking, WDAS also made a broadcast home for Malcolm X. Very few, if any stations can make that claim and almost none of them welcomed both Dr. King and Malcolm X, during their lifetimes.

WDAS also celebrated a resounding victory against racism when it supported and partnered with Cecil Moore, Esq. in his victorious effort to integrate Girard College. This move was first advocated years earlier on the station's airwaves by revered Philadelphia Common Pleas Court Judge Raymond Pace Alexander.

For decades, WDAS was instrumental in leading, supporting and encouraging the various consciousness-raising and financial boycotts to curtail United States business involvement in South Africa until that government effectively fell, ending its racist policies.

Years earlier, WDAS was also the spearhead when Rev. Dr. Leon Sullivan launched his boycott against the Greyhound Bus Company in Philadelphia. Together they were successful in racially integrating the staff of drivers and personnel.

Rev. Sullivan and the Zion Baptist Church were not alone. From Bright Hope Baptist to the Church of the Advocate and many more stops in between, the ''overground'' railroad forged by WDAS performed major works of social progress in partnership with the leaders of every major church in Philadelphia and neighboring states as well. Their hands of partnership also extended to any and all of the smaller churches within that area.

WDAS held numerous ''radiothons'' raising money to benefit churches and people in need. One of the most famous of these broadcasts was a House of Umoja-inspired ''life-a-thon''—a gun surrender program where gang members and others brought in their weapons and pledged themselves to the principles of non violence.

WDAS worked with hundreds of national and local social activists among them, Dick Gregory and Father Paul Washington helping to calm the city during the days after the King assassination. WDAS assisted a future national leader in youth awareness, Sister Falaka Fattah of the House of Umoja, who was strategizing and creating revolutionary ways of handling troubled young people in an extraordinary effort to stop the frightening gang warfare and fatalities gripping the city in 1969 and '70. Partnering with other exceptionally brave, strong, predominantly female social activists, WDAS News and the station's Public Affairs Departments helped dramatically cut those gang death statistics through a concerted effort of community outreach, special news reporting and social programs.

WDAS launched an anti-drug campaign in the early 1970s. The highly vaunted ''Help A Junkie Bust A Pusher'' program helped the station win one of its 13 Valley Forge Freedom Foundation Medals. Those medals were joined by scores of Associated Press Awards and recognition from other social, journalistic and governmental organizations dedicated to amelioration. The station's ''Job Hunt'' program, initiated at the height of a crippling recession and the editorial excellence of Jim Klash won the station the highly coveted Armstrong Award.

WDAS was also responsible for the legendary Freedom Shows where the finest Rhythm and Blues talent in the world was brought into Philadelphia for the benefit of worthy civil rights and social organizations. This amazing care and concern was also amplified by the station's award winning public affairs department.

WDAS was also the home of one of the first Black talk shows in the history of this country, the first in Philadelphia and probably the first show on the East Coast: The Listening Post, with Joe Rainey.

WDAS charities raised and distributed hundreds of thousands of pre-1980 dollars to thousands of people in the tri-state area, year after year.

WDAS also contributed to the enormous popularity of Rhythm and Blues music and helped elevate African American R & B artists. At a time when Black artists could not get their records played on White radio stations, at a time when Black radio talent could not get hired at White stations, at a time when Black artists were being paid as little as one tenth of what White artists were making, at a time when Black artists could not walk through the lobbies of the clubs in which they were appearing, WDAS forged an atmosphere of respect and reverence, creating quality showcasing for what was destined to become one of this country's greatest musical contributions to the world. The list of R & B stars helped by WDAS is hundreds of names long. The music history books note WDAS was the first in the country to play records by Sam Cooke, Aretha Franklin, The Beatles, Marvin Gaye, Buddy Holly, The Jackson 5, Stevie Wonder and Will Smith. WDAS also created jobs and respect for Black talent in every phase of broadcasting and radio production. Radio remained a very segregated industry well into the 1970s. WDAS not only gave opportunities to racial minorities, their staff of women on-the-air was equally impressive.

So let us recognize that this outpouring of caring concern, extraordinary strength, diligence and humanity brought about profound social changes which benefited an entire nation. This magnificent endeavor of amelioration allowed us to benefit from the gifts and talents of all of our people. Let this cultural institution be remembered for the beacon it was, lighting the way in times of need, and in so doing, inspiring similar visionary efforts for future generations to come.

I thank Ms. Alexander for sharing this story and commend the work of her father and all of the people involved in the laudable work done by WDAS–AM in Philadelphia over the years on behalf of our community, country and world. While there is certainly more work to be done, we would not have come this far without these brave and dedicated souls.

CONGRATULATING MEREDITH LARSON

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 18, 2007

Mr. BURGESS. Madam Speaker, I rise today to congratulate Miss Meredith Larson of Pilot Point, Texas on receiving the award for Grand Champion Steer at the Annual Youth Livestock Auction at the State Fair of Texas.

Miss Larson's steer, named Rock Star, was purchased for a record-breaking $94,000 by the Affiliated Multi-Family Services Inc. Miss Larson's earnings total $30,000 which she plans on using to help finance her education.

Rock Star first won its weight class, then, advanced to the division competition. Miss Larson then took Rock Star onto the grand drive, which includes one steer from each weight class.

Miss Larson has been competing in livestock shows since she was 8 years old and is a member of Future Farmers of America (FFA). She competes in jackpot shows

throughout the year as well as the larger shows such as the Fort Worth Stock Show, which she plans to compete in this January.

Miss Larson is a notable example of how students in the 26th District are committed to achievement not only in the classroom but outside the classroom as well. It is an honor to represent her in the U.S. House of Representatives.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S13029–S13135

Measures Introduced: Sixteen bills and six resolutions were introduced, as follows: S. 2191–2206, S.J. Res. 21, S. Res. 351–353, and S. Con. Res. 50–51. **Pages S13077–78**

Measures Passed:

National Character Counts Week: Senate agreed to S. Res. 351, designating the week beginning October 21, 2007, as "National Character Counts Week". **Pages S13130–31**

United States-Mongolia Relations: Senate agreed to S. Res. 352, expressing the sense of the Senate regarding the 20th anniversary of United States-Mongolia relations. **Pages S13131–32**

Fair Elections in Lebanon: Senate agreed to S. Res. 353, expressing the sense of the Senate regarding the importance of a sovereign, democratic, and prosperous Lebanon and the need for free and fair presidential elections in Lebanon without intimidation or foreign interference. **Page S13132**

Lights on Afterschool: Senate agreed to S. Con. Res. 51, supporting "Lights On Afterschool!", a national celebration of after school programs. **Pages S13132–33**

NASA Langley Research Center Anniversary: Senate agreed to H. Con. Res. 222, commending NASA Langley Research Center in Virginia on the celebration of its 90th anniversary on October 26 and 27, 2007. **Page S13133**

Technical Corrections: Senate passed S. 2206, to provide technical corrections to Public Law 109–116 (2 U.S.C. 2131a note) to extend the time period for the Joint Committee on the Library to enter into an agreement to obtain a statue of Rosa Parks. **Pages S13133–34**

Veterans' Compensation Cost-of-Living Adjustment Act: Committee on Veterans' Affairs was discharged from further consideration of H.R. 1284, to increase, effective as of December 1, 2007, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and the bill was then passed, clearing the measure for the President. **Page S13134**

Atlantic Freedom Tour of the Freedom Schooner Amistad: Senate agreed to S. Res. 258, recognizing the historical and educational significance of the Atlantic Freedom Tour of the Freedom Schooner Amistad, and expressing the sense of the Senate that preserving the legacy of the Amistad story is important in promoting multicultural dialogue, education, and cooperation. **Page S13134**

Government of Libya: Senate passed S. 1839, to require periodic reports on claims related to acts of terrorism against Americans perpetrated or supported by the Government of Libya. **Pages S13134–35**

Measures Considered:

Labor/HHS/Education Appropriations Act: Senate continued consideration of H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, taking action on the following amendments proposed thereto: **Pages S13032–70**

Adopted:

DeMint Amendment No. 3340 (to Amendment No. 3325), to provide that none of the funds made available under the Act may be used to circumvent any statutory or administrative formula-driven or competitive awarding process to award funds to a project in response to a request from a Member of Congress. **Pages S13033, S13034**

Dole Amendment No. 3341 (to Amendment No. 3325), to provide funding for the National Cord Blood Stem Cell Program. **Page S13035**

By 90 yeas to 3 nays (Vote No. 374), Harkin Amendment No. 3368 (to Amendment No. 3325), to provide funding for activities to reduce infections from methicillin-resistant Staphylococcus aureus (MRSA) and related infections. **Pages S13046–47, S13048–49**

By 89 yeas to 4 nays (Vote No. 375), Byrd Amendment No. 3362 (to Amendment No. 3325), to increase funding for the Mine Safety and Health Administration. **Pages S13044–46, S13049**

By 81 yeas to 12 nays (Vote No. 376), Brown/Voinovich Amendment No. 3348 (to Amendment No. 3325), to provide funding for the Underground Railroad Educational and Cultural Program.

Pages S13036, S13049–50

Coburn/Kyl Amendment No. 3321 (to Amendment No. 3325), to provide additional care for pregnant women, mothers, and infants by eliminating a $1,000,000 earmark for a museum dedicated to Woodstock. (By 42 yeas to 52 nays (Vote No. 377), Senate earlier failed to table the amendment.)

Pages S13036–41, S13050–51

Brown Amendment No. 3349 (to Amendment No. 3325), to prohibit the Secretary of Education from using funds with respect to an evaluation for the Upward Bound Program until congressional examination of the regulation providing for such review. **Pages S13036, S13057–59**

By 68 yeas to 25 nays (Vote No. 378), Harkin (for Reid) Amendment No. 3395 (to Amendment No. 3325), to clarify the application of current law.

Pages S13059, S13061–62

Landrieu Amendment No. 3402 (to Amendment No. 3325), of a perfecting nature. **Pages S13066–67**

Harkin (for Coburn) Amendment No. 3323 (to Amendment No. 3325), to provide an annual report card for the Department of Education. **Page S13067**

Harkin (for Alexander) Amendment No. 3337 (to Amendment No. 3325), to express the sense of the Senate regarding science teaching and assessment.

Page S13067

Harkin (for Salazar) Amendment No. 3355 (to Amendment No. 3325), to allocate funds to the Traumatic Brain Injury (TBI) Model Systems of Care Program. **Page S13067**

Harkin (for Alexander/Bingaman) Amendment No. 3375 (to Amendment No. 3325), to provide funds for partnership grants for teacher preparation under title II of the Higher Education Act of 1965.

Page S13067

Rejected:

By 34 yeas to 61 nays (Vote No. 373), DeMint Amendment No. 3338 (to Amendment No. 3325), to provide a limitation on funds with respect to the Charles B. Rangel Center for Public Service.

Pages S13033–34, S13041–42

By 41 yeas to 52 nays (Vote No. 379), Vitter Amendment No. 3330 (to Amendment No. 3325), to prohibit the provision of funds to grantees who perform abortions. **Pages S13059–61, S13062**

By 46 yeas to 47 nays (Vote No. 380), Sessions Amendment No. 3373 (to Amendment No. 3325), to increase the amount of funds available for the Office of Labor-Management Standards.

Pages S13051–57, S13062–64

Withdrawn:

Kyl Amendment No. 3356 (to Amendment No. 3325), to modify provisions relating to the Low Income Home Energy Assistance Program. **Page S13051**

Pending:

Harkin/Specter Amendment No. 3325, in the nature of a substitute. **Pages S13032–33**

Vitter Amendment No. 3328 (to Amendment No. 3325), to provide a limitation on funds with respect to preventing the importation by individuals of prescription drugs from Canada. **Page S13032**

Dorgan Amendment No. 3335 (to Amendment No. 3325), to increase funding for the State Heart Disease and Stroke Prevention Program of the Centers for Disease Control and Prevention. **Page S13032**

Thune Amendment No. 3333 (to Amendment No. 3325), to provide additional funding for the telehealth activities of the Health Resources and Services Administration. **Page S13032**

Dorgan Amendment No. 3345 (to Amendment No. 3325), to require that the Secretary of Labor report to Congress regarding jobs lost and created as a result of the North American Free Trade Agreement. **Page S13032**

Menendez Amendment No. 3347 (to Amendment No. 3325), to provide funding for the activities under the Patient Navigator Outreach and Chronic Disease Prevention Act of 2005. **Page S13032**

Ensign Amendment No. 3342 (to Amendment No. 3325), to prohibit the use of funds to administer Social Security benefit payments under a totalization agreement with Mexico. **Page S13043**

Ensign Amendment No. 3352 (to Amendment No. 3325), to prohibit the use of funds to process claims based on illegal work for purposes of receiving Social Security benefits. **Page S13043**

Lautenberg/Snowe Amendment No. 3350 (to Amendment No. 3325), to prohibit the use of funds to provide abstinence education that includes information that is medically inaccurate. **Pages S13047–48**

Roberts Amendment No. 3365 (to Amendment No. 3325), to fund the small business child care grant program. **Page S13048**

Reed Amendment No. 3360 (to Amendment No. 3325), to provide funding for the trauma and emergency medical services programs administered through the Health Resources and Services Administration. **Page S13064**

Allard Amendment No. 3369 (to Amendment No. 3325), to reduce the total amount appropriated to any program that is rated ineffective by the Office of Management and Budget through the Program Assessment Rating Tool (PART). **Pages S13064–66**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10 a.m. on Friday, October 19, 2007;

provided further, that all first-degree amendments be filed at the desk by 1 p.m. on Friday, October 19, 2007. **Page S13135**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was declared with respect to significant narcotics traffickers centered in Colombia; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–28) **Pages S13076–77**

Nominations Received: Senate received the following nominations:

Allan I. Mendelowitz, of Connecticut, to be a Director of the Federal Housing Finance Board for a term expiring February 27, 2014.

Joaquin F. Blaya, of Florida, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2008.

Joaquin F. Blaya, of Florida, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2011.

Edward E. Kaufman, of Delaware, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2009.

Susan M. McCue, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2010.

Dennis M. Mulhaupt, of California, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2008.

Dennis M. Mulhaupt, of California, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2011.

Steven J. Simmons, of Connecticut, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2009.

4 Army nominations in the rank of general.

Routine lists in the Air Force, Navy. **Page S13135**

Messages from the House: **Page S13077**

Measures Referred: **Page S13077**

Measures Placed on the Calendar: **Page S13077**

Measures Read the First Time: **Page S13077**

Additional Cosponsors: **Pages S13078–80**

Statements on Introduced Bills/Resolutions: **Pages S13080–S13101**

Additional Statements: **Pages S13075–76**

Amendments Submitted: **Pages S13101–12**

Authorities for Committees to Meet: **Page S13112**

Privileges of the Floor: **Page S13112**

Text of H.R. 3093, as Previously Passed: **Pages S13112–30**

Record Votes: Eight record votes were taken today. (Total—380) **Pages S13042, S13049, S13050, S13062**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:24 p.m., until 10 a.m. on Friday, October 19, 2007. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S13135.)

Committee Meetings

(Committees not listed did not meet)

U.S. DEPARTMENT OF TRANSPORTATION

Committee on Commerce, Science, and Transportation: Committee concluded an oversight hearing to examine the Department of Transportation, focusing on issues related to funding and overseeing infrastructure projects, strengthening highway, rail, and air safety, reducing congestion, and modernizing the National Airspace System, after receiving testimony from Mary E. Peters, Secretary, and Calvin L. Scovel, III, Inspector General, both of the Department of Transportation.

SCIENCE PARKS

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Innovation concluded a hearing to examine science parks, focusing on bolstering United States competitiveness, including S. 1373, to provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities, after receiving testimony from Senator Bingaman; J. Michael Bowman, Delaware Technology Park, Inc., Newark, on behalf of the Association of University Research Parks (AURP); Phillip S. Stafford, University of Arkansas Technology Development Foundation, Fayetteville; and Randall T. Kempner, Regional Innovation, Washington, D.C, on behalf of the Council on Competitiveness.

LEAD EFFECTS ON CHILDREN

Committee on Environment and Public Works: Committee concluded a hearing to examine lead and children's health, focusing on scientific evidence of lead's effects on children, recent research and incidents highlighting exposures and risks to children from lead, and mechanisms for addressing and preventing childhood lead exposures, after receiving testimony from James B. Gulliford, Assistant Administrator, Office of Prevention, Pesticides, and Toxic Substances, Environmental Protection Agency; Olivia

Farrow, Baltimore City Health Department, Baltimore, Maryland; Bruce P. Lanphear, Cincinnati Children's Hospital Medical Center, Cincinnati, Ohio; Thomas G. Neltner, Sierra Club, Indianapolis, Indiana, on behalf of sundry organizations; Mike Nagel, National Association of Home Builders, Roselle, Illinois; and David E. Jacobs, National Center for Healthy Housing, Columbia, Maryland.

TRADE: HEALTH AND SAFETY

Committee on Finance: Committee concluded a hearing to examine international trade, focusing on import health and safety for today and the future, after receiving testimony from Daniel Baldwin, Assistant Commissioner, Office of International Trade, U.S. Customs and Border Protection, Department of Homeland Security; Cal Dooley, Grocery Manufacturers/Food Products Association, Washington, D.C.; Sandy Kennedy, Retail Industry Leaders Association (RILA), Arlington, Virginia; and Jean Halloran, Consumers Union, Yonkers, New York.

HATCH ACT

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine politics in government, focusing on the scope and enforcement of the Hatch Act, after receiving testimony from James M. Byrne, Deputy Special Counsel, and Ana Galindo-Marrone, Chief, Hatch Act Unit, both of the Office of Special Counsel; B. Chad Bungard, General Counsel, Merit Systems Protection Board; and Colleen M. Kelley, National Treasury Employees Union, John Gage, American Federation of Government Employees, AFL–CIO, and Thomas Devine, Government Accountability Project, all of Washington, D.C.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Ellen C. Williams, of Kentucky, to be a Governor of the United States Postal Service, after the nominee, who was introduced by Senator McConnell, testified and answered questions in her own behalf.

NOMINATION

Committee on the Judiciary: Committee concluded hearings to examine the nomination of Michael B. Mukasey, of New York, to be Attorney General, after the nominee testified and answered questions in his own behalf, and receiving testimony from Dick Thornburgh, Kirkpatrick and Lockhart Preston Gates Ellis, LLP, and Chuck Canterbury, Fraternal Order of Police, both of Washington, D.C.; Rear Admiral John D. Hutson, JAGC, USN (Ret.), Franklin Pierce Law Center, Concord, New Hampshire; Dawn E. Johnsen, Indiana University Bloomington School of Law, Bloomington, Illinois; and Theodore M. Shaw, NAACP Legal Defense and Educational Fund, Inc., and Mary Jo White, Debevoise and Plimpton, LLP, both of New York, New York.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session and ordered favorably reported an original bill entitled, "Foreign Intelligence Surveillance Act of 1978 Amendments Act of 2007".

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 27 public bills, H.R. 3884–3910; and 7 resolutions, H. Con. Res. 239; and H. Res. 756–761 were introduced. **Pages H11775–77**

Additional Cosponsors: **Pages H11777–78**

Reports Filed: Reports were filed today as follows:

H.R. 3224, to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams, with an amendment (H. Rept. 110–386);

H.R. 3247, to improve the provision of disaster assistance for Hurricanes Katrina and Rita, with an amendment (H. Rept. 110–387);

H.R. 1483, to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, with an amendment (H. Rept. 110–388);

H.R. 505, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity (H. Rept. 110–389); and

H.R. 3564, to amend title 5, United States Code, to authorize appropriations for the Administrative

Conference of the United States through fiscal year 2011 (H. Rept. 110–390). **Page H11775**

Speaker: Read a letter from the Speaker wherein she appointed Representative Tauscher to act as Speaker Pro Tempore for today. **Page H11731**

Journal: The House agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 219 yeas to 187 nays with 2 voting ''present'', Roll No. 981. **Pages H11731, H11733–34**

Oath of Office—Fifth Congressional District of Massachusetts: Representative-elect Niki Tsongas presented herself in the well of the House and was administered the Oath of Office by the Speaker. Earlier, the Clerk of the House transmitted a letter from the Honorable William Francis Galvin, Secretary of the Commonwealth, Commonwealth of Massachusetts, indicating that, according to the returns of the Special Election held on October 16, 2007, the Honorable Niki Tsongas was elected Representative to Congress for the Fifth Congressional District, Commonwealth of Massachusetts. **Page H11734**

Whole Number of the House: The Speaker announced to the House that, in light of the administration of the oath to the gentlewoman from Massachusetts, Ms. Niki Tsongas, the whole number of the House is adjusted to 433. **Pages H11734–35**

Children's Health Insurance Program Reauthorization Act of 2007—Presidential Veto: The House voted to sustain the President's veto of H.R. 976, to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, by a yea-and-nay vote of 273 yeas to 156 nays, Roll No. 982 (two-thirds of those present not voting to override). **Pages H11735–54**

Subsequently, the message (H. Doc. 110–62) and the bill were referred to the Committees on Energy and Commerce and Ways and Means. **Page H11754**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, October 22nd for morning hour debate. **Page H11755**

Calendar Wednesday: Agreed by unanimous consent to dispense with the Calendar Wednesday business of Wednesday, October 24th. **Page H11755**

Presidential Message: Read a message from the President wherein he transmitted notification that the emergency declared with respect to significant narcotics traffickers centered in Columbia is to continue in effect beyond October 21, 2007—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 110–65). **Page H11756**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H11733–34 and H11753–54 . There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and adjourned at 4:25 p.m.

Committee Meetings

AGRICULTURAL ECONOMY'S STRUCTURAL CHANGES

Committee on Agriculture: Held a hearing to review structural changes that are taking place in the agricultural economy and their impacts. Testimony was heard from Keith Collins, Chief Economist, USDA; Howard Gruenspecht, Deputy Administrator, Energy Information Administration, Department of Energy; and a public witness.

PROVINCIAL RECONSTRUCTION TEAM OVERSIGHT

Committee on Armed Services: Subcommittee on Oversight and Investigations held a hearing on measuring and increasing the effectiveness of Provincial Reconstruction Teams. Testimony was heard from Stuart W. Bowen, Jr., Special Inspector General, Iraq Reconstruction; and Robert Perito, Senior Program Officer, Center for Post-Conflict Peace and Stability Operations, U.S. Institute for Peace.

TAX CODE AND HEALTH INSURANCE COVERAGE

Committee on the Budget: Held a hearing on the Tax Code and Health Insurance Coverage. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Education and Labor: Ordered reported the following bills: H.R. 3796, amended, Early Warning and Health Care for Workers Affected by Globalization Act; and H.R. 3685, Employment Non-Discrimination Act of 2007.

INTERNATIONAL TRAFFICKING IN PERSONS

Committee on Foreign Affairs: Held a hearing on International Trafficking in Persons: Taking Action to Eliminate Modern Day Slavery. Testimony was heard from public witnesses.

RENDITION OF TORTURE

Committee on Foreign Affairs: Subcommittee on International Organizations, Human Rights, and Oversight and the Subcommittee on the Constitution, Civil Rights, and Civil Liberties of the Committee on the Judiciary held a joint hearing on Rendition to Torture: The Case of Maher Arar. Testimony was heard from Maher Arar; and public witnesses.

ANTITRUST LAWS AND COMMUNITY PHARMACIES

Committee on the Judiciary: Task Force on Antitrust and Competition Policy, hearing on the Impact of our Antitrust Laws on Community Pharmacies and their Patients. Testimony was heard from David Wales, Deputy Director, Bureau of Competition, FTC; and public witnesses.

INTERNATIONAL PIRACY

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held a hearing on International Piracy: The Challenges of Protecting Intellectual Property in the 21st Century. Testimony was heard from Victoria A. Espinel, Assistant U.S. Representative for Intellectual Property and Innovation, Office of the U.S. Trade Representative; Loren Yager, Director, International Affairs and Trade, GAO; and public witnesses.

HARDROCK MINING RECLAMATION ACT

Committee on Natural Resources: Began markup of H.R. 2262, Hardrock Mining and Reclamation Act of 2007.

Will continue on October 23.

NORTHERN ROCKIES ECOSYSTEM PROTECTION ACT

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands, hearing on H.R. 1975, Northern Rockies Ecosystem Protection Act. Testimony was heard from Representatives Maloney, Shays, and Rehberg; Joel Holtrop, Deputy Chief, National Forest System, USDA; Henri Bisson, Deputy Director, Bureau of Land Management, Department of the Interior; and public witnesses.

BLACK CARBON AND THE ARCTIC

Committee on Oversight and Government Reform: Held a hearing on Black Carbon and the Arctic. Testimony was heard from public witnesses.

SECURE IDENTITY

Committee on Oversight and Government Reform: Subcommittee on Government Management, Organization and Procurement held a hearing on Technology for Secure Identity Documents. Testimony was heard from Kathy Kraninger, Director, Screening Coordination Office, Department of Homeland Security; Benjamin M. Brink, Assistant Public Printer, Security and Intelligent Documents, GPO; David M. Temoshok, Director, Identity Policy and Management, Office of Government-wide Policy, GSA; Bonnie Rutledge, Director, Department of Motor Vehicles, State of Vermont; and public witnesses.

SMALL BUSINESS MEASURES

Committee on Small Business: Ordered reported the following bills H.R. 3866, Small Business Programs Act of 2007; and H.R. 3867, Small Business Contracting Program Improvements Act.

CLEAN WATER ACT REVIEW

Committee on Transportation and Infrastructure: Held a hearing on the 35th Anniversary of the Clean Water Act: Successes and Future Challenges Testimony was heard from John Paul Woodley, Jr., Assistant Secretary of the Army, Civil Works, Department of the Army; Benjamin H. Grumbles, Assistant Administrator, Office of Water, EPA; and public witnesses.

UPDATING MONTGOMERY GI BILL

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing on Updating the Montgomery G.I. Bill. Testimony was heard from the following officials of the Department of Veterans Affairs: James Bombard, Chairman, Veterans' Advisory Committee on Education; and Keith M. Wilson, Director, Education, Veterans Benefit Administration; the following officials of the Department of Defense: Thomas F. Bush, Acting Deputy Assistant Secretary, Reserve Affairs; and Curtis L. Gilroy, Director, Accession Policy, Office of the Under Secretary, Personnel and Readiness; MG Larry Shellito, USA, Adjutant General, Minnesota National Guard; representatives of veterans organizations; and public witnesses.

HEALTH CARE PROFESSIONALS—RECRUITMENT AND RETENTION

Committee on Veterans' Affairs: Subcommittee on Health held a hearing on Health Care Professionals-Recruitment and Retention. Testimony was heard from William F. Feeley, Deputy Under Secretary, Health Operations and Management, Veterans Health Administration, Department of Veterans Affairs; representatives of veterans organizations; and public witnesses.

ENERGY AND GLOBAL WARMING SOLUTIONS FOR VULNERABLE COMMUNITIES

Select Committee on Energy Independence and Global Warming: Held a hearing entitled "Energy and Global Warming Solutions for Vulnerable Communities." Testimony was heard from public witnesses.

BRIEFING—VOTING IN THE HOUSE—ROSTRUM AND ELECTRONIC VOTING SYSTEM

Select Committee to Investigate the Voting Irregularities of August 2, 2007: Held a briefing on Voting in the House of Representatives—The Rostrum and the

Electronic Voting System: a Walkthrough by the Clerk of the House. The Committee was briefed by Lorraine C. Miller, Clerk of the House.

Joint Meetings

PARLIAMENTARY PERSPECTIVE OF EUROPE'S CHALLENGES

Commission on Security and Cooperation in Europe: Commission concluded hearing to examine a parliamentary perspective of challenges facing today's Europe, focusing on the ability of the Organization for Security and Cooperation in Europe to meet those challenges, which include unresolved conflicts and obstacles to democratic development, after receiving testimony from Goran Lennmarker, Parliamentary Assembly of the Organization for Security and Cooperation in Europe, Stockholm, Sweden.

COMMITTEE MEETINGS FOR FRIDAY, OCTOBER 19, 2007

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

10 a.m., Friday, October 19

Senate Chamber

Program for Friday: Senate will continue consideration of H.R. 3043, Labor/HHS/Education Appropriations Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, October 22

House Chamber

Program for Monday: To be announced.

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