The House met at 10 a.m.

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

Lord God of history and ever present to all believers, in contemporary darkness we readily turn on lights.

In spiritual darkness of doubt and confusion, You can send forth a spark of inspiration and grace that will enlighten minds and warm hearts to respond to Your love for Your people and praise Your deeds in Sacred Scripture.

Fill this day with Your blessings. As the first day of Chanukah, the Festival of Lights is celebrated by Jews. Christians tonight will light a Christmas tree on the lawn of the Capitol.

Eternal Father of us all, fill Your children with the delight that comes from light. May we walk no longer in the darkness of fear and ignorance, but join together in mutual understanding and peace, for our eternal hope is placed in You, now and forever.

Amen.

THE JOURNAL

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

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

Mr. CONAWAY. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on approving to the Speaker’s approval of the Journal.

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

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

Mr. CONAWAY. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. AKIN 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.

MESSAGES FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 863. An act to amend title 18, United States Code, with respect to fraud in connection with major disaster or emergency funds.

S. 1327. An act to amend title 10, United States Code, to authorize payment for death and burial for certain veterans.

The messagealso announced that pursuant to Public Law 100–696, the Chair, on behalf of the Republican Leader, announces the appointment of the Senator from Tennessee (Mr. ALEXANDER) as a member of the United States Capitol Preservation Commission.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

A NEW ENERGY POLICY

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

Mr. BLUMENAUER. Madam Speaker, thank you for the work that you and Chairman DINGELL have done in bringing forth to the House for a vote today an opportunity for a comprehensive energy policy.

For too long, we've focused on energy for the past, on energy sources and products for the world as it was or as some wanted it to be. This is an opportunity for us to deal with the energy challenges of today and for the future.

The bill that comes forward will be, for the first time since 1975, an opportunity to significantly increase vehicle fuel mileage standards. It will contain a renewable portfolio standard that emulates what has happened in over half our States across the country, to be able to jump-start renewable energy. It will be financed by redirecting tax breaks from the largest oil companies who don't need taxpayer support to produce oil profitably, and it will be directed to the energy sources of the future, renewables, which do need this help to bring their opportunities to scale.

I hope my colleagues will arise to meet this challenge. Vote to pass this legislation. Our national security, economic stability, and environmental survival depends upon it.

THE DEMOCRATS ARE LATE

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

Mr. AKIN. Madam Speaker, we all have to struggle from time to time with the bad practice of being late. We don't like to be late, and the reason we don't is, of course, when we're late, we inconvenience somebody. If you're late to the car pool, a couple of people have to sit there and wait and you've got to choke your breakfast down a little bit quicker so you don't inconvenience someone.

But you know the Democrats have been very late. But when the Congress...
is late, it is really a big inconvenience, because the Democrats knew that they had to pass the AMT patch some months ago and they didn’t do it. And so what does that mean? It means not just a few people in the car pool. What it means is the billionaire incandescents will not get their tax refund; $37 billion will be late to 32 million Americans because the Democrats are late in dealing with the AMT tax patch. They tried to put it together with a $3.5 trillion tax increase, the mother of all tax increases. Of course that didn’t work, and now we’re late.

ENERGY INDEPENDENCE AND SECURITY ACT WILL HELP US REDUCE OUR DEPENDENCE ON FOREIGN OIL

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

Mr. BRALEY of Iowa. Madam Speaker, today we will consider legislation that invests in the future of our Nation and puts us on the path to energy independence. The Energy Independence and Security Act is a significant legislative package that will strengthen our national security by reducing our dependence on foreign oil. The bill addresses skyrocketing gas prices with increased fuel economy standards that will save American families 700 to $1,000 a year at the pump. It also reduces oil consumption by 1.1 million gallons per day in 2020, one half of what we currently import from the Persian Gulf. And this legislation includes a historic commitment to American biofuels that will fuel our cars and trucks. This investment in hometown crops will create American jobs and protect the environment by reducing carbon emissions.

Madam Speaker, the Energy Independence and Security Act will help our Nation invest in resources in the Midwest to improve our environment, instead of relying on Mideastern countries for their heavy fossil fuels. I hope all my colleagues in the House and Senate will support this legislation and help reduce our dependence on foreign oil.

CONGRATULATING THE REDSKINS OF HAMILTON COUNTY, OHIO

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

Mrs. SCHMIDT. Madam Speaker, I rise today to congratulate the Anderson Redskins of Hamilton County, Ohio, for winning the Division II Ohio School Athletic Association Football Championship. The Redskins capped off their incredible run into history Friday night by beating the Louisville Leopards of Stark County 31-25 in front of 11,005 fans at Paul Brown Tiger Stadium in Massillon. After 19 years as assistant coach at Anderson, first-year head coach Jeff Gisting led his team to a final record of 13-2, including a win in the playoffs against township rival the Turpin Spartans.

On Sunday, the Anderson township community celebrated the Redskins’ first-ever State championship in their history when all 13,000 Anderson students took to the podium to talk about their incredible victory. The resounding theme among those players was not the championship trophy itself, but the sense of community, togetherness and pride which has spread throughout the area.

Madam Speaker, I salute the school, the players, Head Coach Gisting, and the entire Anderson township community on their championship season. Well done, Redskins.

THE BUSH-CHENNEY ENERGY PLAN

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

Mr. DeFAZIO. Madam Speaker, the so-called Bush-Chenney energy plan was developed in secret, and it was developed in secret because it was disastrous for America. It would have been bad policy for the American people. This was for the oil, coal and gas industry, dig, drill and burn, but it was a total embarrassment and disaster for 21st century policies. Today we have a chance to reverse that, to put in place a moderate renewable portfolio, but the Republicans object to renewable portfolios; to put in place a mandate on increased fuel economy, which the American people would dearly love to have more efficient vehicles, but the Republicans object to that; and investment in new technologies and new sustainable fuels to take us to energy independence, to free us from the thrill of being subject to Chavez and the Saudis and others, but the Republicans object to that too. And we would pay for it by stripping the wildly profitable oil and gas industry of some tax subsidies from the American people, and the Republicans object to that too. But despite their objections, we are going to establish a new energy direction sustainable for this country.

FUND OUR VETERANS

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

Mrs. DRAKE. Madam Speaker, this is day 66; that’s 66 days so far that our veterans have not had the use of the increased funding for their benefits and health care. That’s $13.5 million a day not able to be used. This bill has been done for months and the President has already agreed to sign it. But instead of moving the bill forward, the Democratic leadership in Congress continues to postpone this bill. So far, only one of 12 appropriation bills have been passed and signed into law. Why? Our veterans are heroes. There are few things more important than ensuring that this Congress provide all possible benefits and health care for our veterans.

I’m calling on the Speaker to move this bill forward. And I call on all Americans to contact their representatives and tell the Democratic leadership to send this clean veterans appropriation bill to the President now. Our veterans deserve it.

NO BLANK CHECK FOR THE WAR IN IRAQ WITHOUT INPUT FROM CONGRESS

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

Mr. PAYNE. Madam Speaker, while our troops continue to perform heroically in Iraq, President Bush’s troop surge has not lived up to its promise of producing essential political reconciliation.

As a member of the House Foreign Affairs Committee, I helped lead the opposition to our involvement in Iraq in the first place because I felt that we should let the weapons inspectors do their jobs before rushing into a pre-emptive military strike.

After our Iraq policy failed, and the rationale for going to war was invalidated due to the absence of weapons of mass destruction, we’re told that the so-called military surge would help bring about a political solution in Iraq. That has not happened. Senior military commanders have indicated that the inability of the Iraqi Government to achieve political reconciliation is a greater threat to our troops than the insurgency in Iraq.

Many of us here in Congress believe that the Iraqi Government will not begin to address the political reconciliation until it is clear that our troops are coming home.

Last month, House Democrats once again passed a bill that provided our troops with $50 billion in funding and a strategic plan that brings them home. We must bring our troops home. We demand a change in the direction in Iraq.

NEW ENERGY POLICY

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

Mr. CONAWAY. Madam Speaker, the previous speaker mentioned that the current energy policy was crafted in the dark. I would have to agree that the current energy policy that’s being proposed has certainly kept the Republicans in the dark because we have yet to see the language on the policy that we will be asked to vote on over the next couple of days. In all likelihood, it will require mandates. Mandates are good ideas that I’ve come up with that you have to pay for.

There will be a lot of talk on this floor, there will be a lot of good arguments made, but to cut to the chase, if
it were cheaper to produce electricity today by using solar and wind and other alternatives, we would be doing it. That's the American way. That's the commerce of the circumstances, but it is not. And so, as we look at these proposals, that will require how we grow and are growing the American families with the electricity and energy we need over the next decades, let's don't forget that there is a cost associated with it. We ought to know that cost. We ought to know the cost to consumers and to the businesses that have to use that energy.

There's an old saying, "If you don't like the high cost of eggs, then why would you kill chickens?" Let's be careful that with this new energy policy that's being proposed, that we don't, in fact, kill the chickens that produce the eggs that generate the electricity and the energy that we need.

HOUSE DEMOCRATS FIGHTING FOR MIDDLE-CLASS FAMILIES IN AN UNCERTAIN ECONOMY

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

Mr. CARDOZA. Madam Speaker, with home values dropping and the cost of health care, home heating oil and college education continuing to rise, American families are justifiably uneasy about their ability to make ends meet in a declining economy. The Democratic Congress has made protecting middle-class families its highest priority. Over the course of this year, we have passed billions in tax relief for American small businesses, increased the minimum wage for the first time in a decade, passed legislation that cuts taxes for middle-class families and given families the most financial assistance for college since the GI Bill.

The New Direction Congress is also working to reach bipartisan agreements to address the subprime loan crisis and predatory loan practices that are threatening to force thousands of American families from their homes. Today, we will bring a comprehensive energy bill to the floor that will provide some much-needed relief at the gas pump as well.

Madam Speaker, the needs and concerns of our Nation's working families remain one of this Congress' top priorities.

DEMOCRATS' ENERGY BILL

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

Mr. RADANOVICH. Madam Speaker, energy independence is one of the most critical issues facing our Nation. This Congress has a responsibility to the American family to ease the burden they're feeling at the gas pump and reduce the cost of heating America's homes this winter. Unfortunately, this Democrat majority is either unwilling or unable to accept that responsibility.

The majority wants to place unreal- istic Federal mandates on renewable electricity that will drive up the cost of utilities and mandates on renewable fuel that will increase the cost of food at the supermarket.

The American public wants results. That means increasing domestic oil and gas production, building petroleum refineries for the first time in 30 years, and reducing the use of nuclear energy. Instead, the static electricity created by my shoes rubbing across this carpet creates more energy than the Democrats' energy bill.

ENERGY INDEPENDENCE AND SECURITY ACT

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

Mr. CARNAHAN. Madam Speaker, as evidence mounts about the growing risk of climate change and dependence on foreign oil, this Congress has a duty to enact responsible legislation that reduces our impact on the environment. Today, we will do just that by considering the Energy Independence and Security Act, which includes critical provisions to not only reduce global warming, but create new American jobs by harnessing the best of American innovation and technology.

This energy bill creates a program to train a skilled green workforce in our Nation, and could lead to the creation of nearly 3 million green jobs over the next 10 years. It increases loan limits for small businesses to help them develop energy efficient technologies, and increases investment in small firms developing renewable energy. It also includes landmark fuel efficiency standards, renewable electricity standards, and energy efficiency programs that will save businesses and consumers money, while reducing carbon emissions. This new energy bill is a big step for the U.S. in the right environmental direction, and it deserves the support of every Member of this Congress.

PELOSI BILL WILL MAKE US MORE DEPENDENT ON FOREIGN ENERGY

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

Mr. PETERSON of Pennsylvania. Does the energy bill help Americans who are struggling to heat their homes and drive their cars? For affordable energy, the answer is no.

Despite claims to the American public that they will put policies in place to achieve energy independence, the Democrats' bill will not produce a single BTU of energy.

To achieve energy independence, we must replace imported energy with our domestic resources. Unfortunately, the Pelosi bill will make us more dependent on foreign energy, not less.

The Pelosi bill relies on much-needed conservation through increased CAFE standards 13 years from now, which will change the fleet, and the production of electricity from renewables, hardly enough to replace the 13 million barrels of oil we import every day.

If we want to achieve energy security and reduce our dependence on foreign energy, we must increase production of oil and gas in America's energy-rich areas.

As American families and small businesses continue to tighten their belts to cope with soaring energy costs, Congress should be doing everything in their power to relieve this unnecessary burden. Yet today the House is taking a step in the opposite direction, increasing our dependence on energy from foreign, unstable countries.

DEMOCRATIC HOUSE WORKING ON BEHALF OF PROGRESS

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

Mr. YARMUTH. Madam Speaker, how many times is President Bush going to hold the same press conference, hammering away at Congress just because we're meeting our responsibilities under article I and restoring Americans' faith in the future? Doesn't he understand that the American people chose to put Democrats in control of Congress for a reason?

All year long we have been working to take our Nation in a new direction and restore that faith in the future. In some instances, the President has joined our efforts. We worked together to fully implement the 9/11 Commission recommendations, increase the minimum wage, and make college more affordable for millions of college students. Unfortunately, in almost every other instance, President Bush has stood in the way of real progress. He refused to help us provide quality health coverage for 10 million children. He rejected our efforts consistently to change course in Iraq. And he has threatened to veto our appropriations bills that truly prioritize our domestic needs.

Madam Speaker, President Bush has every right to be frustrated by his lack of accomplishments, but he has nobody to blame but himself. He needs to stop standing in the way of progress.

LET'S DO AWAY WITH EARMARKS

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

Mr. FLAKE. Madam Speaker, I got a kick out of a recent warning made by the chairman of the House Appropriations Committee. He cautioned Members that if congressional negotiators were forced to make additional cuts in
this year's spending bills, that he just might do away with all earmarks in the bill. Well, that may pass for a threat here in Washington, but taxpayers all over the country are app- plauding.

Despite the perception that many in Congress seem to have that taxpayers are eagerly awaiting the completion of appropriation bills to see if their earmarks ended up in the bill for their hometown, taxpayers, whether they're Republicans or Democrats, are ap- plauding. They think that earmarks are a waste of money.

Chairman O'NEBAY has said on many oc- casions that if it were up to him, he would do away with earmarks al- together; they are a waste of his time and his committee's resources. I couldn't agree more. In fact, I can't think of a better Christmas present to Chairman O'NEBAY than releasing him from the stress and hassle of having to deal with our earmarks. I'm sure he would be grateful, and our constituents would be grateful even more.

RECOGNIZING THE LIFE AND LEG- ACY OF FORMER CONNECTICUT GOVERNOR WILLIAM O'NEILL

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

Mr. COURTNEY. Madam Speaker, I rise today to recognize the life and leg- acy of former Governor William O'Neill, who passed away on November 24, 2007.

Bill O'Neill is today recognized as one of the giants of Connecticut his- tory. He served as Governor from 1980 to 1982, and was a leader who had a common sense, compassionate vision of government, raising teachers' salaries, rebuilding our roads, and creating a pathbreaking prescription drug benefit for seniors.

In Connecticut over the last 2 weeks, there has been an outpouring of affec- tion for the Governor and his wonder- ful surviving wife, Nikki, partly be- cause of his great work for the people, but also because of the plainspoken, humble way he carried himself in the American history, a constitutional who set a beautiful exam- ple for us all, of service, decency and compassion.

I ask my colleagues to join with me in honoring Governor O'Neill's con- tributions to Connecticut and offer sin- cerest condolences to his family and friends.

ENERGY BILL IS A TERRIBLE DEAL FOR AMERICANS

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

Mrs. MILLER. Madam Speaker, three things are certain to occur because of the Democrat's energy bill: First of all, it's going to make cars more expensive, it will force taxes to be raised, and it will cost American jobs.

The imposition of higher CAFE standards combined with a regulatory nightmare of the EPA regulating tail pipe emissions and NHTSA regulating fuel economy will force the domestic auto companies to expend billions on regulatory compliance with the cost passed along to consumers, of course.

Some estimate that the cost of this bill will be as much as $85 billion. This means that the cost of an American automobile will rise as much as $5,000 to $10,000 per vehicle. And worst of all, the new mandates will actually force automakers to outsource more vehicle production in an effort to reduce their costs and to remain competitive, which will cost more American jobs.

This is simply a terrible deal for American consumers, American tax- payers, and American workers. It will result in a hidden tax on cars, higher taxes on gas, and less jobs in America. Our Nation needs a comprehensive energy policy, but this bill misses the mark badly.

FINALLY A COMPREHENSIVE ENERGY BILL

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

Ms. SHEA-PORTER. Madam Speaker, today we will vote on a comprehensive energy bill, fin- ally, this country has waited 32 years for an increase in mileage standards. Thirty-two years. We have also waited for Congress to focus on renewables, green jobs and energy conservation in our buildings and in our cars. This bill will do that. This bill will also help free our Nation from dependence on foreign oil.

When Newt Gingrich was sworn in as Speaker, we were 41 percent dependent on foreign oil. We are now 61 percent dependent on foreign oil. This is a risk to our national security. This bill will help our pocketbooks, it will help our environment, and it will help our na- tional security. I urge my colleagues to vote "yes."

HONORING THE LIFE OF REPRESENTATIVE HENRY HYDE

(Mr. PITTS asked and was given per- mission to address the House for 1 minute and to revise and extend his re- marks.)

Mr. PITTS. Madam Speaker, last week, America lost a true statesman when Henry Hyde passed away at the age of 83.

Representative Hyde was a student of American history, a constitutional scholar, a thoughtful legislator, and a skillful orator. But above all, he will be remembered as a man of integrity who stood for the most basic principles of liberty, justice, and, above all, respect for life.

On November 5, President Bush awarded Mr. Hyde the Presidential Medal of Freedom, the very highest honor the President can bestow on an American citizen.

In his first term, Henry Hyde offered an amendment that ensured that Americans who believe in the sanctity of life would not see their taxpayer dollars go to the funding of abortion. That was just the beginning of Henry's long legislative career spent working to protect the sanctity of human life.

I urge the Democrat leadership to bring the bipartisan H. Res. 434 to the floor for a vote. It would be a mark on this body if we did not honor the life and work of a man of character like Henry Hyde.

ADMINISTRATION'S MISPLACED PRIORITIES

(Mr. HALL of New York asked and was given permission to address the House for 1 minute.)

Mr. HALL. Madam Speaker, I rise today to oppose the latest demonstration of this administra- tion's misplaced priorities.

President Bush wants to slash $2 billion in funding that will help our police and other first responders protect Americans here at home from terror- ists and other threats so that he can send $3 billion over to Iraq to train po- lice there. That money means a lot to our police and firefighters here at home. By cutting this funding, Presi- dent Bush will endanger security at our ports, subways and rail lines. Fur- ther, his proposal will not allow law enforcement agencies to use grants for counterterrorism or intelligence per- sonnel, funding which has helped the NYPD uncover and stop nearly 20 ter- rorist attacks.

By proposing these cuts, the Presi- dent rejects the advice of the Depart- ment of Homeland Security and the 9/ 11 Commission and again shows his pri- orities are not those of the American people.

I urge the President to reconsider this request and will work with my col- leagues to reverse these deeply mis- guided cuts to homeland security.

LIFE HAS LOST ITS LION

(Mr. PENCE asked and was given per- mission to address the House for 1 minute and to revise and extend his re- marks.)

Mr. PENCE. On November 29, Ameri- cans learned of the passing of one of the giants of this Congress in the 20th century. Congressman Henry Hyde of Illinois died at the age of 83.

As Members in both parties know, throughout his nearly four decades in this Congress, Henry Hyde was the es- sence of dignity, civility, and a com- mitment to principle. He was a cham- pion of the great causes, life, liberty
of the House voted against a surge in Iraq which the President had promoted. Well, although that vote passed the House, it failed in the Senate, and we know the surge did take place and the surge has paid off. Civilian casualties in Iraq are down 20 percent; 75 percent in Baghdad. IED attacks are down by 50 percent, and we’ve nearly doubled the number of weapon caches that have been discovered this year from last year. Lots of good progress has been made.

And I don’t blame the folks who are against Iraq for pushing the bill back in January that they did. I believe that there’s plenty of room for honest disagreement on this war. But at the same time, here we are now and we need to continue funding for that war. There is a $50 billion bridge fund. The President actually has asked Congress for $196 billion, but Congress has indicated $50 billion is all that we’re willing to go at this point. But then there are some stipulations, some micro-management of the war.

I hope that we can have this bill on the floor of the House and have an honest debate on it and keep the spirit of agreeing to disagree alive.

IRAQ AND THE ENERGY BILL

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

Mr. MORAN of Virginia. Madam Speaker, after all the fabrications and all the lies associated with Iraq, not to mention the human rights abuses in Guantanamo and Abu Ghraib, you wouldn’t think that America could lose any more credibility, but now we understand the President was warned well in advance that there was new information on Iran’s nuclear program; yet he continued with his bellicose rhetoric, even raising the specter of World War III.

Well, now we know. There is absolutely no excuse for going to war with Iran. But the fact is that if the President is still concerned about Iran, which he very much should be, he should read the rest of the National Intelligence Estimate which makes it clear that Iran is going to acquire even more wealth and, thus, power because of our dependency on oil.

So the best thing that the President can do if he’s concerned about Iran is to sign the energy bill that we are considering today. We cannot continue our dependence upon foreign oil, and the first way to start moving in a new and more secure direction, is to sign the Energy Independence bill that will go to his desk very shortly.

TIME FOR A CHANGE OF COURSE IN IRAQ

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

Mr. PALLONE. Madam Speaker, while our Nation and our military are paying a huge price for the continuing war in Iraq, the Iraqi Government itself refuses to take any steps needed to bring about political reconciliation. It has now been more than 320 days since the surge began. During that time, more than 800 American troops have been killed and we continue to spend more than $10 billion in Iraq every month; yet the Iraqi Government still refuses to live up to the promises it made to President Bush when the surge began.

The government promised that the Iraqi Parliament would pass a national oil and gas bill. It hasn’t.

The Iraqi Government also promised the President that its parliament would pass a de-Baathification law. It hasn’t.

The government also promised to hold provincial elections. Once again, they have failed to follow through.

Madam Speaker, how much longer is President Bush going to sacrifice both our military and our Treasury for an Iraqi Government that refuses to make the difficult decisions that could possibly produce real stability in Iraq? It’s time for a change of course in Iraq.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3120

Mr. PUTNAM. I ask unanimous consent, Madam Speaker, that my name be removed as a cosponsor from H.R. 3120.

The SPEAKER pro tempore (Ms. DeGETTE). Is there objection to the request of the gentleman from Florida?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 1585, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

Mr. SKELTON. Madam Speaker, I ask unanimous consent to take from the Speaker’s table the bill (H.R. 1585) to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, with a Senate amendment thereon, to disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. HUNTER

Mr. HUNTER. Madam Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Hunter moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1585 be instructed to agree to the following provision:

(1) The provision contained in section 1536(b) of the Senate amendment, relating to
Defeat Organization, JIEDDO, which has a complicated name but very simply means developing capabilities against roadside bombs. That’s a command that we set up to defeat IEDs in Iraq, and we are told now that it will run out of money within the next hundred days. So there would be enough money to fund all urgent initiatives from Iraq and Afghanistan during that time.

I would remind my colleagues that the roadside bombs are being seen on a more widespread basis in Afghanistan now. There has been an understanding by the insurgents, by the Taliban, by al Qaeda in Afghanistan that those, in fact, are a deadly and effective system. And it makes no sense whatsoever for us to shortchange the accounts that are going toward the defeat of roadside bombs.

Another point that I would make is that we have been notified that the Pentagon will soon be required to lay off 100,000 civilian workers. Many of those workers are working on important projects that go to the heart of our ability to wage the wars that we fight. So this is a major, major mistake for this Congress, in the middle of an operation in two war-fighting theaters. To shortchange these accounts which will result in the military having to requisition to backfill, take money out of other accounts in the hope that at some point in the future we are going to be able to make up that money. So whatever your position on our operations in Iraq and Afghanistan, whether you think we should be there or not be there, every Member of this body says time and again, “We support the troops.”

Madam Speaker, stripping this funding off, which is what we will do if we don’t pass this motion to instruct, is very clearly a disservice to these troops. There are over 157,000 plus troops in Iraq and the 22,000 plus American troops fighting in Afghanistan right now.

I reserve the balance of my time.

Mr. SAXTON. I thank the gentleman for yielding.

As my friend, Mr. HUNTER, the gentleman from California knows, both the House version of the Defense Authorization Act and the Senate version authorized supplemental funding for the wars in Iraq and Afghanistan. I say “authorized.”

The Armed Services Committee has collectively supported authorizing this funding to ensure the continued relevance of the committee and to make sure that the specific purposes for which the President has requested funds are actually related to the wars.

In both the House and Senate versions of the bill, we have authorized this funding in a way that provides for maximum flexibility for the leadership as well as for the appropriators. While we authorize funding, as my friend from California knows, nothing can happen without further action on an appropriations bill, and it is those appropriations bills that have served as the vehicles for the Iraq debate.

The House recently passed a bridge supplemental fund that would change our policy in Iraq. This is the well publicized debates in the future, and I would hope that my colleagues on the other side of the aisle would be forthcoming with their suggestions on how to address the strategic risk we incur by pursuing the President’s failed policy in the Defense Authorization Act. Our committee, I expect, will act in conference to ensure that those debates can occur and that the House can work its will on future appropriations bills to restrain the President’s Iraq war policy.

We all acknowledge that our troops have done a great job in Iraq. We owe them our thanks, our gratitude and our congratulations for their work as well as for their sacrifices. Their sweat and their blood have helped to reduce the level of violence in Iraq from the horrific levels of late 2006 and early 2007.

The original purpose of this surge was to reduce violence to provide the Iraqis with a chance for political reconciliation. Violence is down. It is time for the Iraqis to step up and take the hard steps toward reconciliation that will finish the job our wonderful troops have started. Yet they have refused to do this.

In response to this refusal, the House recently voted to begin to redeploy most of our troops out of Iraq and to change the nature of our involvement there. This policy is supported by a large majority of the American people who do not believe that we should continue to police a civil war when the Iraqis themselves refuse to take the hard steps to bring it to an end.

Well, we are not having the Iraq debate on the defense authorization bill. The supplemental authorization is intended to set the stage for that debate. That is an appropriations bill as all of us know. That is why the House and the Senate versions of the Defense Authorization Act, which is before us, included a supplemental authorization and why I suspect that the conference will do the same.

I reserve the balance of my time.

Mr. HUNTER. Madam Speaker, at this time I would like to yield 5 minutes to the distinguished gentleman from New Jersey (Mr. SAXTON) who is the ranking member on the Terrorism Subcommittee.

Mr. SAXTON. I thank the gentleman for yielding.

I happen to believe that this motion to instruct is extremely important. I think it is extremely important for two reasons. First, as Mr. HUNTER pointed out, this provision provides instruction to authorize the full $192 billion supplemental for the war spending bill with or without a date certain to withdraw American forces from Iraq. I think that is important. And I will say why a little bit later here. But I also I think it
is important to recognize, as this provision also does, that there are consequences for not carrying out our actions in Iraq and in other places in the world, for that matter, in a responsible fashion.

This measure instructs the House conferees to accept a provision that has already been passed by the Senate. It is known as provision 1536 which states that it is the sense of Congress that a failed state in Iraq would become a safe haven for Islamic radicals, including al Qaeda and Hezbollah, and others, who are determined to attack the United States here at home and our allies.

Let me speak to the first point to say why I think it is important that we go forward to authorize the full $192 billion supplemental war spending bill. All of us should be students of history, particularly recent history. I know that the chairman of the Subcommittee on Seapower of the Armed Services Committee is a great historian himself. But recent events I think are extremely important. Perhaps some of our colleagues here have not watched this so closely as perhaps some of us on the Armed Services Committee, but as we saw progress begin to take place in Iraq, many of us asked why. And I think it was universally accepted that one of the reasons was that the Sunni tribal elders in Iraq were going to accept the American led effort to create a state in Iraq. That is fully recognized in both pieces of legislation, and I appreciate the gentleman’s comments thereon and hopefully correct and parallel language could be adopted in that regard.

I now, Madam Speaker, yield 5 minutes to my friend, my colleague, the gentleman from Mississippi, the chairman of the Subcommittee on Seapower (Mr. TAYLOR). Mr. TAYLOR. I thank the gentleman from Missouri, the chairman.

Madam Speaker, one of the things we ought to do in a democracy is when the other guy has a good idea, no matter what position he is holding to say that’s a good idea. I would remind the gentleman that it was the Bush administration that classified the number of jammers in Iraq under a failed policy by Donald Rumsfeld that basically didn’t want the moms and dads of Americans to know how few we had. It was this Congress that insisted that we have a jammer on every vehicle in Iraq to keep the improvised explosive devices from being remotely detonated. So, of course, I don’t want those funds cut because I, along with others, worked to put those funds in the bill.

Along that same policy of “war by wishful thinking” from the Rumsfeld crowd was that we didn’t need mine-resistant, ambushing vehicles anywhere. The Bush administration only asked for 4,000. We were going to build over 15,000 because this Congress realized the importance of them, and that there are kids in Walter Reed today who would still have their limbs if we had built them sooner. There are kids in Mississippi graveyards who would still be alive if we had built them sooner. So of course we want those funds in the bill.

I fully support the gentleman’s efforts. We have a lot of very good things in this bill, and it deserves our support, and the troops in Iraq need to know that we are going to fund the jammers they need to save their lives both over there and here because one of the problems with having too few jammers is that our troops in the United States that are training to go to Iraq still aren’t seeing a jammer until they get to theater. And this is the device that is going to save their lives. This is the device that is going to save their limbs. And they need to be training with those guys. And to say to those first-time they don’t see this device that’s going to save their life is when they are traveling from Kuwait into Iraq. That is the situation that still exists today that we are trying to fix.

The Bush administration asked for too few of these. Congress, in an earmark, said no, we are going to build them because they are going to save lives. But the administration asked for too few mine-resistant, ambush-protected vehicles. Congress, in an earmark, said no, we are going to build them because it is going to keep kids from losing their legs, and it is going to keep kids from losing their lives. So of course I am going to support this bill. I am going to support the gentleman’s efforts, and I thank the chairman for putting together what I think is an excellent Armed Services defense authorization bill that is going to lead to fewer deaths in Iraq, fewer deaths in Afghanistan, and a stronger, and hopefully in the future, more peaceful world.

Mr. HUNTER. Madam Speaker, I want to thank the last speaker for his statements and for his wonderful contribution on the Armed Services Committee in terms of working the jammer issues, and lots of other Members who have worked these important force protection issues. I think that we have proven on the committee that we disagree on some issues, Members who have gotten personally involved in this force protection issue have matched and at some times exceeded the Pentagon’s own projections and projects.

Mr. DRAKE. Madam Speaker, I yield 5 minutes to the gentleman from Virginia (Mrs. DRAKE).

Mrs. DRAKE. Madam Speaker. I rise in strong support of the motion to instruct conferees. This motion would instruct House conferees to accept section 1536 of the Senate version of the national defense authorization, a provision which received near unanimous support on the other side of the Capitol. This section states, “A failed state in Iraq would become a safe haven for radicals, including al Qaeda and Hezbollah, who are determined to attack the United States and its allies.” It goes on to state that “a failed state in Iraq would lead to a broader regional conflict, possibly involving Syria and Iran.”

I would remind my colleagues that only a few short months ago, the President of Iran was quoted as saying that very soon we will be witnessing a great peace in this region, and that Iran is willing to fill this void.

Madam Speaker, the other side has attempted over 40 times to wave a
white flag in Iraq. This motion would put this Chamber on record as supporting a policy of success in Iraq. Our goal must be the path that we are on: a stable, functioning Iraqi Government, who can be an ally with us in the war on terrorism and not the goal of our enemies, which is the capital of their caliphate.

Madam Speaker, I visited Iraq this summer. I had the opportunity to meet with the Deputy Prime Minister, and I asked the question why Iraq had not passed this legislation that we were using as a benchmark. I told him I had heard he had the votes to pass the legislation.

His answer to me was quite surprising. He said, “Yes, I have the votes. I have 75 percent to pass the legislation.” He said, “But if I do it, I will be cutting the Sunnis out of the government; they will have no voice and no power.”

This is exactly the opposite of what their goal is in Iraq. I would maintain that the Iraqi Government is working very hard for stable institutions where no one group can take over power again.

We have all seen the efforts of our military and the surge are working, creating stability and security. And now we are seeing the best of all results, which is the Iraqi people themselves, who have chosen us and have chosen their government. And in the words of their own sheikhs that we met, two Sunni and two Shia, they said, “We are working together for Iraq.”

I urge my colleagues to support this motion in the best interests of our national security and working together for Iraq.

Mr. SKELTON. Madam Speaker, I yield 5 minutes to my friend and colleague, the gentlewoman from California (Mrs. TAUSCHER), who is the chairwoman of the Subcommittee on Strategic Forces.

Mrs. TAUSCHER. Madam Speaker, I thank the distinguished chairman of the House Armed Services Committee, who led a fabulous effort this year. For the first time in 13 years, Democrats are in the majority and wrote a defense bill that came to the floor and passed with almost 400 votes. I think that is a record, and I think it speaks very much for the bipartisan effort that we had on the committee.

In the subcommittee, Strategic Forces, which includes many different issues, including missile defense, the entire nuclear weapons portfolio, our part of the bill passed through in a voice vote and then came to the committee and was supported by virtually all members. So I think we have a very good bill. I think that the conference between the House and the Senate will be a productive one. It will be a time for us to mesh these issues.

But, of course, as often in Washington, no good decisions are unpunished. I very much appreciate the ranking member from California bringing this motion to instruct forward, but, by the way, it is what is going to probably be in the bill, and it is certainly what is reflected in a bipartisan way by both Democrats and Republicans in both the House and the Senate.

I think there has been a lot of rhetoric about those who say the failed state in Iraq would be, and I stand to join my colleagues. I am absolutely, unambiguously convinced that a failed state in Iraq is not only not a bad thing, but would continue to be a bad thing. I guess the real question is, what about the failed policy that got us to a place where we are all concerned about a failed state in Iraq, and why isn’t the debate today about the failed policy? How could it be that we are sitting here talking about a national defense bill that is one of the most important bills that the Congress brings, our constitutional responsibility, and we are not talking about a failed policy that has caused us to borrow almost $800 billion, and virtually no ready ground forces in the United States currently, caused us to degrade our ability to be prepared for any other contingency? Why isn’t the debate today about that?

I guess the real question is, what about the failed policy that got us to a place where we are all concerned about a failed state in Iraq, and why isn’t the debate today about the failed policy? How could it be that we are sitting here talking about a national defense bill that is one of the most important bills that the Congress brings, our constitutional responsibility, and we are not talking about a failed policy that has caused us to borrow almost $800 billion, and virtually no ready ground forces in the United States currently, caused us to degrade our ability to be prepared for any other contingency? Why isn’t the debate today about that?

Well, because that would be a good debate. That would be really what the debate should be about. But, instead, we are going to have a motion to instruct on things that are already agreed to by the Senate and the House, by the conferees, and I would say every Member here.

So I appreciate the Member from California bringing this up. This is easy to support. We are all for it and we all know it. But the real question is: Why don’t we have a debate about the failed policy? Why aren’t we really concerned about the readiness of our troops, our inability to deal with other contingencies, all of the money we have borrowed, and no solution to extricate ourselves honorably and as soon as possible to bring our troops home so that we can maintain our readiness?

Our American forces in Afghanistan and in Iraq have done everything that the American people have asked for. The problem, my colleagues, is they have done it for too long. They have done it for too long without an Iraqi Government that will stand up and provide the political solution necessary for us to be able to leave an Iraq that is beginning to put itself together, knitting together, moving forward together to do the right thing.

But what we have right now is an intransigent, stuck Iraqi Government that hasn’t provided the political solution, the only solution, that will be able to create a stable Iraq. It is not our responsibility to create a stable Iraq. That is why they have a sovereign government. And what we can no longer do is enable the sovereign government to come up with excuse after excuse after excuse.

I really appreciated my colleague from Virginia explaining to me why the oil legislation written by our State Department isn’t something that the Iraqis can pass, even though they have the votes to do it. I find that fascinating.

We have been told for months that the petrochemical law is the most important thing that they can do. It is the thing that is going to give the Sunnis the effort to come into the government and feel like they are part of the government and that they are part of a solution and a one-Iraq strategy. But, of course, we have this, because even though they have the votes, it seems like it is just a little too hard to do.

We are spending too much money. We are spending too much and we are risking too many American soldiers. We are risking our readiness. The failed policy is really what we should be talking about, Madam Speaker.

Madam Speaker, I said it is easy to support this motion to instruct because it is something we all agree on.

Mr. HUNTER. Madam Speaker, I yield 4 minutes to respond to my good colleague from California.

But, of course, we, because even though they have the votes, we are winning in Iraq. We are winning. We are going to leave Iraq in victory.

Maybe my friend heard a different briefing than the one that I heard when General Petraeus came back and laid out the most recent figures with respect to attacks, but that very dangerous part of Anbar province that we have both visited has seen a drop in attacks of 80 percent. In fact, we have seen a drop in attacks in American casualties and civilian casualties across Iraq. And we have also seen new capabilities in the 131 Iraqi battalions that we have built from scratch.

I would just say to my friend, I have seen all the old smooth-path books and reports and recommendations that said somehow there was a smooth path to victory in Iraq, and I have always said there is no smooth path.

To those who say we should have kept Saddam Hussein’s army in place, I am reminded that Saddam Hussein’s army had 11,000 Sunni generals, which would have been exactly the wrong formula for a military which is supposed to take on a role of stabilization and honest brokerage in Iraq.

The reports that we are now seeing from the battlefield are that the Iraqi forces, while some had limited battlefield experience, some have had extensive battlefield experience, that military is maturing; that the military that broke and ran in the first battle of Fallujah, the Iraqi military now stands and fights; that in fact that government is moving forward, and although it is moving forward in a stumbling, bumbling, sometimes inept fashion, that is the nature of new governments. That is also the nature of governments that solve their most important things that they have to do, because it is not always easy to get the other guy to agree with you on a particular function.
With respect to oil distribution, there is an ad hoc oil distribution that is taking place right now, or de facto oil distribution. It is not a function of legislation. Right now the Kurds get, for example, 18 percent of the oil revenues, which is an oil distribution.

And I think if there wasn’t an oil distribution, you would have more conflict. Instead of seeing a waning conflict between the various sectors in Iraq, you would see an increasing conflict.

So I would just say to my friends and to the gentlewoman and to everyone who cares about an American victory in Iraq, we will have victory in Iraq if we maintain our strength. And maintaining our strength includes continuing to fund this operation.

It is our committee, the Armed Services Committee, that came up initially with the so-called bridge fund appropriation, because we said it is only proper that the Armed Services Committee fulfill an appropriation that will go through the winter months of the year so that the services do not have to reach into the cash register and take money out of valuable training exercises, take money out of our military equipment accounts and take money out of our ammunition accounts.

So I think we have exactly what we need in this motion to recommit. It is a motion that says it is the commitment of the United States Congress that we don’t have a failed state in Iraq, and it also emphasizes again that we have to have these supplemental funds to ensure that the war fighters in both of these theaters, in Afghanistan and in Iraq, are able to move forward.

Madam Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Madam Speaker, I rise in strong support of the Republican motion to instruct the conferees on the 2008 Department of Defense authorization act.

Madam Speaker, as we adjourned for the Thanksgiving recess, we witnessed something remarkable. We witnessed the Democratic majority, in working to mollify their liberal base one more time before the Thanksgiving recess, come to the floor pounding their fist declaring that we must not give our troops additional funding without congressionally mandated withdrawal deadlines. They recycled the same old rhetoric, seemingly oblivious to the facts on the ground.

Thankfully, the direction of our efforts in the global war on terror is being guided by General Petraeus and others who do understand the momentum that we have garnered; that violence between Sunnis and Shiites has nearly disappeared from Baghdad, with terrorist bombings down 77 percent; that attacks against United States soldiers has gone down since before the February 2006 bombing of the Shiite shrine in Samarra; that United States casualties in Iraq are at their lowest level since March of 2006; and that many military analysts, including some who are opposed to the war, have concluded that the United States and its allies are on the verge of winning in Iraq.

Indeed, Madam Speaker, the distinguished chairman of the Defense Authorization Appropriations Subcommittee just returned from Iraq, and he declared that the surge is finally working. I reference Mr. MURTHA from Pennsylvania.

Madam Speaker, this is something the other side doesn’t like to discuss, victory in the global war on terror. That is tough to squeeze in with the defeatist rhetoric recited to appease MoveOn.org and Code Pink.

Another thing the Democratic majority never discusses are the consequences of failure, and they have been discussed this morning on our side.

That is why this motion to instruct is so important, Madam Speaker. It is critical that the House accept Senate provision 1386 and recognize that failure in Iraq will collapse a Democratic Iraqi Government, likely leading to mass killings and genocide in that nation; certainly emboldening al Qaeda; regional instability; Iran and Syria determining the course of Iraq’s future; and Israel being pushed into the Mediterranean Sea, just as Ahmadinejad called for.

These are the consequences of defeat and these are the reasons why Congress must commit to a strategy that will not leave a failed state in Iraq and why Congress must not pass, indeed, not pass legislation that risks demoralizing and undermining our military, as they are indeed on the verge of victory in Iraq.

So, Madam Speaker, the Democrats are zero for 40 in trying to compel this precipitous withdrawal from Iraq. With this motion to instruct, I ask them for once to get on the right side. Join not just the Republicans, but, more importantly, our brave men and women in the military, and give victory a chance.

Madam Speaker, I encourage all my colleagues, let’s vote “yes” on the motion to instruct.

Mr. SKELTON. Madam Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. ANDREWS), a very distinguished member of the Armed Services Committee.

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

Mr. ANDREWS. Madam Speaker, this resolution affirms the obvious and avoids the necessary. It is obvious that the common goal of the United States, the House, the Senate, Republicans and Democrats, is to avoid a failed state in Iraq. And Israel affirms this, the House bill affirms this, and I am supremely confident that the final conference report will confirm it as well.

The issue, as my friend the gentlewoman from California said, is how do we avoid a failed state in Iraq. Sadly, the record gives us many examples of what not to do.

When General Shinseki told the administration that his recommendation was to put 300,000 troops on the ground after Saddam fell, and the administration ignored that request, that is what not to do; when leaders who hadstudied Iraq in our State Department, our intelligence agencies and our Defense Department said abolishing the Iraqi Army and the Baathist Party in its entirety is the wrong thing to do, abolishing the Iraqi Army, abolishing the Baathist Party in its entirety was the thing we did, it increased the risk of a failed state.

Now I heard my friend, the ranking member, talk about 11,000 Sunni generals, and he is right. The top of the Iraqi Army, the top of the Baathist Party, the top of the Baathist Party should have either been put on trial, put in prison, or, at the very least, removed from those institutions. But the 85 to 90 percent who ran the sewer system and the train system and the train system and the train system and the train system and the train system and the train system and the train system and the train system were given a second lease on life.

MoveOn.org and Code Pink.

When voices within our government and around the world said that the right way to transition from Saddam’s corrupt and evil regime to a new day was an internationally supervised political process, not listening to those voices was the wrong thing to do, and it increased the risk of a failed state.

So, yes, we know all sorts of things. We have learned a kind of lessons about what not to do.

What should we do? Well, I think what we should do is insist that the Iraqi politicians do what American troops have done with such excellence, to execute the job that has been given. We are thankful that the level of violence has been reduced. We are very grateful for this, and we understand that the credit for that largely goes to the Americans in uniform and to their Iraqi partners fighting with them. We are very thankful for that result.

But we are also very mindful that the Iraqi politicians who have been given a golden opportunity to bring peace and stability and comfort to their country, utterly failed to do so. They have not passed a law dividing up the proceeds of their oil industry; they have not guaranteed minority rights in their government; they have not set up and established credible elections and credible governments. They have utterly failed to establish a stable government, because we have stood there and continued to hold their coats and let them suffer the delusion that America’s sons and daughters will stay there forever.

If you want to avoid a failed state in Iraq, change that delusional perception. Say to the Iraqi politicians, the
clock is running. The time is drawing nigh when our sons and our daughters will no longer revere your civil war. Negotiate an end to it, stop it, build a stable government. That is how to avoid a failed state. That is the policy underlying the policy of this majority. Frankly, it is this excellent Armed Services authorization bill, which I hope will promptly be on the floor, promptly be on the President's desk, and promptly get about the business of serving the people who served us so well.

Mr. HUNTER. Madam Speaker, I would like to yield to a gentleman, in fact, the next two gentlemen have sons who have served in the Iraqi theater. The gentleman from Minnesota (Mr. KLINE) has a son who is a Blackhawk helicopter pilot who has served, I believe, in both theaters and has quite a bit of experience in some very difficult operations. The gentleman always has an excellent insight on this important operation. The gentleman from Minnesota (Mr. KLINE), I would like to give him 3 minutes.

Mr. KLINE of Minnesota. I thank the gentleman for yielding, and for his kind words.

I praise the gentleman from California, have a son serving in uniform and I am very proud of his service, proud of Mr. HUNTER's son's service in the Marine Corps and my son's service in the Army in Iraq. I understand that on June 10th, my son is headed to Afghanistan. So I do feel a certain personal importance to what we are discussing today and to the funding for our troops. But collectively we have all sent our sons and daughters into combat, into dangerous theaters in the world, and we need to make sure that we are giving them every chance for victory.

My good friend and colleague, the gentleman from New Jersey, said that we have learned some things not to do and some things to do. I would argue that the thing not to do is to take a strategy which is clearly working, which is bringing increased security to a dangerous spot in the world, to a strategy that is producing more electricity, more oil, opening schools, shops. You don't take that strategy and pull the rug out from under it.

Last July, Madam Speaker, I and other Members stood on this floor to ask a question of the President not to repeat in the next 3 years what had happened before. It was the impossibility of victory away from our soldiers and marines. In an atmosphere filled with overblown rhetoric predicting the failure of surge operations before they had begun in earnest, General Petraeus and those under his command turned forward into the streets of Baghdad and into the tribal-dominated areas of al Anbar province. They engaged and destroyed al Qaeda cells while working closely with tribal leaders to establish a lasting stability in once hostile and dangerous areas.

Just a few short months ago, critics in this body and the Senate declared defeat, declared defeat before giving success a chance. They did not believe our fighting men and women, implementing General Petraeus' new counterinsurgency strategy, could rout al Qaeda and insurgent forces and win over the Iraqi population. I am proud to say that they were wrong, and that is what has happened.

As we proceed with conference negotiations on this National Defense Authorization Act, I would urge my colleagues not to repeat the mistakes we have made before. Particularly while our military forces fight for victory. This motion to instruct conferences is just a small step to ensure that the position of this body is not to accept a strategy which will produce a failed state in Iraq.

In a letter to his troops before commencing the surge operations, General Petraeus noted that, “Success will require discipline, fortitude and initiative, qualities that you have in abundance.”

The question before us today, Madam Speaker, is the same one I asked in July: Do we in Congress have those same qualities?

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

The motion to instruct by my friend Mr. HUNTER from California is in two parts. Both of these sections make reference to issues that are spelled out in both the House-passed and Senate versions and consequently should be acceptable.

I would hope that the conferences would be in line with accepting both of those issues.

I would like to take just a moment, Madam Speaker, however, to say a word about those wonderful troops who we, through this authorization, support. They are the best in the world. They and their families have been tasked to do monumental work in Iraq, Afghanistan, and elsewhere, and to say that we are proud of them is an understatement. General Petraeus is the right man for the job in his great efforts in Iraq.

That is why in this bill we authorize a 3% percent pay raise for our troops; that is why we made significant changes to address the problems unearthed by the Walter Reed situation regarding our wounded warriors; that is why we put $1 billion in strategic funds to deal with the critical readiness shortfall. And this is a major challenge for us. The reforms for Iraq and Afghanistan contracting are spelled out in this bill. There is additional money for the MRAP vehicles; there is $980 million for our National Guard and TRICARE fee increases; taking steps to minimize the inequities for survivors and to step forward on the survivor benefit plan offset.

So all of these are major issues within the realm of the two bills, and hopefully the conferences will be able to make significant progress on each of those.

I am proud of the work we have done. I am proud of the Armed Services Committee. I think it is the most bipartisan committee in Congress. Special thanks to the gentleman from California who has worked with us these many years to the end of positive help for our troops in uniform.

So with that, I will reserve the balance of my time.

Mr. HUNTER. Madam Speaker, I would like to yield to another gentleman whose son has served in the Iraq theater, Mr. Wilson of South Carolina.

Mr. WILSON of South Carolina. I want to thank my Republican colleagues for bringing this motion to instruct to the floor. It is important to me as a member of the Armed Services Committee, as a 31-year veteran of the Army National Guard, and as the parent of a soldier who has served in Iraq, to say another gentleman whose son has served in the American uniform.

We must not declare defeat while our brave soldiers. Congress should never act to undermine our troops and jeopardize the success they are achieving in Iraq today. Unfortunately, the strategy of precipitous withdrawal and defeat some continue to advocate has brought us to this point.

The Democrat leadership has continued to propose legislation that aims to micromanage our military leaders and tie their hands as they stop the terrorists. This undermines the extraordinary gains by our troops that we have seen on my eight visits to Iraq, which has been possible by the surge led by General David Petraeus. We must not forget al Qaeda spokesman Zawahiri has declared Iraq and Afghanistan the central front in the global war on terrorism, and we must not stop our troops who are making extraordinary sacrifices by terrorists overseas and protecting American families at home.

This motion to instruct is a right opportunity for this body, for the leadership here in Washington to say with one voice that we are invested in success, that our aim is not to leave behind a failed Macedonia, but to give our fighting men and women the success a chance. They did not believe our fighting men and women, implementing General Petraeus' new counterinsurgency strategy, could rout al Qaeda and insurgent forces and win over the Iraqi population. We must not declare defeat, declared defeat some continue to advocate has brought us to this point.

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Our colleagues in the Senate have already acted with near unanimous support, 94-3, to include the language of this motion in their authorization. Only three Senators voted against this, showing a unified United States Senate. They have gone on record recognizing that a failed state in Iraq would have dire consequences for the safety and security of the region, for American families, and for our allies around the world.
the world. It is imperative that we follow their lead.

Again, I want to thank the ranking member, DUNCAN HUNTER, for his leadership. He is a dedicated veteran and father of an Iraq veteran. And additionally, I want to thank my Republican colleagues for bringing this to the floor. I encourage all of my colleagues to support it and send a bipartisan message to our enemies and allies that we are committed to victory in Iraq and ensuring that Iraq does not become a failed state and a safe haven for terrorists.

Mrs. TAUSCHER. Madam Speaker, we have no further speakers on our side and are prepared to close.

I just want to once again remind everyone what this is really about. We have an excellent national defense authorization bill for fiscal year 2008. It has broad bipartisan support, bi-cameral support, both the House and the Senate. Most Members voted for this bill when it came to the floor in the Senate. Most Members voted for this bill when it came to the floor in the Senate. Most Members voted for this bill when it came to the floor in the Senate.

This is a bill that the President must sign. It has so many good things in it. I want to take a couple of seconds and talk about the fact that Democrats, who took majority in January, have written their first bill in 13 years, and there are many, many good things in here that we are very proud of. We have done many things for the troops. We have included a 3.5 percent pay raise. We have prohibited increases in their health care, which is called TRICARE, and pharmacy user fees.

The bill also provides $980 million for National Guard equipment. We know how stressed and strained our National Guard has been. We know how upset many Governors have been that the National Guard has been deployed out of States so the State is without their own National Guard. And the worst part of it is when they went to Iraq or Afghanistan, and some are there for the second and third time, they left their equipment there. So the State doesn’t even have equipment that the State can use in the case of a flood or fire or some other kind of an emergency.

We have a lot of equipment that we have added; $17.4 billion for MRAPs, which is what the Pentagon requested. We have also added a shipbuilding request that the President didn’t ask for, which is a Virginia class submarine, an LPD and a T-AKE, and eight C-17s that the Pentagon didn’t ask for either because we know that we need significant power projection.

This is a very important bill that is part of our congressional responsibility to raise and support our troops, and I am proud to say this is a strong bill that supports our troops, restores military readiness and skill they have displayed.

Mrs. TAUSCHER. Madam Speaker, I voted in favor of the motion to instruct conferences, which included Senate language stating that “the Senate should not pass legislation that will undermine our military’s ability to prevent a failed state in Iraq”, because I believe that those soldiers, sailors, airmen and marines had what they needed in the war-fighting theater to be successful.

I appreciate the fact that this is a motion to instruct, but what we are being instructed is, frankly, two different issues that we have general widespread support for. Both in the House and Senate version of the bill, the language included in the motion to instruct should be very confident that they will be part of the final conference report, so this is a motion to instruct that is very supportive.

I am happy to yield back the balance of my time.

Mr. HUNTER. Madam Speaker, I want to thank my colleague from California for her comments, and also the distinguished chairman, who is a great friend and a wonderful patriot and has done a great job of steering our committee through the authorization process.

Let me tell you why I think it is important to pass this motion to instruct. We built the bridge fund. The Armed Services Committee realized we had to get the winters when you need funding for the troops before you get to the spring supplemental. So we came up initially several years ago with the idea of a $50 billion bridge fund to support the troops. The airmen and marines had what they needed in the war-fighting theater to be successful.

It is true we have this in our bill this time because we are the major architects of the bridge fund. We are the people who came up with it the first time, and the appropriators followed us. But this time they did not follow us. This time they conditioned the bridge fund with get-out-of-Iraq language, and that was a disservice to everyone who wears the uniform in the theater and to the mission. So it is important for the Members of this body to cast their votes in favor of the Appropriations Committee and to the Members of Congress who vote on the full appropriations, because we need to have that bridge fund not only authorized but appropriated.

Finally, we do need to have that very strong language committing ourselves to avoid a failed state in Iraq. And we am happy.

Now let me go back to my good colleague Mr. SKELTEN, who said we all support the troops and we have manifested that support in pay raises. And we have. We have manifested it in good medical care and a new Wounded Warrior bill to assist those in Walter Reed and Bethesda and in our medical facilities around the world. We have done that. And we have manifested that in getting them the right equipment to carry out their mission.

But there is something else we owe the troops. We owe them the right to have victory, and they are achieving that right to have a successful mission, because nothing will be more fulfilling to them than to be victorious. And that means we need to continue to move the resources into Iraq and Afghanistan so they can continue to be victorious, so that the 80 percent drop-off in the violence rate in Anbar province will continue, and so that the Iraqi Army will continue to stand up to the point where it can be self-sustaining and can fight on its own.

Madam Speaker, this is a very important motion to instruct because it is a very clear message of those 157,000-plus troops in Iraq and those 22,000-plus troops in Afghanistan. It says the American Congress, we stand behind our troops and we stand behind their mission. Mr. HALL of New York. Madam Speaker, I voted in favor of the motion to instruct conferences, which included Senate language stating that “the Senate should not pass legislation that will undermine our military’s ability to prevent a failed state in Iraq”, because I believe that those soldiers, sailors, airmen and marines are admirably and ably performing their duties. They are already doing everything the can to prevent Iraq from becoming a failed state, and I continue to support them and the professionalism and skill they have displayed.

And so I am proud of the United States military to control the long-term viability of the Iraqi government. To avoid becoming a failed state, Iraqi political leaders must come to a consensus regarding the future of Iraq and the Iraqi government. There is no role for the United States military in that task. I continue to call for strong diplomatic efforts to resolve the situation in Iraq, and believe that a firm timeline for the withdrawal of U.S. troops will force Iraq’s political leaders to take responsibility for the future of their country.

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

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

There was no objection.

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

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

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

The yeas and nays were ordered.

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

MOTION TO CLOSE CONFERENCE COMMITTEE MEETINGS ON H.R. 1585, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

Mrs. TAUSCHER. Madam Speaker, pursuant to clause 12 of House Rule XXII, I move that meetings of the conference between the House and Senate on H.R. 1585 may be closed to the public at such times as classified national security information may be broached, provided that any sitting Member of Congress shall be entitled to attend any meeting of the conference.
MOTION TO INSTRUCT CONFEREES ON H.R. 1585, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The SPEAKER pro tempore. The motion to instruct conferences on H.R. 1585 offered by the gentleman from California (Mr. Hunter) on which the yea and nay votes were ordered. The Clerk will redesignate the motion.

The Clerk redesignated the motion. The SPEAKER pro tempore. The question is on the motion to instruct. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 405, nays 6, not voting 20, as follows:

MOTION TO INSTRUCT CONFEREES ON H.R. 1585, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct conferences on H.R. 1585 offered by the gentleman from California (Mr. Hunter) on which the yea and nay votes were ordered. The Clerk will redesignate the motion.
RECOGNIZING 200 YEARS OF RESEARCH, SERVICE, AND STEWARDSHIP BY NOAA AND ITS PREDECESSOR AGENCIES

The SPEAKER pro tempore. The unfinished business is the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 147, on which the yeas and nays were ordered to be as recorded.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Guam (Ms. Bordallo) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 147.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 17, as follows:

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<tr>
<th>Roll No. 1129</th>
<th>YEA'S—414</th>
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Mr. WELCH of Vermont changed his vote from "yea" to "nay."

So the motion to instruct was agreed to.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Mr. WELCH of Vermont changed his vote from "yea" to "nay."

So the motion to instruct was agreed to.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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The CONGRESSIONAL RECORD is a publication of the United States Congress.

December 5, 2007

CONGRESSIONAL RECORD—HOUSE

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Sulliv

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Van Hollen

Walberg

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DeLon
The SPEAKER pro tempore (Ms. Degette). The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 236, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The vote was taken by electronic device, and there were—yeas 358, nays 55, not voting 18, as follows:

[Roll No. 1130]

YEAS—358

Abercrombie  Courtney  Hobson
Ackerman  Cramer  Hodes
Aderholt  Crenshaw  Hoekstra
Alexander  Crowley  Holden
Allin  Cassill  Holt
Allard  Cummins  Honda
Andrews  Davis (AL)  Hoyer
Arcuri  Davis (NY)  Huelskamp
Baca  Davis (IL)  Hunter
Bachmann  Davis (KY)  Imels
Baird  Davis, Lincoln  Israel
Bajak  Davis, Tom  Issa
Balduin  DeFazio  Jackson (IL)
Barrow  Degette  Jefferson
Barton (TX)  Delahunt  Johnson (GA)
Bean  Dent  Johnson (OH)
Beccerra  Diaz-Balart, L.  Johnson, R.
Berkeley  Diaz-Balart, M.  Johnson, Sam
Berman  Dickens  Kagen
Berry  Dingell  Kaptur
Blair  Donnelly  Kennedy
Bilirakis  Doyle  Kildees
Bishop (GA)  Drake  Kilpatrick
Bishop (NY)  Dreier  King (NY)
Blumenauer  Edwards  King (NV)
Blunt  Ehlers  Kirk
Bonner  Eiswirth  Klein (FL)
Bono  Emanuel  Kline (MN)
Boozman  Emerson  Klobuchar
Boren  Engel  Kucinich
Bowser  Eschenbrenner  Kuhl (FL)
Boucher  Etheridge  LaHood
Bouzarth  Fallon  Lamborn
Boyds  Farr  Lambrou
Boyds (KY)  Farrar  Lantos
Brad (PA)  Feeley  Larsen (WA)
Brad (CT)  Ferguson  Larson (CT)
Braley (IA)  Fincher  Latham
Brown (SC)  Forbes  LaTourette
Brown, John  Fortenberry  Lee
Browner, Stephanie  Foxx  Levin
Buchanan  Frank (MA)  Lewis (CA)
Burell  Frelinghuysen  Lewis (GA)
Butterfield  Gallegly  Lewis (KY)
Buser  Gerlach  Linder
Calvert  Giffords  Lipsitch
Camp (MD)  Gilchrest  LoBiondo
Campbell (CA)  Gilbride  LoBueck
Cannon  Gonzalez  Logue, Zoe
Capito  Goodlatte  Lowey
Capuano  Gordon  Lowenthal
Capuano, Grace  Granger  Longtenet, Daniel
Cardoza  Graves  R
Garamendi  Green (AL)  Loe
Garamendi, John  Green, Dave  Mack
Garamendi, John  Green, G.  Mack
Gannett  Grijalva  Maloney (FL)
Gardner  Greenlee  Maloney (NY)
Gaston  Hall (NY)  Markley
Gehman  Hare  Marshall
Chabot  Harkin  Maxx
Clay  Hastings (FL)  Matei
Cleaver  Hastings (WA)  McCarthy (CA)
Clay  Haynes  McCarthy (NY)
Clifford  Heller  McCaul (TX)
Cohen  Hergenreder  McCollum (MN)
Cole (OK)  Horsford  McDermott
Coley  Higgins  McCrery
Collier  Hinohara  McGovern
Costello  Hirono  McG毁灭

NANCY 55

Akus  Bachus  Frankis (AZ)
Barrett (SC)  Garrett (NJ)
Barrett (MD)  Gohmert
Bishop (UT)  Goodlatte
Boehner  Born (CA)  Hensarling
Burton (IN)  Gingrey
Cantor  Coble  King (GA)
Culbertson  Davis, David  King (IA)
Deal (GA)  David, Kingston
Dole (VA)  Lamborn
Doolittle  Mannino
Duncan  Mckinney
English (PA)  McHenry
Everett  Flake

NOT VOTING—18

Mr. Blackwell  Baldwin  Jones (AL)
Brown, Corrine  Jenkins (TN)
Carr  Jindal
DeLauro  Jones (OH)
Elison  Keller
Hinojosa  Miller, Gary

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

Mr. INGLIS of South Carolina changed his vote from “yea” to “nay.”

Mr. ROHRABACHER changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as follows:

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later today.

INCLUDING ALL BANKING AGENCIES WITHIN THE EXISTING REGULATORY AUTHORITY UNDER THE FEDERAL TRADE COMMISSION ACT

Mr. FRANK of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3526) to include all banking agencies within the existing regulatory authority under the Federal Trade Commission Act with respect to depository institutions, and for other purposes. As amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3526

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

SECTION 1. INCLUSION OF ALL BANKING AGENCIES.

(a) In General.—The second sentence of section 18(c)(1) of the Federal Trade Commission Act (15 U.S.C. 57a(f)(1)) is amended—

(1) by striking “The Board of Governors of the Federal Reserve System (with respect to banks) and the Federal Home Loan Bank Board (with respect to savings and loan institutions described in paragraph (3))” and inserting “Each Federal banking agency (with respect to banks and savings and loan institutions described in paragraph (3)(B) and savings associations described in paragraph (3))”;

and

(2) by inserting “in consultation with the Commissioner” after “shall prescribe regulations”.

(b) FTC Concurrent Rulemaking.—Section 18(c)(1) of such Act is further amended by inserting after the second sentence of the following sentence the following: “Such regulations shall be prescribed jointly by such agencies to the extent practicable. Notwithstanding any other provision of this section, whenever such agencies determine such a rulemaking proceeding, the Commission, with respect to the entities within its jurisdiction under this Act, may commence a rulemaking proceeding under the Federal Credit Union Act (12 U.S.C. 1764(f)), any other Act, or any portion of this Act, in consultation with the Commissioner.”

(c) GAO Study and Report.—Not later than 18 months after the enactment of this Act, the Comptroller General shall transmit to Congress a report on the status of regulations of the Federal banking agencies and the National Credit Union Administration regarding unfair and deceptive acts or practices by the depository institutions.
charge of, among other things, consumer protection. And here’s how it played out.

The Comptroller of the Currency and the Director of the Office of Thrift Supervision a few years ago promulgated very far reaching and preempting State rules and State laws and regulations regarding the activities of national banks. As a result of that ruling, which was challenged but upheld by the courts, States have virtually no authority over the banking practices of national banks. Only the national bank regulators may regulate.

The problem is that there were, in many, many States, most of the States from which we here come, consumer protection laws which were invalidated by that. In fact, the preemption said even when there were rules of general application that were covering the banks, the ability of the States to enforce them was limited. They had to go through the Federal regulators. So we thought they would be too lenient, but many of us were opposed to that. We were critical. And on a bipartisan basis there was criticism of it on the Financial Services Committee. Our former colleague, the gentlewoman from Virginia, Mrs. Kelly, who was chairman of the Oversight Committee, was a very strong critic of what she believed to be excessive overregulation. But that has been upheld, and there is no realistic chance of undoing it.

So the problem was to have the Federal bank regulators able to provide the consumer protections that were lost when the State rules were invalidated. I spoke with the Comptroller of the Currency, and his response was, Well, here’s the problem. Under the Federal Trade Act, the Federal Reserve has the right to promulgate the code of unfair deceptive practices. He indicated to me that he would like to do that, in fact, two Comptrollers said we would like to do that, but we don’t have the authority to promulgate the rules. The Office of Thrift Supervision, which preempted, interestingly, does have the authority to promulgate the rules.

Now, what motivated our colleagues of an earlier era to give the Federal Reserve the right to make the rules for the Comptroller of the Currency and to give the Office of Thrift Supervision the right to make the rules only for themselves? I do not know. I can speculate, based on most recent experience, it was probably the Senate’s fault, because almost everything that goes wrong these days is. But I don’t know that for sure. On the other hand, it’s our job to try to correct it.

So the second best for us was to give to two of the Federal bank agencies, the Office of the Comptroller of the Currency and the Federal Deposit Insurance Corporation, which the Federal Deposit Insurance Corporation through its depositary institutions have some authority over both State and Federal banks since it insures the deposits in both, we take away in this bill from the Federal Reserve System the power they have refused to use to promulgate a code of unfair and deceptive practices and give it, instead, over to the Comptroller of the Currency and the FDIC, either jointly or concurrently, and it comes with their support.

The Fed said they didn’t like it, but they weren’t using the power. The Comptroller of the Currency, he is, after all, a defender of this preemption. He has maintained the preemption. This is not an effort to undo the preemption. He acknowledges that in presiding over this national set of rules, it would be helpful to him to have this code of unfairness and deceptive practice, and what the code does is give some notice to the banks as to what are prohibited practices and what aren’t. So this bill does nothing in terms of substantive promulgation of the code, but it gives to the active agencies, the Comptroller of the Currency, who promulgated the preemption, and the FDIC, the ability to put into effect what we think should have been put into effect before. It comes with the support of those agencies, and I think if we get this done, they will proceed to do it.

I should note that the Office of Thrift Supervision, which already has the authority to promulgate such a code, is in the process of doing so. No legislation is needed. But they have put out a proposed rule in which we have, many of us, encouraged them to go forward with it. And as a result of what OTS is doing under its authority and what this bill would give the Comptroller of the Currency and the FDIC by early next year, we should have in place rules that will tell people what are unfair and deceptive practices. And as I said, I would have preferred that the preemption would not have been so far reaching, but it’s a fact of life. This was a very strong critic of what she believed to be excessive overregulation.
include the other Federal banking regulators, namely the FDIC and the Office of the Comptroller of the Currency.

The legislation also mandates that regulations promulgated under the relevant section of the FTC Act be prescribed “jointly by such agencies to the extent practicable,” in consultation with the FTC. And it requires the GAO to report on the status of the regulations of the Federal banking agencies and the NCUA regarding unfair and deceptive acts.

In testimony before our committee earlier this year, the Comptroller of the Currency and the Chair of the FDIC recommended that the committee make these changes, which also are supported by consumer advocates. This bill merits our support, and I urge its adoption.

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

Mr. FRANK of Massachusetts. Mr. Speaker, the good news is that I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. FRANK) that the House suspend the rules and pass the bill, H.R. 3526, as amended.

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

A motion to reconsider was laid on the table.

PRESEVERING AND EXPANDING MINORITY DEPOSITORY INSTITUTIONS ACT

Mr. WATT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4043) to amend the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463(a) n.t.) to preserve and expand minority depository institutions, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4043

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 “Preserving and Expanding Minority Depository Institution Act”.

SEC. 2. PRESEVERING AND EXPANDING MINORITY DEPOSITORY INSTITUTIONS.

(a) In General.—Section 306(a) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463(a) n.t.) is amended—

(1) by inserting “the Chairman of the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Director of the Office of Thrift Supervision, and the Chairperson of the Federal Deposit Insurance Corporation shall each submit an annual report to the Congress containing a description of actions taken in consultation with the FTC,” in subsection (b); and

(b) Report.—Section 306 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 n.t.) is amended by adding at the end the following new subsection:

“(c) REPORTS.—The Secretary of the Treasury, the Chairman of the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Director of the Office of Thrift Supervision, and the Chairperson of the Federal Deposit Insurance Corporation shall each submit an annual report to the Congress containing a description of actions taken in consultation with the FTC,” in subsection (b); and

(c) TECHNICAL AND CONFORMING AMENDMENT.—Effective upon the enactment of subsection (b), section 3(g)(2) of the Home Ownership and Equity Loan Act of 1975 (12 U.S.C. 1462g(g)(2)) is amended to read as follows:

“(2) [Repealed].”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WATT) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

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

I submit for the RECORD a letter dated November 1, 2007, from the National Bankers Association in support of this legislation.


Hon. MELVIN WATT, Chairman, Financial Institutions and Consumer Credit Oversight and Investigations, House of Representatives, Washington, DC.

DEAR CHAIRMAN WATT: On behalf of the National Bankers Association (NBA) (the voice of minority banks since 1927), its board and membership, thank you for taking the time to hold a hearing of the Subcommittee on Government Oversight and Investigations of the Committee on Financial Services on behalf of your constituents and minority-owned banks. We appreciate your continued support of our banks. We are especially proud that the Financial Services Committee staff and the NBA have a joint interest in supporting the NBA’s legislative agenda to participate in this important hearing. We support your idea of a joint hearing with the Ways & Means Committee on the CDPI and New Markets Tax Credits Programs.

NBA supports the revision of the “Preserving and Expanding Minority Depository Institutions Act” that would include the Office of the Comptroller of the Currency and the Federal Reserve along with the Federal Deposit Insurance Corporation and the Office of Thrift Supervision in the legislation.

We also appreciate you taking the time out of your busy schedule every year to participate in NBA’s Annual Legislative Summit. Your support has given NBA an elevated level of attention by other congressional members and bank regulators. Again, many thanks.

Respectfully submitted,

The National Bankers Association Board of Directors:

Robert C. Cooper, Chairman-Elect, Senior Counsel, OneUnited Bank, Boston, MA.

Tommy Brooks, Treasurer, Executive Vice President & CFO, Unity National Bank, Houston, TX.

Cynthia Day, Secretary, Chief Financial Officer, Citizens Trust Bank, Atlanta, GA.

Norma Alexander Hart, President, NBA, Washington, DC.

Mark Konan, Corporate Advisory Board Chairman, Nevada National Bank, Mobile, AL.

Stanley Weekes, Regional Vice Chairman, Executive Vice President & COO, City National Bank of New Jersey.

Arlene Williams, Regional Vice Chairman, Senior Vice President, Seaway National Bank, Chicago, IL.

Steve Holt, Regional Vice Chairman, President and CEO, One World Bank, Dallas, TX.

Tony James, Associate-Affiliate President, Senior Vice President, ICBA Securities.

Deloris Sims, Board Member, President & CEO, Legacy Bank, Milwaukee, WI.

Nativido Lozano, III, Board Member, Vice President, International Bank of Commerce, Laredo, TX.

James Ballentine, Board Member, Director, Grassroots Advocate, American Bankers Association, Washington, DC.

Viveca Ware, Board Member, Director, of Payments & Technology Policy, Independent Community Bankers of America, Washington, DC.

And, the following members from the 52 membership of the National Bankers Association:

Broadway Federal Bank, Los Angeles, CA; Unity National Bank, Houston, TX;
People’s Bank of Seneca, Seneca, MO; United Americas Bank, Atlanta, GA;
Seaway National Bank, Chicago, IL;
First State Bank, Danville, VA;
First Independence Bank, Detroit, MI;
OneUnited Bank, Boston, MA;
Commonwealth National Bank, Mobile, AL;
OneWorld Bank, Dallas, TX;
Citizens Trust Bank, Atlanta, GA;
Citizens Bank, Nashville, TN;
Mutual Community Savings Bank, Durham, NC;
Mechanic & Farmers, Durham, NC;
Salon National Bank, Westminster, CA;
United Bank of Philadelphia, Philadelphia, PA;
Liberty Bank & Trust, New Orleans LA;
Industrial Bank, Washington, DC.

Mr. Speaker, allow me to start today by expressing the collective condolences of the members of the Oversight and Investigations Subcommittee of the House Financial Services Committee to our ranking member, Representative GARY MILLER, following the death of his daughter. Representative MILLER was an original sponsor of the legislation that I have worked with me as the ranking member of the subcommittee, for his support of H.R. 4043 and to ensure that this important legislation is considered in the bipartisan way it deserves, and for his encouragement to us...
to proceed with consideration of this important bill so it will not be delayed. All of us wish Representative MILLER the very best as he and his family try to cope with a loss that we know is devastating to him. Representative MILLER’s absence under these circumstances casts a significant pall on our consideration of this bill, but we must proceed, and I am happy to do so with his approval.

Minority-owned banks and thrifts comprise about 2 percent of all banks, thrifts, and banking assets in the United States. Under section 308 of the Financial Institutions Reform, Recovery and Enforcement Act in 1989, and the Office of Thrift Supervision has been required to consult with the Chair of the Board of Directors of the Federal Deposit Insurance Corporation and the Director of the Office of Thrift Supervision on methods to achieve the following five goals:

One, preserving existing minority banks; two, preserving the minority character of these institutions in cases involving mergers or acquisitions of minority banks; three, providing technical assistance to prevent the insolvency of existing minority institutions that do not; four, promoting and encouraging the creation of new minority banks; and, five, providing for training, technical assistance, and educational programs to assist minority banks.

The requirement for consultation between the Secretary of the Treasury, the FDIC, and the OTS has been on the books since the passage of the Financial Institutions Reform, Recovery and Enforcement Act in 1989, and the Office of Thrift Supervision has been required to submit an annual report to Congress describing actions taken to achieve these five goals that help preserve and expand minority banks.

On December 5, 2007, our Financial Services Oversight and Investigations Subcommittee, which I am privileged to chair, held a hearing about a report issued by the U.S. Government Accountability Office in October of 2006 that reviewed Federal banking regulators’ efforts to promote these five goals. This report, entitled “Minority Banks: Regulators Need To Better Assess Effectiveness of Support Efforts,” found that, despite recommendations contained in a similar 1993 Government Accountability Office report, none of the Federal banking regulators have routinely surveyed institutions within their jurisdiction to assess the effectiveness of the regulators’ support efforts to minority banks nor have the regulators systematically established outcome-oriented performance measures to gauge the effectiveness or results of the regulators’ efforts. In short, the efforts being taken by the regulators to preserve and promote minority banks appeared modest, and whether they are being helping are could not be ascertained. The regulators were taking some steps, but there were no outcome measures to judge their effectiveness. Indeed, if the number and strength of minority financial institutions since 1989 is a barometer, the efforts of the regulators appear not to be having the positive results we desire.

H.R. 4043 would, in effect, increase the pressure on and transparency of the regulators’ efforts by requiring all of them, the Federal Deposit Insurance Corporation, the Federal Reserve, the Office of the Comptroller of the Currency, and the Office of Thrift Supervision. To encourage Congress on their efforts to implement the goals outlined in section 308 of FIRREA, the goals of preserving and supporting and promoting minority businesses.

At the subcommittee hearing, all the regulators acknowledged that they could and should be doing more and indicated that they do not object to a statutory change to expand the goals of section 308 of FIRREA to their agencies. In testimony from the FDIC, the Federal Reserve, and the OCC indicated that they do not object to being obligated to prepare and submit to Congress an annual report describing their efforts to promote and preserve minority institutions. H.R. 4043 requires this, and I encourage my colleagues to support the bill.

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

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

I rise in support of H.R. 4043, the Preserving and Expanding Minority Depository Institutions Act of 2007. This bipartisan legislation, introduced by Chairman WATT and Ranking Member MILLER of the Financial Services Oversight and Investigations Subcommittee is intended to support our Nation’s minority banks. The bill includes new reporting requirements which will help gauge the effectiveness of government programs that assist minority banks. Like other community banks, minority banks may confront unique challenges because of their smaller size.

Section 308 of FIRREA, the Financial Institutions Reform, Recovery and Enforcement Act of 1989, mandates that the FDIC in conjunction with the Office of Thrift Supervision work to preserve existing minority banks, promote the creation of new minority banks, and provide technical assistance and training. At the time required to do so, the Office of the Comptroller of the Currency and the Federal Reserve also provide assistance to minority banks.

H.R. 4043 will codify the advisory role of the OCC and the Federal Reserve by expanding section 308 of FIRREA to include both of these agencies. Additionally, the legislation directs all four banking regulators to report annually to Congress on their efforts to preserve, promote, and assist minority banks.

At an October 30 Oversight and Investigations Subcommittee hearing on minority banks, the OCC and Federal Reserve did not object to being covered by section 308 of FIRREA, and all four regulators stated that they would also not object to the annual reporting requirement since most of them already include minority bank information in reports they currently submit to Congress.

At that same hearing, the subcommittee heard testimony that many of the regulators’ programs are underutilized by the minority banks they are designed to help. According to a report issued by the Government Accountability Office last year, most of the banks that did participate found these programs very, very useful. Minority banks should be encouraged to use any and all the tools provided to them by the Federal regulators.

I, too, join with my colleague Congressman WATT in extending our deep sympathy and great caring for our colleague Congressman MILLER while he’s going through the tragedy in his family. It raises him great concern, but his imprint is being felt through this legislation today, and we wish him God’s help in dealing with this crisis.
capital, promoting economic revitalization, and creating jobs. They are committed to serving the urban and minority communities in which they are located and the people and businesses that reside there. We need them.

Minority-owned financial institutions comprise only about one percent of all financial institutions and a significantly lower percentage of total industry assets. We must do all that we can to support, protect and promote these institutions.

This bill, H.R. 4043, the Preserving and Expanding Minority Depository Institutions Act, is an important step. Existing law requires that the Office of Thrift Supervision (OTS) and the Federal Deposit Insurance Corporation (FDIC) consult with the Department of the Treasury on methods to preserve, encourage and promote minority ownership of depository institutions and provide technical assistance, training and education programs.

H.R. 4043 would direct the Chairman of the Board of Governors of the Federal Reserve System and the Comptroller of the Currency to help preserve, encourage and expand minority-owned financial institutions by participating in those activities. In addition, the bill would require each of the participating agencies to submit an annual report to the Congress on activities taken to implement the law.

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

The SPEAKER pro tempore. The time was 3:00 p.m. Mr. MAHONEY of Florida. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The SPEAKER pro tempore announced that the time required for the consideration of the following question had expired. The SPEAKER pro tempore stated that the question was a question of the Speaker'sazar to suspend the rules and pass the bill, H.R. 4043, as agreed to by the House.

The Clerk read the title of the bill.

The text of the bill is as follows:

The PRESIDENT pro tempore. The PRESIDENT pro tempore announced that the time required for the consideration of the following question had expired. The PRESIDENT pro tempore stated that the question was a question of the Speaker'sazar to suspend the rules and pass the bill, H.R. 4043, as agreed to by the House.

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“(B) the owner demonstrates that the supportive services identified pursuant to subsection (e)(4), or additional supportive services to be made available upon implementation of section 210, will meet the needs of the homeless, elderly, maintain safety and security for all tenants, and be provided on a consistent, long-term, and economical basis.”

SEC. 107. NONMETROPOLITAN ALLOCATION.

Paragraph (3) of section 262(1) of the Housing Act of 1959 (12 U.S.C. 1710q(1)(3)) is amended—

(1) by inserting “project-based” before “rental assistance payments contract”;

(2) by inserting “a project-based rental assistance contract, after “Act”

SEC. 201. APPROVAL OF PREPAYMENT OF DEBT.

Subsection (a) of section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended—

(1) in the matter preceding paragraph (1), by inserting “, for which the Secretary’s consent to prepayment is required after “Act”;

(2) in paragraph (1)—

(A) by inserting “project-based” before “rental assistance payments contract”;

(B) by inserting “a project-based rental assistance contract, after “Act”;

(3) and in paragraph (2)—

(A) by inserting “(’A) before “lower”;

(B) by inserting before the period at the end the following: “, or (B) a transaction in which the project owner will address the physical needs of the project, only if, as a result of the refinancing (i) the rent charges for unassisted families residing in the project do not increase or such families are provided rental assistance under a senior preservation rental assistance contract for the project pursuant to subsection (e), and (ii) the overall cost for providing rental assistance under section 8 for the project (if any) does not increase.”

SEC. 202. SOURCES OF REFINANCING.

The last sentence of section 811(b) of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended—

(1) by inserting after “National Housing Act,” the following: “or approving the standards established pursuant to the regulations promulgated by the Secretary under the Housing Act of 1937 (as in effect before the date of the enactment of this Act), the Secretary shall submit a report to the Committees on Banking and Housing and Urban Affairs of the Senate on the findings of the study and any recommendations for implementing such a program and such a demonstration.”

TITLE III—ASSISTED LIVING FACILITIES

SEC. 301. DEFINITION OF ASSISTED LIVING FACILITY.

Section 202(b) of the Housing Act of 1959 (12 U.S.C. 1701q(2)(g)) is amended by striking paragraph (1) and inserting the following paragraph:

“(1) the term ‘assisted living facility’ means a facility that—

(A) is owned by a private nonprofit organization; and

(B)(i) is licensed and regulated by the State (or if there is no State law providing
Mr. MAHONEY of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the House of Representatives has the ability to improve the lives of thousands of seniors across the country. As mentioned in H.R. 2930, the Section 202 Supportive Housing for the Elderly Act of 2007. As our elderly population grows, the need for affordable housing will also increase.

In 2005, there were approximately 37 million people aged 65 or older. According to the U.S. Census Bureau, the number of seniors is expected to grow rapidly during the next few decades. In addition, today’s seniors are facing economic uncertainty. In my home State of Florida, the toxic cocktail of rising gas prices, skyrocketing home prices, and the ominous threat of rising interest rates, combine to make difficult choices between paying their mortgage, putting food on the table or purchasing lifesaving medication.

Despite this increase in demand, the number of affordable housing units is shrinking. According to the Joint Center for Housing, for every unit of affordable housing constructed, two are lost either by the conversion of affordable housing into market rate housing, or by the section 202 program when their contracts expire.

In 2002, Congress created a bipartisan commission to study the need for affordable housing and supportive services for the elderly. In the commission’s report to Congress entitled “A Quiet Crisis in America,” they stated that this Nation, despite competing demands for national resources, must respond to the critical need for affordable housing and home and community-based supportive services, with a substantial financial commitment and effective policies.” The report also concluded that “this Nation, whatever their individual circumstances and resources, should be able to continue to live where they prefer regardless of their income, with the services they need to maintain personal dignity and quality of life.”

One of the most important responsibilities we have as a society is to ensure that our seniors, who have done everything our Nation has asked them to do, have a safe and affordable place to live. Section 202 Supportive Housing for the Elderly Act is a step in achieving this goal. This important piece of legislation will give the owners of 202 facilities the ability to leverage the property’s equity, access much-needed capital and benefit from low interest rates from private lenders. By doing so, this legislation will ensure that these facilities are preserved and improved to meet the changing needs of seniors.

In addition, the bill allows for funding to be used to increase the services that section 202 communities provide for their residents, allowing them to live a more independent life. Finally, this bill will assist seniors living in older section 202 facilities by extending them rental assistance. This provision will allow owners to preserve these properties without the risk of displacing poor residents.

As we have seen firsthand how important these facilities are to our communities, I visited Villa Assumpta in Jensen Beach, Florida, a section 202 facility run by Catholic Charities, and Presbyterian Homes of Port Charlotte, Florida, operated by the Presbyterian Association of Homes and Services for the Aging. I have met with the residents and I have heard their life stories, residents like Ruth Justice. Mrs. Justice lived in a mobile home in Stuart, Florida, for almost 40 years until Hurricane Wilma ripped the roof off of her home. Fortunately, Ruth was able to escape from the hurricane with her piano, trumpets and other instruments she and her husband had collected over the years. However, no matter how much she loved her piano and musical instruments, it couldn’t ease the financial burden that she faced with a new place which ate up her entire monthly Social Security check. Ruth felt like she had no place to turn. Thanks to Congress for Catholic Charities and Villa Assumpta.

Fortunately, Ruth was one of the lucky ones. For seniors in need of low-income housing who qualify for one of Villa Assumpta’s 99 units, wait can be more than 2 years. I was moved by stories like Ruth’s and how much this housing means to our seniors. After years of working to live the American Dream, many of these seniors find themselves with monthly incomes of $800 or less. Without the section 202 housing, where would Ruth and her friends be? Where are the seniors living tonight that are on Villa Assumpta’s 2-year waiting list? On our streets? We have a responsibility to make sure that such evictions are stopped and that affordable housing to our seniors and we can start by passing this important legislation.

Mr. Speaker, the Section 202 Supportive Housing for the Elderly Act is an example of what this Congress can achieve when it works together in a bipartisan fashion. First, the bill was reported out of the Financial Services Committee by a unanimous vote. Secondly, following the committee’s consideration of H.R. 2930, we worked with my colleague from West Virginia (Mrs. CAPITO) to ensure that the bill meets the needs of rural communities.

Under current law, HUD is required to reserve 15 percent of program funds for the development of units in non-metropolitan areas. Unfortunately, the small number of units that are reserved do not provide an adequate incentive for developers to undertake such projects. As a result, rural communities often face severe shortages of section 202 units. The increase in production added by Mrs. CAPITO will provide HUD with greater flexibility by allowing the Department to allocate funding for
This legislation offers represent a comprehensive federal policy change to meet the affordable housing needs of low-income seniors. Without these reforms, our most vulnerable seniors will face displacement, homelessness, or premature institutionalization. You support H.R. 2930 and a national commitment to the development and preservation of supportive, affordable senior housing.

We know that this will ensure that substantial equity in these projects can be time-consuming and bureaucratic. This will enable sponsors to prevent displacement and continue serving low-income seniors.

The changes this legislation offers represent a comprehensive federal policy change to meet the affordable housing needs of low-income seniors. Without these reforms, our most vulnerable seniors will face displacement, homelessness, or premature institutionalization. You support H.R. 2930 and a national commitment to the development and preservation of supportive, affordable senior housing.

Sincerely,

[Signature]

Mr. Speaker, today I rise in strong support of H.R. 2930, the Section 202 Supportive Housing for the Elderly Act of 2007.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, today I rise in strong support of H.R. 2930, the Section 202 Supportive Housing for the Elderly Act of 2007. I would like to thank my colleague from Florida for all of his good, hard work and the leadership of the committee, the Financial Services Committee, for the work they have done on this.

Today, we are facing a growing elderly housing crisis in this country. According to the 2005 census data, there are approximately 3.6 million seniors living below the poverty line. Among senior renters, 1.29 million have worst case housing needs, meaning they spend over 50 percent of their income on housing.

Mr. Speaker, I would like to thank Chair Frank and Representative MAXINE WATERS for their leadership in this area of affordable housing. This legislation offers represent a comprehensive federal policy change to meet the affordable housing needs of low-income seniors. Without these reforms, our most vulnerable seniors will face displacement, homelessness, or premature institutionalization. You support H.R. 2930 and a national commitment to the development and preservation of supportive, affordable senior housing.

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Mr. Speaker, I would like to thank Chair Frank and Representative MAXINE WATERS for their leadership in this area of affordable housing.
on the floor today includes several changes to the bill reported out of the Committee on Financial Services on September 25. While the bill as reported did have a $94 million cost for fiscal year 2008 and a $212 million cost over the five years, those costs have been removed by the elimination of the mortgage sale demonstration program and the subordination or assumption of existing debt provisions. The Congressional Budget Office now reports the costs associated with this bill to be insignificant.

I would also like to thank my colleagues and Chairman FRANK in particular for his willingness to work with me on a provision to resolve a problem that non-metropolitan States like my home State of West Virginia have experienced when attempting to qualify for funds under the section 202 program. It is important to recognize that the need for housing for the very low-income elderly extends beyond metropolitan areas and it needs the flexibility for rural and suburban areas to be able to qualify for these funds. The very low-income elderly of rural West Virginia deserve the very same resources available in the larger areas.

H.R. 2930 now includes provisions to establish a national competition for non-metro elderly housing funds and will allow regional offices to administer elderly housing allocations. This greater flexibility will help create more elderly housing units in rural States like mine.

I would like to pause and thank the housing advocates in my State of West Virginia for bringing this issue before me in a very timely manner so we could fix this while we are dealing with the section 202 program. So I want to thank my fellow West Virginians for helping us out here.

Mr. Speaker, the affordable rental housing crisis in America is having a profound effect on renters of all ages, especially our seniors, and this bill will help ease some of the affordability problems plaguing our senior population.

I urge my colleagues to support H.R. 2930, the Section 202 Supportive Housing for the Elderly Act of 2007.

I reserve the balance of my time.

Mr. MAHONEY of Florida. Mr. Speaker, I would like to yield 2 minutes to my distinguished friend from Vermont (Mr. WELCH).

Mr. WELCH of Vermont. I thank very much my colleague, Mr. MAHONEY, for his emphasis on this legislation and Mrs. CAPITO for her excellent work on this bipartisan legislation.

It is incredibly important to America's seniors. Vermont's seniors, that they have security in housing as they age. It is a challenge because we are getting more folks older and incomes are not keeping up. H.R. 2930 addresses the issue in a timely and overdue way.

It improves HUD's section 202 program, providing low-income elderly households access to affordable places to live. It is the only program that provides housing exclusively for the elderly. Established in 1959, it makes capital grants and project rental assistance available to developers so they can build housing that is affordable to low-income elderly households. Over 320,000 housing units are currently available.

But it is not enough. There are 10 seniors waiting and in need for every housing unit that is available, and approximately 3.6 million of our seniors across the country in every State live in poverty. This bill is going to help make a down payment on what needs to be done. The U.S. population is aging; 12.4 percent are over 65, but in 18 years that is going to be 20 percent. We are going to need 730,000 units of housing. So I thank the sponsors, the leaders, to begin the process of moving forward.

I want to mention just in a very practical way something that Mrs. Corrigan-Carnahan said. Housing is a partnership. What it does is unleash the activities of volunteers in our communities and housing advocates, and they brought this to our attention.

Grand Way Commons in Vermont, opened by the Cathedral Square Corporation, is going to have a housing project that is going to help 63 families, seniors, have access to housing, and they are combining it with services from United Way, from AARP and from the Vermont Nurses Association.

Mr. Speaker, I urge a strong vote in support of moving ahead for senior housing.

Mrs. CAPITO. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. MAHONEY of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Speaker, I too want to thank Mrs. CAPITO, Chairman FRANK, Chairman WATERS, and also Mr. MAHONEY from Florida for his great work on this.

Mr. Speaker, as a cosponsor of H.R. 2930, I am pleased to support this bipartisan legislation to reform and strengthen HUD's section 202 senior housing program.

Mr. Speaker, affordable rental housing is essential to low-income seniors living on fixed income. In fact, according to AARP, there are at least 10 seniors now on waiting lists for every unit of section 202 housing that becomes available. However, in the meantime, for every unit of affordable housing that we create, two are being lost either through the conversion process to market-rate housing or by seniors who are opting out of the program when their contracts expire. As a result, preserving our existing section 202 senior housing is and should be a national priority.

H.R. 2930 eases the development and preservation of section 202 housing for the elderly by reducing administrative burdens while simultaneously expanding the available options for recapitalization. This bill will give the owners of these communities the ability to leverage the equity in those properties. It will also allow them to access much-needed capital and benefit from the current low interest rates being offered by our financial leaders.

Mr. Speaker, by delegating the processing of these capital advances to State housing agencies with staff and experience in housing development, the section 202 process will be aided and made more efficient.

Mr. Speaker, as President John F. Kennedy once said to Congress nearly 45 years ago, “The gradual increase in lifespan in our country and the number of our senior citizens who find themselves in later years dependent on affordable housing presents this Nation with increased opportunities. The increased life expectancy presents opportunities to draw upon the skills of our senior citizens and their wisdom and sagacity, and the opportunity to provide the respect and recognition that they have earned in their later years. It is not enough for a great Nation merely to have added years to their lives. Our objective must also be to add new life to those years.”

I encourage my colleagues to support the growing population of seniors in our country, of these most vulnerable citizens in our country, by voting for this important bipartisan measure to aid the elderly in the section 202 program.

Again, I would like to thank my colleague from Florida, Mr. MAHONEY, for spearheading this important legislation.

Mr. MAHONEY of Florida. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MAHONEY) that the House suspend the rules and pass the bill, H.R. 2930, as amended.

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

A motion to reconsider was laid on the table.

SECURITIES LAW TECHNICAL CORRECTIONS ACT OF 2007

Mr. SCOTT of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3505) to make various technical and clerical amendments to the Federal securities laws, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 3505

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 “ Securities Law Technical Corrections Act of 2007”.

H14180 CONGRESSIONAL RECORD—HOUSE December 5, 2007
SEC. 2. TECHNICAL CORRECTIONS. 

(a) SECURITIES ACT OF 1933.—The Securities Act of 1933 (15 U.S.C. 77a et seq.) is amended—

(1) in section 3(a)(4) (15 U.S.C. 77c(a)(4)), by striking “individual;” and inserting “individual;”;
(2) in section 18(b)(1)(C) (15 U.S.C. 78r(b)(1)(C)), by striking “is a security” and inserting “a security;”;
(3) in section 18(c)(2)(B)(i) (15 U.S.C. 78r(c)(2)(B)(i)), by striking “State, or” and inserting “State;” and inserting “or”;
(4) in section 19(d)(6)(A) (15 U.S.C. 77d(6)(A)), by striking “in paragraph (1) of” and inserting “in paragraph (1) or”;

(b) SECURITIES EXCHANGE ACT OF 1934.—The Securities Exchange Act of 1934 (15 U.S.C. 78 et seq.) is amended—

(1) in section 2(1)(a) (15 U.S.C. 78b(1)(a)), by striking “affected” and inserting “affected;”
(3) in section 3(g) (15 U.S.C. 78g(g)), by striking “company, account person, or entity” and inserting “company, account person, or entity;”

(A) by striking the sentence beginning “The order granting” and ending “from such membership,” in subparagraph (B); and

(B) by inserting such sentence in the matter following such subparagraph after “are satisfied;”;
(7) in section 15 (15 U.S.C. 78o), redesignate subsection (i), as added by section 303(f) of the Commodity Futures Modernization Act of 2000 (114 Stat. 2763A-455), as subsection (j); and

(A) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively;

(B) by striking the sentence beginning “The order granting” and ending “from such membership,” in such redesignated subparagraph; and

(C) by inserting such sentence in the matter following such redesignated subparagraph after “satisfied;”;
(9) in section 16(a)(2)(C) (15 U.S.C. 78p(a)(2)(C)), by striking “section 206(b)” and inserting “section 206(h);”
(10) in section 17(b)(1)(B) (15 U.S.C. 78q(b)(1)(B)), by striking “15A(k)” and inserting “15A(k);”
(11) in section 21C(c)(2) (15 U.S.C. 78s–3(c)(2)), by—

(A) striking paragraph (1) of subsection “inserting “Paragraph (1)”;”

(c) TRUST INDENTURE ACT OF 1939.—The Trust Indenture Act of 1939 (15 U.S.C. 77aa et seq.) is amended—

(1) in section 304(b) (15 U.S.C. 77ddd(b)), by striking “section 2 of such Act” and inserting “section 2(a) of such Act;”
(2) in section 312(a)(4) (15 U.S.C. 77m(ma)(a)(4)) by striking “subsection 311” and inserting “subsection 311;” and
(3) in section 317(a)(1) (15 U.S.C. 77q(na)(a)(1)), by striking “(3)” and inserting “(1);”

(d) INVESTMENT COMPANY ACT OF 1940.—The Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) is amended—

(1) in section 2(a)(19) (15 U.S.C. 80a–2(a)(19)) by striking “clause (vi)” both places it ap-
to ensure that the laws we pass are current, and periodically clarifying certain aspects of these somewhat complex and complicated laws is a very valuable undertaking.

The amendments made by this bill correct drafting errors and remove obsolete references to the Public Utilities Holding Company Act of 1935, which was repealed in 2005. It further corrects numbering and punctuation errors. There are several technical changes that can be made to the bill, as introduced, one to correct statutory citations and punctuation and also for clarification.

Mr. Speaker, as security laws are very complicated, very complex and highly technical, and with many of these laws having been written in the 1930s and the 1940s, periodic overview is very, very important and essential to the financial security of our great Nation, and this, Mr. Speaker, is the purpose of this bill.

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

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

Mr. Speaker, I rise today in strong support of H.R. 3505, the Securities Law Technical Corrections Act of 2007, a bill to correct statutory citations and numbering and punctuation errors. There are several technical changes to the Federal securities laws. Mr. Speaker, I want to note that the Securities and Exchange Commission supports these changes.

Once again I want to thank my colleague Mr. SCOTT for his support for this measure and also Chairman FRANK and Ranking Member BACHUS for advocating that this come to the floor today.

Mr. Speaker, in the aftermath of the stock market crash of 1929 and the ensuing Great Depression, Congress enacted the Federal securities laws of the 1930s and the 1940s. Over many years, Congress has amended these laws to adopt innovation and growth in the securities industry. Securities laws have become incredibly complex and technical due to the intricate and global markets we have today.

The goal of these laws is to protect investors and ensure fair, orderly and efficient markets, and to facilitate capital formation and promote competition. These laws range from governing over the initial issuance and registration of securities to the oversight of financial reporting and registration of people involved in the sale of securities. The laws also regulate the purchase and sale of securities, securities brokerage firms and securities exchanges, and they also have been responsible for the rules of the creation and operation of mutual funds and those laws governing the operation of investment advisors, all good things.

As Members of Congress, we have a responsibility to review laws that we pass in a timely fashion to ensure that they are correct and that they are up to date. Most importantly, Congress needs to clarify that these laws are well-crafted so that agencies who administer and enforce them are able to do so without causing unnecessary confusion to investors, to market participants and the courts.

Keeping the security laws current is a worthwhile undertaking. One such example where there is need to update our securities laws which are included in this legislation is to address the repeal of the Public Utility Holding Company Act of 1935. It was repealed, as Mr. SCOTT mentioned, in the 2005 energy bill because it was no longer necessary.

But it was originally adopted to deal with circumstances that existed in the 1930s and 1940s when the commission was restructuring the utility industry. At that point, a number of holding companies would have owned minority stakes in and operating holding companies and they may have held substantial equity assets that caused them to meet the investment company definition at that time.

Today, virtually all utility holding companies operate throughout wholly owned subsidiaries and, thus, do not have investment company status issues any different from any other type of holding company. So utility holding companies no longer need to be treated differently than any other type of company for purposes of determining whether they meet the definition of investment company.

H.R. 3505 makes almost 50 technical changes to the Federal securities laws. Mr. Speaker, I want to note that the Securities and Exchange Commission supports these changes.

Once again I want to thank my colleague Mr. SCOTT, along with Ranking Member BACHUS and our chairman, Chairman FRANK, for their support of this legislation, and I urge all of our colleagues to support it.

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

Mr. SCOTT of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I too want to thank my colleague Mr. ROSKAM for his hard work on this bill and for his contribution, and also the leadership of our Financial Services Committee under the chairmanship of Chairman BAYNEN FRANK for his work on this measure as well.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 3505, as amended.

The question was taken.

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

Mr. SCOTT of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to section 8 rule XX and the Chair’s prior announcement, further proceedings on this motion will be postponed.

APPOINTMENT OF CONFEREES ON H.R. 1585. NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees to H.R. 1585:

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. SKELTON, SPRATT, ORTIZ, TAYLOR, ABERCROMBIE, REYES, SNYDER, SMITH of Washington, Ms. LORETTA SALazar of Colorado, Mrs. TAUSCHER, Messrs. BRADY of Pennsylvania, ANDREWS, Mrs. DAVIS of California, Messrs. LASEREN of Washington, COOPER, MARSHALL, Ms. BONDALLO, Messrs. UDALL of Colorado, HUNTER, SAXTON, McHUGH, EVERTREE, BARLETT of Maryland, MCKEON, THORNBERRY, JONES of North Carolina, HAYES, AKIN, FORBES, WILSON of South Carolina, TURNER, KLINE of Minnesota, and Mrs. DRAKE.

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Messrs. BOSWELL, PATRICK J. MURPHY of Pennsylvania, and HOEKSTRA.

From the Committee on Energy and Commerce, for consideration of sections 311–313 and 1082 of the Senate amendment, and modifications committed to conference: Messrs. DINGELL, WYNN, and BARTON of Texas.

From the Committee on Foreign Affairs, for consideration of sections 831, 833, 1022, 1201, 1303, 1904, 2069–2068, 1221, 1222, 1224, 1241, 1249, 1251, 1317 of the Senate bill, and sections 561, 562, 564, 565, and 3137 of the Senate amendment, and modifications committed to conference: Messrs. GEORGE MILLER of California, COURTNEY, and WALBERG.

From the Committee on Energy and Commerce, for consideration of sections 325, 326, 328 of the Senate amendment, and modifications committed to conference: Messrs. LANTOS, ACKERMAN, and Ms. ROS-LEHTINEN.

From the Committee on Homeland Security, for consideration of section 1076 of the Senate amendment, and modifications committed to conference: Messrs. THOMPSON of Mississippi, CARNEY, and DANIEL E. LUNGEN of California.

From the Committee on the Judiciary, for consideration of sections 582, 591, 642, 653, 672, 673, and 850 of the House bill, and sections 832, 1023, 1024, 1078, 1087, 1571–1574, 1576, 1577, 1579, and title LII of the Senate amendment, and modifications committed to conference: Messrs. CONYERS, BERMAN, and SMITH of Texas.

From the Committee on Oversight and Government Reform, for consideration of sections 325, 326, 328–330, 604, 653, 674, 801, 802, 814, 815, 821–824, 1101–
Mr. MCNERNEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H. Con. Res. 251, the resolution now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California (Mr. MCNERNEY) to continue their remarks and to include extraneous material on H. Con. Res. 251, the resolution now under consideration?

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

I would first like to thank my good friend and colleague from Colorado (Mr. PERLMUTTER), the sponsor of this resolution, which recognizes the invaluable contributions of the National Renewable Energy Laboratory, or NREL, the gentleman from Colorado and I both share deep concern about our Nation’s dependence on imported oil and the impact that fossil fuels have on our economy. As someone who has worked at the national laboratory, I have spent many years at the laboratory working as an engineer, a consultant, and I certainly appreciate the work that NREL does. Tucked in the foothills of the Rockies and looking up to the scenic Flatirons, NREL has led the charge in developing and deploying cost-effective energy efficiency and renewable energy technologies for three decades. We have been continually impressed by the caliber of work that this laboratory has put out over the years.

New energy technology takes time to develop. It’s a long, difficult process, but we have seen tremendous advances. For example, in wind energy we have seen it come from an outlying technology to where now it’s one of the leading sources of new energy in the world. We can expect other forms of energy technology such as solar, geothermal, and energy efficiency technologies to follow that same trajectory to becoming cost-effective and competitive with all other forms of energy.

The experts at NREL have played a critical role in developing a range of technologies that will transform our energy future. NREL scientists and engineers have made breakthroughs in such diverse areas as biofuels, wind, solar power, near-zero-energy buildings, and super efficient cars and trucks.

As our country works to combat climate change and achieve energy independence, NREL’s mission is more important than ever. But staying ahead of the technology curve requires considerable resources and very smart policymaking. I am sure that the dedicated employees of NREL share my appreciation for this resolution and will continue their tireless efforts to bring energy efficiency and renewable energy technologies and practices to the marketplace.

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

Mr. HALL of Texas. Mr. Speaker, I rise in support of H. Con. Res. 251, commending the National Renewable Energy Laboratory for its work promoting energy efficiency for 30 years. NREL, the National Renewable Energy Laboratory, based in Golden, Colorado, is the hub of our Nation’s work into renewable and alternative energy research and development.

Since 1977, when it began as the Solar Energy Research Institute before changing its name in 1991, NREL has received 39 R&D 100 awards, as well as hundreds of Scientific and Technical Society honors and awards, Technology Transfer awards, and Department of Energy and other agency awards. NREL’s success has continued under the leadership of its current director, Dr. Dan Arvizu, who has made the transferring of technologies from the lab to the marketplace a real priority.

It’s through this “technical transfer” that we see inventions and discoveries at work in the real world and not sitting on a proverbial shelf collecting proverbial dust.
As we have reached a time in our energy history that we are realizing more and more the importance of and the place that renewable and alternative forms of energy have in our current and future energy mix, NREL’s significance and prominence as a world leader in this field is becoming increasingly evident and appreciated. The resolution before us today recognizes NREL for its 30 years of service to our country. I am proud that such a facility exists in this great country of ours. I could only be prouder if it were in my home State of Texas.

I thank Dr. Arvizu and all the scientists and employees at NREL. You serve our country and serve our future very well.

Mr. Speaker, I urge my colleagues to support House Concurrent Resolution 251.

With that, I reserve the balance of my time.

Mr. McNERNEY. I thank the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Thank you, Mr. McNERNEY. I want to thank the gentleman from Texas (Mr. HALL). All of you are supporting this particular resolution, and it is one that is apropos for our time right now. We need to reduce our dependence on foreign oil, and the National Renewable Energy Lab, NREL, which is about three miles from my house, is the leading organization in the world for developing energy efficiency technologies and renewable energy technologies.

Today, I rise to honor and commend that laboratory, which is the premier in the country. In 1977 the Solar Energy Research Institute opened and was designated a national laboratory of the Department of Energy. In 1991, President George Bush changed the institute’s name to the National Renewable Energy Lab, which I will call NREL.

NREL is the principal research laboratory for the Department of Energy’s Office of Energy Efficiency and Renewable Energy and also provides research expertise for the Office of Science. Changing our energy policy and developing a new direction for energy was and is a high priority for Americans across the country. We must reduce our dependence on foreign oil, and we must increase our supply of renewable energy. We cannot afford the status quo any longer.

Leadership in the House on both sides of the aisle has shown this understanding for the increase in renewable energy and energy efficiency across the country, and for the first time in a long time this Congress passed a budgetary increase to the Office of Energy Efficiency and to the Office of Science so that NREL can continue its vital and important research and development in these particular areas.

NREL has advanced our national energy goals by developing innovative ways to change the way we power our homes and businesses and fuel our cars. They have developed competitions for solar cars and energy efficient homes. In fact, many times the races have ended here in Washington, DC, and we have had the opportunity to see competitions among our colleges and brightest kids as to how to make our buildings more energy efficient.

NREL has worked to develop biomass, solar, wind, geothermal, hydro, and many types of renewable energy, and it has worked on both renewable energy for buildings, as I said, as well as renewable fuels for vehicles. Now more than ever we must seek ways to increase production of renewable energy and make our country more energy efficient, and NREL is helping to do just that. By seeking and creating avenues to develop renewable energy and improve our energy efficiency, we can strengthen our national security, protect the environment, and create thousands and thousands of new jobs.

I commend NREL on its work for the past 30 years, and I look forward to their work in the next 30 years. I thank the 1,200 current employees and the past employees who helped make NREL the leader that it is today. I thank the gentleman from Texas and the gentleman from California as well as the Speaker for helping me with this bill and commending this laboratory for the good work that it does.

Mr. HALL of Texas. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. McNERNEY. Mr. Speaker, I don’t have any further speakers or any further comments, but I just want to point out that NREL has done a fine job. I want to see this institution and this government support and continue to support that kind of work that is going on in northern Colorado.

Mr. UDALL of Colorado. Mr. Speaker, I rise today in support of H. Con. Res. 251, to commemorate the 30th anniversary of the National Renewable Energy Laboratory, NREL, in Colorado. The facility serves our Nation as the chief research laboratory for energy efficiency and renewable energy for the Department of Energy. As the co-chair of the Renewable Energy and Energy Efficiency Caucus, I am proud to celebrate this organization and its invaluable work to set our country on a course towards sustainable energy practices.

The range of research areas at NREL is remarkable; from hydrogen-storing carbon nanotubes for fuel cell power to vehicles to architectural computer design tools for low-energy construction to “smart windows” which automatically tint in order to cut the cost of air conditioning, NREL has developed cutting-edge technology for 30 years. NREL’s National Wind Technology Center, located in my district, has helped push forward development of more efficient and economic wind turbines, which are critical to making the wind industry an important player in our Nation’s energy markets. NREL will continue to be a leader on important research and development in these critical areas.

NREL continues to be an important resource for the people of Colorado. NREL is a critical participant in the Colorado Renewable Energy Collaboratory Agreement, which also includes the University of Colorado at Boulder, the Colorado School of Mines and Colorado State University. The Collaboratory will not only advance new energy research, but it will also encourage quicker transfer of new technology to energy businesses. For example, the new Colorado Center for Biofuels, C2B2, partners NREL and the Collaboratory with Colorado businesses to help reduce our dependence on foreign sources of oil while researching commercially viable biofuel technologies.

NREL and its employees continue a tradition of service to the community. Hundreds of NREL employees have completed over 43 community service projects in the past 5 years. NREL has focused community efforts for its 30th anniversary on helping the “Family Tree” organization, which provides assistance to the homeless and victims of domestic violence.

On a personal note, I have greatly enjoyed working with NREL scientists and staff, including NREL’s former director, Vice Admiral Richard Druly, and NREL’s current director, Dr. Dan Arvizu. I have great respect for both men and look forward to continuing to work with Dr. Arvizu for many years to come.

As the world demands sustainable energy solutions in a new era of energy awareness, I am confident that the talented scientists, engineers, and researchers at NREL will continue to lead our country and the world forward in expanding and improving our energy resources. I join my colleagues in recognizing NREL for its 30 years of service and look forward to many years to come.

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

The SPEAKER pro tempore. The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution ordered adopted by the House of Representatives, the concurrent resolution of the Senate (S. 2371) to amend the Higher Education Act of 1965 to make technical corrections, as amended.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

SEC. 1. DEFINITION OF UNTAXED INCOME AND BENEFITS.

(a) AMENDMENT.—Section 480(b) of the Higher Education Act of 1965 (20 U.S.C.
solely on the basis of the borrower effect on July 1, 2009. amendment made by this section shall take on special fuels claimed for Federal income tax purposes; or "(F) untaxed social security benefits.". (b) EFFECTIVE DATE. —This section and the amendment made by this section shall take effect on July 1, 2009.

SEC. 2. INCOME-BASED REPAYMENT FOR MARRIED BORROWERS FILING SEPARATELY.

Section 405C of the Higher Education Act of 1965 (20 U.S.C. 1070e) is amended by adding at the end the following: "(d) SPECIAL RULE FOR MARRIED BORROWERS FILING SEPARATELY.—In the case of a married borrower who files a separate Federal income tax return, the Secretary shall calculate the amount of the borrower’s income-based repayment under this section solely on the income of the borrower’s student loan debt and adjusted gross income.

SEC. 3. TEACH GRANTS TECHNICAL AMENDMENTS.

Subpart 9 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070g et seq.) is amended— (1) in section 420L(1)(B), by striking "sound" and inserting "responsible"; and (2) in section 420M— (A) by striking "academic year" each place it appears in subsections (a)(1) and (c)(1) and inserting "year"; and (B) in subsection (c)(2)— (i) by striking "other student assistance" and inserting "other assistance the student may receive"; and (ii) by striking the second sentence.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. McCarthy) and the gentleman from Pennsylvania (Mr. Platts) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. McCarthy of New York. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to S. 2371 into the Record.

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

There was no objection.

Mrs. McCarthy of New York. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. McCarthy of New York asked and was given permission to revise and extend her remarks.)

Mrs. McCarthy of New York. Mr. Speaker, I rise in support of the amendment to S. 2371. This bill makes technical corrections to the College Cost Reduction and Access Act in order to ensure that the Department of Education and other relevant stakeholders reflect congressional intent when implementing the law.

Mr. Speaker, during this Congress we have made significant commitments to our Nation’s students and families by putting resources into the hands of those that need it the most. The College Cost Reduction and Access Act as passed and signed by the President does more to help Americans pay for college than any other effort since the GI Bill, at no new cost to taxpayers.

Specifically, the legislation provided a landmark investment of $20 billion in additional funding for Pell Grants, reductions in the interest rates on student loans, and the creation of programs to help students manage debt, as well as encourage individuals to pursue public service.

Providing this critical funding is a large part of our efforts to increase access and affordability to higher education. Our work on reforming and strengthening higher education is not finished for this Congress. I look forward to working with Chairman Miller and the rest of the Education and Labor Committee on the reauthorization of the Higher Education Act through this process. As passed by the Senate and amended in this bill, the technical amendments contained in the bill clarify the definition of untaxed income and benefits to ensure it does not include those items in the calculation that were removed from the list under CCRAA; clarifies that married borrowers’ income-based repayment payments shall be determined solely on the individual borrower’s loan information and the individual’s income without considering the spouse’s income or any other loan debt that they may have if the married borrower files taxes separately; conforms language in the TEACH Grant Program to ensure appropriate implementation.

Mr. Speaker, swift passage of S. 2371, as amended, will ensure that students and families will fully benefit from the programs, funding, and intent provided in the College Cost Reduction and Access Act. I urge my colleagues to support this provision.

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

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

(Mr. Platts) a bill providing for technical changes to the College Cost Reduction and Access Act of 2007. This bill includes two necessary clarifications and corrections to ensure that this act, a series of financial aid changes made through this year’s budget reconciliation process, is implemented as Congress intended.

The bill before us today would make some, but not all, of the important technical amendments that are needed to ensure that the Department of Education is able to put this law into place in a manner consistent with congressional intent. The bill clarifies the untaxed income and benefit items that are to be included in the needs analysis formula for purposes of determining what a family can actually pay for their child’s education. It also ensures that borrowers selecting the new income-based repayment plan will not face a penalty simply because they are married. Finally, the bill also provides technical amendments to the TEACH Grant program.

There are several other important technical corrections in a bill that the House passed prior to the Thanksgiving Day recess. The changes clarified that members of the Armed Forces Reserves are eligible for student loan deferments when they return home after serving abroad. The House-passed bill also encouraged families to adopt older children by permitting any student that was in foster care through the age of 13 to be treated as an independent student, even if the child was adopted after the age of 13. Unfortunately, most of these changes will not be enacted because our colleagues on the other side of the Capitol eliminated them from the bill, despite the bipartisan support shown for these important reforms here in the House.

These reforms are technical in nature, but their consequences will be far-reaching. Prior to the Thanksgiving Day recess, the Education and Labor Committee unanimously passed a bill to expand college access and affordability. Consistent with that goal, this package of technical corrections will improve our financial aid programs by clarifying the intent of the recently enacted College Cost Reduction and Access Act. I urge my colleagues to join me in supporting this important measure.

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

Mrs. McCarthy of New York. Mr. Speaker, in closing, I want to thank Chairman Miller for his leadership on this important bill. This bill will keep costs down for our Nation’s students, and I urge each Member to support this reauthorization.

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

The SPEAKER pro tempore. The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill, S. 2371, as amended, was passed. A motion to reconsider was laid on the table.

PROTECTING OUR CHILDREN COMES FIRST ACT OF 2007

Mrs. McCarthy of New York. Mr. Speaker, I move to suspend the rules and pass the Missing Children’s Assistance Act to authorize appropriations; and for other purposes, as amended.
The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 2517
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congres-

SECTION 1. SHORT TITLE.
This Act may be cited as the “Protecting Our Children Comes First Act of 2007”.

SEC. 2. FINDINGS.
Section 402 of the Missing Children’s As-
sistance Act (42 U.S.C. 5771) is amended to read as follows:

"SEC. 2. FINDINGS.
The Congress finds that—
(1) each year thousands of children are abducted or removed from the control of a parent or legal guardian, without the parent’s consent, under circumstances which immediately place the child in grave danger;
(2) many missing children are at great risk of both physical harm and sexual exploita-
tion;
(3) in many cases, parents and local law enforcement officials have neither the re-
sources nor the expertise to mount expanded search efforts;
(4) abducted children are frequently moved from one locality to another, requir-
ing the coordination of local, State, and Federal law enforcement ef-
forts;
(5) growing numbers of children are the victims of child sexual exploitation, increas-
ingly involving the use of new technology to access the Internet;
(6) children may be separated from their parents or legal guardians as a result of na-
tional disasters such as hurricanes and floods;
(7) sex offenders pose a threat to children;
(8) the Office of Juvenile Justice and De-
linquency Prevention administers programs under this Act through the Child Protection Division, including programs which prevent or address offenses committed against vul-
erable children and which support missing children’s organizations; and
(9) a key component of such programs is the National Center for Missing and Explo-
ited Children, which—
(A) serves as a national resource center and clearinghouse for agencies in the effort to find missing children and prevent child victimization; and
(B) in partnership with the Depart-
ment of Justice, the Federal Bureau of Invest-
igation, the United States Marshals Serv-
ces, the Transportation Security Administra-
tion, and other Federal and State govern-
ment agencies, develops training materials and provides technical assistance to law enforcement agencies, State and local governments, youth-serving organizations, and the public on how to reduce the incidence of missing and exploited children;
(C) operates a national network, linking the Center online with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, and Puerto Rico, as well as with international organiza-
tions, including Europol and the United Na-
tions Children’s Fund, the Royal Canadian Mounted Po-
lice, INTERPOL headquarters in Lyon, France, and others, which enable the Center to transmit images and information regarding missing and exploited children to law en-
forcement across the United States and around the world instantly;

SEC. 3. DUTIES AND FUNCTIONS OF THE ADMIN-
ISTRATOR.
Section 404(b) of the Missing Children’s As-
sistance Act (42 U.S.C. 5773(b)) is amended—
(1) by adding paragraph (1) to read as follows:
‘‘(1) IN GENERAL.—The Administrator shall annu-
ally make a grant to the Center, which shall be limited to—
(A)(i) operate a national 24-hour toll-free telephone line by which individuals may re-
port information regarding the location of any missing child, and request information pertaining to procedures necessary to re-
unite such child with such child’s legal cus-
todian; and
(ii) coordinate the operation of such tele-
phone line with the operation of the national communications system referred to in part C of the Runaway and Homeless Youth Act (42 U.S.C. 5714–11);
(B) operate the official national resource center and information clearinghouse for miss-
ing and exploited children;
(C) provide to State and local govern-
ments, and public and private nonprofit agencies, and individuals, information re-
garding—
(i) free or low-cost legal, restaurant, lodg-
ing, and transportation services that are available for the benefit of missing and ex-
ploited children and their families; and
(ii) the existence and nature of programs being carried out by Federal agencies to as-
sist missing and exploited children and their families;
(D) coordinate public and private pro-
grams that locate, recover, or reunite miss-
ing children with their families;
(E) disseminate, on a national basis, in-
formation on innovative and model programs, services, and legislation that ben-
efit missing and exploited children;
(F) based on reports received by the National Center for Missing and Explo-
ted Children (NCMEC), and not involving any data collection by NCMEC other than the receipt of those reports, annually provide to the Department of Justice’s Office of Ju-
venile Justice and Delinquency Prevention—
(i) the number of children nationwide who are reported to NCMEC as missing;
(ii) the number of children nationwide who are reported to NCMEC as victims of non-
family abductions;
(iii) the number of children nationwide who are reported to NCMEC as victims of pa-
rental kidnappings; and
(iv) the number of children recovered na-
tionwide whose recovery was reported to NCMEC;
(G) provide, at the request of State and local governments, and public and private nonprofit agencies, at no cost, technical assistance to fa-
cilitate the lawful use of school records and birth certificates to identify and locate miss-
ing children;
(H) provide technical assistance and training to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private nonprofit agencies, and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing and ex-
ploited children;
(I) provide assistance to families and law enforcement agencies in locating and recov-
ering missing and exploited children, both nationally and, in cooperation with the De-
partment of State, internationally;
(J) provide analytical support and tech-
nical assistance to law enforcement agencies through searching public records databases in locales where children are missing and ex-
ploited children and helping to locate and identify abductors;
(K) provide direct on-site technical assist-
ance and consultation to law enforcement agencies in child abduction and exploitation cases;
(L) provide forensic technical assistance and consultation to law enforcement and other agencies in the identification of un-
identified deceased children through facial reconstructions of skeletal remains and simi-
lar techniques;
(M) track the incidence of attempted child abductions in order to identify links

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.
Section 408(a) of the Missing Children’s As-
sistance Act (42 U.S.C. 5777(a)) is amended by striking ‘‘2007 through 2008’’ and inserting ‘‘2008 through 2013’’.

SEC. 5. REPEALER.
The Missing Children’s Assistance Act (42 U.S.C. 5771 et seq.) is amended—
(1) by striking section 407, and
(2) by redesignating subsection 408 as section 407.

SEC. 6. REPORT.
The Administrator of the Office of Juvenile Justice and Delinquency Prevention shall, not later than 180 days after the date of the enactment of this Act, in consultation with the National Center for Missing and Ex-
ploited Children and in coordination with the Federal Bureau of Investigation, submit to the Committee on Education and Labor of the House of Representatives and the Com-
mittee on Health, Education, Labor, and Pensions of the Senate a report that in-
cludes—
(1) a plan to scale the pilot program de-
scribed in section 108 of the PROTECT Act of 2003 (Public Law 108–21), to serve youth-serv-
ings organizations nationwide, including but not limited to, the centers of such a program and the youth-serving organizations ex-
pected to participate in such program,

H14186
CONGRESSIONAL RECORD—HOUSE
December 5, 2007
This legislation works to help protect not only children who go missing, but it also works to protect our children who are sexually exploited, a horrendous thought for any of us to consider, and yet it is part of our reality. The National Center for Missing and Exploited Children serves not only as a national clearinghouse and resource center on missing children but also serves that same purpose for exploited children. Among multiple programs, the CyberTipline for tips and leads on child sexual exploitation.

The CyberTipline allows for citizens and electronic communication providers to report incidents of various types of child exploitation, including online enticement of children for sexual acts, child prostitution, and child pornography. This reauthorization expands the reach of the CyberTipline to include categories of exploitation that connect with new technologies or activities.

I want to share a success story from the Child Victim Identification Program at NCMEC. This program reviews child pornography images to gain clues that will lead to the identification of a child.

In this particular case in 2005, those reviewing these horrendous images also found images of a young boy partially clothed, including a photo of him in his Boy Scout uniform. They were able to read the patches on his uniform and discovered he was in the Nassau County Boy Scout Council, which I represent here in Congress. The program has set procedures which led them to contacting law enforcement, who identified this child and later arrested a suspect.

From this story, there are two points I want to make. First, this program does wonderful, and yet very difficult, work to protect and save children who are being exploited. Secondly, these crimes happen everywhere.

Since its first study in 1984, NCMEC has received 173 reports of missing children in Nassau County, New York, and 4,319 for New York State. Of those 4,319 children who went missing, 4,146 were recovered.

H.R. 2517 strengthens the ability of the Department of Justice Office of Juvenile Justice and Delinquency Prevention Child Protection Division’s missing and exploited children’s programs, including funding for the National Center for Missing and Exploited Children.

Furthermore, this legislation continues the authorization for National Incidence Studies, known as "NISMART." According to CRS, the first NISMART study "provided the first nationally representative, comprehensive data on the incidence of missing children." The second NISMART study resolved some methodological challenges of the first study, and included runaway or throwaway children as well.

These studies have helped law enforcement, Federal agencies, and non-profits in their work to prevent children from going missing or to help children who have gone missing. For some of our most vulnerable young people, and this work is critical in protecting this population.

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itself does not conduct the investigation of these cases.

The National Center’s Federal funding supports specific operational functions mandated by Congress, including a national 24-hour toll-free hot line; a database for missing child photos; a system of case management and technical assistance to law enforcement and families; training programs for Federal, State and local law enforcement; and programs designed to help stop the sexual exploitation of children.

Today, more missing children come home safely than ever before; however, there is still important work to be done. Hundreds of children still do not make it home each year, and many more continue to be victimized by acts of violence. In fact, children are the most victimized segment of our society and crimes committed against children of all ages are the most underreported of all crime categories.

The National Center for Missing and Exploited Children has worked with law enforcement on more than 133,000 missing child cases, and has played a role in reuniting more than 115,000 children with their families. With a 96.2 percent recovery rate, up from 62 percent in 1990, the National Center has analyzed more than 500,000 reports of crimes against children on the Internet and referred them to law enforcement, resulting in hundreds of arrests and successful prosecutions.

Today, law enforcement is responding more swiftly and effectively to reports. Hundreds of children still do not have a national network in place, and parents are more alert, more aware, and talking to their children about their safety. With the changes made through this legislation, the Missing Children’s Assistance Act and the National Center for Missing and Exploited Children will continue their important efforts focused on protecting our vulnerable missing children.

Again, I thank the gentleman from Texas (Mr. LAMPS0N) for his sponsorship of this bill. I reserve the balance of my time.

Mrs. McCARTHY of New York. Mr. Speaker, I am very pleased to yield such time as he may consume to the gentleman from Texas (Mr. LAMPS0N) who has been certainly at the forefront on trying to protect our children. I thank him for his work.

Mr. LAMPS0N. I thank Chairwoman McCollum for the good work that she has done and for allowing me the time to participate in this legislation and to bring it to the floor of the House of Representatives. It is critically important.

My colleagues, I rise today to ask you all to join me in voting for H.R. 2517, the Protecting Our Children Comes First Act of 2007. This bill amends the Missing Children’s Assistance Act, reauthorizes the National Center for Missing and Exploited Children and the Department of Justice’s missing and exploited children’s program from 2008 to 2013.

Each year, thousands of children are abducted or removed from the control of a parent having legal custody without that parent’s consent, under circumstances which immediately place the child in grave danger. Recent cases include a young girl being dumped in Galveston, Texas, near my district. These gruesome acts remind us that we must do everything in our power to catch these creeps and protect our children.

Many missing children are at great risk of both physical harm and sexual exploitation, and in many cases parents and local law enforcement officials have neither the resources nor the expertise to mount expanded search efforts. Abducted children are frequently moved from one locality to another, requiring the coordinated action of local, State, and Federal law enforcement efforts. Growing numbers of children are the victims of child sexual exploitation increasingly involving new technology to access the Internet.

Sex offenders pose a threat to children across the world, with growing numbers of sex offenders targeting children online. The National Center for Missing and Exploited Children has worked with law enforcement on more than 133,000 missing child cases, and has played a role in reuniting more than 115,000 children with their families. With a 96.2 percent recovery rate, up from 62 percent in 1990, the National Center has analyzed more than 500,000 reports of crimes against children on the Internet and referred them to law enforcement, resulting in hundreds of arrests and successful prosecutions.

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On May 24, I, along with my cochair of the Congressional Missing and Exploited Children’s Caucus, introduced H.R. 2517. Since its establishment in 1994, the National Center has assisted law enforcement with more than 137,000 missing child cases, resulting in the recovery of more than 120,000 children. The National Center’s congressionally mandated CyberTipline, a reporting mechanism for child sexual exploitation, has handled more than 540,000 phone calls and leads.

We are fortunate that this Nation has a national clearinghouse and clearinghouse such as the National Center for Missing and Exploited Children which works in partnership with the Department of Defense, the Federal Bureau of Investigation, the United States Secret Service, the Department of the Treasury, the Department of State, the Department of Homeland Security’s Bureau of Immigration and Customs Enforcement, the United States Secret Service, and many other agencies to better protect our children and prevent child victimization.

The National Center operates a national and increasingly worldwide network and serves as a model for many other nations which are creating similar nonprofits.

The National Center provides activities and services concerned with the safety and security of America’s children. I want to especially thank Chairwoman McCarthy for the good fight since the tragic abduction and murder of another innocent child in July of 1981. Their courage and their strength, which has done so much to help millions of children throughout the world, is extraordinary. Speaking on behalf of other parents and grandparents, we owe them our gratitude, and we thank you.

Again, I strongly urge my colleagues to support this much-needed legislation. It is time that we all step up to protect our children by authorizing resources for the National Center for Missing and Exploited Children so children are safer on and off the Internet, where they are free to learn and grow. Thank you all. I look forward to the support for this legislation.

Mr. PLATTS. I yield 4 minutes to the gentlelady from Illinois (Mrs. BIGGERT), who as has been referenced has been a true champion for protecting our Nation’s children.

Mrs. BIGGERT. Mr. Speaker, I rise today to recognize those staffs who have worked so diligently in bringing this legislation to fruition: Committee on Education and Labor staffs Denise Forte, Deborah Koolbeck, and Ruth Friedman; Congresswoman JUDY BIGGERT, whose great dedication and hard work made this bill possible; and my staffers, Dan Easley and Abby Shannon. I would also like to extend a thank you to my very strong Republican colleague and fellow caucus cochair, JUDY BIGGERT, for her work and support of this legislation.

I would at this time like to recognize those staffs who have worked so diligently in bringing this legislation to fruition: Committee on Education and Labor staffs Denise Forte, Deborah Koolbeck, and Ruth Friedman; Congresswoman JUDY BIGGERT, whose great dedication and hard work made this bill possible; and my staffers, Dan Easley and Abby Shannon. I would also like to extend a thank you to my very strong Republican colleague and fellow caucus cochair, JUDY BIGGERT, for her work and support of this legislation.

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I look forward to the support for this legislation.
I would like to take a moment to thank my fellow cochair of the Congressional Missing and Exploited Children's Caucus and sponsor of the bill, Representative LAMPSON, for his hard work on child protection issues, and Chairwoman McCARTHY for her work in leading this bill through the committee.

It seems like every time I open the newspaper, I read another story of a child that has been abducted or has been sexually abused by a sexual predator. In my district, a city that has twice been voted by Money Magazine as the top city in the nation to raise children, has alone experienced over 30 cases in the last 4 years involving online sexual solicitation of a child. Clearly, more can and must be done on this issue. This problem is not regional. It is not isolated to big cities. It is not isolated to rural communities. This is a real national problem that will not go away until we give the organizations like the National Center for Missing and Exploited Children the tools and the resources they need to fulfill their mission and protect our children from current and emerging threats.

Since authorized by Congress in 1984, NCMEC has been extremely successful in this mission. In fact, NCMEC has received nearly 2.3 million telephone calls, printed and distributed nearly 43 million publications, trained 231,000 law enforcement, criminal justice, and health professionals, worked more than 136,000 missing children cases, and, perhaps most importantly, played a role in reuniting more than 118,700 children with their families. In fact, the National Center’s child recovery rate is an impressive 96.3 percent.

For generations, the message was simple. Parents told their children that they should never talk to strangers. My parents told me and I told my children. But times have changed. There are more threats to our children today, and our message must change with technology. Similarly the role of the National Center has changed.

This is why we need this bill passed on the floor today, to expand the National Center's congressionally mandated mission to include recent enhancements in technology and give the resources to address these and other protective issues.

I urge my colleagues to support this bill.

Mrs. McCARTHY of New York. Mr. Speaker, I reserve the balance of my time.

Mr. PLATTS. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Mr. Speaker, I rise today in support of H.R. 2517, the Protecting Our Children Comes First Act of 2013, as reintroduced by my distinguished colleague Congressman LAMPSON. I would like to thank him for his ongoing commitment to the extremely important issue of protecting our children, and I would also like to thank Chairwoman MILLER for her leadership in guiding this legislation through the Committee on the Education and Labor. I am extremely proud to join over 90 of my colleagues in cosponsoring this crucial, bipartisan legislation.

Mr. Speaker, the Protecting Our Children Comes First Act of 2007 reauthorizes the Missing Children’s Assistance Act through H.R. 2517 sponsored by my colleague from Texas, Mr. LAMPSON.

I urge each Member to support this reauthorization. We, as a Nation, can do better to protect our children. And with that, I hope all of my colleagues will certainly vote for this.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 2517, the Protecting Our Children Comes First Act of 2013, as reintroduced by my distinguished colleague Congressman LAMPSON. I would like to thank him for his ongoing commitment to the extremely important issue of protecting our children, and I would also like to thank Chairwoman MILLER for his leadership in guiding this legislation through the Committee on the Education and Labor. I am extremely proud to join over 90 of my colleagues in cosponsoring this crucial, bipartisan legislation.

Mr. Speaker, the Protecting Our Children Comes First Act of 2007 reauthorizes the Missing Children’s Assistance Act through FY 2013, and it will increase federal resources for protecting and assisting missing children and their families. This legislation will provide the resources to ensure that the National Center for Missing and Exploited Children can continue its important work to combat child abduction and exploitation.

As Chair of the Congressional Children’s Caucus, I have been an outspoken advocate for the protection of our children against all predators, be it disease, natural disasters, or sexual deviants. While we may not be able to avoid natural disasters, there is nothing but a lack of political will and Congressional action on this important reauthorization which works to keep our Nation’s children safe. And I want to also thank my ranking member of the Subcommittee on Healthy Families and Communities, Mr. PLATTS, for his continued dedication to our work on the subcommittee.

I chair the Subcommittee on Healthy Families and Communities for the Committee on Education and Labor, and this reauthorization is no exception.

None of us would like to even think about any children in our lives, whether it’s our own children, our grandchildren, our nieces or our nephews, any child in our lives going through missing or being sexually exploited. This is why this reauthorization is so critical and why this reauthorization is a bipartisan endeavor.

Through cooperation with the municipal Federal agencies, the National Center for Missing and Exploited Children alone handles over 250 calls per day to national hotlines. It has received 5,422 tips through the CyberTipline, and has worked with countless families and organizations to raise awareness and bring children to safety. This work would not have been possible without our work here today in reauthorizing the Missing Children’s Assistance Act through H.R. 2517 sponsored by my colleague from Texas, Mr. LAMPSON.

I urge each Member to support this reauthorization. We, as a Nation, can do better to protect our children. And with that, I hope all of my colleagues will certainly vote for this.
Mr. Speaker, we must act now to protect our children from these atrocities and this legislation is an important first step in doing so. The National Center for Missing and Exploited Children’s® (NCMEC) mission is to help prevent child abduction and sexual exploitation; help find missing children; and assist victims of child abduction and sexual exploitation, their families, and the professionals who serve them. Established in 1984, NCMEC is a non-profit organization that provides crucial services nationwide for families and professionals in the prevention of abducted, endangered, and sexually exploited children.

Mr. Speaker, as technology continues to evolve, there are continuously a new range of tools available to NCMEC to employ in its important work. In recent years, the Center’s workload has expanded exponentially, largely due to the growth of the Internet. Ernie Allen, president and CEO of the National Center for Missing and Exploited Children, stated that it anticipates receiving an excess of 110,000 reports through the CyberTipline, which the public may use to report Internet-related child sexual exploitation, and provides technical assistance to individuals and law-enforcement agencies in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children, among other tasks. This is an increase of around 3,500 from last year.

Mr. Speaker, the National Center for Missing and Exploited Children has proven a crucial tool in combating the exploitation and abduction of our Nation’s children. It is vital that we continue to support the Center and I urge my colleagues to join me in supporting this legislation.

Mrs. McCarthy of New York. I yield back the balance of my time.

The Speaker pro tempore. Pursuant to the motion offered by Mrs. McCarthy of New York, I demand the yeas and nays.
Congressional Record — House

December 5, 2007

H14191

[2] STATE AND LOCAL LAW ENFORCEMENT.—The National Center for Missing and Exploited Children may forward any report made under subsection (a)(1) to an appropriate provider, or domain name registrar, of a State for the purpose of enforcing State criminal law.

[3] FOREIGN LAW ENFORCEMENT.—The National Center for Missing and Exploited Children may forward any report made under subsection (a)(1) to any appropriate foreign law enforcement agency designated by the Attorney General, under subsection (d)(3), subject to the conditions established by the Attorney General under subsection (d)(3).

[4] ATTORNEY GENERAL RESPONSIBILITIES.—

"(1) IN GENERAL.—The Attorney General shall enforce this section.

"(2) DESIGNATION OF FEDERAL AGENCIES.—The Attorney General shall designate promptly the Federal law enforcement agency or agencies to which a report shall be forwarded under subsection (c)(1).

"(3) DESIGNATION OF FOREIGN AGENCIES.—The Attorney General shall promptly—

"(A) designate the foreign law enforcement agencies to which a report may be forwarded under subsection (c)(1) can be used; and

"(B) establish the conditions under which such a report may be forwarded to such agencies;

"(4) PROTOCOL.—A protocol for a process for foreign law enforcement agencies to request assistance from Federal law enforcement agencies in obtaining evidence related to a report referred under subsection (c)(3)

"(e) FAILURE TO REPORT.—An electronic communication service provider or remote computing service provider that knowingly and willfully fails to make a report required under subsection (a)(1) shall be fined—

"(1) in the case of an initial knowing and willful failure to make a report, not more than $1,000; and

"(2) in the case of any second or subsequent knowing and willful failure to make a report, not more than $300,000.

"(f) PROTECTION OF PRIVACY.—Nothing in this section shall be construed to require an electronic communication service provider or a remote computing service provider to—

"(1) disclose the personal name, subscriber, or customer of that provider;

"(2) monitor the content of any communication of any person described in paragraph (3);

"(3) affirmatively seek facts or circumstances described in subsection (a)(2);

"(g) CONDITIONS OF DISCLOSURE INFORMATION CONTAINED WITHIN REPORT.—

"(1) IN GENERAL.—Except as provided in paragraph (2), a law enforcement agency that receives a report under subsection (c) shall not disclose any information contained in that report.

"(2) PERMITTED DISCLOSURES.—A law enforcement agency may disclose information in a report under subsection (c)—

"(A) to an attorney for the government for use in the performance of the official duties of that attorney;

"(B) to such officers and employees of that law enforcement agency, as may be necessary in the performance of their investigative and recordkeeping functions;

"(C) to such other government personnel (including personnel of a State or subdivision of a State) as are determined to be necessary by an attorney for the government to assist in the performance of the official duties of the attorney in enforcing Federal criminal law;

"(D) if the report discloses a violation of State criminal law, to an appropriate official of a State for the purpose of enforcing such State law;

"(E) to a defendant in a criminal case or the attorney for that defendant, to the extent the information relates to a criminal charge pending against that defendant;

"(F) to any electronic communication service provider or remote computing provider if necessary to facilitate response to legal process issued in connection to that report.

"(g) MINIMIZING ACCESS.—An electronic communication service provider, a remote computing service provider, or domain name registrar shall—

"(1) minimize the number of employees that are provided access to any image provided pursuant to section 2235A of this title, or section 446 of the Missing Children's Assistance Act (42 U.S.C. 5773), or from the effort of such center to identify child victims may not be brought in any Federal or State court.

"(b) USE BY ELECTRONIC COMMUNICATION SERVICE PROVIDERS AND REMOTE COMPUTING SERVICE PROVIDERS.—An electronic communication service provider or remote computing service provider that receives elements relating to an image from the National Center for Missing and Exploited Children under this section may use such information only for the purposes described in this section, provided that such use shall not result in a claim or charge if the National Center for Missing and Exploited Children.

"MD. LIMITED LIABILITY FOR THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

"(a) IN GENERAL.—Except as provided in subsections (b) and (c), a civil claim or criminal charge against the National Center for Missing and Exploited Children, including any director, officer, employee, or agent of such center, arising from the performance of the CyberTipline responsibilities or functions of such center, as described in this section, section 2235A, or 2235C of this title, or section 446 of the Missing Children's Assistance Act (42 U.S.C. 5773), or from the effort of such center to identify child victims may not be brought in any Federal or State court.

"(b) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Subsection (a) shall not apply to a claim or charge if the National Center for Missing and Exploited Children, or a director, officer, employee, or agent of such center—

"(1) engaged in intentional misconduct; or

"(2) acted, or failed to act—

"(A) with actual malice; or

"(B) with reckless disregard to a substantial risk of causing injury without legal justification;

"(C) for a purpose unrelated to the performance of any responsibility or function under this section, section 2235A, or section 2235C.

"(c) ORDINARY BUSINESS ACTIVITIES.—Subsection (a) shall not apply to an act or omission relating to an ordinary business activity of an electronic communication service provider, a remote computing service provider, or domain name registrar, including general administration or operations, the use of motor vehicles, or personnel management.

"MD. MINIMIZING ACCESS.—The National Center for Missing and Exploited Children shall—
H14192

CONGRESSIONAL RECORD — HOUSE December 5, 2007

“(1) minimize the number of employees that are provided access to any image provided under section 2238A; and

“(2) ensure that any such image is permanently destroyed upon notification from a law enforcement agency.

**SEC. 2254. DEFINITIONS.**

“In sections 2258 through 2260—

“(1) the term ‘safeguarding the Government’ and ‘State’ have the meanings given those terms in rule 1 of the Federal Rules of Criminal Procedure;

“(2) the term ‘electronic communication service’ has the meaning given that term in section 2510;

“(3) the term ‘electronic mail address’ has the meaning that term in section 1011 of the Internet Tax Freedom Act (47 U.S.C. 151 note);

“(4) the term ‘Internet’ has the meaning given that term in section 1101 of the Internet Tax Freedom Act (47 U.S.C. 151 note);

“(5) the term ‘remote computing service’ has the meaning given that term in section 2711; and

“(6) the term ‘website’ means any collection of material placed in a computer server-based file archive so that it is publicly accessible, over the Internet, using hypertext transfer protocol or any successor protocol.”.

(b) CONFORMING AMENDMENTS.—

(1) REPEAL OF SUPERCEDED PROVISION.—Section 227 of the Communication Control Act of 1996 (42 U.S.C. 13032) is repealed.

(2) TABLE OF SECTIONS.—The table of sections for chapter 110 of title 18, United States Code, is amended by inserting after the item relating to section 2258 the following:

“2258A. Reporting requirements of electronic communication service providers and remote computing service providers.

2258B. Limited liability for the National Center for Missing and Exploited Children.

2258C. Use of images from the CyberTipline to combat child pornography.

2258D. Limited liability for the National Center for Missing and Exploited Children.

2258E. Definitions.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONyers) and the gentleman from Virginia (Mr. FORBES) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

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

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

There was no objection.

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

Members of the House, this measure, H.R. 3791, called the SAFE Act, will improve the ability of our law enforcement officers to investigate offenses involving child pornography and the exploitation of children by the Internet.

Under current law, Internet service providers are required to file a report to the cyber tip line of the National Center of Missing and Exploited Children when the provider learns of child pornography. The center serves as a clearinghouse for leads and sends the reports to law enforcement agencies around the United States to the Federal Bureau of Investigation.

Unfortunately though, many Internet companies are unaware of these obligations, and the law is unclear as to the precise information that is required to be reported to the center. This bill addresses the aforementioned problems.

First, it facilitates the reporting of child pornography from Internet service providers to the center by clarifying the information that must be reported. Then it specifies the data that must be maintained by the reporting company for law enforcement purposes. And finally, it provides certain liability waivers for the center and Internet service providers for their roles in dealing with child pornography as required by law. Therefore, H.R. 3791 makes clear the precise reporting obligations of Internet providers and, in this way, will facilitate investigation and prosecution of child pornography and other crimes against children that involve the Internet. I think this is an important measure.

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

Mr. FORBES. Mr. Speaker, I’d like to, at this time yield so much time as he may consume to the gentleman from Ohio, Congressman CHABOT, who was an original cosponsor of this legislation.

Mr. CHABOT. Mr. Speaker, I rise in support of H.R. 3791, the Securing Adolescents From Exploitation-Online Act of 2007. The bill’s author, the distinguished gentleman from Texas (Mr. LAMPSON) and I have worked closely on this. Mr. LAMPSON for his leadership in this area, and I also want to thank Mr. LAMPSON for his leadership in this area, and I again want to urge my colleagues to support H.R. 3791 today.

Mr. CONyers. Mr. Speaker, I’m pleased to recognize again Nick LAMPSON of Texas for the great work he has done in this area. I yield him as much time as he may consume.

But I do want to mention STEVE CHABOT of the Judiciary Committee, who has worked with us all in the creation of this legislation.

Mr. LAMPSON. Mr. Speaker, I thank the honorable Mr. CONyers from Michigan for yielding me the time and for the great work that he and the Judiciary Committee and particularly on this particular issue, and I thank you for letting me be a part of this.

And for Mr. CHABOT, the work that he has done on not just this, but other legislation having to do with child safety, child protection.

I rise today to ask my colleagues to join me in voting for H.R. 3791, the Securing Adolescents From Exploitation—Online Act of 2007. This bill modernizes and expands the reporting requirements relating to child pornography and expands cooperation in combating child pornography.

Stories of Internet predators preying on our children, making their way into our children’s bedrooms with the simple click of a mouse, and they’re seen and heard all too often in our media. The age of sweet 16 used to be about our children. Stories of Internet predators preying on our children, making their way into our children’s bedrooms with the simple click of a mouse, and they’re seen and heard all too often in our media. The age of sweet 16 used to be about our children. And for Mr. CHABOT, the work that he has done on not just this, but other legislation having to do with child safety, child protection.

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of pictures, personal interests and even addresses, which they can be used, or they can use to cause harm.

Well, this dangerous trend has become a feeding ground for pedophiles and convicted sex offenders. Parents, law enforcement and legislators must work hard to prevent online networking Web sites into the fight to protect America’s children. And I’ve joined with one of my cochairs of the Missing and Exploited Children’s Caucus, I just mentioned Mr. CHABOT, in introducing the Protecting Adolescents From Exploitation-Online, the SAFE Act.

The SAFE Act provides increased resources for law enforcement to capture and prosecute and incarcerate these criminals. By expanding the system for service providers to report child pornography found on the systems, we improve child safety and prevent future atrocities.

Currently, Internet service providers are mandated to report child pornography to the National Center for Missing and Exploited Children. Under the SAFE Act, all electronic service communications providers and remote computing service providers will have to report child pornography. For knowingly willingly not filing a report after being made aware of a child pornography image, these providers will be subject to increased fines of $150,000 per image per day for the first offense and up to $300,000 per image per day for any image found thereafter.

This bill will also increase the efficiency of the CyberTipline, making it a better investigative tool for law enforcement by mandating that all information submitted by providers is consistent. The process outlined in this bill keeps law enforcement officials in the loop by making information more readily available and requires providers to retain key data that law enforcement agencies can use to investigate and prosecute child predators.

Over 10 years ago, I created the bipartisan Congressional Caucus on Missing and Exploited Children after a young girl in my district was kidnapped and murdered. And since then, I have continued to work extensively with organizations such as the National Center for Missing and Exploited Children on educating Members of Congress and others on legislation such as the SAFE Act that strengthen the National Center’s ability to keep children safer online and on our streets.

Many of us have watched Dateline’s popular series “To Catch a Predator,” and organizations such as Perverted Justice that actively look for Internet child predators. We need to become partners in this fight by talking with our children about the dangers of strangers online and making Internet use a family activity.

While parents should teach their children that the Internet may offer many different types of resources, entertainment to educational, it also poses many risks. Parents are the first line of defense against online predators, and the SAFE Act will reinforce their efforts.

Internet companies will need to do their part as well. When we begin to hold Web sites accountable for the images that they host, we’ve taken the first step toward supporting parents in their efforts to protect children. Our combined efforts will help make the Internet a safer place.

I again want to thank and recognize some of the people who have worked so hard to make this legislation what it has become, those staffs who have worked diligently in bringing this legislation to fruition: Committee on Justice staffs Ted Kalo and Mark Dubester; Congressman STEVE CHABOT’s staffer Kim Betz; and my staffs, Dan Easley and Abby Shannon, and a very special thank you to my distinguished Republican colleague, STEVE CHABOT, who has worked tirelessly on the issue of child safety, working with me as one of the cochairs of the Congressional Caucus on Missing and Exploited Children. I have great respect for the impact that he has done here in Congress as well as for the work that he has done in his congressional district, and for championing this legislation on his side of the aisle and for helping to ensure that not only are Ohio’s children protected but all of America’s children are as well.

Once again, I would like to thank John and Reve Wash for all the time that they have spent in helping us make this legislation successful, and Ernie Allen, who has spent, along with the Washes, a good part of this day making sure that others of our colleagues were aware of it, and to be willing to support it. I thank them for their significant contribution that they’ve made to protecting children across this world, not just in the United States of America. It’s because of their persistent dedication to this cause that so many of our children sleep more safely at night.

Again, I ask my colleagues to support H.R. 3791.

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

Mr. Speaker, I rise today to join those voices in support of H.R. 3791, the Protecting Adolescents from Exploitation-Online Act of 2007, otherwise known as the SAFE Act. Its purpose is to establish a profitable, global criminal enterprise and is growing rapidly in technical sophistication in response to efforts to detect and disrupt these criminal operations. It is despicable in its scope and in its vicious exploitation of children.

The Federal Bureau of Investigation estimates that 50,000 child predators are online at any time searching for potential victims, The Internet is a virtual playground for sexual predators, who satiate their desire for child pornography with relative anonymity.

H.R. 3791, the SAFE Act, would, first of all, strengthen the requirements appli-
SEC. 2. ARSONIST REGISTRATION AND NOTIFICATION PROGRAM.

(a) Registry Requirements for Jurisdictions—

(1) Jurisdiction to Maintain a Registry.—Each jurisdiction shall establish and maintain a jurisdiction-wide arsonist registry conforming to the requirements of this section.

(2) Guidelines and Regulations.—The Attorney General shall issue guidelines and regulations to interpret and implement this section.

(b) Registry Requirements for Criminal Arsonists—

(1) In General.—A criminal arsonist shall register, and shall keep the registration current, in each jurisdiction where the arsonist resides or works.

(2) Initial Registration.—The criminal arsonist shall initially register:

(A) before completing a sentence of imprisonment with respect to the offense giving rise to the registration requirement; or

(B) later than 5 business days after being sentenced for that offense, if the criminal arsonist is not sentenced to a term of imprisonment.

(3) Keeping the Registration Current.—A criminal arsonist shall, not later than 10 business days after each change of name, residence, employment, or student status, appear in person in at least one jurisdiction involved pursuant to paragraph (1) and inform that jurisdiction of all changes in the information required for that arsonist in the arsonist registry involved. That jurisdiction shall immediately provide the revised information to all other jurisdictions in which the arsonist is required to register.

(4) Application of Registration Requirements—

(A) In General.—Except as provided in guidelines under clause (b), the requirements of this section, including the duties to register and to keep a registration current, shall apply only to a criminal arsonist who has been convicted of an offense for which the arsonist is required to register.

(B) Application to Criminal Arsonists Unable to Comply with Paragraph (2).—

(i) Guidelines.—The Attorney General shall establish guidelines in accordance with the provisions of this subparagraph for each jurisdiction for the application of the requirements of this section to criminal arsonists convicted before the date of enactment of this Act, and who was notified of such duties and registered in accordance with paragraph (2).

(ii) Information Required to Be Included in Registry.—With respect to each criminal arsonist described in paragraph (1) registered in accordance with the provisions of this subparagraph, the Attorney General shall prescribe rules for the registration of any such arsonists who are otherwise unable to comply with paragraph (2).

(iii) Information Required to Be Included in Registry.—With respect to each criminal arsonist described in paragraph (1) registered in accordance with the provisions of this subparagraph, the Attorney General shall prescribe rules for the registration of any such arsonists who are otherwise unable to comply with paragraph (2).

(5) Information Required to Be Included in Registry.—With respect to each criminal arsonist described in paragraph (1) registered in accordance with the provisions of this subparagraph, the Attorney General shall establish guidelines in accordance with the provisions of this subparagraph for each jurisdiction for the application of the requirements of this section to criminal arsonists convicted before the date of enactment of this Act, and who was notified of such duties and registered in accordance with paragraph (2).

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(iii) Information Required to Be Included in Registry.—With respect to each criminal arsonist described in paragraph (1) registered in accordance with the provisions of this subparagraph, the Attorney General shall establish guidelines in accordance with the provisions of this subparagraph for each jurisdiction for the application of the requirements of this section to criminal arsonists convicted before the date of enactment of this Act, and who was notified of such duties and registered in accordance with paragraph (2).

(iv) Physical Description of the Arsonist.—The text of the provision of law defining the criminal offense related to arson for which the arsonist is convicted.

(v) A set of fingerprints and palm prints of the arsonist.

(vi) A photocopy of a valid driver’s license or identification card issued to the arsonist by a jurisdiction in which the offense was committed.

(vii) Any other information required by the Attorney General.

(viii) Notice Required.—The Attorney General shall assure that any regulations promulgated under this section include guidelines that reflect the general appropriateness of exempting such an arsonist from the registration requirements under this section.

(6) Authority to Exempt Certain Criminal Arsonists from Registry Requirements.—A jurisdiction shall have the authority to exempt a criminal arsonist who has been convicted of the offense of arson in violation of the laws of the jurisdiction in which the offense was committed or the United States for the first time from the registration requirements promulgated under this section in exchange for such arsonist’s substantial assistance in the investigation or prosecution of another person who has committed an offense.

(7) Failure to Comply.—The Attorney General shall assure that any regulations promulgated under this section include guidelines that reflect the general appropriateness of exempting such an arsonist from the registration requirements under this section.

(c) Information Required in Registration.—

(1) Provided by the Arsonist.—A criminal arsonist shall provide the following information to the appropriate official for inclusion in the arsonist registry of a jurisdiction in which such arsonist is required to register:

(A) The name of the arsonist (including any alias used by the arsonist).

(B) The Social Security number of the arsonist.

(C) The address of residence at which the arsonist resides or will reside.

(D) The name and address of any place where the arsonist is an employee or will be an employee.

(E) The name and address of any place where the arsonist is a student or will be a student.

(F) The license plate number and a description of any vehicle owned or operated by the arsonist.

(G) Any other information required by the Attorney General.

(2) Provided by the Jurisdiction.—The jurisdiction in which a criminal arsonist registered must include the following information in the registry for such arsonist:

(A) A physical description of the arsonist.

(B) The text of the provision of law defining the criminal offense for which the arsonist is registered.

(C) The criminal history of the arsonist, including the date of all arrests and convictions; the status of parole, probation, or supervised release; registration status; and the existence of any outstanding arrest warrants for the arsonist.

(D) A current photograph of the arsonist.

(E) A set of fingerprints and palm prints of the arsonist.

(F) A photocopy of a valid driver’s license or identification card issued to the arsonist by a jurisdiction.

(G) Any other information required by the Attorney General.

(d) Duration of Registration Requirement; Expunging Records of Information for Certain Juvenile Criminal Arsonists.—

(1) Duration of Registration Requirement.—A criminal arsonist shall keep the provisions of this section current for the full registration period (excluding any time the arsonist is in custody).

(2) Expunging Records of Information for Certain Juvenile Criminal Arsonists.—

(A) In General.—In the case of a juvenile described in subparagraph (B) (the term ‘juvenile’ means under clause (i) shall provide notice to each arsonist who was convicted of a criminal offense related to arson for the offense giving rise to the arsonist registry purposes only, a criminal arsonists convicted before the date of enactment of this Act, and who was notified of such duties and registered in accordance with paragraphs (A) through (E).

(B) Criminal Arsonist Described.—For purposes of subparagraph (A), a criminal arsonist described in this subparagraph is a juvenile:

(i) who was a juvenile tried as an adult for the offense giving rise to the duty to register; and

(ii) who was not convicted of any other criminal felony during the period beginning on the first day of the applicable full registration period under paragraph (1) and ending on the last day of the applicable full registration period under paragraph (1).

(C) Application to Other Databases.—The Attorney General shall establish a process by which each entity that receives information related to such criminal arsonist described in subparagraph (B) shall expunge the applicable database of information after the last day of the applicable full registration period under paragraph (1).

(3) Annual Verification.—Not less than once in each calendar year during the full registration period, a criminal arsonist required to register under this section shall—

(A) appear in person at not less than one jurisdiction in which such arsonist is required to register;

(B) allow such jurisdiction to take a current photograph of the arsonist; and

(C) verify the information in each registry in which such arsonist is required to be registered.

(4) Duty to Notify Criminal Arsonists of Registration Requirements and to Register.—

(A) In General.—An appropriate official shall notify the appropriate law enforcement officer or the arsonist from custody, or, if the arsonist is not in custody, immediately after the sentencing of the arsonist for the offense giving rise to the duty to register—

(i) the information of the duties of the arsonist under this section and explain those

H14194
CONGRESSIONAL RECORD — HOUSE
December 5, 2007

(5) Any other information required by the Attorney General.
under subsection (i) and shall participate in criminal arsonists Internet site established by the jurisdiction pursuant to paragraph (1) who cannot be notified and registered at the time set forth in paragraph (1).

(g) Access to Criminal Arsonist Information Through the Internet—

(1) IN GENERAL.—Except as provided in this subsection, each jurisdiction shall make available on the Internet, in a manner that is readily accessible to law enforcement personnel and fire safety officers located in the jurisdiction, all information about each criminal arsonist to be included in the registry. Such information shall also include in the design of its Internet site all field search capabilities needed for full participation in the National criminal arsonist Internet site established under subsection (i) and shall participate in that Internet site as provided by the Attorney General in regulations which comply with this paragraph.

(2) PROHIBITION ON ACCESS BY THE PUBLIC.—Information about a criminal arsonist shall not be made available under paragraph (1) on the Internet to the public.

(3) MANDATORY EXEMPTIONS.—A jurisdiction shall exempt from disclosure on the Internet site of the jurisdiction described in paragraph (1), with respect to information about a criminal arsonist—

(A) any information about the arsonist involving conviction for an offense other than the offense or offenses for which the arsonist is registered;

(B) any information about the arsonist if the arresting law enforcement officer believes that providing the information could jeopardize the safety of the arsonist or any other individual; and

(C) any information identified as a mandatory exemption from disclosure by the Attorney General.

(4) OPTIONAL EXEMPTIONS.—A jurisdiction is authorized, but not required, to exempt from disclosure on the Internet site of the jurisdiction described in paragraph (1), with respect to information about a criminal arsonist—

(A) the name of an employer of the arsonist;

(B) the name of an educational institution where the arsonist is a student.

(C) The Attorney General shall establish guidelines for each jurisdiction for a process for seeking correction of information included in the Internet site established by the jurisdiction pursuant to this paragraph in the case that an individual contends such information is erroneous. Such guidelines should provide for an adequate hearing, and allow the individual to correct, upon the request of the individual, information contained in the Internet site for the individual to seek such correction of information.

(6) WARNING.—An Internet site established by a jurisdiction pursuant to paragraph (1) shall include a warning that information on the site is for law enforcement purposes only and may only be disclosed in connection with such purposes. The warning shall note that any action in violation of the previous sentence may result in a civil or criminal penalty.

(b) National Criminal Arsonist Registry—

(1) IN GENERAL.—The Attorney General shall maintain a national database at the Bureau of Alcohol, Tobacco, Firearms and Explosives for each criminal arsonist. The national database shall be known as the National Arsonist Registry.

(2) Electronic forwarding.—The Attorney General shall ensure (through the National Arsonist Registry or otherwise) that updated information about a criminal arsonist is transmitted by electronic forwarding to all relevant jurisdictions.

(i) National Arsonist Internet Site—

(1) IN GENERAL.—The Attorney General shall establish a national arsonist Internet site. The Internet site shall include relevant information for each criminal arsonist. The Internet site shall allow law enforcement officers and fire safety officers to obtain relevant information for each arsonist by a single query for any given zip code or geographical radius set by the user. The user may also choose to receive such information only if the user may be established by the Attorney General and shall have such other field search capabilities as the Attorney General may provide.

(2) PROHIBITION ON ACCESS BY THE PUBLIC.—Information about a criminal arsonist shall not be made available under paragraph (1) on the Internet to the public.

(j) Notification Procedures.—Under an arsonist registration program established by a jurisdiction pursuant to subsection (a), immediately after a criminal arsonist registry is established or updated, an appropriate official of the jurisdiction shall provide the information in the registry (other than information exempted by electronic forwarding by this section or by the Attorney General) about that offender to the following entities:

(1) The Attorney General, who shall include that information in the National Arsonist Registry.

(2) Appropriate law enforcement agencies (including probation agencies, if appropriate) in each area in which the offender resides, is an employee, or is a student.

(3) Each jurisdiction where the offender resides, is an employee, or is a student, if the jurisdiction determines that the information will be of substantial use to the jurisdiction.

(k) Actions to Be Taken When Criminal Arsonist Fails to Comply.—Under an arsonist registration program established by a jurisdiction pursuant to subsection (a), an appropriate official of the jurisdiction shall notify the Attorney General and appropriate law enforcement agencies of any failure by a criminal arsonist to comply with the requirements of the registry for such jurisdiction, and shall revise the registry to reflect the nature of such failure. The appropriate official of the jurisdiction shall maintain records of each such law enforcement agency shall take any appropriate action to ensure compliance.

(l) Development and Availability of Registry Management and Website Software.—

(1) DUTY TO DEVELOP AND SUPPORT.—The Attorney General shall, in consultation with the jurisdictions, develop and support software to enable jurisdictions to establish and operate uniform arsonist registries and Internet sites.

(2) CRITERIA.—The software described in paragraph (1) should facilitate—

(A) immediate exchange of information among the jurisdictions;

(B) access over the Internet to appropriate information, including the number of registered criminal arsonists in each jurisdiction on a current basis;

(C) full compliance with the requirements of this section; and

(D) communication of information as required under subsection (j).

(3) DEADLINE.—The Attorney General shall make the first complete edition of this software available to jurisdictions within two years after the date of the enactment of this Act.

(m) Period for Implementation by Jurisdictions—

(1) DEADLINE.—To be in compliance with this section, a jurisdiction shall implement the changes before the deadline described in subsection (m).

(A) three years after the date of the enactment of this Act; or

(B) one year after the date on which the software described in subsection (l) is made available to such jurisdiction.

(2) EXTENSIONS.—The Attorney General may authorize no more than two one-year extensions of the deadline under paragraph (1).

(n) Failure of Jurisdiction to Comply.—

(1) IN GENERAL.—For any fiscal year after the deadline described in subsection (m), a jurisdiction that fails, as determined by the Attorney General, to substantially implement this section, the Attorney General shall consider whether the jurisdiction is unable to substantially implement the requirements of this section because of a demonstrated inability to implement certain provisions that would place the jurisdiction in violation of its constitution, as determined by the jurisdiction’s highest court.

(2) Efforts.—If the circumstances arise under subparagraph (A), the Attorney General shall consult with the chief executive and chief legal officer of the jurisdiction concerning the jurisdiction’s interpretation of the jurisdiction’s constitution and rulings thereon by the jurisdiction’s highest court.

(3) Alternative Procedures.—If a jurisdiction is unable to substantially implement this section because of a limitation imposed by the jurisdiction’s constitution, the Attorney General may determine that the jurisdiction is unable to substantially implement this section if the jurisdiction has made, or is in the process of implementing, reasonable alternative procedures or accommodations, which are consistent with the purposes of this section.

(4) Relocation.—Amounts not allocated under a program referred to in this subsection to jurisdiction for failure to substantially implement this section shall be reallocated under that program to jurisdictions that have not failed to substantially implement this section or may be reallocated to jurisdictions where funds were withheld to be used solely for the purpose of implementing this section.

(5) Rule of Construction.—The provisions of this section concerning actions of jurisdictions or their officials constitute, in relation to States, only conditions required
to avoid the reduction of Federal funding under this subsection.

(5) EXCEPTION FOR FAILURES TO RECEIVE CRIMINAL ARSONIST MANAGEMENT ASSISTANCE PROGRAM GRANTS.—For any jurisdiction for which a jurisdiction submits an application to the Attorney General under subsection (b) of section 3 for a grant under subsection (a) of such section, the grant amount awarded by Federal grant funding under such subsection such jurisdiction shall not be subject to paragraph (1).

(b) ELECTION BY INDIAN TRIBES.—

(1) ELIGIBILITY.—

(A) IN GENERAL.—A federally recognized Indian tribe may, by resolution or other enactment of the tribal council or comparable governmental body, enter into a cooperative agreement to arrange for a jurisdiction to carry out any function of the tribe under this Act until such time as the tribe elects to carry out such function.

(B) IMPLEMENTATION.—If a tribe does not, within one year of the enactment of this Act, make an election to take on these duties, it shall, by resolution or other enactment of the tribal council or comparable governmental body, enter into a cooperative agreement to arrange for a jurisdiction to carry out any function of the tribe under this Act until such time as the tribe elects to carry out such function.

(c) COOPERATION BETWEEN TRIBAL AUTHORITIES AND OTHER JURISDICTIONS.—

(1) AUTHORIZATION OF AGREEMENTS.—A tribe subject to this subtitle is not required to duplicate functions under this subtitle which are fully carried out by another jurisdiction or jurisdiction within which the territory of the tribe is located.

(2) COOPERATIVE AGREEMENTS.—A tribe may, through cooperative agreements with such a jurisdiction or jurisdictions

(i) arrange for the tribe to carry out any function of such a jurisdiction under this subtitle with respect to arsonists subject to the tribe’s jurisdiction;

(ii) arrange for such a jurisdiction to carry out any function of the tribe under this subtitle with respect to arsonists subject to the tribe’s jurisdiction.

(d) LAW ENFORCEMENT AUTHORITY IN INDIAN COUNTRY.—Enforcement of this Act in Indian country, as defined in section 151 of title 18, United States Code, shall be carried out by Federal, Tribal, and State governments under existing jurisdictional authorities.

(p) IMMUNITY FOR GOOD FAITH CONDUCT.—The Attorney General, jurisdictional political subdivisions of jurisdictions, and their agencies, officers, employees, and agents shall be immune from liability for good faith conduct under this subsection.

(q) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts otherwise authorized to be appropriated, there are authorized to be appropriated to the Attorney General, to carry out subsections (h) and (i) of this section, such sums as may be necessary for each of the fiscal years 2009 through 2014.

SEC. 3. CRIMINAL ARSONIST MANAGEMENT ASSISTANCE PROGRAM.

(a) IN GENERAL.—The Attorney General shall plan and implement a Criminal Arsonist Management Assistance program (in this section referred to as the “Assistance Program”), under which the Attorney General shall make grants to jurisdictions to offset the costs of implementing section 2.

(b) APPLICATION.—The chief executive of a jurisdiction, under such section, with respect to a fiscal year, shall for each such fiscal year submit to the Attorney General an application in such form and containing such information as the Attorney General may require.

(c) INCREASED GRANT PAYMENTS FOR PROMPT COMPLIANCE.—A jurisdiction that, as determined by the Attorney General, has substantially implemented section 2 not later than two years after the date of the enactment of this Act is eligible for a bonus payment in addition to the amount of grant funds available to such jurisdiction under subsection (a). The Attorney General may, with respect to any such jurisdiction, make a bonus payment to the jurisdiction for the first fiscal year beginning after the date such jurisdiction determined it has substantially implemented such section by a date that is not later than the date that is one year after the date of the enactment of this Act, 10 percent of the total grant funds available to the jurisdiction under subsection (a) for such fiscal year.

(d) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts otherwise appropriated, there are authorized to be appropriated to the Attorney General, to be available to carry out section 3, such sums as may be necessary for each of the fiscal years 2009 through 2014.

For purposes of this Act:

(1) CRIMINAL ARSONIST.—The term “criminal arsonist” means an individual who is convicted of any offense for committing arson in violation of the laws of the jurisdiction in which such offense was committed or the United States. Such term shall not include a juvenile who is convicted of such an offense unless such juvenile was tried as an adult for such offense.

(2) ARSONIST REGISTRY.—The term “arsonist registry” means a registry of criminal arsonists, and a notification program, maintained by a jurisdiction.

(3) CRIMINAL OFFENSE.—The term “criminal offense” means a State, local, tribal, foreign, or military offense (to the extent specified by the Secretary of Defense under section 215(a)(3)(C) of the Public Law 105-119 (10 U.S.C. 951 note)) or other criminal offense.

(4) EMPLOYEE.—The term “employee” includes an individual who is self-employed or works for any other entity, whether compensated or not.

(5) FIRE SAFETY OFFICER.—The term “fire safety officer” means—

(A) a firefighter, fire investigator, or other individual who is certified or licensed to conduct inspections of buildings or is employed or is a student at an educational institution (whether public or private), including a secondary school, trade or professional school, and institution of higher education.

(6) JURISDICTION.—The term “jurisdiction” means any of the following:

(A) A State.

(B) The District of Columbia.

(C) The Commonwealth of Puerto Rico.

(D) Guam.

(E) American Samoa.

(F) The Northern Mariana Islands.

(G) The United States Virgin Islands.

(H) To the extent provided and subject to the requirements of section 2(c), a Federally recognized Indian tribe.

(7) LAW ENFORCEMENT OFFICER.—The term “law enforcement officer” means the term “law enforcement officer” has the meaning given such term in section 1204 of the Omnibus Crime Control and Safe Street Act of 1968 (42 U.S.C. 3796e).

(8) RESIDENT.—The term “resident” means, with respect to an individual, the location of the individual’s home or other place where the individual resides.

(9) STUDENT.—The term “student” means an individual who enrolls in or attends an educational institution (whether public or private), including a secondary school, trade or professional school, and institution of higher education.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Virginia (Mr. FORBES) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENTLEMEN FROM VIRGINIA

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

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

There was no objection.

Mr. Speaker and Members of the House, according to the United States Fire Administration, arson is the leading cause of fire in the United States and annually results in over 2,000 injuries, more than 400 deaths, and $1.5 billion in property damage. Even more problematic is the fact that arson is one of the most difficult crimes to prosecute. Only 16 percent of intentionally set fires result in arrests, and only 2 percent result in conviction.

Although arson causes significant losses in lives and property each year, there is no national registry requiring convicted arsonists to notify law enforcement of their residence, place of employment, or other information that would aid law enforcement in identifying offenders with a demonstrated disposition for committing arson offenses, and that precisely what H.R. 1759 does. We respond to several aspects of the serious concerns presented by arson.

To aid law enforcement in identifying criminal activity related to arson, the bill establishes the National Arson Registry, a comprehensive nationwide network of registry databases developed by the Attorney General that tracks convicted arsonists.

The bill also requires jurisdictions to create arson registries and mandates that convicted arsonists register in each jurisdiction in which he or she resides, is an employee, or is a student at an educational institution.

In summary, the bill requires the Bureau of Alcohol, Tobacco, Firearms, and Explosives to coordinate the various databases through the National Arson Registry and make the information available to law enforcement agencies. Armed with this information, law enforcement authorities will be able to solve many more arson crimes than they are able to now. Knowing that they’re registered with and known to local authorities may deter convicted arsonists from committing new acts.

This bill rightly enjoys broad bipartisan support. I commend my colleagues in the Judiciary Committee,
LAMAR SMITH and the floor manager of the bill, and urge that we support legislation whose time has come.

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

Mr. FORBES. Mr. Speaker, I yield myself my time for a personal statement.

Mr. Speaker, I rise in support of H.R. 1759, the Managing Arson Through Criminal History (MATCH) Act of 2007. I want to first commend my colleagues from California, Congressman Bono and Congressman SCHIFF, for their hard work on this legislation. My colleagues from California know all too well the devastation that arson causes. The wildfires that burned across much of southern California in October killed 14 people and injured as many as 70 others. The fires touched over a half million acres from Los Angeles to the Mexican border and displaced 531,000 people from their homes. Costs in San Diego County alone were projected to exceed $1 billion.

Said LAMAR SMITH, of a fire in Malibu, California: ‘‘35 homes and the evacuation of hundreds of residents. Two of the October fires, the Santiago fire in Orange County and the Buckweed fire in Los Angeles, we now know were set deliberately.

Many arsonists begin by starting small fires and then escalate to larger and larger fires to increase their sense of excitement. Unfortunately, only 17.1 percent of all the arson convictions result in convictions nationwide because the evidence needed to convict these arsonists is often destroyed in the fire.

As arsonists become more sophisticated in their technique, identifying them and prosecuting them becomes more challenging. Each year, an estimated 267,000 fires are caused by arson. In recent years, arson has been used to burn churches and protest urban sprawl. But the ongoing threat remains those who set fires to get a rush and feed a compulsion.

We may never be able to fully prevent wildfires, but we can implement tools to help prevent arsonists, particularly serial arsonists, from eluding law enforcement and escaping punishment.

The MATCH Act creates a national arson registry and requires criminal arsonists to report where they live, work, and go to school. The database would include photographs, fingerprints, vehicle information and other information on the arsonist. The length of time that an arsonist would be required to register is based on how many acts of arson they have committed: 5 years for one offense, 10 years for two, and lifetime for a serial arsonist who has committed three or more offenses. The information would only be made available to law enforcement agencies not the general public. Most importantly, when a convicted arsonist updates his or her information with a change of residence, notification would be sent to the appropriate law enforcement agencies.

When arson has occurred, it’s critical to find and find quickly the individual involved to prevent future acts of arson and to prosecute the one responsible. Frequently, arsonists use the same trademark tools, such as a unique incendiary device, a manner of starting a fire, or similar targets, such as houses of worship or even auto dealerships. In a case where the arsonist may have come from one place or a State to commit the act of arson, the information in the database will give law enforcement and important tools to identify convicted arsonists that may be connected to the very similar act of arson.

Most importantly, the registration can also prevent future acts of arson by requiring convicted arsonists to update their information when they move or change jobs or schools. In addition to putting law enforcement on notice, this also lets the convicted arsonists know they can’t hide from law enforcement for the purpose of committing another act of arson.

When I was a prosecutor in the U.S. Attorney’s office in Los Angeles, I worked on an arson investigation that really brings to mind for me the merit of this legislation. How an arsonist registry would be of great benefit. This was a situation where someone was setting a string of fires in the San Bernardino forest. The individual used a unique incendiary device that he could throw in the brush and then drive far away before the brush would be ignited. They couldn’t catch the culprit in the act and eventually succeeded in tracking him down through the use of video surveillance and a complex investigation. The suspect was arrested and interviewed and admitted to setting fires in the taped interview. However, the tape recording malfunctioned and the confession was lost along with most of the case. As we pursued the investigation, we found a probation officer of the suspect from many years earlier who found his records in his basement storage. The file on the suspect detailed that many years earlier he had set fires using the same incendiary device. When confronted with the evidence, the suspect pled guilty. If we had a national arsonist registry at the time, we would have known of convicted arsonists who lived in the region. We would have known their modus operandi. We may have been able to stop him before he committed several later fires. Keeping your records in the basement is not a successful law enforcement strategy; the national arsonist registry created through the MATCH Act is.

Again, I want to compliment my colleague MARY BONO. Thank you very much for your leadership on this. It’s very important to all Californians.

And, Mr. Chairman, we are very grateful for your moving this bill through committee so quickly in such a bipartisan spirit.

Mr. FORBES. Mr. Speaker, it is now my privilege to yield such time as she may consume to the gentlewoman from California, Congresswoman Bono, who has worked so hard on this matter and seen firsthand the effects arsonists can have.

Mrs. BONO. Mr. Speaker, I am pleased to rise in support of the Managing Arson Through Criminal History, or MATCH, Act. H.R. 1759.

As a Member from California, I was heartened by the support that our delegation received from this House during the tragic fires that recently swept through our State. As many of you know, some of those fires were being investigated as arson. But it was not these very recent events that inspired the legislation that we are considering today.

Just a little over a year ago, my community was devastated by what is known as the Esperanza fire. This fire not only wreaked havoc on the surrounding land and homes, but ultimately cost the lives of five very brave
Mr. CONYERS. Mr. Speaker, it is my pleasure now to yield such time as he may consume to the chairman of the Crime Committee on the Judiciary, my good friend BOBBY SCOTT.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Speaker, arson is indeed a very serious problem, costing over $1 billion in property damage annually and endangering the lives of citizens and especially our firefighters. Arson has also increased the number of the lowest arrest and conviction rates, and law enforcement needs new tools to enhance their capabilities to solve arson crimes.

Unfortunately, the evidence presented in committee was that the State of California already has a registry similar to the one contemplated in the bill and no arsons have been solved by that database.

Furthermore, Mr. Speaker, I would need to point out another concern I have with H.R. 1759 in its current form. That concern relates to the treatment of juveniles under the proposed bill. Juveniles who are charged and convicted as adults for arson offenses would be required to register in the newly created arson offender registry. As researchers and other officials have noted, juveniles are the least culpable due to immature brain development, and they have the greatest capacity for rehabilitation. Branding them as an offender in a State or national register is not only improper, it’s counterproductive.

Requiring young offenders to register in a State or national offender database counteracts the concept of ensuring the proper development of juveniles because it is inconsistent with rehabilitative efforts. Although H.R. 1759 properly ensures that only law enforcement will have access to information on the registries, law enforcement officers will undoubtedly use the information to identify at-risk youth for further arrests. Once law enforcement has certain youngsters on their radar, those youngsters would be targets and more likely to be arrested and prosecuted for even minor nonviolent conduct because law enforcement officials have their names on a list.

In summary, I agree that law enforcement needs effective tools to combat the devastation of arson, and I want to thank the gentlewoman from California for her hard work in developing the bill. However, there has been many improvements in the bill from its original form. However, I still have concerns about the cost effectiveness of the proposal in the bill as well as concerns, the impact the legislation will have on juvenile offenders.

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

Mr. CONYERS. Mr. Speaker, I would close by holding out my hand of cooperation to my chairman of the Crime Subcommittee because I know he has been working carefully with the leaders of this bill and we have accepted some of his recommendations, and it will be my pleasure to make sure that we consider the points that he has made here this afternoon.

So with that I am very pleased to urge the support of this measure that’s before us. I think it is important and timely and will be very constructive.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 1759, as amended.

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

A motion to reconsider was laid on the table.

CONDEMNATION OF NOOSE INTIMIDATION

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 826) expressing the sense of the House of Representatives that the hanging of nooses is a horrible act when used for the purpose of intimidation and which under certain circumstances can be a criminal act that should be thoroughly investigated by Federal law enforcement authorities and that any criminal violations should be vigorously prosecuted.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. Res. 826

Whereas nooses have been found in North Carolina, high school, a Hong Kong department store in New York, a Louisiana school playground, the campus of the University of Maryland, a Columbia University professor’s office door and a factory in Houston, Texas;

Whereas the Southern Poverty Law Center has recorded between 40 and 50 suspected hate crimes involving nooses since September;

Whereas since 2001, the Equal Employment Opportunity Commission has filed more than 30 lawsuits that involve the displaying of nooses in places of employment;

Whereas nooses are reviled by many Americans as racist symbols of lynchings that were once all too common;

Whereas according to the Tuskegee Institute, more than 4,700 people were lynched between 1882 and 1959 in a campaign of terror led by the Ku Klux Klan;

Whereas the number of lynching victims in the United States exceeds the amount of people killed in the horrible attack on Pearl Harbor (2,333 dead) and Hurricane Katrina (1,836 dead) combined; and

Whereas African-Americans, as well as Italians, Jews, and Mexicans, have comprised the vast majority of lynching victims and only when we erase the terrible symbols of the past can we finally begin to move forward: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that

(1) the hanging of nooses is a horrible act when used for the purpose of intimidation and which under certain circumstances can be criminal;

(2) this conduct should be investigated thoroughly by Federal authorities; and
Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have their say in 10-minute intervals, as in which to revise and extend their remarks and include extraneous material.

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

There was no objection.

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

Mr. Speaker and members of the committee, I am pleased to join my colleagues in support of House Resolution 826, a resolution condemning the hanging of nooses for the purpose of intimidation, violence, and other criminal purposes.

Unfortunately, consideration of this resolution comes at a critical time for our Nation. Many of us had thought the hanging of a noose, a symbol of racial violence, hate, and intimidation down through history was a practice relegated to our past. Since September, however, there have been reports of approximately 50 noose-hanging incidents across this country. It’s no coincidence that these disturbing incidents follow in the shadow of the Jena Six case, which documents continuing racial inequity in our Nation even into this century.

As we all know, a hanging noose symbolizes lynching, one of the most shameful, terror-ridden, criminal crimes in our history and which, sadly, can be shameful, terror-ridden, racial crimes that symbolizes lynching, one of the most shameful, terror-ridden, racial crimes in our history and which, sadly, can be shameful, terror-ridden, racial crimes in our history and which, sadly, can be the deliberate cell of whites against African Americans as well as the deliberate cell of African Americans against whites that symbolizes lynching, one of the most shameful, terror-ridden, racial crimes in our history and which, sadly, can be shameful, terror-ridden, racial crimes in our history and which, sadly, can be shameful, terror-ridden, racial crimes in our history and which, sadly, can be shameful, terror-ridden, racial crimes in our history and which, sadly, can be shameful, terror-ridden, racial crimes.

Lynching was used to dehumanize African Americans during our Nation’s period of reconstruction following the Civil War, the infamous Ku Klux Klan and others used lynching to strike fear into the hearts of African Americans. Lynchings were used to dehumanize their victims, who were often horribly tortured and disfigured before they were hung by a mob.

Today, everyone should recognize that the stark image of a dangling noose, intended to intimidate and terrify, should be condemned in the strongest terms. Those who use symbols of hate for any improper reason, including to get attention for one’s own cause, are contributing just as much to an atmosphere of intimidation as those who do so motivated by hate for another group.

I commend my colleague from the State of Texas, our new Member, Al Green, who for his leadership on this issue should be really commended as an important contribution that he has made. And I would like to acknowledge the Judiciary Committee’s members on both sides of the aisle who helped advance this resolution with their active support. The Committee on the Constitution chairman, Jerrold Nadler; the Crime Committee chairman, Bobby Scott; also our stellar members from North Carolina, Mel Watt; and from Texas, Sheila Jackson-Lee; from California, Maxine Waters; Wisconsin, Tammy Baldwin; Georgia, Hank Johnson; Tennessee, Steve Cohen; Wisconsin, James Sensenbrenner; and Texas, Louie Gohmert. These and many others have been very helpful in laying the groundwork for us to come together to hearten not just the people in this country but our law enforcement agencies, particularly the Department of Justice, in trying to reduce and indeed eliminate this unfortunate system of hate that is spreading, unfortunately, in our country.

I think we can head it off, and I hope with the passage of House Resolution 826 that will be, in fact, accomplished.

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

The SPEAKER pro tempore. Mr. FORBES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support House Resolution 826 to condemn the vicious act of hanging a noose with the intent to intimidate and terrorize. Our country’s tragic history of brutal, racially motivated hangings will be forever associated with the vile symbol of the hanging noose.

The noose was used to instill fear in African Americans during our Nation’s struggle to protect the civil rights of all Americans. During our country’s period of reconstruction following the Civil War, the infamous Ku Klux Klan and others used lynching to strike fear into the hearts of African Americans. Lynchings were used to dehumanize their victims, who were often horribly tortured and disfigured before they were hung by a mob.

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I think we can head it off, and I hope with the passage of House Resolution 826 that will be, in fact, accomplished.

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

Mr. CONYERS. Could I ask my colleague, the floor manager (Mr. FORBES), I would like to ask unanimous consent for 5 minutes more on each side if that would be agreeable with the gentleman.

Mr. FORBES. I would be happy to agree to that.

Mr. CONYERS. Mr. Speaker, I ask that we have 5 additional minutes added to each side.

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

There was no objection.

Mr. CONYERS. I thank my colleagues the floor manager and my friends on the other side.

I am privileged now to recognize the gentleman from Texas, who came to
Mr. AL GREEN of Texas. I thank Chairman CONyers. I thank Ranking Member LAMAR SMITH. I would like to also thank the co-lead on this piece of legislation, my colleague from Texas, Congressman AL GREEN, for offering this resolution.

Mr. Speaker, I am proud to have sponsored H. Res. 826, the condemnation of noose intimidation. Noose intimidation. It has received bipartisan support, and it has received it because America is a country of hope, not hate. In America, we celebrate our diversity. We love knowing that we can live together and that we can have the kind of harmony and peace that America has always promised all of its citizens. Noose intimidation has no place in America. Noose intimidation is the invidious hanging or displaying of a noose for the purpose of intimidation, humiliation, or denigration. When it is done under circumstances that may constitute intimidation, it ought to be investigated. And if a crime has been committed, it ought to be vigorously prosecuted.

Recently nooses have been found in North Carolina at a high school, New Jersey at a Home Depot, Louisiana on a school playground, and in Houston, Texas, at a factory. Fifty to 60 incidents involving nooses have been reported since September 7. This is per the Southern Poverty Law Center. Thirty more lawsuits have been filed by EEOC concerning nooses. Four thousand seven hundred persons were lynched. Many of these were Latinos, Jewish Americans, Italian Americans and African Americans. This was done between 1882 and 1959. America is a country of hope, not hate. For this reason, we believe in the words of the Pledge of Allegiance “liberty and justice for all.” That is why this legislation is important. We believe in the words in the Declaration of Independence that all persons are created equal and endowed by their Creator with certain inalienable rights, among them life, liberty and the pursuit of happiness. That is why this resolution is important.

Mr. Speaker, I reserve my time.

Ms. LEE. Mr. Speaker, let me thank the chairman for his leadership and for his friendship. Also I want to thank our colleague from Texas, Congressman AL GREEN, for introducing this very important resolution and for your spirit with which you have introduced this.

Racism is alive and well in America, regardless of how we try to sweep it under the rug. It is tragic and very sad that we need a resolution like this today, but the rash of noose hangings across America reminds us that it is necessary. Clearly, there can be no better example of these tragic incidents than in the case of the Jena Six.

What does this say about our Nation and the level of racism present when we can increase in these times of hateful acts? As a child, I remember listening to these horror stories about the Klan and their terrorist acts, and that is what this is. These are terrorist acts against African Americans. And today, I just shiver at the thought of a noose being raised as a reminder that this is for anyone, any community, any family whose race has been targeted and has been terrorized by these acts.
Mr. CONYERS. Mr. Speaker, I am pleased now to recognize the distinguished gentleman from Louisiana, Mr. WILLIAM JEFFERSON, who has worked very hard on matters of racial justice across his career in the Congress, and I yield him 2 minutes.

Mr. JEFFERSON. Mr. Speaker, thank you. Mr. Chairman. I rise today in strong support of H. Res. 826, today, and vigorously prosecute those who continue to harass, intimidate and hang nooses in our country. These acts of hate have no place in America.

Thank you, Mr. Chairman. Thank you Congressmen GREEN for allowing us the privilege to say ‘no’ to racism once again in America.

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

Mr. CUMMINGS. Mr. Speaker, today I rise in strong support of this legislation, and I thank my colleague Mr. GREEN for sponsoring it.

As chairman of the Subcommittee on the Coast Guard and Maritime Transportation, I was recently outraged about an incident that happened at the Coast Guard Academy that has been referenced here earlier where a noose was left in the bag of an African American cadet, and then a training diversity officer, a noose was left in her bag also.

Following these incidents, I went to the head of the Coast Guard, Admiral Thad Allen, and at my request he and I visited the academy to remind the cadets that despite their numerous accomplishments, they will be judged by their weakest link. I stressed that any attack against our Nation’s defenders weakens and endangers us all.

I also talked to them about the strength of our Nation as a free people and of their decision to put on the uniform of the United States Coast Guard, symbolizing their duty to defend and uphold the right of every person in our Nation to live in freedom, security and respect.

In my own life, I have learned through my personal experience more about the devastating impact of racial hatred than anyone should learn. And this is what I know: Racism is an evil that seeks to destroy the possibility that exists in every human being.

Mr. SPEAKE. Mr. Speaker, it is my pleasure to recognize the former Chair of the Congressional Black Caucus, ELIJAH CUMMINGS of Maryland, and we would grant him 2 minutes.

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as one of racial discrimination and hate.

Now is the time for the Congress to address the well over 50 incidences of noose hangings that have occurred in the past 2½ months. In my home State of Louisiana, at least three have been reported: One in Jefferson Parish; one in St. Tammany Parish; and, of course, the most infamous of all, one in Jena, Louisiana.

Mr. Speaker, Professor Ogletree of Harvard Law School got it right when in recent testimony before the House Judiciary Committee relating to what happened in Jena, he said in part, “We have failed at basic lessons of history if an American can blithely characterize hanging nooses on a tree as an innocent prank or practical joke, as some officials in Jena have done. This is not an act to be minimized, laughed off or chalked up to childhood shenanigans.”

With nearly 5,000 people lynched from the late 1800s to the early 1900s, a noose today is a powerful symbol of pure barbarism. Given the context, the noose to an African American who knows his history is nothing less than an expression of hatred. It is, too, a warning of impending violence and likely death.

Indeed, this is the correct reading of history and the correct context in which to view the importance of this resolution.

The composition “Strange Fruit,” Mr. Speaker, written by Lewis Allan and originally sung by Billie Holiday, lays bare the savagery of lynching and therefore what noose hanging means in real terms to African Americans. It reads:

“Southern trees bear strange fruit,
Blood on the leaves and at the root,
Black bodies swinging in the southern breeze.

Strange fruit hanging from the poplar trees.
Pastoral scene of the gallant South,
The bulging eyes and the twisted mouth,
Scent of magnolias, sweet and fresh.
Then the sudden smell of burning flesh.

Here is the fruit for the crows to pluck,
For the sun to rot, for the trees to drop.

Here is a strange and bitter crop.

Professor Ogletree concluded his testimony by saying, “If all that emerges from these unfortunate events in Jena are empty words more systemically informing community members and students about the shameful history of lynching, this will be a positive step.” I agree, Mr. Chairman, but more is needed.

Mr. FORBES. With that advice, I would just like to again encourage all of our Members, and I believe everybody stands in support of this resolution, and I hope they will all vote in favor of it.

With that, I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I thank the gentleman from Virginia, and I yield finally to the Honorable STEPHANIE TURBS JONES of Ohio, an distinguished lawyer, judge, and now a member of the House of Representatives, to close for us.

Mrs. JONES of Ohio. Mr. Chairman, thank you for the privilege.

They say some things bear repeating. These words bear repeating. Southern trees bear strange fruit, Blood on the leaves and blood at the root, Black bodies swinging in the southern breeze. Strange fruit hanging from the poplar trees. Pastoral scene of the gallant South. The bulging eyes and the twisted mouth. Scent of magnolias, sweet and fresh. Then the sudden smell of burning flesh. Here is fruit for the crows to pluck. For the rain to gather, for the wind to suck, For the sun to rot, for the trees to drop. Here is a strange crop. The words of a songstress, but the words of the South, the words of African Americans from across this country and other ethnic groups. Seeing somehow in America we have begun to believe that this conduct is acceptable, that we can do it as we please. We can do what we like as long as we do not cause violence. We can do all kinds of things against people without believing that it has some impact or that it can hurt. It hurts like a knife. It cuts like a knife. My mama from Alabama, my daddy from Alabama, my in-laws from Georgia, Alabama; the stories go on and on about how terrible nooses can and have been.

America, this is the Congress saying our sense is that this is terrible conduct, this is American conduct that needs to be stopped, that it has potential to cause violence, that it has potential to cause other issues to happen. But, America, wake up. What if it were you that got the noose. What if it was your grandfather or grandmother that was hung. What if they were required to hang on a tree and let the blood suck and slip from them and crows gnaw at them. It would be a terrible situation for you. As one American to another, you should cry for us, too.

Let’s pass this legislation, ladies and gentlemen. Let’s tell our country, let’s tell the world, let’s tell our children, let’s tell our neighbors, let’s tell the world that America is not a country that will tolerate this kind of conduct. We have dedicated, we have trusted, we have been good to our African American neighbors. At Intel, IBM, Home Depot and Verizon, as well as colleges and universities across the country and numerous other institutions, have already spoken against these acts with a loud and clear voice. The time has come for the United States Congress to speak just as loudly and say we will not tolerate these heinous acts.

The symbol of the noose is powerful and offensive. Thousands of African Americans have been lynched in this country simply for being the “wrong” color. The incident of noose hangings of Black America was not aberrational or occasional. At any moment in time, an African American child from an African American neighborhood is threatened with the noose hanging over their life at the hands of an angry white mob, and the symbol of the noose still hangs over this country like a black cloud. The noose has come to symbolize white supremacy and the subjugation of an entire race of people. It has been used as a weapon against those who dared to challenge their condition. It has been used as a weapon to silence the voice of those who dared to speak out. The ritualistic, brutal, and public murders that took place with a noose were done specifically to terrify the African American community. The threat of lynching is used to prevent people from voting, marching, protesting, getting an education, and even starting a business. The noose as sign of intimidation dates back to 1896 as a means of voter suppression. Today, we see the noose used to intimidate educational and university officials across the country and community leaders and now our children.

With the passage of this resolution, our country and this Chamber will say, in no unclear terms, that we will not be intimidated and we will not allow our children to be intimidated. I applaud this important resolution for the message it sends to the country and the world, that we do not tolerate hatred and bigotry against anyone.
Let me remind those who regard the hang- ing of a noose from a tree in Jena, Louisiana or anywhere else in this country as a harmless act: it is not harmless and it is not just a juve- nile prank. It is a frightened and symbolic play for power, as was captured so poignantly by Billie Holiday in her unforgettable rendition of "Strange Fruit."

Southern trees bear strange fruit.
Blood on the leaves and blood at the root,
Black bodies swinging in the southern breeze,
Strange fruit hanging from the poplar trees.

While the use of this racist tool continues, we must not forget that over 4,700 people were lynched between 1882 and 1959 in a campaign of terror led by the Ku Klux Klan. Nor should we forget that more people died at the hands of lynching mobs than died in the attack on Pearl Harbor (2,333) and died during Hurricane Katrina (1,836) combined.

Mr. Speaker, we must act now to stop the use of this racist and evil symbol of America’s bitter waters. I urge my colleagues to join me in supporting this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and agree to the resolution. H. Res. 826.

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

A motion to reconsider was laid on the table.

**GENOCIDE ACCOUNTABILITY ACT**
**OF 2007**

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 888) to amend section 1091 of title 18, United States Code, to allow the prosecution of genocide in appropriate circumstances.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 888
Be it enacted by the Senate and House of Represent- atives of the United States of America in Congress assembled:

**SECTION 1. SHORT TITLE.**
This Act may be cited as the “Genocide Accountability Act of 2007”.

**SEC. 2. GENOCIDE.**

Title 1091 of title 18, United States Code, is amended by striking subsection (d) and inserting the following:

“(d) **REQUIRED CIRCUMSTANCE FOR OFFENSES.**—The circumstance referred to in subsections (a) and (c) is that—

“(1) the offense is committed in whole or in part within the United States;

“(2) the alleged offender is a national of the United States (as that term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101));

“(3) the alleged offender is an alien lawfully admitted for permanent residence in the United States (as that term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101));

“(4) the alleged offender is a stateless person whose habitual residence is in the United States; or

“(5) after the conduct required for the offense occurs, the alleged offender is brought into, or found in, the United States, even if that conduct occurred outside the United States.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Virginia (Mr. FORBES) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

**GENERAL LEAVE**

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

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

There was no objection.

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

Mr. Speaker and members of the committee, the United Nations approved the Convention on the Prevention and Punishment of the Crime of Genocide in 1948. It was in response to the Nazi-Germany’s systematic murder. The Convention, to which the United States is a signatory, established genocide as an international crime which signatory nations undertake to prevent and punish. It’s the duty that we address in the Genocide Accountability Act before us at this moment.

We must remember that genocide affects all humanity, not just the direct victims, and not just the perpetrators, but all those who stand by and by their inaction allow those horrible acts to take place. These are the lessons of the Holocaust, of Cambodia, of Bosnia and, more recently, of Rwanda. In Rwanda, we shrugged our shoulders and waited until 800,000 people were killed before we were willing to call this atrocity by its rightful name, genocide.

Sadly, even after Rwanda, the world has mostly stood by while yet another genocide has unfolded before our eyes. The genocide in Darfur has thus far claimed 200,000 lives, and maybe going up to as many as 400,000 lives. Two and a half million people have been displaced as a result of the conflict in Darfur. Both President Bush and Congress have correctly described the situation in Darfur as genocide.

As history repeats itself in Darfur, it seems that we have to learn to say the right things about these atrocities, but too often we cannot seem to muster the consensus and strength of will in the United States and the international community to make our deeds match our words. Along with an increased United Nations peacekeeping force, and a long-term political agreement among its many factions, we need to explore every avenue available to stop this mass murder from continuing and prevent similar ones in the future.

The Genocide Accountability Act is an effort to ensure that our United States laws provide adequate authority to prosecute acts of genocide. We should not have a situation where perpetrators of genocide are allowed to enter the United States and use this country as a safe haven from prosecution. What an untenable thought.

Under current law, genocide is only a crime if it’s committed within the United States or by a United States national outside of the United States. In contrast, the laws of torture, material support for terrorism, terrorism financing, and many other Federal crimes allow for extraterritorial jurisdiction for crimes committed outside the United States by non-United States nationals.

So there’s a gap in the law. This has led to real-life consequences. I understand that the Justice Department and Federal agencies had identified individuals who have participated in the Rwandan and the Bosnian genocides and who have entered the United States under false pretenses. Under current law, these individuals cannot be deported but they can’t be arrested or prosecuted for committing genocide.

And so we bring to you on the floor today a measure to allow us to do more than send them off to another country, not knowing whether they will ever be prosecuted. This measure will allow us to bring them to justice. Amending our laws to allow for vigorous prosecution of genocide is a first, a small, but very, very important step toward ending the impunity under which those who commit genocide currently operate.

I am so proud of my colleagues on the Judiciary Committee who have worked with us on this: LAMAR SMITH; the floor manager for the Republicans, Mr. FORBES; and many others. We must remember that it cannot be the last step of this measure. This is only to call on us to fulfill our role as the beacon in the world for basic human rights and freedom from persecution, we must continue to develop the humble legislative beginning that we have begun today.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of S. 888, the Genocide Accountability Act of 2007. I want to commend Chairman CONyers and Representatives BERMAN and PENCE, the sponsors of the House version of this legislation, H.R. 2489, for their dedication and commitment to this issue.

Perpetrators of genocide have committed some of the most heinous crimes ever carried out. Genocide is a crime not only against specific victims targeted for extermination, but it is also a crime against humanity. History is replete with horrible images of human suffering, where victims targeted were based on their human characteristics, race, religion, national origin, or some technological advances used for carrying out heinous acts of genocide.

The idea that individuals, hundreds, thousands, and sometimes hundreds of
In 1948, the United States was the first nation to sign the Genocide Convention. Twenty years ago, with the Proxmire Act, we added to our criminal code provisions to fulfill the dual obligations of that Convention, to prevent and to punish genocide. S. 888 will strengthen all of U.S. laws to prosecute any individuals found in our country who have taken part in acts of genocide, in Darfur or anywhere else.

§ 1530

As the atrocities in Darfur continue, it is imperative that we enact measures in this bill to stand against genocide wherever it occurs and hold fully accountable the perpetrators of genocide who are able to escape justice. Mr. Speaker, the term “genocide” was first proposed by Ralph Lemkin, a man of Polish-Jewish descent. In 1941 he came to the United States, and on the day of his arrival he gave a speech explaining to an American audience the international responsibility to respond to genocide. I’ll paraphrase what he said: If you learned that a mass of women, children and old people was being murdered 100 miles from here, wouldn’t you have a right to ask who their aid? Why then, if the distance were 3,000 miles instead of 100, would you restrain this decision of your heart?

By passing this bill today, we are taking Lemkin’s words to heart. We will work to punish and prevent the crime of genocide not just in our own country, but wherever it occurs around the world.

I strongly urge my colleagues to support this legislation.

Mr. FORBES. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I rise in support of S. 888, the Genocide Accountability Act of 2007. I cosponsored the House version of this legislation because I totally agree, U.S. law should not provide safe haven to those who are committing genocide.

As a result of this bill, prosecutors will be able to target individuals living lawfully in the U.S. who have committed genocide or aided those who have committed these crimes against humanity. I have tremendous respect for all those who have worked to raise awareness of this important issue. Student groups and faith-based organizations, especially from the African American, Jewish and Armenian communities, have done a terrific job of educating their fellow citizens and lawmakers about the crisis and the need to respond.

The world collectively agreed to “never again” allow genocide after the Holocaust and again after the mass murders in Cambodia and Rwanda, and again in Bosnia. Tragically, genocide is again taking place, and the United States has taken reasonable steps to end the killing and ensure the perpetrators of these crimes are brought to justice.

The United States has made a tremendous commitment to the people of Darfur in the form of humanitarian aid and is working hard on diplomatic efforts to end the genocide. But more must be done. We need to stop the killings.

What current U.S. law only makes genocide a crime if it is committed by a U.S. citizen or within the United States. According to the Justice Department, there are individuals who participated in the Rwandan and Bosnian genocides who are living in the United States today that it will be able to prosecute with this legislation.

We will also ensure those who are committing genocide in Sudan today will not be able to look to the United States as their safe haven in the future.

Mr. CONYERS. Mr. Speaker, the chairman of the Crime Subcommittee has played an enormously important role in the measure before us, and I am pleased to recognize Chairman Bouns SCOTT for 3 minutes.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, the slaughtering of individuals simply because they are a member of a certain ethnic or racial group has occurred throughout history, and, regretfully, continues today. As we witnessed, as many as 800,000 of the Tutsi minority, men, women and children were murdered in Rwanda. Mass violence has occurred against civilians in Bosnia, where up to 8,000 Muslim men and boys were systematically executed.

The obligations of the United States under the Genocide Convention are in the criminal code in title 18 beginning at section 1091. Genocide is defined as having the specific intent to destroy, in whole or in part, a national, ethnic, racial or religious group. The code offers severe punishment for anyone who commits genocide within the United States. The law also makes it a Federal crime for a U.S. national to commit genocide anywhere in the world. Fortunately, there has not been a need to use the law against anyone now covered by it. However, by only covering genocide if it is committed in this country or committed by a U.S. national, we leave a gap which allows non-U.S. persons who commit genocide elsewhere to come to this country with immunity under our laws.

To this end, the Senator from Illinois, Senator DURBIN, and the gentleman from California (Mr. Berman) introduced identical legislation designed to amend title 18 of the United States Code to expand jurisdiction of genocide over the following categories of people who have committed genocide outside of the United States: (1) an alien lawfully admitted for permanent residence; (2) a stateless person whose habitual residence is in the United States; and (3) a national, ethnic, or racial group has occurred.

Similar to the legislation before us, many other Federal laws, including...
Therefore, the Department of Justice is a U.S. national outside the country. the borders of the United States or by only a crime if it is committed within the United States for acts of genocide, the Genocide Accountability Act would end this impunity gap in the genocide law. Therefore, I urge my colleagues to adopt this important legislation.

Mr. FORBES. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, here in Washington, D.C., down the street from this very building is the United States Holocaust Memorial Museum, a museum that serves as a living memorial to the Holocaust and which challenges its visitors and the world in the words written in its charter to: "Confront hatred, prevent genocide, promote human dignity, and strengthen democracy." All of us serving in Congress take the challenge of those words to heart.

We have the unique ability in this institution to promulgate laws and policies that protect life, preserve liberty and confront genocide. Today, with the passage of the Genocide Accountability Act, our legislation demonstrates our partnership on this important and historic measure.

Mr. Speaker, I rise today in support of S. 888, the Genocide Accountability Act. In May of this year, it was my privilege to join my friend, the gentleman from California (Mr. BERMAN) to introduce H.R. 2489, which is the companion of the Senate version of the bill that is being considered today. I would like to commend the gentleman from California whose partnership on this and other legislation demonstrates his deep commitment to human rights and to human dignity and to America's place in advancing those principles in the world.

This is an important piece of bipartisan legislation simply because it provides America with a real and powerful tool to combat genocide around the world. The need for the Genocide Accountability Act is straightforward. Currently under U.S. law, genocide is only a crime if it is committed within the borders of the United States or by a U.S. national outside the country. Therefore, the Department of Justice is prevented from prosecuting people who may be in America who have committed genocide, as unthinkable as that might be.

Imagine a scenario where an individual who contributed to genocidal acts in Africa, Rwanda, or Sudan, or elsewhere, is determined to be here in America, somehow living under false pretenses or even traveling throughout our country. Under this scenario, the Department of Justice would be prevented under current law from prosecuting a perpetrator of a most heinous act. This is unacceptable. It may constitute an ex post facto violation of the Constitution. Do you agree with that hypothesis?

Mr. BERMAN. The gentleman raises an important issue, and I do not agree with that hypothesis. I think the witness from the Department of Justice was offering a spontaneous and personal opinion, which he was careful to label as such, and not an official interpretation by the Department. In the six years that we crafted this legislation, we were diligent not to write it as narrowly and precisely as possible. We were and remain interested only in changing the circumstances under which certain parties may be charged under the genocide statute. Our intent is to make a procedural alteration to the current law and leave everything else in the statute untouched.

In determining whether or not a law presents a violation of the ex post facto clause of the Constitution, courts have generally considered whether the new law: one, places the defendant at a substantial disadvantage compared to the law as it stood when he committed the crime of which he has been convicted; secondly, changes the definition of the crime; or three, increases the maximum penalty for it. The Genocide Accountability Act doesn't alter in any way either the elements or the punishment for the crime of genocide.

The underlying notion here is that the defendant should not be penalized for his actions constituted a crime. I think it would be very difficult for anyone to argue that the world is not on notice that we consider and have considered for many years genocide a crime. The United States has recognized genocide as a crime for nearly 60 years as a signatory of the Genocide Convention.

Neither do we make any change that would deprive one charged with the crime of any defense that is now available under the law. It is important to add that the Supreme Court has found a key exception to the ex post facto rule where changes to a law are proclamatory in nature.

In numerous decisions, the court has held that where a law involves changes in the procedures by which a criminal case is adjudicated as opposed to changes in the substantive laws of the crime, it is important to note that this phrase directly, that does not deprive a defendant of substantial legal protections, then it is constitutional.
It is our conclusion that this bill falls within that exception and makes only procedural changes to the law. So it was our intent that this law be used to prosecute perpetrators of genocide who are on notice that their acts constitute a crime wherever it was committed.

Mr. PENCE. I thank the gentleman for his response. I thank him again for his leadership on this issue, to the ranking member Mr. FORBES for his leadership today and to the chairman and ranking member of the full committee. It is important legislation, and I urge all of my colleagues to join us in a strong bipartisan vote against genocide, in favor of the Genocide Accountability Act. It is time we gave the force of American law here at home behind our commitment to end genocide in the world.

Mr. CONYERS. Mr. Speaker, I am pleased now to recognize a distinguished member of Judiciary, Steve Cohen of Tennessee, for such time as he may consume.

Mr. COHEN. Thank you, Mr. Chairman, and Mr. Berman for bringing this legislation.

It is obvious we need such a bill, for America should never be a haven for people who commit crimes against mankind. And that is what genocide is, a crime against mankind. It is ironic America should never be a haven for people who commit crimes against mankind. It is ironic that God’s rightest creature, human beings, are the only species that has created the capacity for genocide. Animals attack each other out of need for food or for other reasons, but not to destroy and kill an entire other group of animals. Only man, with his ability to think, can create the most inhuman-like crime against mankind, which is the attempt to kill others because of ethnic differences. That is an irony and a shame. And the fact is that we should never be a country that does anything but try to make this world a better place and not find America a haven when they escape from the area, whether it be Darfur or Rwanda or any other place where genocide has been committed.

As a Jewish person, I have known about genocide because we know about the Holocaust and Jewish people have had relatives and possible would-be relatives if our ancestors had not emigrated to the Holocaust Museum or Yad Vashem in Jerusalem, or other places or concentration camps and learned.

I would submit that this bill, as the previous bill about nooses, should make a strong statement from this Congress, Mr. Speaker, but to the American people and the educators of this country that what we need in this country is more education about tolerance, more education about the horrors that we have had in the past in history. Because if you don’t learn from history, you will repeat it again. And here we are, almost 2008, talking about genocide and nooses and oppressive tactics used by groups to intimidate religious and ethnic minorities and people of different backgrounds.

I commend the authors for bringing the bill, and it is a bipartisan bill and that is what we need, but there are so many other aspects that we need to look into.

Eille Wiesel, who was cited just recently by a Member on the other side, said that people who hate, hate everyone. People who hate Jews hate blacks, hate Hispanics hate the ignorant.

We have had hate crimes come up in this Congress that have passed and hopefully we will have a hate crime that passes, because hate in any form, whether it is racial, religious, or sexual orientation is just that, it is hate, and it is un-American and it is something unfortunately unique to humankind that should be stamped out and abolished in this country, and this Congress should not allow it, countenance it, or in any way condone it.

And I thank the chairman and Mr. Berman for their leadership and the other people who have worked on this bill, Mr. Forbes and others, and we should work together in a bipartisan fashion to make this country what it is. I suppose that that is an area where we can work together and hopefully one day have the Age of Aquarius and a place where we don’t have these problems that we have had in the past.

Mr. FORBES. Mr. Speaker, at this time I yield 2 minutes to the distinguished gentleman from Michigan, Congressman Ehlers.

Mr. EHLERS. I thank the gentleman for yielding. I feel very strongly about this issue, and I want to echo the words of the previous speaker, the gentleman from Tennessee who, of course, because of his background, has a deep historical interest and feeling about genocide.

I have been appalled at the lack of advancement of the nations in dealing with this. I would like to cite a few examples, showed us the monstrous potential of totalitarian regimes, detestable here on this House of Representatives. They are issues of local and global import that I think reflect in a very complimentary sense upon the things that can be accomplished in the Congress when we put our best efforts and bring our most cooperative spirits to the table. And so I thank all of the speakers on both sides of the aisle.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of S. 888, the Genocide Accountability Act of 2007, introduced by Senator Durbin. I would like to thank my colleague Representative Berman for introducing this resolution in the House, where I am proud to join over 10 of my colleagues as a cosponsor of this important legislation. May I also take this opportunity to thank Chairman Conyers for his leadership in guiding this legislation through the Judiciary Committee.

Mr. Speaker, it is a tragedy that the 20th century, which excelled in technological innovation and great accomplishments in arts and letters, could also be remembered for events symbolizing man’s inhumanity to man. Genocide in Rwanda, the former Yugoslavia, Cambodia, Germany, and the Ottoman Empire, to cite a few examples, showed us the monstrous potential of totalitarian regimes determined to annihilate entire ethnic, racial and religious groups.

Sadly, though the 20th century has been called “the Age of Genocide” by at least one prominent scholar, the crime has already been seen in the new 21st century, with the deplorable situation in Darfur. There is no reason in the world that our Nation, coupled with the other nations, could not have stopped this earlier. And because of the niceties of diplomatic relations worldwide, we have not done so. I believe that is a mistake, and I feel very strongly about this. Genocide should not occur. As the gentleman before me commented, that we are the only creatures who deliberately kill large numbers of our own kind. And it is not new. It started with Cain and Abel, the killing of a brother.

We must pursue genocide worldwide. We must insist that it not take place. And we must punish those who commit genocide. There is no reason on God’s good Earth that others should permit genocide. And we, along with the other nations, have the power to stop it and we should do so.

So I rise with great gratitude to the sponsors. I ask you to all the Members here present this bill on the floor. This is one small step forward in what we really have to do, and that is to totally and completely outlaw genocide worldwide and act expeditiously to stop it wherever it occurs.

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

As the gentleman from Indiana said, this is a small step but a very profound statement. You have heard the almost unanimous agreement supporting this bill. I hope that would be the pleasure of the House.

I would like to yield the balance of my time to the chairman of the committee.

Mr. CONYERS. I thank the gentleman, Mr. Speaker.

I want to close by observing that the Judiciary Committee has handled four measures on the floor this afternoon, and I have enjoyed the full, unopposing cooperation of the gentleman from Virginia (Mr. FORBES). I want to thank him very much for it. And I appreciate the kinds of issues that we have handled here on this House of Representatives. They are issues of local and global import that I think reflect in a very complimentary sense upon the things that can be accomplished in the Congress when we put our best efforts and bring our most cooperative spirits to the table. And so I thank all of the speakers on both sides of the aisle.

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men, women, and children are completely reliant on international aid for survival. Unless the world stirs from its slumber and takes concerted and decisive action to relieve this suffering, the ongoing genocide in Darfur will stand as one of the blackest marks on human-kind for some time.

In 1948, the United Nations General Assembly adopted the “Convention on the Prevention and Punishment of the Crime of Genocide.” As its title suggests, the treaty imposes two core obligations on participating states: first, state parties undertake to prevent genocide; and second, they commit to punish genocide as well as several related acts, such as attempting to commit genocide. The Genocide Convention establishes our core obligations in combating the genocide phenomenon—preventing and punishing Genocide. The document gives the U.N. a broad license to deal with genocide. In addition, individual states are expected to do all they can to prevent genocide. It also gives responsibility to state parties to prosecute the perpetrators of genocide.

In 2007, Congress enacted legislation to bring U.S. law into conformity with the Genocide Convention. The “Proxime Act” (The Genocide Convention Implementation Act of 1987) is the key U.S. law implementing the Genocide Convention. When read together with existing provisions of the federal criminal code concerning conspiracy and complicity, the Proxime Act addresses the explicit obligation set forth in Article VI of the Genocide Convention concerning prosecution of genocide and related criminal acts in courts of the State where genocide occurs. In addition, the Proxime Act makes it a federal crime for a U.S. national to commit genocide anywhere.

The proliferation of civil wars accompanied by ethnic cleansing and outright genocide which characterized the end of the 20th century, from Bosnia and Herzegovina to the civil wars in Somalia and Liberia, produced a number of perpetrators of genocidal acts who later ended up on American shores. This revealed a shortcoming in our current laws, under which the United States cannot indict someone for genocide committed outside the United States, even when the victim is an American citizen, unless the perpetrator is a U.S. national.

In contrast, laws on torture, material support for terrorism, terrorism financing, hostage taking, and many other federal crimes allow for extraterritorial jurisdiction for crimes committed outside the United States by non-U.S. nationals. In light of this legal gap in our obligations to prosecute perpetrators of genocide, I commend my colleagues Mr. BERMAN and Mr. PENCE for introducing the Genocide Accountability and Accountability Act of 2007, H.R. 14207.

Mr. Speaker, this legislation would close a legal loophole that prevents the U.S. Justice Department from prosecuting people in our country who have committed genocide. The bill specifically amends Title 18 to establish federal criminal jurisdiction over the crime of genocide wherever the crime is committed. This jurisdiction should be exercised when the alleged offender is present in the United States and he or she will not be vigorously and fairly prosecuted by another court with appropriate jurisdiction.

Many countries have adopted or enforced legislation establishing jurisdiction over certain international crimes, including genocide, whenever committed if the alleged perpetrator is in their territory and any additional requirements are satisfied. This legislation will be a further step toward bringing the United States closer to line with its international obligations, and toward ensuring that no perpetrator of genocide living on U.S. soil can go unpunished.

I strongly urge my colleagues to join me in supporting this important legislation.

Mr. CONYERS. I yield back the balance of my time.

The SPEAKER pro tempore. The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed. A motion to reconsider was laid on the table.


Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3690) to provide for the transfer of the Library of Congress Police to the United States Capitol Police, and for other purposes, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 3690

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 2007.

SECTION 1. SHORT TITLE.

This Act may be cited as the “U.S. Capitol Police and Library of Congress Police Mergers Implementation Act of 2007.”

SEC. 2. TRANSFER OF PERSONNEL.

(a) Transfers.—

(1) LIBRARY OF CONGRESS POLICE EMPLOYEES.—Effective on the employee’s transfer date, each Library of Congress Police employee shall be transferred to the United States Capitol Police and shall become either a member of the Capitol Police, as determined by the Chief of the Capitol Police under subsection (b).

(2) LIBRARY OF CONGRESS POLICE CIVILIAN EMPLOYEES.—Effective on the employee’s transfer date, each Library of Congress Police civilian employee shall be transferred to the United States Capitol Police and shall become a civilian employee of the Capitol Police.

(b) TREATMENT OF LIBRARY OF CONGRESS POLICE EMPLOYEES.—

(1) DETERMINATION OF STATUS WITHIN CAPITOL POLICE.

(A) ELIGIBILITY TO SERVE AS MEMBERS OF THE CAPITOL POLICE.—A Library of Congress Police employee shall become a member of the Capitol Police on the employee’s transfer date if the Chief of the Capitol Police determines and issues a written certification that the employee meets each of the following requirements:

(i) Based on the assumption that such employee would perform a period of continuous federal service prior to becoming a member of the Capitol Police under subsection (a)(2) and a Library of Congress Police employee who becomes a civilian employee of the Capitol Police under this subsection shall be entitled to have any creditable service under section 8336(m) or 8412(d) of title 5, United States Code, that was accrued prior to becoming a member of the Capitol Police included in calculating the employee’s service as a member of the Capitol Police for purposes of computing annuity. Any creditable service under section 8336 or 8411 of title 5, United States Code, that was accrued prior to becoming a member of the Capitol Police included in calculating the employee’s service as a member of the Capitol Police for purposes of computing annuity. Any creditable service under section 8336(m) or 8412(d) of title 5, United States Code, that was accrued prior to becoming a member of the Capitol Police—

(i) shall be treated and computed as employee service under subsection 8336 or 8411; but

(ii) shall not be treated as service as a member of the Capitol Police or service as a congressional employee for purposes of computing the amount of any benefit payable out of the Civil Service Retirement and Disability Fund.

(c) DUTIES OF EMPLOYEES TRANSFERRED TO CIVILIAN POSITIONS.—

(1) DUTIES.—The duties of any individual who becomes a civilian employee of the Capitol Police under this section, including a Library of Congress Police employee who becomes a member of the Capitol Police under this subsection, shall be entitled to have any creditable service under section 8336(m) or 8412(d) of title 5, United States Code, that was accrued prior to becoming a member of the Capitol Police included in calculating the employee’s service as a member of the Capitol Police for purposes of computing annuity. Any creditable service under section 8336 or 8411 of title 5, United States Code, that was accrued prior to becoming a member of the Capitol Police included in calculating the employee’s service as a member of the Capitol Police for purposes of computing annuity. Any creditable service under section 8336(m) or 8412(d) of title 5, United States Code, that was accrued prior to becoming a member of the Capitol Police—

(i) shall be treated and computed as employee service under subsection 8336 or 8411; but

(ii) shall not be treated as service as a member of the Capitol Police or service as a congressional employee for purposes of computing the amount of any benefit payable out of the Civil Service Retirement and Disability Fund.
United States Capitol Police under this section.

(2) Finality of determinations.—Any determination of the Chief of the Capitol Police under this section shall not be appealable or reviewable in any manner.

(3) Protecting Status of Transferred Employee.—

(a) Nonreduction in pay, rank, or grade.—The transfer of any individual under this section shall not cause that individual to be separated or reduced in basic pay, rank or grade.

(b) Leave and compensatory time.—Any annual leave, sick leave, or other leave, or compensatory time, to the credit of an individual transferred under this section shall be transferred to the credit of that individual as a member or employee of the Capitol Police (as the case may be). The treatment of leave or compensatory time transferred under this section shall be governed by regulations of the Capitol Police Board.

(c) Prohibiting imposition of probationary period.—The Chief of the Capitol Police may not impose a period of probation with respect to the transfer of any individual who is transferred under this section.

(d) Rules of construction relating to employee representation.—

(1) Employer representation.—Nothing in this Act shall be construed to authorize any labor organization that represented an individual who was a Library of Congress police employee or a Library of Congress police civilian employee to apply to members of the Capitol Police or an employee of the Capitol Police under this Act to represent that individual as a member of the Capitol Police or an employee of the Capitol Police under this Act.

(2) Agreements not applicable.—Nothing in this Act shall be construed to authorize any collective bargaining agreement (or any related or coordinated agreement or agreement to the terms or conditions of employment) applicable to Library of Congress police employees or to Library of Congress police civilian employees to apply to members of the Capitol Police or to civilian employees of the Capitol Police.

(e) Rule of construction relating to personnel authority of the Chief of the Capitol Police.—Nothing in this Act shall be construed to affect the authority of the Chief of the Capitol Police to—

(1) terminate the employment of a member of the Capitol Police or a civilian employee of the Capitol Police;

(2) transfer any individual serving in a Library of Congress police employee or a Library of Congress police civilian employee to another position with the Capitol Police;

(3) treat the date to which a member of the Capitol Police or a civilian employee of the Capitol Police is transferred under this section as a transfer date.

(g) Transfer date defined.—In this Act, the term “transfer date” means, with respect to an employee—

(1) in the case of a Library of Congress Police employee who becomes a member of the Capitol Police, the first day of the first pay period applicable to members of the United States Capitol Police which begins after the date of the transfer of the employee to the Capitol Police issues the written certification for the employee under subsection (b)(1);

(2) in the case of a Library of Congress Police employee who becomes a civilian employee of the Capitol Police, the first day of the first pay period applicable to employees of the United States Capitol Police which begins after September 30, 2008;

(3) in the case of a Library of Congress Police civilian employee, the first day of the first pay period applicable to employees of the United States Capitol Police which begins after September 30, 2008.

(b) Cancelation in portion of unobligated balance of revolving fund.—Amounts available for obligation by the Librarian of Congress as of the date of the enactment of this Act from the unobligated balance in the revolving fund established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 1982 (2 U.S.C. 182c) for the Federal Library and Information Network program of the Library of Congress and the Federal Research and Development program of Congress are reduced by a total of $560,000, and the amount so reduced is hereby cancelled.

SEC. 3. Transition provisions.

(a) Transfer and allocation of property and appropriations.—

(1) In general.—Effective on the transfer date of any Library of Congress Police employee who is transferred under this Act to—

(A) the assets, liabilities, contracts, property, and records associated with the employee shall be transferred to the Capitol Police;

(B) the unexpended balances of appropriations accounts and unobligated balances of funds available for any collective bargaining agreement (or any related or coordinated agreement or agreement to the terms or conditions of employment) applicable to Library of Congress police employees or to Library of Congress police civilian employees shall be transferred to the Capitol Police;

(2) the Chief of the Capitol Police and the Librarian of Congress shall conduct a joint review in accordance with the modification and disposition provisions of the Memorandum of Understanding between the Library of Congress and the Capitol Police entered into on December 12, 2004, and such review shall be continued through the transition period.

(b) Treatment of alleged violations of certain employment laws with respect to transferred individuals.—

(1) In general.—Notwithstanding any other provision of law, the Librarian of Congress or the Chief of the Capitol Police shall provide for the remedy for an alleged violation of any covered law prior to the transfer date.

(2) Joint review.—During the transition period, the Chief of the Capitol Police and the Librarian of Congress shall conduct a joint review, in accordance with the provisions of this Act, to determine and implement procedures for the remedy for any alleged violation of any covered law which the individual exhausted all of the remedies available which are provided for employees of the Library of Congress under the covered law prior to the transfer date.

(c) Availability of detailed records during transition period.—During the transition period, the Chief of the Capitol Police may detail additional members of the Capitol Police to the Library of Congress, without reimbursement.

(d) Effect on existing memorandum of understanding.—Nothing in this Act shall be construed to affect the authority of the Librarian of Congress to—

(1) terminate the employment of a Library of Congress Police employee or Library of Congress Police civilian employee;

(2) transfer any individual serving in a Library of Congress Police employee position or Library of Congress Police civilian employee position to another position at the Library of Congress.

SEC. 4. Police Jurisdiction, Unlawful Activities, and Penalties.

(a) Jurisdiction.—

(1) Extension of Capitol Police Jurisdiction.—Section 9 of the Act entitled “An Act to define the area of the United States Capitol grounds, to regulate the use of such area for official and other purposes”, approved July 31, 1946 (2 U.S.C. 1961) is amended by adding at the end the following:

“(d) For purposes of this section, ‘United States Capitol Buildings and Grounds’ shall include the Library of Congress buildings and grounds described under section 11 of the Act entitled ‘An Act relating to the policing of the buildings of the Library of Congress’, approved August 4, 1950 (2 U.S.C. 167), except that the Library of Congress buildings not located in the District of Columbia, the authority granted to the Metropolitan Police Force of the District of Columbia shall be granted to any policing or peacekeeping jurisdiction the buildings or grounds are located.”

(2) Appeal of library of congress police jurisdiction.—The first section and sections 7 and 9 of the Act of August 4, 1950 (2 U.S.C. 167, 167t, 167h) are repealed on October 1, 2009.

(b) Unlawful Activities.—


(A) Capitol buildings.—Section 5101 of title 40, United States Code, is amended by
inserting “all buildings on the real property described under section 5102(d)” after “(including the Administrative Building of the United States Botanic Garden)”.

(b) TREATMENT OF SECURITY SYSTEMS.—
(1) RESPONSIBILITY FOR SECURITY SYSTEMS.—In accordance with the authority of the Capitol Police and the Librarian of Congress, and in consultation and coordination with each other, the Chief of the Capitol Police and the Librarian of Congress shall be responsible for the operation of security systems at the Library of Congress buildings and grounds described under section 11 of the Act of August 4, 1950, in consultation and coordination with each other, subject to the following:
(A) The Librarian of Congress shall be responsible for the design of security systems involving the handling of collections and property, subject to the review and approval of the Chief of the Capitol Police.
(B) The Librarian of Congress shall be responsible for the operation of security systems at any building or facility of the Library of Congress which is located outside of the District of Columbia, subject to the review and approval of the Chief of the Capitol Police.

(2) INITIAL PROPOSAL FOR OPERATION OF SYSTEMS.—By October 1, 2009, the Chief of the Capitol Police, in coordination with the Librarian of Congress, shall prepare and submit to the Committee on House Administration a plan for the operation of security systems at the Library of Congress. For the purposes of this Act, Congress shall be in consultation and coordination with each other, subject to the following:
(A) The Librarian of Congress shall be responsible for the design of security systems involving the handling of collections and property, subject to the review and approval of the Chief of the Capitol Police.

(b) The Librarian of Congress shall be responsible for the operation of security systems at any building or facility of the Library of Congress which is located outside of the District of Columbia, subject to the review and approval of the Chief of the Capitol Police.

(3) USE OF LIBRARY OF CONGRESS BUILDINGS AND GROUNDS.—
(1) E STABLISHMENT OF REGULATIONS.
(a) IN GENERAL.—The Librarian of Congress shall establish standards and regulations for the physical security, control, and preservation of the Library of Congress buildings and grounds, in consultation and coordination with each other, subject to the following:

(A) The Librarian of Congress shall be responsible for the design of security systems involving the handling of collections and property, subject to the review and approval of the Chief of the Capitol Police.

(B) The Librarian of Congress shall be responsible for the operation of security systems at any building or facility of the Library of Congress which is located outside of the District of Columbia, subject to the review and approval of the Chief of the Capitol Police.

(b) USE OF OTHER LIBRARY FUNDS TO MAKE PAYMENTS.—In addition to amounts transferred pursuant to section 102(e)(2) of the Library of Congress Fiscal Operations Improvement Act of 2000 (2 U.S.C. 182b(e)), the Librarian of Congress may transfer amounts made available for salaries and expenses of the Library of Congress during a fiscal year to the applicable appropriations accounts of the United States Capitol Police in order to reimburse the Capitol Police for the costs of emergency and other services provided in connection with a special event or program described in section 102(a)(4) of such Act.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect October 1, 2009.

SEC. 7. OTHER CONFORMING AMENDMENTS.
(a) IN GENERAL.—Section 1015 of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 181 et seq.), is amended by striking “the term ‘Library Police employee’” and inserting “the term ‘Library of Congress Police employee’”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect October 1, 2009.

SEC. 8. DEFINITIONS.
In this Act—
(2) the term “district”—(i) either House of Congress or a Member, committee, officer, or employee of Congress, or either of these; or
(ii) the Library of Congress;

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill now under consideration.

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

There was no objection.

Mr. BRADY of Pennsylvania. I yield myself such time as I may consume.

Mr. Speaker, I approach you in the name of the Administration Committee, I am pleased to recommend H.R. 3690, the United States Capitol Police and Library of Congress Police Merger Implementation Act of 2007, to the House. This bill will implement the merger of the Library Police into the Capitol Police. Our committee believes the merger plan contained in this bill is sound and that Congress should enact it as soon as possible.

The SPEAKER pro tempore. The time has been a long time coming. In 2003, Congress passed legislation merging the Library Police and the Capitol Police. The goal was to create

SEC. 5. COLLECTIONS, PHYSICAL SECURITY, CONTROL, ORDER AND DECORUM WITHIN THE LIBRARY.
(a) ESTABLISHMENT OF REGULATIONS.—The Librarian of Congress shall establish standards and regulations for the physical security, control, and preservation of the Library of Congress buildings and grounds, and for the maintenance of suitable order and decorum within Library of Congress.

(b) USE OF OTHER LIBRARY FUNDS TO MAKE PAYMENTS.—In addition to amounts transferred pursuant to section 102(e)(2) of the Library of Congress Fiscal Operations Improvement Act of 2000 (2 U.S.C. 182b(e)), the Librarian of Congress may transfer amounts made available for salaries and expen

December 5, 2007
CONGRESSIONAL RECORD — HOUSE
H14209
“seamless security” on Capitol Hill. The legislation called for the two agencies to develop a merger plan for congressional approval.

Since 2003, many people in both agencies devoted countless hours to the task. Just four years later, the merger has not yet been implemented. This is unfortunate. Much valuable time has been lost.

It’s time to get on with it. If done carefully and well, this merger will make Capitol Hill more secure for the millions who visit every year and the thousands privileged to work here every day.

Briefly, H.R. 3690 will implement the merger plan written by the Library and the Capitol Police and jointly recommended to our committee and our Senate counterpart. Under their plan, all Library Police employees will move to the Capitol Police by September 30, 2009. Library officers who meet age and service requirements and who complete Capitol Police training will continue as officers. Library officers who do not meet those requirements will be offered Capitol Police civilian jobs.

This is important: under this plan, nobody will lose their job or suffer a reduction in pay. Officers now have the same right to a retirement benefit as that enjoyed by other federal employees. Officers now represented by the Library’s Fraternal Order of Police will transfer to the Capitol Police’s FOP who will bargain with management over seniority and other labor matters that may arise during the merger.

The plan shifts jurisdiction over Library buildings in Washington to the Capitol Police. The Librarian will retain responsibility for design of security systems and will issue regulations to protect his collections and maintain order. Finally, the bill provides for handling employment-related claims during the transition and authorizes Library reimbursement of Capitol Police costs for special events. As PAYGO rules require, a minor increase in direct spending is fully offset.

Mr. Speaker, the committee believes this is a sound plan. I commend everyone involved in both agencies, especially for ensuring that nobody loses a job or pay. It has been my pleasure working with the gentleman from Michigan (Mr. EHRLERS) who spent much time on this matter while chairing the committee during the last Congress. We would not be here today without his efforts. I urge an “aye” vote.

I reserve the balance of my time.

Mr. EHRLERS. Mr. Speaker, I thank the gentleman from Pennsylvania for his kind words and particularly for his leadership on this issue and finally bringing it to fruition. As he said, it has taken far too long. But now it is here and we are doing it right.


While bringing together two law enforcement bodies may seem like an easy proposition, whenever you have two entities with existing cultures, established protocols, and disparate missions, it is important to conduct a merger of these two groups thoughtfully with due diligence. This, we have attempted to do.

While the Library of Congress Police and the U.S. Capitol Police both serve and protect the Congress and its assets, they do so in very different capacities. The U.S. Capitol Police is primarily charged with securing the Capitol buildings, Members of Congress, staff and visitors and providing an emergency planning and response function in the event of a terrorist attack or other unplanned activity.

Its core mission is too important to set aside even in the interest of completing this merger. The Library has a mission to serve the Congress and provide essential materials to enable Members and staff to get the information they need to craft effective legislation and perform other essential duties. One of the most important undertakings within the Library is to conduct a complete inventory of its collection, not only to have an accurate record of what materials are in its possession, but also to create a base for measurement of its inventory control efforts going forward. The committee is working closely with Library staff to ensure that progress continues to be made on the inventory of its collections, despite the additional work and effort required to unite these two law enforcement bodies.

The Library and the U.S. Capitol Police have studied the effects of this merger on executing their core operations and how problematic aspects might be mitigated. I am confident that both organizations will continue to carry out their core functions with the level of excellence that the Congress has come to expect. Over the past 4 years, through numerous hearings and countless meetings with staff of both organizations, the Library and the Capitol Police have exhibited a commitment to apply the law enforcement expertise of the U.S. Capitol Police to the unique needs of the Library, creating an organization that is greater than the sum of its parts. They have worked to put in place policies and procedures that will ensure that this union is successful and that it achieves the desired objectives of both organizations. Still, this merger marks a beginning, not an end.

As ranking member of the Committee on House Administration, I look forward to working with Chairman BRADY to make certain that, going forward, both organizations have the resources and support they need to successfully integrate their law enforcement divisions. In particular, we wish to provide the Library and the Capitol Police with a means to communicate with the Congress on the progress of the merger and impart any guidance or resources that they require to achieve long-term success. I urge our colleagues to join me in supporting this bill which will help ensure that the Library’s treasures are protected from harm and preserved for generations to come.

I want to once again thank Chairman BRADY and the other members of the committee for their hard work on this very difficult and complex issue. It was not easy, but it wasn’t, and I’m pleased that we finally have achieved this good result.

I also want to thank Chief Morris of the U.S. Capitol Police who has handled this very well and gone through some very delicate negotiations. In addition, the administration of the Library has been very helpful in trying to reach agreement, and they, of course, have very legitimate concerns about their needs to protect their collection, and they, one and all, have been very helpful in working with us.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BRADY of Pennsylvania, Madam Speaker, for the RECORD, I include the following exchange of letters between the Committee on Oversight and Government Reform and the Committee on House Administration concerning H.R. 3690:

DEAR CHAIRMAN BRADY: I am writing to confirm our mutual understanding with respect to the consideration of H.R. 3690, the U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007. As you know, on November 7, 2007, the Committee on House Administration ordered H.R. 3690 reported to the House. The Committee on Oversight and Government Reform appreciates your effort to consult regarding these provisions of H.R. 3690 that fall within the Oversight Committee’s jurisdiction. More specifically, those sections involving the federal workforce. In the interest of expediting consideration of H.R. 3690, the Oversight Committee will not separately consider this bill. The Oversight Committee does so, however, with the understanding that this does not prejudice the Oversight Committee’s jurisdictional interests and prerogatives regarding this bill or similar legislation.

I respectfully request your support for the appointment of outside conferees from the Oversight Committee on H.R. 3690 or a similar bill be considered in conference with the Senate.

I also request that you include our exchange of letters on this matter in the Congressional Record during consideration of this legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

HENRY A. WAXMAN
Chairman.
Mr. BRADY of Pennsylvania. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on this joint resolution and to include extraneous matter.

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

There was no objection.

Mr. BRADY of Pennsylvania. Madam Speaker, I yield myself as much time as I may consume.

This joint resolution would reappoint Patricia Stonesifer to a new 6-year term as a citizen regent of the Smithsonian Institute. Her current term will expire December 22. Ms. Stonesifer is the chief executive officer of the Bill and Melinda Gates Foundation, a renowned philanthropic institution based in Seattle, Washington. She was previously a senior vice president at Microsoft.

On the Smithsonian Board of Regents, Stonesifer is currently Chair of the Executive Committee, the institution’s most important internal panel which acts on behalf of the board between its meetings. She also chairs the Compensation and Human Resources Committee.

Ms. Stonesifer previously chaired the Governance Committee which guided the board’s most significant action this year, preparing its comprehensive report last June. The broad scope of the report addresses a range of issues emerging from the resignation of former Secretary Lawrence Small. Proper implementation of this report will be critical to the effective reform and modernization of the Smithsonian.

The House Administration Committee, as the House panel with exclusive jurisdiction over Smithsonian governance matters, will exercise vigorous oversight to ensure that the board approves additional significant changes.

As the Smithsonian Board of Regents undertakes the urgent task of reinvigorating itself as a full-time management and policymaking body, Ms. Stonesifer’s expertise and willingness to communicate with Congress will continue to be a valuable asset. Members of the House Administration Committee held a briefing with her 3 weeks ago, were impressed by her continued commitment to the task ahead, and agreed to move this joint resolution expeditiously. Ms. Stonesifer is a ranking member again, Mr. EHLENS, for his active participation and cooperation in these actions.

Madam Speaker, I urge the passage of the joint resolution.

I reserve the balance of my time.

Mr. EHLENS. Madam Speaker, as the ranking member of the House Administration Committee, I’m pleased to support the reappointment of Patty Stonesifer as a citizen regent of the Smithsonian Institution.

Six years ago I stood at this very microphone in a slightly different role as a member of the majority recom-mending Ms. Stonesifer for her initial appointment. I was very impressed with her qualifications at that time. She has not disappointed us. She has done very well.

In her role as chief executive officer of the Bill and Melinda Gates Foundation, Ms. Stonesifer leads the foundation in their mission to help all peoples of the world lead healthy, productive lives. At the end of last year, under the leadership of Ms. Stonesifer, the Bill and Melinda Gates Foundation had an endowment of approximately $33 billion, and remains one of the largest charitable foundations in the world.

In developing countries, the foundation focuses on improving people’s health and giving them the chance to lift themselves out of hunger and extreme poverty. In the United States, it seeks to ensure that all people, especially those with the fewest resources, have access to the opportunities they need to succeed in school and life. For all three of the Bill and Melinda Gates Foundation program groups, Patty Stonesifer sets strategic priorities, monitors results and facilitates relationships with key partners.

Before helping Bill and Melinda Gates launch the Global Learning Foundation in 1997, Ms. Stonesifer was a senior vice president at Microsoft, where she was responsible for an $800 million business activity focused on interactive entertainment, news, information and service. Ms. Stonesifer is active in a number of other charitable endeavors, and has served as a member of the United States delegation to the United Nations General Assembly Special Session on AIDS.

As Chair of the Smithsonian’s Governance Committee, Ms. Stonesifer led the board’s efforts to implement best practices in the nonprofit sector, and helped develop and implement the recommendations from the independent review committee designed to strengthen the board’s oversight of the institution and reform its operations.

In June, the board formally adopted the Governance Committee’s 26 recommendations, and they are on target for completion by early 2008.

She has performed incredibly well in all of these areas, and the problems that we have had at the Smithsonian are well underway to conclusion simply due to the work of Ms. Stonesifer. The resolution includes a statement of compensation, compliance with the Freedom of Information Act, and restructing senior management to create a stronger reporting relationship with the board. Once implemented, these strengthened government practices will be an important step towards restoring faith in the Smithsonian and its management structure, and they demonstrate the positive impact of Ms. Stonesifer’s leadership in this area.

After meeting once again with Ms. Stonesifer, I’m confident that her unique blend of business and philanthropic experience will continue to be a most valuable factor on the board.
that is charged with overseeing the Nation’s attic, our fond description for the Smithsonian.

I urge my colleagues to join me in supporting a very capable person, Patty Stonesifer, for reappointment to the Smithsonian’s Board of Regents.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BRADY of Pennsylvania. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 8.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE 100TH ANNIVERSARY YEAR OF THE FOUNDING OF THE PORT OF LOS ANGELES

Ms. RICHARDSON. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 822) recognizing the 100th anniversary year of the founding of the Port of Angeles, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 822

Whereas on December 9, 1907, the Los Angeles City Council approved City Ordinance No. 15621, creating the Board of Harbor Commissioners and officially founding the Port of Los Angeles;

Whereas the Port of Los Angeles’ earliest history was recorded by Portuguese explorer Juan Rodriguez Cabrillo who named this natural harbor “Bahía de los Fumos” or “Bay of Smoke” in 1542, when he noted that the bay “is an excellent harbor and the country is good with many plains and groves of trees”;

Whereas in the 1850s, a spirited entrepreneur named Phineas Banning began the first of a lifetime of ventures that would transform Southern California and marking the beginning of a new era of development for the region;

Whereas the Port of Los Angeles’ prime economic activity, with California Shipbuilding Corp., Bethlehem Shipbuilding Corp., Todd Shipyards, and other enterprises collectively employing more than 90,000 workers;

Whereas in August 1908, the Hawaiian Merchant delivered its first shipment of 20 cargo containers to the Port of Los Angeles, marking the beginning of the containerized cargo revolution in California;

Whereas the Port was a principal partner of the $2,500,000,000 Alameda Corridor project which opened in April 2002 as a 20-mile rail expressway that reliably and efficiently connects the Port to America’s transcontinental rail system and enables the Port’s involvement in developing robust regional transportation infrastructure solutions by working in partnership with local, regional, and state agencies to improve goods movement systems;

Whereas the Port’s 2004 completion of the nearly 500-acre Pier 400 container complex is the largest single-user container terminal in the world has been acclaimed as an engineering marvel and model of operational efficiency;

Whereas the Port of Los Angeles has long recognized its responsibility for infrastructure and operational improvements that are supportive of sustainable growth, sustainable goods movement compatible with environmental stewardship, the most recent example being a historic November 2006 action by the Boards of Harbor Commissioners of Los Angeles and Long Beach in approving an aggressive plan to reduce air pollution by nearly 50 percent in 5 years, making the San Pedro Bay Ports Clean Air Action Plan the first to address all port-related emission sources to significantly reduce health risks posed by regional air pollution from port-related operations;

Whereas the Port of Los Angeles is located in San Pedro Bay, California, and is part of the Southern California port complex which handles nearly 75 percent of all goods arriving in the United States, impacting over 1,000,000 jobs nationwide;

Whereas as a premier international gateway, the Port of Los Angeles is the leading container handling port in the United States, with more than 8,500,000 TEU’s (twenty-foot equivalent units) recorded in 2006, thus retaining its stature as the leading United States containerport for the seventh consecutive year;

Whereas the Port of Los Angeles as part of the Southern California Port Complex has grown 246 percent over the past 11 years, tripling its trade-related jobs, generating $256,000,000,000 in commerce, and producing $28,000,000,000 in tax revenue, and is on schedule to triple again the amount of cargo handled by 2020;

Whereas in 1911, under the leadership of Los Angeles Mayor Antonio Villaraigosa, President of the Southern California Harbor Commissioners, and Executive Director Geraldine Knatz, the Port is celebrating its Centennial, commemorating the great strides made in over a century tradition of service as an international trade hub and maritime industry leader; and

Whereas from its tradition of handling fishing, lumber, and hides at the turn of the century to today’s reputation for expeditiously moving a diverse, unprecedented global cargo mix, the Port of Los Angeles now looks toward its next 100 years with a legacy as an undisputed international leader in setting global standards for industry-leading efficiency, and sustainable growth:

NOW, THEREFORE, be it

Resolved, That the House of Representatives:

(1) recognizes the 100th anniversary year of the founding of the Port of Los Angeles, which is the Nation’s largest container port;

(2) congratulates the Port of Los Angeles for its achievements as a leader throughout its history in implementing modern and innovative transportation and goods movement systems that are compatible with responsible environmental stewardship; and

(3) wishes the Port of Los Angeles continued success during its next 100 years as it strives to remain the Nation’s largest and most successful conveyor of the Nation’s and the world’s commerce.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LaTourette) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

Ms. RICHARDSON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am proud to honor the Port of Los Angeles today with the passage of House Resolution 822, which recognizes the port’s 100th anniversary. I was pleased to undertake this effort with my colleague from the Republican side of the aisle, Representative Dana Rohrabacher.

The Port of Los Angeles enjoys a meaningful history. Madam Speaker, starting in the mid-19th century as a trading center for furs and hides serviced by stagecoaches and wagons and transforming over time into a distinct port today as the Nation’s largest container port.

In 1911, Rear Admiral John C. Walker helped push for greater development in the San Pedro Bay because it was the result of the first Federal breakwater. In World War II, the Port of Los Angeles played a large role in our Nation’s ability to respond to the shipbuilding challenge and to arm the U.S. Navy. This effort also quickly became a part of the Port of Los Angeles’ prime economic activity.

More recently, in 2004 the port consisted of the 500-acre Port 400 container complex as the largest single user container terminal in the world, which has been acclaimed as an engineering marvel.

...
The Port of Los Angeles is located in the San Pedro Bay in California and is a part of the Southern California port complex. In California, both ports, Los Angeles and Long Beach, process approximately 85 percent of the State’s goods movement program. For the Nation, California’s ports additionally handles more than 45 percent of the entire Nation’s cargo arriving in the United States, impacting over 1 million jobs nationwide. As a premier international gateway, the Port of Los Angeles has been recorded as the number one largest container handling port in the United States for the last 7 consecutive years.

My colleagues, the impact of the Port of Los Angeles is monumental, and the numbers are staggering. The port has grown 246 percent over the last 11 years, tripling its trade-related jobs, generating $256 billion in commerce, and producing $28 billion in tax revenue. This growth is not likely to slow, as the port is expected to again triple the amount of cargo it handles by the year 2030.

With this progress comes great responsibility, however. In 2006, the historic Clean Air Action Plan was agreed to by the Boards of Harbor Commissioners, which seeks to reduce air pollution by 50 percent in the next 5 years. With House Resolution 822, the House now has an opportunity to bestow the appropriate recognition on the Port of Los Angeles and deserves credit for years of successful operation and service to the American public and our economy.

I urge my colleagues to support House Resolution 822.

Madam Speaker, I reserve the balance of my time.

Mr. LA'TOURRETTE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, House Resolution 822 recognizes the 100th anniversary of the Port of Los Angeles. The Port of Los Angeles is the busiest port in the United States in terms of maritime cargo volume, and when combined with the adjoining Port of Long Beach, is the fifth busiest commercial seaport worldwide.

This trade is a critical component to our national economy, and directly and indirectly supports millions of jobs nationwide. The port has also taken action by the Boards of Harbor Commissioners, which seeks to reduce air pollution by 50 percent in the next 5 years.

In recent years, the Port of Los Angeles has been recognized as the largest container port in the United States and the fifth busiest container complex in the world. It supports over 250,000 jobs at the port and adjacent communities and nearly 1 million jobs worldwide. It is an economic powerhouse whose importance to Southern California and the Nation cannot be overstated.

In recent years, the Port of Los Angeles has taken great strides to address the challenges that come with being a major port in the 21st century. It has dedicated millions to ensuring the quality of life for the surrounding communities, many of which are located in my congressional district. It has also taken on groundbreaking environmental initiatives to reduce the air pollution that it generates. Maybe most importantly, 100 years ago, such things as a maritime security strategy.

Today, the issue is of paramount importance, and the Port of Los Angeles is a national leader.

In the hours after the September 11 attacks, port officials, the Coast Guard, and local law enforcement executed a pre-approved plan that quickly and efficiently secured the port. The planning, communication, and execution saw that day become the inspiration for many of the security initiatives that have since been implemented, including the SAFE Port Act, which I coauthored with my California colleagues, Dan Lungren, and which became law last year.

As I mentioned, Congresswoman Richardson deserves enormous applause for her leadership on an issue that was very timely but which the rest of us had overlooked. I don’t think this resolution would have come to the floor without her initiative. And it really is a big deal to the San Pedro community.

I look forward to working with her as her partner when we celebrate the next 100 years. We may be feebie, but we will be here.

And at this time, I would like to insert into the RECORD an article from today’s edition of the Daily Breeze. [From the Daily Breeze, Dec. 5, 2007]

PORT OF LOS ANGELES MARKS 100 YEARS

By Art Marroquin

San Pedro Bay had been struggling as a port for nearly a half-century, but the mud flats surrounding the inland harbor failed to excite railroad magnate Collis P. Huntington.

So rather than run his Southern Pacific Railroad down to San Pedro, Huntington bought more than 300 acres in Santa Monica as the site of a harbor designed for a future “Port of Los Angeles.”

He built a wharf that extended 4,720 feet into the Pacific Ocean, attracting more than 300 cargo ships during its first year in 1893.

“He wanted people to think his port was close to Los Angeles, when in fact it wasn’t,” said Ernest Marquez of West Hills, who chronicled Huntington’s efforts in his 1975 book “Port of Los Angeles: A Phenomenon of the Railroad Era.”

“It was successful, then the region’s economy would have been at the mercy of Southern Pacific and that would have been disastrous,” Marquez said.

While Huntington tried to get his Santa Monica port recognized as the official harbor for the Los Angeles region, efforts were already under way to bulk up the port in San Pedro.

U.S. Sen. Stephen M. White, the Los Angeles Chamber of Commerce and Los Angeles Times Publisher Harrison Gray Otis believed the port should be a city-operated enterprise and pushed efforts to build a “Port of Los Angeles” in San Pedro Bay.

“Those men saw potential for the mud flats at San Pedro,” Marquez said. “They believed the harbor could be developed by lots of digging and dredging.”

To a lesser extent, interests in Redondo Beach and Playa del Rey had tried to enter the fray, but those efforts quickly fell by the wayside, setting the scene for an epic battle that became known as the “Free Harbor Contest.”

Congress established the River and Harbor Act of 1896, which created a commission to decide whether federal funds should go to Santa Monica or San Pedro.

Three years later, Congress put its money on San Pedro and breakwater construction began a short time after.

“There was no way a harbor of this magnitude could have been developed in Santa Monica because there are too many cliffs on the beach, and it was wide open to the ocean,” Marquez said. “San Pedro was favored because the harbor went inland and protected ships from the open sea.”

The city of Los Angeles then annexed a 16-mile strip of land to connect to the port in 1906. The communities of San Pedro and Wilmington were annexed three years later.

The city’s newfound props to the port gave rise to a new harbor commission, a three-member panel appointed in 1907 by then-Mayor A.C. Harper.

The 100th anniversary of the harbor commission’s creation will be marked during a celebration at 4 p.m. Sunday.

The bash will include historical displays, refreshments, boat shows and a performance by Taylor’s Evergreen Symphony Orchestra. A fireworks display is set for 7 p.m.

First commission members—George H. Stewart, Frederick William Braun and T.G. Gibbon—regularly met in downtown Los Angeles and made “big news” during the rare occasions they traveled south to San Pedro, according to Geraldine Knatz, executive director for the Port of Los Angeles.
The panel didn’t have a budget and its members often had to pay for expenses out of their own pockets, she said.

“When the voters approved the annexation and built the port for port improvements, the money went to the Board of Public Works, not the harbor commissioners,” Knatz said. “It got so bad that all the commissioners quit by the first meeting.”

The first harbor commission faced many of the struggles that persist today, such as building new infrastructure and bolstering regionally. “There’s always going to be hard,” Knatz said.

“What is going to happen in the future is going to be hard,” Knatz said.

The port has come a long way since those early years, with the arrival of cargo container ships in 1937, the advent of towering gantry cranes during the late 1960s and, more recently, an environmental push aimed at reducing diesel emissions from ships and trucks.

About 15.8 million cargo units passed through the ports of Los Angeles and Long Beach last year, accounting for more than 40 percent of the nation’s imports. That number is expected to double by 2030, according to local economist John Husing.

Additionally, some 500,000 people in Southern California are employed directly and indirectly by port-related businesses, Husing said last month.

“The port is a vital part of our national economy, but it is just as important locally, providing good jobs for generations of local residents,” said Los Angeles City Councilwoman Jan Hahn, whose 15th District includes the port.

To remain competitive, the port must continue to grow while also keeping the environment in mind, Husing said.

Several shipping companies operating at the Port of Los Angeles are studying expansion options that call for environmentally friendly accommodations, such as AMP technology that allows container ships to “plug in” to a generator and operate on electrical power while docked, rather than idling on their diesel engines.

China Shipping was the first company to use the technology at the Port of Los Angeles, resulting in the elimination of 300 tons of pollutants since 2004, according to port officials.

“Growing green is imperative if any kind of expansion is going to happen.” Knatz said. “There’s always going to be hard,” Knatz said.

Indeed, the ports of Los Angeles and Long Beach are poised in 2008 to roll out the first provisions of their so-called Clean Truck Program that calls for replacing or retrofitting about 16,000 diesel-spewing big rigs with cleaner-burning vehicles by 2012.

“Clean and healthy communities.

Mr. LaTOURRETTE. Madam Speaker, at this time it is my pleasure to yield as much time as he may consume to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Madam Speaker, next week, on December 9, we have mentioned today, the Port of Los Angeles, which I am proud to say is located in my district, will celebrate its 100-year anniversary.

Yes, the Port of Los Angeles has had a long and distinguished history. It was the birthplace of the transcontinental railroad in Southern California. We are also proud of the crucial role played by the Port of Los Angeles in the battle for the Pacific during the Second World War.

Throughout its history, the Port of Los Angeles has been a harbinger of prosperity and economic growth, as well as an impetus for the engineering and technology development that we have noted. In August of 1958, for example, a cargo vessel named the Hawaiian Merchant delivered its first shipment of 20 cargo containers to the Port of Los Angeles, ushering in a cargo container revolution that has had an enormous impact on the world economy.

Let us note on this 100th anniversary that there was someone who played an important role in providing the infrastructure to the ports and to the transportation systems that serve the ports. Let us pay homage to Congressman Glen Anderson, who will be here and will share with his influence in this House as chair of the Transportation Committee, such support that gave us the infrastructure we needed to have the great port complex of Los Angeles and Long Beach.

When I first was a Member elected here, Glen Anderson was still serving here, and I was proud to call him my friend. He has left us a legacy that he can be proud of.

We’ve come a long way in these last 50 years, with the help of people like Glen Anderson. Those initial 20 cargo containers have grown to over 8.5 million cargo containers just last year.

And as we noted, the combination of the Port of Los Angeles and Long Beach represent the fifth largest port complex in the world. More than 43 percent of all goods arriving in the United States enter through this port complex. And I guarantee you that in every congressional district represented in this Congress, there is something there that has been brought through the international gateway, which is the Port of Los Angeles.

There is a challenge in this new century, the environmental challenge, however, Madam Speaker, our greatest challenge is to improve the way that containers are moved through the port complex of Los Angeles and Long Beach. Over 70 percent of the containers now arriving in our ports are headed inland from Southern California to destinations and localities within the United States. Every day, thousands of these containers are hauled by truck from the port to inland rail depots. This results in unsafe roadways, hazardous health conditions, pollution, and our freeways and our roadways are uncomfortably crowded. And yes, that is unacceptable now. As container traffic grows, the situation will get worse unless we act.

If we continue with the current method of transporting those containers individually by truck system, this will result in pollutes and crowds Southern California’s roads and freeways. That said, however, there is a new solution on the way, a new and clean and efficient way of moving containers through the ports, the use of cleaner railroad depots, a way that will revolutionize the process.

This new approach has bipartisan support. That bipartisan support ranges from myself and Governor Schwarzenegger to my Democratic colleagues, Representatives Richard and Oberstar.

The cutting-edge technology to which I refer is an electronic cargo conveyor system. Instead of being loaded onto trucks to sit in traffic, containers will be quickly sent to an inland railroad depot utilizing mag-lev-like technology, an electronic conveyor belt system of sorts. With container traffic being removed from our roads and our freeways, traffic and health conditions will dramatically improve. We will be able to quickly and cleanly move the cargo out of our ports and to consumer outlets throughout the United States. And the best part, Madam Speaker, is that it will cost less to build and run a new system like I just described than to continue to pay to have containers shipped individually by truck.

The ports in Southern California will continue to prosper and lead the way as long as it is willing to innovate with the type of creativity reflected in the mag-lev system that I just discussed. I congratulate the Port of Los Angeles and its board of directors on their anniversary and the tremendous success of the last 100 years.

Mr. GRAY. Mr. ROHRABACHER.

Glen Anderson played a major role in trying to develop the security that we need at our ports of Los Angeles and Long Beach. There are security needs and other infrastructure needs that will cost money. Whenever you have any benefit, it will cost. We need to face the cost of these improvements with the same creativity that I just discussed technologically that we need to do in the cargo movement.

The way that I would suggest, and I hope that on this anniversary that we note that, yes, Glen Anderson played an important role in getting Federal money for the ports. That is not an unending source of revenue. But if we were to charge a container fee and base our improvements in the ports, instead of on the taxpayers of the United States channeling money to our ports, we instead charge those using the ports a reasonable container fee so that they pay to use our infrastructure facilities in China and elsewhere will pay to utilize the ports, that container fee will not only be fair, but it will be
Mr. FILNER. The previous gentleman talked about some of the congestion that produced there. We hope to take away taxes.

Ms. RICHARDSON. Madam Speaker, I wish to recognize for 2 minutes my good friend and representative who covers the Port of San Diego, our sister port, the gentleman from California (Mr. LUNGGREN).

Mr. FILNER. I thank the gentlelady, and I thank you for your leadership, which has come very early in your congressional career. It’s nice to be here. Thank you for allowing a Congressman from San Diego to join you in this celebration of the 100th anniversary of the Port of Los Angeles.

As a representative of San Diego, there are a lot of things we don’t want to imitate about Los Angeles, but we look with envy at the economic engine that the Port of Los Angeles represents. It is truly, and I say this with some envy, Southern California’s gateway to international commerce, maintaining its competitive edge with record-setting cargo operations, groundbreaking environmental issues, progressive security measures, and diverse recreational and educational facilities.

The port’s economic contributions are far-reaching. The port is connected directly and indirectly with tens of billions of dollars in industry sales each year in the Southern California region and in the Nation, translating into hundreds of thousands of local jobs and billions of dollars in wages, salaries and State and local taxes.

One out of every 24 jobs in Southern California is generated by the port. That’s almost 260,000. One out of every $23 paid in wages and salaries, almost $9 billion, comes from the Port of Los Angeles.

Almost 1½ million jobs are generated nationwide, and the port generates almost $1.5 billion in State and local taxes.

So this economic engine is far-reaching. We marvel at what you have produced there. We hope to take away sometime some of the congestion that the previous gentleman talked about by expanding our Port of San Diego, but we look at you again for a model of how to do these things. At least one business in every congressional district in this Nation imports or exports goods through the Los Angeles port complex. It is truly America’s gateway, and we have an opportunity provided by you to recognize the 100th anniversary, and we hope there is unanimous support for your resolution.

Mr. LATOURETTE. Madam Speaker, it’s my pleasure to yield such time as he may consume to another gentleman from California (Mr. LUNGGREN).

Mr. DANIEL E. LUNGGREN of California I thank the gentleman for the time.

Madam Speaker, I rise in support of the resolution. As one who grew up in the City of Long Beach and spent a great deal of time as a child being taken by parents down to the Ports of Los Angeles and Long Beach and having as a college student in the summer-time worked in the Port of Los Angeles, I have had the opportunity to see that port grow, along with its sister port. The progress that has been made there, the advances that have been made there, the jobs that have been created there, the tremendous economic engine that that port is, is an example to not only California but to the rest of the world how you can take a natural resource and in some ways refine it and in some ways make it better than it was before so that it enhances the entire area or the entire region.

The Port of Los Angeles has a distinguished record. It is one that is marked with achievement. It is one that is marked with advances in technology, and it is one that has always contributed to the health of the region that I used to represent in this body some 20 years ago.

I congratulate the gentleman for bringing this forth, and I would suggest to my colleagues not only that they support this, but if they ever have the opportunity to be in California and they want to see a magnificent engine of economic vitality, they ought to come by and see the Port of Los Angeles. It is a credit to the people of the region. It is a credit to those who had the foresight to develop it as a working port. And I join everyone else in congratulating those who now are responsible for its continued operation.

Ms. RICHARDSON. Madam Speaker, I wish to yield 2 minutes to my good friend, my fellow member of the Transportation Committee, the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Madam Speaker, I certainly want to thank Representative RICHARDSON for introducing House Resolution 822, and I join my colleagues in their accolades on the Port of Long Beach’s reaching their 100th anniversary and on their accomplishments, as they are a tremendous asset to California. Their leadership has been exemplary. It has provided hundreds of thousands of jobs over the 100 years. Many of the longshoremen and stevedores are immigrants and live in our districts in Los Angeles.

The fact is these ports and their workers are vital to all of our U.S. economy. As you have heard, they provide movement of 8.5 million containers, and 1 million jobs throughout the United States, not just in Los Angeles and in California. And my district is home to many factories and companies and distribution centers that import and export their products through these ports. The $8 billion in trade from imports impact my district tremendously, and it is expected to triple by the year 2030, undertaking, you’ve heard, the $2 billion Clean Air Action Plan to reduce emissions by 50 percent in 5 years, replacing dirty diesel trucks from the ports, and requiring low sulfur gas to be used by the incoming ships.

We congratulate and are joined by many other members of the Los Angeles delegation, including DAVID DREIER, Mrs. ROYBAL-ALLARD, Mrs. ROYBAL-ALLARD. Madam Speaker, I rise in support of House Resolution 822, recognizing the 100th anniversary of the founding of the Port of Los Angeles, and I commend Congresswoman LAURA RICHARDSON for her leadership and introduction of this resolution.

When the port opened in 1907, the population of the City of Los Angeles stood at only 300,000 residents. Today the City of Los Angeles is a thriving metropolis of more than 4 million residents, the second largest city in the Nation. This transformation into a sprawling urban giant was enhanced by the ever-growing global trade that passes through the Port of Los Angeles.

As a major gateway to the Pacific Rim, the Port of Long Beach contributed a staggering $225 billion worth of cargo a year, and with its neighboring Port of Long Beach, it is the largest container port complex in the Nation and the fifth largest in the world.

The Port of Los Angeles plays a critical role in our local and State economy. It contributes $1.4 billion in State and local tax revenues, provides 259,000 jobs, and pays $8.4 billion in wages annually. Equally as important, if not more so, the Port of Los Angeles is also a strong economic engine for our national economy.

Goods arriving through the port complex account for more than 40 percent
of our Nation’s total import traffic and 24 percent of its total exports. In fact, more than 60 percent of arriving cargo has destinations outside of Southern California.

In 2006, the number of direct and indirect jobs associated with the trade activity generated by the L.A. ports was 3.3 million jobs nationwide. This is a 200 percent increase over 1994 data.

On this historic 100th anniversary, I salute the Port Authority: the City of Los Angeles; the communities of Wilmington and San Pedro, which host the port; and I especially want to salute the thousands of hardworking men and women who ensure the port’s daily operational and exportable movement of goods. And I urge all of my colleagues to support this resolution.

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

Ms. RICHARDSON. Madam Speaker, I wish to yield 2 minutes to my dear friend and sister from Los Angeles, Congresswoman SUSAN DAVIS. Madame Speaker, I rise in support of this resolution. As a representative with a bustling port in San Diego, I fully recognize the importance of this historic occasion, and I am very proud to join my colleague in honoring the Port of Los Angeles and celebrating its 100th anniversary.

As many colleagues have cited, the Port of Los Angeles is a bastion for commerce and the economy for the region, and it provides one out of every 24 jobs in Southern California. Madam Speaker, we know that seaports are gateways for domestic and international trade connecting us to the rest of the world. And because ports are naturally located on coasts and inland waterways, they really play a special opportunity to act as environmental stewards and caretakers for our precious coastal resources. Just last year the Ports of Los Angeles and Long Beach jointly released the San Pedro Bay Ports Clean Air Action Plan, which aims to reduce emissions by 50 percent over the next 5 years.

It’s true, economic benefits that our districts benefit from the imports and exports that flow through the Port of Los Angeles. So I want to urge my colleagues to join me in bestowing this well-deserved honor on the Port of Los Angeles after 100 years of successful operation, and I particularly want to commend my colleague for bringing it forward. Mr. LATOURETTE, Madam Speaker, I reserve the balance of my time.

Ms. RICHARDSON. Madam Speaker, I wish to yield 2 minutes to my dear friend and sister from the great area of Santa Barbara. She also has a port in her district, Mrs. LOIS CAPPS.

Mrs. CAPPS. Madam Speaker, I join several of my colleagues in strong support of House Resolution 822.

It’s a pleasure to honor the Port of Los Angeles on your 100th anniversary and to commend our new colleague from California, Congresswoman RICHARDSON, for calling attention to all of us the importance of our ports and for signaling this specific anniversary of the Port of Los Angeles, our Nation’s largest container port. And when you include its neighbor, the Port of Long Beach, this complex is the fifth largest in the world.

I also represent a deepwater port, a neighboring port up the coast from the Port of Los Angeles, the Port of Santa Barbara. So I also know how important the maritime industry is to the health of our Nation’s economy. And ports like the Port of Los Angeles are the gateway into the vastly interconnected global economy.

In fact, 95 percent of all international overseas trade moves through our Nation’s ports, and much of it, $1 billion a day of economic activity, happens at the Ports of Los Angeles and Long Beach. In fact, at least one business in every congressional district in this country imports or exports goods through these ports.

Madam Speaker, I also want to acknowledge the port’s work to improve the region’s air quality. This is a big deal. This is a busy port with lots of traffic and has in the past produced lots of congestion. Recently, the Ports of Los Angeles and Long Beach announced a proposal to reduce diesel pollution from trucks at the facilities by utilizing low-emissions, near-roadside trucking systems. This is a model that the rest of the Nation would do well to watch and then copy. This is good news for the people working and living near these busy complexes. And I hope other ports in California and around the country will follow their lead.

Again, I’m glad the House can recognize the important contributions of this port. I congratulate all its employees, its Members of Congress, and its successful operation of the last 100 years.

Mr. LATOURETTE. Madam Speaker, may I inquire of the Chair the time remaining on each side?

The SPEAKER pro tempore. The gentleman from Ohio has 9 minutes remaining. The gentlewoman from California has 2½ minutes.

Mr. LATOURETTE. Madam Speaker, I am going to continue to reserve. But I do see the distinguished chairman of our subcommittee on the floor, and if 2½ minutes isn’t enough time for his observations, I would be happy to inquire to see if the gentlewoman needs time.

Would you like me to yield to the chairman?

Ms. RICHARDSON. Madam Speaker, actually as the manager of this bill, I was prepared to give the honor of closing this bill to the dear chairman. So since he is our last speaker, I am prepared to close at that point once you have yielded the remaining time.

Mr. LATOURETTE. Madam Speaker, I yield 2 minutes of our time and ask unanimous consent that it be added to the gentlewoman’s time so they have 4½ minutes.

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

There was no objection.

Mr. LATOURETTE. I yield back the remainder of my time.

Mr. RICHARDSON. Madam Speaker, it is with great pleasure that I have the opportunity to introduce the distinguished chairman of the Coast Guard and Maritime Transportation Subcommittee, on which we both serve. He has been a friend and colleague. I have had an opportunity to work with in a very quick fashion, and I am very pleased to have him join us in this effort. Please welcome the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Madam Speaker, I rise today to urge my colleagues to adopt House Resolution 822 and to recognize the 100th anniversary of the
Port of Los Angeles. I want to thank you, Mr. LATOURETTE, for yielding time, and you, Ms. RICHARDSON, for your very, very fine work which I will get back to in a moment.

During its first century, the Port of Los Angeles has grown to become an amazing freight processing complex encompassing 27 cargo terminals which handle more than 43 percent of all the goods arriving in the United States. By any metric, the size of operations at the Port of Los Angeles is simply staggering. Over just the past 11 years, part of the San Pedro Bay Port Complex, the port has grown 246 percent, generating $256 billion in commerce and $238 billion in tax revenue. That is simply astounding.

Already the largest container terminal in the United States, the port handled more than 8.5 million 20-foot container units last year alone. By 2030, the port complex is expected to triple its cargo handling activities again.

Not surprisingly, the port is an industry leader in all aspects of transportation. In 2002, the port was a principal partner of the $2.5 billion Alameda Corridor project, which connected the port to Arizona and the transcontinental rail system with a 20-mile rail expressway.

Created through a partnership with local, regional and statewide agencies, this project epitomizes the multimodal connections that are essential to reducing air pollution through our nation’s ports.

The port has also undertaken a dedicated effort to address the impacts of its operations on the local environment through the San Pedro Bay Ports Clean Air Action Plan, which is intended to reduce air pollution from port activities by nearly 50 percent in 5 years.

The action plan is the world’s first program proposed to significantly reduce health risks around a major port by reducing local and regional air pollution from port-related operations. I also want to take a moment to salute Ms. RICHARDSON. She has, without a doubt, I think it was Ms. Lee, that said that she came in and hit the ground running. I say she hit the ground flying, including her work just recently with me. When we visited San Francisco, she was the only other subcommittee member who attended the special field hearing convened by our subcommittee to examine the terrible oil spill in San Francisco Bay.

Ms. RICHARDSON ably represents California. I commend my colleague on the Transportation Committee for her diligent efforts.

I want to thank her for her insight, and I am so, so excited that she is part of the subcommittee which I chair. And with that, Madam Speaker, I thank her and I thank my ranking member on our subcommittee.

Ms. RICHARDSON, I yield myself the balance of my time.

The Port of Los Angeles now looks forward to its next 100 years with a legacy as a leader in terminal efficiency and setting environmental standards. It is the largest, fastest and most successful conveyor of the nation’s and the world’s commerce.

Madam Speaker, I urge all the Members to support the Port of Los Angeles and House Resolution 822 and applaud the efforts of Mr. LATOURETTE, our chairman, as you heard, Mr. CUMMINGS, and also our chairman of Transportation, Mr. OBERSTAR.

Mrs. TAUSCHER. Madam Speaker, I rise in support of House Resolution 822, which recognizes the 100th anniversary of the Port of Los Angeles.

I would like to commend my colleague from California, Congresswoman RICHARDSON, for bringing this important resolution to the floor.

I am proud to serve with the Congresswoman on the Transportation and Infrastructure Committee. One hundred years ago, the Los Angeles City Council created the Port of Los Angeles, and it has since developed into one of the largest in the world. More than 43 percent of all goods arriving in the United States travel through the Port of Los Angeles. I appreciate the important role that port operations play in our nation’s economy, and the port has an important role in that process.

I would like to congratulate the port for reaching its 100th anniversary and congratulate it for being a strong provider of jobs in California. I commend my colleague on the Transportation Committee for her diligent work.

Mr. OBERSTAR. Madam Speaker, I rise in strong support of H. Res. 822, which recognizes the 100th anniversary year of the founding of the Port of Los Angeles.

The Port of Los Angeles is located in San Pedro, California, and is a part of the Southern California port complex. This complex handles more than 43 percent of all goods arriving in the United States. The complex has grown 246 percent over the past 11 years, and trade-related jobs at the complex have tripled. The amount of cargo handled by this complex is also expected to triple by the year 2030.

Although the earliest history of the Port of Los Angeles dates back to the 1500s, the Board of Harbor Commissioners was created on December 9, 1907, which officially founded the Port of Los Angeles.

The Port of Los Angeles dates back to the 1500s, the Board of Harbor Commissioners was created on December 9, 1907, which officially founded the Port of Los Angeles.

In 1958, the containerized cargo revolution began service between San Pedro Bay and Los Angeles, becoming the first railroad of Southern California. In 1968, the containerized cargo revolution began on the west coast, when the Hawaiian Merchant delivered its first shipment of 20 cargo containers to the port.

A principal partner in the $2.5 billion Alameda Corridor project, which opened in April 2002, the port worked with local, regional, and statewide agencies to develop a robust regional transportation infrastructure. The project is a 20-mile expressway that connects the Port of Los Angeles to America’s transcontinental rail system, improving the transportation systems that move goods throughout the region.

Last year, the Port of Los Angeles handled more than 8.5 million twenty-foot container units, making it the leading container port in the United States for 7 consecutive years. The Port of Los Angeles is the largest single container terminal in the world. The nearly 500-acre container complex, operated by Maersk Sealand and APM Terminals, was completed in 2004 and has been acclaimed as an engineering phenomenon and a model of operational efficiency.

The port has implemented modern and innovative transportation and good movements systems, has set global standards, and is a leader in terminal efficiency and environmental initiatives. I congratulate the Port of Los Angeles on its achievements for the past 100 years and wish the port continued success in national and world commerce for the next century.

I urge my colleagues to support this resolution.

Mr. LATOURETTE. Madam Speaker, House Resolution 822 recognizes the 100th anniversary of the founding of the Port of Los Angeles. The Port of Los Angeles is the busiest port in the United States in terms of maritime cargo volume and, when combined with the adjoining Port of Long Beach, is the fifth busiest commercial seaport worldwide. This trade is a critical component to our national economy and directly and indirectly supports millions of jobs nationwide.

The port has also taken action to lessen impacts on the surrounding areas and the environment by recently implementing a comprehensive strategy to reduce emissions from ships and port operations.

I join the resolution’s sponsor, Congresswoman RICHARDSON of California, and all of the cosponsors in recognizing the Port of Los Angeles’ first 100 years and in wishing the port continued success in the future. I urge all Members to support the resolution.

Ms. RICHARDSON. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. RICHARDSON) that the House suspend the rules and agree to the resolution, H. Res. 822, as amended.

The question was taken.

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

Ms. RICHARDSON. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair’s prior announcement, further proceedings on this motion will be postponed.
MILITARY RESERVIST AND VETERAN SMALL BUSINESS REAUTHORIZATION AND OPPORTUNITY ACT OF 2007

Ms. VELÁZQUEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4253) to improve and expand small business assistance programs for veterans of the armed forces and military reservists, and for other purposes.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 4253

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 “Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2007.”

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—VETERANS BUSINESS DEVELOPMENT

Sec. 101. Increased funding for the Office of Veterans Business Development.
Sec. 102. Interagency task force.
Sec. 103. Permanent extension of SBA Advisory Committee on Veterans Business Affairs.
Sec. 104. Office of Veterans Business Development.
Sec. 105. Increasing the number of outreach centers.
Sec. 106. Independent study on gaps in availability of outreach centers.

TITLE II—NATIONAL RESERVIST ENTERPRISE TRANSITION AND SUSTAINABILITY

Sec. 201. Short title.
Sec. 202. Purpose.
Sec. 203. National Guard and Reserve business assistance.
Sec. 204. Veterans Assistance and Services program.

TITLE III—RESERVIST PROGRAMS

Sec. 301. Reserve programs.
Sec. 302. Reserve loans.
Sec. 303. Nonconsolidated loans.
Sec. 304. Loan priority.
Sec. 305. Relief from time limitations for veteran-owned small business.
Sec. 306. Service-disabled veterans.
Sec. 307. Study on options for promoting positive working relations between employers and their Reserve Component employees.
Sec. 308. Increased Veteran Participation Program.

SEC. 2. DEFINITIONS. In this Act—

(1) the term “activated” means receiving an order placing a Reservist on active duty;
(2) the term “active duty” has the meaning given that term in section 101 of title 10, United States Code;
(3) the terms “Administration” and “Administrator” mean the Small Business Administration and the Administrator thereof, respectively;
(4) the term “Reservist” means a member of a reserve component of the Armed Forces, as described in section 10101 of title 10, United States Code;
(5) the term “Service Corps of Retired Executives” means the Service Corps of Retired Executives authorized by section 8(b)(1) of the Small Business Act (15 U.S.C. 637(b)(1));
(6) the terms “service-disabled veteran” and “small business concern” have the meaning as in section 3 of the Small Business Act (15 U.S.C. 632);
(7) the term “small business development center” means a small business development center described in section 21 of the Small Business Act (15 U.S.C. 648); and
(8) the term “women’s business center” means a women’s business center described in section 29 of the Small Business Act (15 U.S.C. 656).

TITLE I—VETERANS BUSINESS DEVELOPMENT

Sec. 101. INCREASED FUNDING FOR THE OFFICE OF VETERANS BUSINESS DEVELOPMENT

(a) IN GENERAL.—There are authorized to be appropriated to the Office of Veterans Business Development of the Administration, to remain available until expended—

(1) $2,100,000 for fiscal year 2008; and
(2) $2,300,000 for fiscal year 2009.

(b) FUNDING OFFSET.—Amounts necessary to carry out subsection (a) shall be offset and made available through the reduction of the authorization of funding under section 20(e)(1)(B)(iv) of the Small Business Act (15 U.S.C. 631 note).

(c) SENSE OF CONGRESS.—It is the sense of Congress that any amounts provided pursuant to this section that are in excess of amounts provided to the Administration for the Office of Veterans Business Development in fiscal year 2007, should be used to support Veterans Business Outreach Centers.

Sec. 102. INTERAGENCY TASK FORCE.

Section 32 of the Small Business Act (15 U.S.C. 657b) is amended—

(1) by redesignating subsection (c) as (f); and
(2) by inserting after subsection (b) the following:

“(c) INTERAGENCY TASK FORCE.—

“(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this section, the President shall establish an interagency task force to coordinate the efforts of Federal agencies necessary to increase capital and business development opportunities for, and increase the award of Federal contracting and subcontracting opportunities to, small business concerns owned and controlled by service-disabled veterans and small business concerns owned and controlled by veterans (in this section referred to as the ‘task force’).

“(2) MEMBERSHIP.—The members of the task force shall include—

“(A) the Administrator, who shall serve as chairperson of the task force;
(B) a senior level representative from—

“(i) the Department of Veterans Affairs;
“(ii) the Department of Defense;
“(iii) the Administration in addition to the Administrator;
“(iv) the Department of Labor;
“(v) the Department of the Treasury;
“(vi) the General Services Administration; and
“(vii) the Office of Management and Budget; and

“(C) 4 representatives from a veterans service organization or military organization or association, selected by the President.

“(D) DUTIES.—The task force shall coordinate administrative and regulatory activities and develop proposals relating to—

“(A) increasing capital access and capacity of small businesses owned and controlled by service-disabled veterans and small business concerns owned and controlled by veterans through loans, surety bonding, and other programs of the Administration;
“(B) increasing access to Federal contracting and subcontracting for small business concerns owned and controlled by service-disabled veterans and small business concerns owned and controlled by veterans through expanded mentor-protégé assistance programs of the Administration; and
“(C) increasing the integrity of certifications of status as a small business concern owned and controlled by veterans or a small business concern owned and controlled by veterans;

“(D) reducing paperwork and administrative burdens on veterans in accessing business development and entrepreneurship opportunities;

“(E) increasing and improving training and counseling services provided to small business concerns owned and controlled by veterans; and

“(F) making other improvements relating to the support for veterans business development by the Federal Government.

“(4) REPORTING.—The task force shall submit an annual report regarding its activities and accomplishments.

“(5) MEMBERS.—(A) The Committee on Small Business and Entrepreneurship and the Committee on Veterans’ Affairs of the Senate, and
“(B) the Committee on Small Business and the Committee on Veterans’ Affairs of the House of Representatives.”.

Sec. 103. PERMANENT EXTENSION OF SBA ADVISORY COMMITTEE ON VETERANS BUSINESS AFFAIRS.

(a) ASSUMPTION OF DUTIES.—Section 33 of the Small Business Act (15 U.S.C. 657c) is amended—

(1) by striking subsection (h); and
(2) by redesignating subsections (i) through (k) as subsections (h) through (i), respectively.

(b) PERMANENT EXTENSION OF AUTHORITY.—Section 33 of the Veterans’ Enterprise and Small Business Development Act of 1999 (15 U.S.C. 657b note) is amended by striking subsection (h).

Sec. 104. OFFICE OF VETERANS BUSINESS DEVELOPMENT.

Section 32 of the Small Business Act (15 U.S.C. 657b), as amended by section 102, is further amended by inserting after subsection (c) (as added by section 102) the following:

“(v) PARTICIPATION IN TAP WORKSHOPS.—

“(1) IN GENERAL.—The Associate Administrator shall increase veteran outreach by ensuring that Veteran Business Outreach Centers regularly participate, on a nationwide basis, in the workshops of the Transition Assistance Program of the Department of Labor.

“(2) PRESENTATIONS.—In carrying out paragraph (1), a Center may provide grants to eligible entities located in Transition Assistance Program locations to make presentations on the opportunities available from the Administration for recently separating veterans. Each such presentation must include, at a minimum, the entrepreneurial and business training resources available from the Administration.

“(3) WRITTEN MATERIALS.—The Associate Administrator of Veterans Business Development shall create written materials that provide comprehensive information on self-employment and veterans entrepreneurship, including information on Small Business Administration resources available for such topics, and shall make these materials available for inclusion in the Transition Assistance Program manual.

“(4) REPORTS.—The Associate Administrator shall submit to Congress progress reports on the implementation of this subsection.

Sec. 105. WOMEN VETERANS BUSINESS TRAINING RESOURCE PROGRAM.—The Associate Administrator shall establish a Women Veterans Business Training Resource Program.
Business Training Resource Program. The program shall—

“(1) compile information on resources available to women veterans for business training, including sources for—

“(A) vocational and technical education;

“(B) general business skills, such as marketing and accounting; and

“(C) activated assistance programs targeted to women veterans; and

“(2) disseminate the information through Veteran Business Outreach Centers and women’s business centers, Veterans Business Outreach Centers, and centers receiving funding from the National Veterans Business Development Corporation, and any other Veterans Business Assistance program which receives federal funding, to quickly respond to an activation of Reservists that own and operate small business concerns; and

“(6) utilize the service delivery network of small business development centers, women’s business centers, Veterans Business Outreach Centers, and centers receiving funding from the National Veterans Business Development Corporation, and any other Veterans Business Assistance program which receives federal funding, to assist Reservists that own and operate small business concerns in preparation for future military activation.

SEC. 105. INCREASING THE NUMBER OF OUT-REACH CENTERS.

The Administrator of the Small Business Administration, in accordance with the authority in section 8(b)(17) of the Small Business Act (15 U.S.C. 637(b)(17)) to ensure that the number of Veterans Business Outreach Centers throughout the United States increases—

(1) by at least 2, for each of fiscal years 2008 and 2009, in accordance with funding provided in sections 101(a)(1) and (a)(2) of this Act; and

(2) by the number that the Administrator considers appropriate, based on existing need, for each fiscal year thereafter.

SEC. 106. DEVELOPMENT STUDY ON GAPS IN AVAILABILITY OF OUTREACH CENTERS.

The Administrator of the Small Business Administration shall sponsor an independent study on gaps in the availability of Veterans Business Outreach Centers across the United States that the study shall be to identify the gaps that exist so as to form decisions on funding and on the allocation and coordination of resources. Not later than 180 days after the date of the enactment of this Act, the Administrator shall submit to Congress a report on the results of the study.

TITLE II—NATIONAL RESERVIST ENTERPRISE TRANSITION AND SUSTAINABILITY

SEC. 201. SHORT TITLE.

This title may be cited as the “National Reservist Enterprise Transition and Sustainability Act of 2007”.

SEC. 202. PURPOSE.

The purpose of this title is to establish a program to—

(1) provide managerial, financial, planning, development, technical, and regulatory assistance to small business concerns owned and operated by Reservists;

(2) provide managerial, financial, planning, development, technical, and regulatory assistance to the temporary heads of small business concerns owned and operated by Reservists;

(3) create a partnership between the Small Business Administration, the Department of Defense, and the Department of Veterans Affairs to assist small business concerns owned and operated by Reservists;

(4) utilize the service delivery network of small business development centers, women’s business centers, Veterans Business Outreach Centers, and centers receiving funding from the National Veterans Business Development Corporation, and any other Veterans Business Assistance program which receives federal funding, to expand the access of small business concerns owned and operated by Reservists to programs providing business management, development, financial, procurement, technical, regulatory, and marketing assistance;

(5) utilize the service delivery network of small business development centers, women’s business centers, Veterans Business Outreach Centers, and centers receiving funding from the National Veterans Business Development Corporation, and any other Veterans Business Assistance program which receives federal funding, to quickly respond to an activation of small business concerns owned and operated by Reservists; and

“(a) General.—The Administrator shall establish a program to provide business planning assistance to small business concerns owned and operated by Reservists.

“(b) DEFINITIONS. —In this section—

“(1) the terms ‘activated’ and ‘activation’ mean having been placed on active status, as defined by section 101(d)(4) of title 10, United States Code;

“(2) the term ‘Reservist’ means the Administrator of the Small Business Administration, acting through the Associate Administrator for Small Business Development Centers;

“(3) the term ‘Activation’ means the association established under section 21(a)(5A);

“(4) the term ‘eligible applicant’ means—

“(A) a small business development center that is accredited under section 21(k);

“(B) a women’s business center;

“(C) a Veterans Business Outreach Center that receives funds from the Office of Veterans Business Development;

“(D) an information and assistance center receiving funding from the National Veterans Business Development Corporation under section 33; or

“(E) any other Veterans Business Assistance program which receives federal funding;

“(6) the term ‘transition and sustainability assistance’ means assistance provided by an eligible applicant to a small business concern owned and operated by a Reservist who is likely to be activated in the next 12 months, to develop and implement a business strategy for the period while the owner is on active duty and 6 months after the date of the return of the owner;

“(7) the term ‘Reservist’ means any person who is—

“(A) a member of a reserve component of the Armed Forces, as defined by section 10101 of title 10, United States Code; and

“(B) on active status, as defined by section 101(d)(4) of title 10, United States Code;

“(8) the term ‘Small Business Development Center’ means a small business development center as described in section 21 of the Small Business Act (15 U.S.C. 648);

“(9) the term ‘State’ means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, and Guam; and

“(10) the term ‘women’s business center’ means a women’s business center described in section 29 of the Small Business Act (15 U.S.C. 656).

“(c) AUTHORITY. —The Administrator may award grants, in accordance with the regulations promulgated under this section, to eligible applicants to assist small business concerns owned and operated by Reservists.

“(d) WELFARE. —Each eligible applicant awarded a grant under this section shall receive a grant in an amount not greater than $300,000 per fiscal year.

“(e) REPORT.—

“(1) IN GENERAL.—The Comptroller General of the United States shall—

“(A) initiate an evaluation of the program not later than 30 months after the promulgation of final rules and regulations under subsection (e); and

“(B) each eligible applicant awarded a grant under this section shall receive a grant in an amount not greater than $300,000 per fiscal year.

“(1) (B) and (D) standards relating to any work plan that the Administrator may require a grantee to develop; and

“(F) standards relating to the educational, technical, and professional competency of any expert or other assistance provider to whom a small business concern may be referred for assistance by a grantee.

“(2) CONTENTS. —The regulations developed by the Administrator under this subsection shall establish—

“(A) procedures for identifying, in consultation with the Secretary of Defense, States that have had a recent activation of Reservists;

“(B) priorities for the types of assistance to be provided under the program authorized by this section;

“(C) standards relating to educational, technical, and support services to be provided by a grantee;

“(D) standards relating to any national service delivery and support function to be provided by a grantee;

“(E) standards relating to any work plan that the Administrator may require a grantee to develop; and

“(F) standards relating to the educational, technical, and professional competency of any expert or other assistance provider to whom a small business concern may be referred for assistance by a grantee.

“(2) AWARD OF GRANTS. —The Administrator shall award grants not later than 60 days after the promulgation of final rules and regulations under subsection (e).

“(3) CONTENTS.—Each application submitted under paragraph (1) shall describe—

“(A) the activities for which the applicant seeks assistance under this section; and

“(B) how the application plans to allocate funds within its network.

“(4) DEADLINE.—The Administrator shall award grants not later than 60 days after the promulgation of final rules and regulations under subsection (e).

“(5) ELIGIBILITY.—Each eligible applicant awarded a grant under this section shall receive a grant in an amount not greater than $300,000 per fiscal year.

“(6) AMOUNT.—
(B) submit a report not later than 6 months after the initiation of the evaluation under paragraph (1) to—

(i) the Administrator;

(ii) the Committee on Small Business and Entrepreneurship of the Senate; and

(iii) the Committee on Small Business of the House of Representatives.

(2) Certification—The report under paragraph (1) shall—

(A) address the results of the evaluation conducted under paragraph (1); and

(B) include changes to law, if any, that it believes would be necessary or advisable to achieve the goals of this section.

(i) AUTHORIZATION OF APPROPRIATIONS.—The Administrator is authorized to be appropriated to carry out this section—

(A) $5,000,000 for the first fiscal year beginning after the date of enactment of this Act, the Administrator shall establish a pre-consideration process, under which the Administrator shall—

(A) review all relevant materials necessary for processing a loan to a small business concern described in subparagraph (A) if that eligible Reserveist is activated; and

(B) shall distribute funds for any loan approved under subparagraph (A) if that eligible Reserveist is activated.

(c) OUTREACH AND TECHNICAL ASSISTANCE PROGRAM.—

(1) IN GENERAL.—The Administrator shall create a marketing campaign to promote awareness and education of the services of the center that are available to veterans, disabled veterans, military units, Federal agencies, and veterans organizations.

(2) ELEMENTS OF PROGRAM.—Under a program authorized under paragraph (1), the Center shall—

(A) market the loans available under section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3)) to Reserveists, and families members of Reserveists, that are on active duty that are not on active duty; and

(B) provide technical assistance to a small business concern applying for a loan under that section.

(3) REPORT.—The program shall—

(A) incorporate appropriate websites maintained by the Administration, the Department of Veterans Affairs, and the Department of Defense; and

(B) require that information on the program is made available to small business concerns directly through the joint website and printed materials produced by lenders in such program jointly with the Reserveist programs.

(2) ESTABLISHMENT.—

(1) DESCRIPTION.—The program shall—

(A) the number of loans approved under section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3));

(B) the number of loans disbursed under that section; and

(C) the total amount disbursed under that section; and

(2) REQUIREMENTS.—(A) the Administrator and the Department of Veterans Affairs shall submit a report on the status of the program.

(B) CONTENTS.— Each report submitted under subparagraph (A) shall include—

(i) a veteran who was called or ordered to active duty under a provision of law specified in section 101(a)(13)(B) of title 10, United States Code, on or after September 11, 2001; or

(ii) a service-disabled veteran who became such a veteran due to an injury or illness incurred or aggravated in the active military, naval, or air service during a period of active duty pursuant to a call or order to active duty under a provision of law referred to in subsection (I) on or after September 11, 2001; and

(3) RELIEF FROM TIME LIMITATIONS.—

(C) RELIEF FROM TIME LIMITATIONS.—

(A) IN GENERAL.—Any time limitation on any qualification, certification, or period of participation imposed under this Act on any program that is not subject to the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.) and is available to small business concerns shall be extended for a small business concern that—

(i) is owned and controlled by—

(ii) a veteran who was called or ordered to active duty under a provision of law specified in section 101(a)(13)(B) of title 10, United States Code, on or after September 11, 2001; or

(iii) a service-disabled veteran who became such a veteran due to an injury or illness incurred or aggravated in the active military, naval, or air service during a period of active duty pursuant to a call or order to active duty under a provision of law referred to in subsection (I) on or after September 11, 2001; and

(B) DURATION.—Upon submission of proper documentation to the Administrator, the extension of a time limitation under subparagraph (A) shall be equal to the period of time that such veteran who owned or controlled such a concern was on active duty as described in that subparagraph.

(C) EXCEPTION FOR PROGRAMS SUBJECT TO FEDERAL CREDIT REFORM ACT OF 1990.—The provisions of paragraphs (A) and (B) shall not apply to any program subject to the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 306. SERVICE-Disabled VETERANS.

There are authorized to be appropriated not more than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the
and comment and not later than 180 days after the date of the enactment of this Act. The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will contribute minutes.

The Chair recognizes the gentlewoman from New York.

Ms. VELÁZQUEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to reprise your remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself as much time as I may consume.

In their service to the Nation, veterans have demonstrated strength, discipline and dedication to preserving security. At home, they have proven to be invaluable components of a strong economy.

We have already seen the impact veterans can have on the economy. Currently, approximately 22 percent of servicemembers in the United States have either purchased or started a new business. These entrepreneurs are significant contributors to job growth and expansion of local economies.

I wish to commend Congressman ZQUEZ and Congresswoman VERN BUCHANAN for their leadership in crafting this bill that will further this effort. H.R. 4253 promotes veterans' continued pursuit of self-employment and provides them with the support for growth that they deserve. It accomplishes this objective by comprehensively updating several of the Small Business Administration's programs to better meet the current needs of veteran entrepreneurs.

The bill addresses several of the impediments to veterans' success as entrepreneurs. Because servicemembers are removed from the workplace for an extended period of time, they can often then face difficulties securing capital or technical assistance upon their return from service. Additionally, while many veterans receive specialized skills during their service, it is often quite challenging to shift those skills into profitable resources. We can increase veteran entrepreneurial opportunities by creating the right tools to ensure their success.

H.R. 4253 responds to these challenges by establishing a strong role for the Federal Government to help veterans overcome obstacles to entrepreneurship. The legislation increases veterans' access to affordable capital, enhances entrepreneurial development resources, and sharpens the focus of Federal resources on this key member of the small business community.

Veterans will have improved access to capital with specially tailored initiatives in the SBA's 7(a) and disaster loan programs. This will help returning servicemen and women bridge the gap for financial capital that they need to start and grow a new endeavor. By increasing outreach assistance centers and entrepreneurial development programs resources, this bill also improves access to assistance that will help veteran entrepreneurs evaluate business ideas, conduct market research, and receive technology training.

This legislation will also establish an interagency task force to take a lead role in altering the institutional culture at the Federal level to promote increased veteran entrepreneurship. This will significantly improve the coordination of various Federal agencies' veteran service programs. Additionally, new initiatives will improve transition assistance for separating service members, and provide customized support to service disabled, women veterans, and the members of the reserves. This will ensure that all sectors are catered to in Federal veteran policy-making.

As new troops are added to the already 13,000 that have returned home just from Iraq and Afghanistan, it is imperative that our resources and initiatives are designed to effectively prepare them for economic success.

With their tremendous potential to thrive as entrepreneurs and their critical service for which we all greatly benefit, we must continue to work to allow these budding entrepreneurs to realize the American Dream of business ownership. I believe this bill is a major step towards realizing this goal, and I strongly support this legislation.

I urge my colleagues to support H.R. 4253.

I reserve the balance of my time.

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

Today, Madam Speaker, I rise in support of the request to suspend the rules and pass H.R. 4253, the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act of 2007. I would like to thank Chairwoman VELÁZQUEZ for working in a cooperative and bipartisan manner to bring this bill, which incorporates provisions of a bill authored by Mr. BUCHANAN, who is a freshman member of the Small Business Committee and who has already shown tremendous initiative and leadership on that committee, to the House floor.

While we could never adequately repay the debt we owe to America's fighting men and women for their service and sacrifice, today's bill takes important steps to help our Nation's veterans make a smoother transition to civilian life.

While serving in the Armed Forces, service men and women learn and practice leadership skills that our civilian workforce, in addition to the leadership and decisionmaking skills that they learn on the battlefield, All
of these attributes are critical to success in the business world and are particularly important traits for successful small business owners.

Despite the success that veterans have shown in starting and operating small businesses, more must be done to assist them in the start-up and operation of their businesses. Outreach must improve to ensure that veterans wishing to start their own businesses will have the training and advice needed to transfer their skills to entrepreneurship without first working for someone else.

Title I of H.R. 4253 represents an excellent start in the efforts to expand and ensure that our veterans have the technical support they need to start their own businesses.

I want to especially thank the chairwoman for incorporating Mr. Buchanan’s interest in expanding the number of Veterans Business Outreach Centers, which will play an increased role in providing assistance to veterans wishing to start small businesses.

The technical advice and assistance are not limited to veterans continuing their service in the Reserves. Title II of the bill recognizes Reservists who operate small businesses have their own unique set of operational problems associated with their call-up to duty. They may not know how long their call-up will last and they need assistance in ensuring they have a plan in place to operate their business while they are on active duty. This legislation builds on the existing network of entrepreneurial partners to deliver key technical and operational assistance to Reservists.

Another important element of the bill is the recognition of the changing nature of the military with a greater involvement of women. The legislation requires the administrator to expand assistance to veterans wishing to start small businesses.

To ensure that the Federal Government is there to assist our country’s servicemembers, I have introduced the bill that we are debating here today, the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act. This legislation will support and expand entrepreneurial opportunities for veterans and Reservists to ensure that their livelihoods are not compromised because of their military service.

My bill increases funding for the Small Business Administration’s Office of Veteran Business Development to $14.4 million and facilitates the coordination of all Federal agencies to focus attention on increasing the success rate of and opportunities for veteran-owned small businesses.

This legislation will make the Advisory Committee on Veterans Business Affairs permanent, strengthening the focus and input advisory committees can provide to the Federal Government to ensure continued commitment to our Nation’s veterans. The Advisory Committee has been an important source of information for the Federal Government. By making the committee permanent, we can continue to improve the support provided to veteran and Reservist small business owners.

We will also increase the number of Veteran Business Outreach Centers across the country and identify areas that are in need of additional assistance to ensure that veterans and Reservists in every region are able to keep their businesses afloat.

Mr. CHABOT. Madam Speaker, there is no question that veterans have a unique ability to thrive as entrepreneurs. They have the leadership skills and work ethic necessary to run a small business and a successful business. But we must do more to help veteran entrepreneurs fully meet their needs and overcome the unique challenges that they face.

I strongly support the Military Reservist Economic Injury Disaster Loan program by requiring the SBA to extend the application deadline, raise the maximum loan amount and create a pre-consideration process for small businesses applying during military deployment. This is important, because currently Reservists can apply for a loan only after deployment, when their businesses are already in the red. A pre-deployment loan would be helpful to many small business owners during active duty when the funding is most critical.

Madam Speaker, I also want to thank the ranking member for his leadership in this effort, and I also want to thank the gentleman from Pennsylvania, Mr. ALTMIERE, who also has worked very hard in this area as well and is responsible for this bill being here today.

Madam Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I recognize Mr. ALTMIERE, the sponsor of the legislation, for as much time as he may consume.

Mr. ALTMIERE. I thank the Chair and the ranking member for their continued leadership on these issues, and I especially want to thank my good friend from Florida, Mr. BUCHANAN. It was a pleasure working with him to craft this legislation. He was an equal partner in putting this bill on the floor today, and I want to recognize his leadership as well.

Madam Speaker, with nearly 25 million veterans and over 1 million Reservists in the United States, there is a need, and a growing need, for an increased commitment by the government to assist veterans and Reservists both before and after their service to our Nation. As more and more servicemembers return to civilian life after their deployments in Iraq and Afghanistan, the opportunities and economic benefits that the Federal Government can provide will become even more critical, especially for businesses that are owned and operated by veterans.

The brave men and women that put their lives on hold to defend our Nation should not have to give up their jobs and their livelihoods. Starting and maintaining a small business presents challenges for anyone, and, unfortunately, veterans often face unique barriers as a result of their military service. The unique challenges that veterans experience is double the overall national unemployment rate, and over half of all self-employed Reservists experience significant income loss when they are called to duty.

Over the last 3 years, we have watched as the number of returning veterans and Reservists has increased, and that number is only going to continue to grow.

While Congress has passed legislation and provided Federal agencies with some of the resources necessary to provide entrepreneurial opportunities for veterans, I believe that more can be done to relieve the burden that is placed on small business owners during and after deployment.

To ensure that the Federal Government is there to assist our country’s servicemembers, I have introduced the bill that we are debating here today, the Military Reservist and Veteran Small Business Reauthorization and Opportunity Act. This legislation will support and expand entrepreneurial opportunities for veterans and Reservists to ensure that their livelihoods are not compromised because of their military service.

My bill increases funding for the Small Business Administration’s Office of Veteran Business Development to $14.4 million and facilitates the coordination of all Federal agencies to focus attention on increasing the success rate of and opportunities for veteran-owned small businesses.

This legislation will make the Advisory Committee on Veterans Business Affairs permanent, strengthening the focus and input advisory committees can provide to the Federal Government to ensure continued commitment to our Nation’s veterans. The Advisory Committee has been an important source of information for the Federal Government. By making the committee permanent, we can continue to improve the support provided to veteran and Reservist small business owners. By making the committee permanent, we can continue to improve the support provided to veteran and Reservist small business owners.

Mr. BUCHANAN. Madam Speaker, I want to thank the ranking member for yielding me the time, and I rise in support of H.R. 4253. I would also like to thank the Congressman from Pennsylvania, Congressman ALTMIERE. He has worked on a bipartisan basis. I appreciate it. It has been a great partnership. And also Madam Chairman, and the ranking member, you guys have done an incredible job.

A lot of people said we couldn’t work together, but it has been great leadership this year. I also want to thank you for
the opportunity to include a lot of the provisions in this bill.

H.R. 4253 incorporates legislation I introduced in May and was passed in the House in June creating an important program within the Small Business Administration that will give our veterans a chance to succeed in business enterprises but provides them with all the help and assistance a grateful Nation can offer.

My legislation is intended to help veterans through grants, information services, and contacts with professionals in fields of their endeavor. This Federal program will enhance the ability of a veteran to become a successful entrepreneur in his or her chosen field. I know from personal experience, being a veteran of 6 years and an entrepreneur for 20 years, I was able to realize the American Dream, and I think this bill does it.

H.R. 4253 puts an emphasis on providing veterans with the market research, information services and technological training important to become a successful small business owner. This legislation not only expands the number and scope of the Veteran Outreach Centers, it ensures the opening of more doors and an opportunity for our women veterans. Assisting our women returning from combat is something that has long been overlooked and overdue. It is high time that we did something about it.

Today, the House will pass a bill that will help individuals make an important transition from being a veteran to a small business entrepreneur. I urge my colleagues to support H.R. 4253.

Mr. CHABOT. Madam Speaker, I have no further speakers, so I yield back the balance of my time.

Ms. VELAZQUEZ. Madam Speaker, I would like to yield myself the balance of my time.

Madam Speaker, the wars in Iraq and Afghanistan have produced over 600,000 new veterans thus far and have created a serious challenge for the Nation: how to facilitate our returning servicemembers’ successful transition back home and into our economy. Given the ongoing nature of these conflicts, the shift in economic opportunities and the diverse needs of returning veterans, this is an unprecedented situation that will require a major and rapid response.

To ensure veterans’ abilities to be productive engines of the economy, I believe we must comprehensively modernize Federal programs designed to assist this key group through self-employment opportunities. H.R. 4253 achieves this objective by obtaining the Small Business Administration programs to ensure they are customized to meet the growing needs of this sector in a changing economy.

This Nation has a clear obligation to ensure a chance for our returning servicemembers have the assistance they need to succeed at entrepreneurship. By complementing their individual strengths with appropriate Federal resources, we can help them realize their full potential, while also growing the economy.

Madam Speaker, I want to thank the staff that worked on this bill. From the majority staff, Michael Day, Adam Minehard and Andy Jimenez. From the minority staff, Barry Pinedes and Kevin Vnick. I also want to recognize Max Goodman from Mr. Buchanan’s staff and Cara Toman and Erik Komendan from Mr. Altman’s staff.

I strongly urge my colleagues to vote for H.R. 4253.

Mr. BUCHANAN. Madam Speaker, I thank the Ranking Member for yielding me the time and rise in support of H.R. 4253.

I would like to thank Congressman Altman for bringing this bill to the floor today and for including in the bill a number of provisions important to me.

H.R. 4253 incorporates legislation I introduced in May and the House passed in June creating an important program within the Small Business Administration that will give our veterans a chance to succeed in a business enterprise but provide them with all the help and assistance a grateful Nation can offer.

My legislation is intended to help veterans through grants, information services, and contact with professionals in their fields of endeavor.

This federal support will enhance the ability of a veteran to become an entrepreneur in his or her own right.

H.R. 4253 puts an emphasis on providing veterans with the market research, financial options and technological training important to becoming a successful small business owner.

This legislation not only expands the number and scope of Veteran Outreach Centers, it ensures the opening of more doors and an opportunity for our women veterans. Assisting our women returning from combat is something that has long been overlooked and overdue. It is high time that we did something about it.

Today, the House will pass a bill that will help individuals make an important transition from being a veteran to a small business entrepreneur. I urge my colleagues to support H.R. 4253.

Ms. VELAZQUEZ. Madam Speaker, I yield back the balance of my time, and urge its adoption.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. Velázquez) and the gentleman from Ohio (Mr. Chabot) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

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

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

There was no objection.

Ms. Velázquez. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, today we will consider a short-term extension for programs in the Small Business Act and Small Business Investment Act. This bill extends the authorization of the Small Business Administration and these programs through May 23, 2008.

This short-term extension is necessary to ensure continuous operations at the agencies so that this Nation’s entrepreneurs continue to receive vital assistance. The programs at the SBA are designed to stimulate job creation and economic development across the country.

As the sole Federal agency charged with assisting this Nation’s 26 million small businesses, it is critical that the SBA be able to meet their needs through access to capital, technical assistance and increasing their ability to secure Federal contracting opportunities.

TEMPORARY EXTENSION OF PROGRAMS UNDER SMALL BUSINESS ACT AND SMALL BUSINESS INVESTMENT ACT OF 1958

Ms. Velázquez. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4252) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through May 23, 2008, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4252

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


(a) In General.—Section 1 of the Act entitled ‘‘An Act to extend temporarily certain authorities of the Small Business Administration’’, approved October 18, 2006 (Public Law 109-316; 120 Stat. 1742), as most recently amended by section 1 of Public Law 110-47 (121 Stat. 560), is further amended by striking ‘‘December 15, 2007’’ each place it appears and inserting ‘‘May 23, 2008’’.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on December 15, 2007.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. Velázquez) and the gentleman from Ohio (Mr. Chabot) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. Velázquez. Madam Speaker, as the sole Federal agency charged with assisting this Nation’s 26 million small businesses, it is critical that the SBA be able to meet their needs through access to capital, technical assistance and increasing their ability to secure Federal contracting opportunities.

The Chair recognizes the gentleman from Ohio.

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

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the prior announcement, further proceedings on this motion will be postponed.
The Small Business Committee has been working to improve and revitalize these efforts through a number of bills. The committee has taken steps to provide an overhaul and improvements to ensure our Federal Government is adapting to the current economy.

With 15 bills passed out of the House, these reforms have been a collaborative and bipartisan effort to assist small firms. Four of these bills were sponsored by Members of the minority, and nearly all of these bills have passed with over 300 votes in the House. I will also note that 10 different members of the committee, six of whom are serving their first term in Congress, have been the sponsors of these bills.

These reforms include major changes to SBA programs which affect millions of small businesses. The bills that have been passed are designed to improve small business contracting programs, as well as providing needed updates to the SBA disaster program that failed so many Americans during Hurricane Katrina.

The committee and the House have also reported legislation which streamlines the SBA access to capital initiatives and increases the outreach of entrepreneurial programs. With these bills passed out of this Chamber, we are prepared to take the final step to pass a comprehensive reauthorization to the SBA and its programs.

We will continue working with the Senate to get these reforms signed into law. This extension will provide time for the Senate to move their own changes and allow us to work out any differences.

At a time when the economy is in an uncertain state, it is important that programs continue to serve small firms as Congress crafts these reforms. I look forward to working with Ranking Member CHABOT to move ahead on these efforts. Our common goal is to ensure the SBA can adequately and efficiently respond to the needs of entrepreneurs. Our Nation’s main job creators, small businesses, deserve nothing less.

Madam Speaker, I reserve the balance of my time.

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

I urge my colleagues to suspend the rules and pass H.R. 4252, legislation to extend the authorization for programs under the Small Business Act and the Small Business Investment Act, as well as any program operated by the Small Business Administration for which Congress has already appropriated funds. This extension will last until May 23, 2008. I want to thank the distinguished chairwoman of the Small Business Committee, Ms. VELAZQUEZ, for working with me in her usual gracious manner.

With the current extension set to expire December 15, which isn’t very far away, obviously, the extension is crucial to ensuring programs designed to help our small businesses are able to continue to operate. Working in a bipartisan effort with Chairwoman VELAZQUEZ, the committee has reported 14 bills, most of which have been overwhelmingly bipartisan, and all of which have passed the House of Representatives.

While we have worked at a rather furious pace in an effort to formally reauthorize SBA programs, the other legislative body has had difficulties coming to the same bipartisan consensus.

So without passage of this temporary legislation today, we find ourselves at risk of shortchanging the government contracting and capital programs for small businesses and impeding the management of the SBA.

Even with deliberations completed in the House, we operate in a bicameral legislative system. Time is needed for the legislative process in both bodies to function and, if necessary, for the two bodies to reconcile any differences. Disagreements and to ensure that the SBA and its programs are best promoting the health of America’s entrepreneurs who, after all, employ an awful lot of people in this country. The work cannot be expected to be done in a deliberative, thoughtful, and bipartisan manner with the looming deadline of midnight December 15 hanging over our heads.

Again, Madam Speaker, I want to thank my friend from New York for her very hard work on this legislation, and I urge all my colleagues to join us in supporting H.R. 4252, this bill.

I yield back the balance of my time.

Ms. VELAZQUEZ. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONyers) that the House suspend the rules and pass the bill, H.R. 3791, as amended, on which yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 409, nays 2, not voting 20, as follows:

[Roll No. 1131]

YEAS—409


NAYS—2

Cantor  Rangel

AYES—410


H.R. 3791, by the yeas and nays; H.R. 2517, by the yeas and nays; H. Res. 822, by the yeas and nays. Postponed votes on H.R. 3505, H.R. 4253, and H.R. 2085 will be taken tomorrow.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

SECURING ADOLESCENTS FROM EXPLOITATION-ONLINE ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3791, as amended, on which the yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 409, nays 2, not voting 20, as follows:

[Roll No. 1131]

YEAS—409


NAYS—2

Cantor  Rangel

AYES—410


H.R. 3791, by the yeas and nays; H.R. 2517, by the yeas and nays; H. Res. 822, by the yeas and nays. Postponed votes on H.R. 3505, H.R. 4253, and H.R. 2085 will be taken tomorrow.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.
CONGRESSIONAL RECORD—HOUSE

December 5, 2007

Mr. JOHNSON of Georgia and Ms. HIRONO changed their vote from "nay" to "yea."

PROTECTING OUR CHILDREN COMES FIRST ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2517, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 3, not voting 20, as follows:

[H14225]


YEAS—408

\[Roll No. 1132\]

Mr. JOHNSON of Georgia and Ms. HIRONO changed their vote from "nay" to "yea."

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2517, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 3, not voting 20, as follows:

[H14225]


YEAS—408

\[Roll No. 1132\]

Mr. JOHNSON of Georgia and Ms. HIRONO changed their vote from "nay" to "yea."

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2517, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 3, not voting 20, as follows:

[H14225]


YEAS—408

\[Roll No. 1132\]

Mr. JOHNSON of Georgia and Ms. HIRONO changed their vote from "nay" to "yea."

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2517, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 3, not voting 20, as follows:

[H14225]


YEAS—408

\[Roll No. 1132\]

Mr. JOHNSON of Georgia and Ms. HIRONO changed their vote from "nay" to "yea."

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2517, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 3, not voting 20, as follows:

[H14225]


YEAS—408

\[Roll No. 1132\]

Mr. JOHNSON of Georgia and Ms. HIRONO changed their vote from "nay" to "yea."

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2517, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 3, not voting 20, as follows:

[H14225]


YEAS—408

\[Roll No. 1132\]

Mr. JOHNSON of Georgia and Ms. HIRONO changed their vote from "nay" to "yea."

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2517, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 3, not voting 20, as follows:

[H14225]
RECOGNIZING THE 100TH ANNIVERSARY YEAR OF THE FOUNDING OF THE PORT OF LOS ANGELES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 822, as amended, on which the yeas and nays were ordered to be recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. RICHARDSON) that the House suspend the rules and agree to the resolution, H. Res. 822, as amended. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 0, not voting 21, as follows:

[Your list of representatives]

Mr. MECKEN, Madam Speaker, on August 6, 2007, a collapse at the Crandall Canyon Mine in Utah took the lives of six miners. Days later, three rescuers were lost as well. We all grieved with this tragedy, and we all share a commitment to doing what we can to prevent such an event from happening in the future. The Education and Labor Committee has initiated an investigation into possible causes of the collapse, as well as the handling of its aftermath by the mine ownership and Federal regulators. Our committee has at its disposal

GRANTING AUTHORITY PROVIDED UNDER THE RULES OF THE HOUSE TO THE COMMITTEE ON EDUCATION AND LABOR FOR PURPOSES OF ITS INVESTIGATION INTO THE DEATHS OF 9 INDIVIDUALS THAT OCCURRED AT THE CRANDALL CANYON MINE NEAR HUNTINGTON, UTAH

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Report No. 110-473) on the resolution (H. Res. 836) granting the authority provided under clause 4(c)(3) of rule X of the Rules of the House to the Committee on Education and Labor for purposes of its investigation into the deaths of nine individuals that occurred at the Crandall Canyon Mine near Huntington, Utah, which was referred to the House Calendar and ordered to be printed. See Mr. SLAUGHTER. I ask unanimous consent that the Clerk read the resolution. The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York (Mr. SCHNEIDER) for the immediate consideration of House Resolution 836?

There was no objection.

The Clerk read the resolution. As follows

H. Res. 836

Resolved, That the Committee on Education and Labor is granted the authority provided under clause 4(c)(3) of rule X of the Rules of the House to the Committee on Representatives in furtherance of the investigation by such Committee into the deaths of 9 individuals that occurred during August 2007 at the Crandall Canyon Mine (also known as the Genwal Mine) near Huntington, Utah, including the events that may have led to those deaths and into the administration of relevant laws by government agencies, including the Department of Labor and the Mine Safety and Health Administration, and into other related matters.

Mr. MECKEN, Madam Speaker, on August 6, 2007, a collapse at the Crandall Canyon Mine in Utah took the lives of six miners. Days later, three rescuers were lost as well. We all grieved with this tragedy, and we all share a commitment to doing what we can to prevent such an event from happening in the future. The Education and Labor Committee has initiated an investigation into possible causes of the collapse, as well as the handling of its aftermath by the mine ownership and Federal regulators. Our committee has at its disposal
Ms. SLAUGHTER. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to include extraneous materials into the RECORD on H. Res. 836.

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

There was no objection.

SUPPORT THE VETERANS TIMELY ACCESS TO HEALTH CARE ACT

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, this year I introduced H.R. 92, the Veterans Timely Access to Health Care Act. H.R. 92 makes a responsible and reasonable commitment to veterans throughout this country. Under the bill, if a veteran cannot get an appointment with a primary care physician within 30 days, that veteran may see a private physician at no additional cost. Unfortunately, the Veterans’ Affairs Committee refuses to move my bill and allow the House of Representatives to vote on it.

This year, I have witnessed the majority leadership use veterans as a political pawn. The Military Construction and Veterans appropriations bill hostage. I won’t allow the same thing to happen with veterans access to health care.

I ask my colleagues, regardless of their party affiliation, to stand up and protect veterans as they once stood up to protect you. And I ask the leadership to move H.R. 92.

HUMAN RIGHTS IN SAUDI ARABIA

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

Mr. POE. Mr. Speaker, in Saudi Arabia, seven men abducted a 19-year-old woman and her male companion. The seven men then raped the woman. And how does Saudi Arabia treat this rape victim? By ordering lashes and imprisonment for her because they blamed her for being alone with this male companion because he wasn’t her spouse.

A Saudi Arabian court originally, listen to this, sentenced her to 90 lashes because she was alone with this individual. As if that wasn’t enough, the court just increased the victim’s sentence to 200 lashes and 6 months in prison.

The Saudi Arabian Government now seeks to quell international outrage over this sentence by saying the woman was married at the time of the rape but she was with a nonrelative male companion who wasn’t her spouse.

No explanation or excuse can justify this punishment for the victim. This woman was victimized by her own nation.

The Saudi Arabian court also removed the lawyer from the case and revoked his license because he spoke to the media. The lawyer now faces permanent disbarment. So much for freedom of speech.

Human rights seem to be absent in Saudi Arabia, because rape victims should not be sent to jail, and even lawyers should have the right of freedom of speech.

And that’s just the way it is.
need to understand the men that wrote the Constitution and what they said when it was ratified. The Founding Fathers were very concerned that a strong Federal Government would trample on individual freedom and individual rights because that’s what happened to Britain.” And that’s what governments historically do to their people, trample on individual rights.

So after the ratification of the Constitution, the Framers knew that a declaration of rights had to be added to protect basic individual rights, rights that are inalienable, created by our creator and not created by government.

So the Founders looked at the English common law, at the English declaration of rights of 1689, which specified the guaranteed right of the people to bear arms.

Those who claim there is no individual in the second amendment ignore the most basic feature of American rights: Rights in this nation belong to individuals.

The second amendment was included in the Bill of Rights to prevent the Federal Government from disarming the public like the British Army did to American citizens. The right of the free people to defend freedom and protect themselves was so important that it was placed second in the Bill of Rights.

Thomas Jefferson knew the importance of an armed citizenry. He said, “No free man shall ever be debarred from the use of arms.”

Samuel Adams wrote that “The Constitution shall never be construed to prevent the people of the United States who are peaceable citizens from keeping their arms.”

And of course James Madison, who helped write the Bill of Rights, once wrote that the Americans had “the advantage of being armed,” and that other nations governments were “afraid to trust the people with such arms.”

So, Mr. Speaker, the second amendment is a personal right for individuals in this country, and the DC ban is a violation of the United States Constitution, specifically, the second amendment to that Constitution.

And that’s just the way it is. □ 1815

THE SO-CALLED SURGE HAS FAILED

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, as a member of the Foreign Affairs Committee, I was pleased to participate in a joint hearing that took testimony from General Petraeus and Ambassador Crocker. It was supposed to be a turnover of principles was inked between President Bush and Prime Minister al-Maliki. It’s basically a blueprint to keep our troops in Iraq indefinitely, and it allows permanent bases.

It may even provide for arming insurgent security forces, which actually looks like arming a militia. The last time we got into the business of arming folks, we ended up with the Taliban. Are we ever going to learn the lesson not to repeat the mistakes of the past? It will be interesting to see how the two leaders will try to jam this latest agreement down the throats of the Iraqi Parliament because the Iraqi Parliament has clearly stated that they are not pleased with the agreement, to say the very least. Let’s take a good look at what’s going on: The surge has failed. The new White House agreement would keep our troops in Iraq indefinitely, and it allows permanent bases.

Mr. Speaker, it’s time for bold action. Our friends in the other Chamber and the resident down the road on Pennsylvania Avenue need to face up
broad spectrum of industries like landscapers, tourism, seafood processors and carnivals.

At this time, I will enter into the Record a letter from the H-2B Workforce Coalition in support of extending the H-2B returning worker program.

WORKFORCE COALITION,


DEAR REPRESENTATIVE: As representatives of tens of thousands of seasonal employers throughout the country, we urge you to support H.R. 1843, the “Save Our Small and Seasonal Business Act of 2007.” This bipartisan bill would simply renew the highly successful relief provision for the H-2B visa program that was initially approved by the Senate by 94-6 in 2005. This provision recognizes the reliability and trustworthiness of past participants in the H-2B program by exempting those temporary seasonal workers who have participated fiscal the H-2B visa program and have completely followed the law during the past three fiscal years from counting toward the statutory cap.

The congressionally mandated 66,000 annual cap on the number of workers allowed to participate in the program that was established in 1990 does not reflect current economic realities nor the needs of businesses which are seasonal or have peak load needs that rely on these workers.

Before employers can hire temporary seasonal workers under this program, they must advertise their job openings, work with local unemployment offices to identify potential American workers and offer the positions to these qualified domestic applicants. The jobs these guest workers fill do not take jobs away from Americans. It is not until employers have carried out this time consuming and expensive due diligence in trying to hire American workers that they are allowed to petition the federal government for a labor certification and ultimately bring in temporary workers—their final option to run their seasonal businesses.

In fiscal year 2004, the statutory cap was reached on March 9—only six months into the fiscal year and before many summer employers had an opportunity to apply for seasonal workers. As a result, many of these businesses had to operate at partial capacity, not open parts of their businesses, or have their full-time staff work overtime to the point of burnout. Each subsequent cap has been reached sooner as a result of the increased need for seasonal workers and an increasing labor shortage. The cap for the first half of fiscal year 2008 was reached on September 27–3 days before the fiscal year even began.

Without immediate action by Congress, widespread economic consequences will severely impact diverse economic sectors throughout the country including lodging, restaurants, landscaping, clubs, amusement parks, ski resorts, food processing, stone, travel and tourism, horse sports, construction, entertainment, hospitality, recreation and many other seasonal industries.

On behalf of hundreds of small businesses and seasonal employers throughout the country, we urge you to support H.R. 1843 and secure its immediate passage.

Sincerely,

National Organizations:
American Forest & Paper Association
American Horse Council
American Hotel & Lodging Association
American Immigration Lawyers Association
American Nursery and Landscape Association
American Rental Association
American Trucking Associations
Asian American Convenience Store Association
Asian American Hotel Owners Association
Associated Builders and Contractors
Associated General Contractors of America
Federation of Employers and Workers of America
International Association of Amusement Parks and Attractions
Interlocking Concrete Pavement Institute
International Franchise Association
National Club Association
National Federation of Independent Business
National Restaurant Association
National Roofing Contractors Association
National Ski Areas Association
National Thoroughbred Racing Association
Outdoor Amusement Business Association
Professional Landscape Network
Tree Care Industry Association
U.S. Chamber of Commerce
State and Regional Organizations:
Alabama Forestry Association
Alabama Hospitality Association
Alabama Restaurant Association
Alaska Hotel & Lodging Association
Alaska Restaurant & Lodging Association
Arizona Hotel & Lodging Association
Arizona Landscape Contractors Association
Arkansas Forestry Association
Arkansas Hospitality Association
Associated Landscape Contractors of Colorado
Branson Lakes Area Lodging Association
California Hotel & Lodging Association
California Ski Industry Association
Cheyenne Bay Seafood Industries Association
Colorado Association of Lawn Care Professionals
Colorado Hotel & Lodging Association
Colorado Restaurant Association
Commercial Flower Growers of Wisconsin
Delaware Restaurant Association
East Hampton Chamber of Commerce
Florida Forestry Association
Florida Restaurant and Lodging Association
Georgia Hotel & Lodging Association
Georgia Restaurant Association
Gulf Oyster Industry Council
Hawaii Hotel & Lodging Association
Hilton Head Island-Bluffton Chamber of Commerce
Hospitality Association of South Carolina
Hotel and Lodging Association of Greater Kansas City
Idaho Nursery & Landscape Association
Indiana Hotel & Lodging Association
Illinois Hotel and Lodging Association
Illinois Landscape Contractors Association
Iowa Lodging Association
Iowa Restaurant Association
Kentucky Hotel & Lodging Association
Kentucky Nursery & Landscape Association
Kentucky Restaurant Association
Kentucky Turfgrass Council
Landscape Contractors Association MD-DC-VA
Lawns of Wisconsin Network
Long Island Hotel and Lodging Association
Long Island Convention and Visitors Bureau
Maine Campground Owners Association
Maine Innkeepers Association
Maine Merchants Association
Maine Restaurant Association
Maine Tourism Association
Maryland Hotel & Lodging Association
Massachusetts Lodging Association
Massachusetts Nursery & Landscape Association
Massachusetts Restaurant Association
Metro Atlanta Landscape & Turf Association

CONGRESSIONAL RECORD—HOUSE
H14229
Michigan Green Industry Association
Michigan Hotel, Motel & Resort Association
Michigan Nursery & Landscape Association
Michigan Restaurant Association
Mid-America Green Industry Council
Minnesota Nursery & Landscape Association
Minnesota Restaurant Association
Missouri Restaurant Association
Montana Inkeepers Association
Montana Chamber of Commerce
Myrtle Beach Area Hospitality Association
Nebraska Hotel & Motel Association
Nebraska Lodge Association
Nevada Landscape Association
New England Apple Council
New Hampshire Lodging & Restaurant Association
New Jersey Green Industry Council
New Jersey Hotel & Lodging Association
New Jersey Irrigation Association
New Jersey Landscape Contractors Association
New Jersey Nursery & Landscape Association
New York State Hospitality and Tourism Association
New York State Lawn Care Association
New York State Restaurant Association
New York State Turf & Landscape Association
New York Thoroughbred Horsemen's Association
North Carolina Nursery & Landscape Association
North Carolina Restaurant and Lodging Association
North Dakota Hospitality Association
Northern Colorado Stone Quarriers Association
Ohio Hotel & Lodging Association
Ohio Landscape Association
Ohio Nursery & Landscape Association
Ohio Restaurant Association
Oklahoma Greenhouse Growers Association
Oklahoma Hotel and Lodging Association
Oklahoma Nursery & Landscape Association
Oklahoma Restaurant Association
Oregon Landscape Contractors Association
Oregon Lodging Association
Oregon Restaurant Association
Pennsylvania Landscape & Nursery Association
Pennsylvania Restaurant Association
Pennsylvania Tourism & Lodging Association
Restaurant Association of Maryland
Rhode Island Hospitality & Tourism Association
South Carolina Forestry Association
South Texas Nursery Growers Association
Southern Inkeepers Association
Southwest Landscape Contractors Association
Tennessee Hotel & Lodging Association
Tennessee Restaurant Association
Texas Forestry Association
Texas Horsemen's Partnership
Texas Hotel & Lodging Association
Texas Nursery & Landscape Association
Texas Restaurant Association
Utah Hotel & Lodging Association
Vermont Ski Areas Association
Virginia Green Industry Council
Virginia Hospitality and Travel Association
Virginia Nursery & Landscape Association
Washington Association of Landscape Professionals
Washington State Hotel & Lodging Association
Washington State Nursery & Landscape Association
West Virginia Hospitality & Travel Association
Wisconsin Green Industry Federation
Wisconsin Inkeepers Association
Wisconsin Landscape Contractors Association
Wisconsin Nursery Association
Wisconsin Restaurant Association
Wisconsin Sod Producers Association
Wyoming Lodging and Restaurant Association
Businesses:
360 Degree Realty, Illinois
FT Total Lawn, Kansas
A-A-Chipscoy Co., Colorado
A & A Construction Company, Texas
A To Z Lawn and Landscaping, Ohio
A.E. Phillips & Son, Maryland
A & M Underground Irrigation Systems, South Dakota
A Cut Above Landscape Management, Georgia
A Perfect Landscape, Colorado
A.S.T. Landscape Services, Texas
A Yard & A Half Landscaping, Massachusetts
A Wave Inn, New York
AA Tex-Lawn, North Carolina
AAA Landscape, Arizona
Abbernethy & Spencer Greenhouses, Virginia
Absolute Landscaping Inc., New Jersey
Acadia Digging & Transplanting Services, Texas
Academy Sports Turf, Colorado
Ace Landscaping Corporation, Washington
Ackerson Landscape, Missouri
Acres Group, Illinois
Adams Landscaping, New York
Adventure Bound Camping Resorts, New Hampshire
Affordable Lawn Sprinklers & Lighting, Virginia
Airport Inn, California
Akala, Florida
All Auntuck Landscaping, Maryland
All Spring Enterprises, Maryland
All Around Concrete Cutting, Louisiana
All Around Concrete Demolition, Louisiana
All Pro Landscaping of Tallahassee, Florida
Allin Companies, Pennsylvania
Allen's Landscaping and Maintenance, Virginia
Almeda Wholesale Nursery, Colorado
Alpine Mountain Lodge, California
Amberscapes, Texas
Amelia Island Plantation, Florida
American Beauty Landscaping, Ohio
American Landscapes, Wisconsin
America's Best Inn, Vicksburg, Mississippi
America's Catch, Mississippi
Ameriworks Global, Louisiana
Anchor Retaining Wall Systems, Texas
Anewalt Landscape Contracting, Pennsylvania
Angel Inn of Branson, Missouri
Ann Breyer's Cottages, New York
Aplin Masonry of Telluride, Colorado
Appar Turf Farm, Delaware
Aqua Barrier Exterior Waterproofing, Tennessee
Aqua-Lawn, Connecticut
Arapahoe Acres Nursery & Landscaping, Colorado
Arapahoe Horticulture, Colorado
Architectural Paving Systems, Oklahoma
Aqualawn, Ohio
Arborland, Michigan
Architerra, Illinois
Armstrong Landscape & Design Group, Texas
Arrowhead Resort, Michigan
Artika Companies, Minnesota
Artists' Tree, Florida
Artistree Nursery & Landscape Design, Florida
Artistic Designs Lawn & Landscape, Kansas
Arvest Bank, Missouri
Aspen Corporation, West Virginia
Aspen Grove Landscape Company, Maryland
Aspen Lawn Care, Kansas
Aspen Skiing Company, Colorado
Atlantic Plants, New Jersey
Diamond Landscapes, Kentucky
Dinneen Landscaping, Massachusetts
DMB-Highlands Group LLC, California
Doctor's Inn, Kansas
Doctors "At the Lake" Inc, Kansas
Doctor's Lawn & Landscape, Kansas
Dom's Landscaping, New York
Don Cesar Beach Resort, Florida
Duke's Tree Landscape Management, New Jersey
Dominquez Racing Stables, New Mexico
Double A Contracting, Texas
Double JJ Conference Resort, Michigan
Dove Creek Quarries, Utah
Dowco Enterprises, Missouri
Driftwood, New York
Dune Management, New York
Duryea's Lobster Deck, New York
Dusty Lout Agri Service, Texas
Dwyer Designscapes, Kentucky
E.A. Quinn Landscape Contracting, Connecticut
E.L. Irrigation & Landscaping, Texas
Eagle Crest Nursery, Colorado
East Deck Motel, New York
East Hampton House, New York
East West Resorts, Colorado
Eastgate, Ohio
Eastern Land Management, Connecticut
Eastern Shipbuilding Group, Florida
Eco-Cutters, Colorado
Eco-Specialty Systems, Missouri
Econo Lodge, Fayetteville, North Carolina
Econo Lodge, Flagstaff, Arizona
Econo Lodge, West Springfield, Massachusetts
ECOSystems Landscape Service, Texas
Ed Castro Landscape, Georgia
Edmundson Inc, Colorado
El Jarrito Restaurants, Texas
The Elevation Hotel and Spa, Colorado
Elite Lawn & Landscape, Ohio
Elite Lawn & Landscape, Tennessee
Elite Professional Lawn & Landscaping, Texas
Ellis Cement Contracting, Ohio
Embassy Lawn & Landscaping Group, Missouri
Emerald Lawn Care & Landscaping, Kansas
The Enchantment Resort & Spa, Arizona
Enviroscape, Ohio
Epic Landscape Production, Kansas
EquiBrand Products Group, Texas
Estate Landscape & Irrigation, California
Evening Shade Lawn Care, New Jersey
Evergreen Gene's, Maryland
Evergreen of Johnson City, Tennessee
Executive Moving Systems, Virginia
F. Espinosa Landscape, Illinois
Fairfax Golf, Oklahoma
The Fairmont Hotel, Texas
Fairway Landscape & Nursery, Texas
Falcon Executive Inn, Texas
Palmaris Executive Inn, Texas
Farmside Landscape & Design, New Jersey
Felipe's LawnCare, Oklahoma
Fieldworks Landscape, Massachusetts
Florasearch, Florida
Florida Lawns, Florida
The Flolecite Garden Company, Georgia
Focal Pointe Outdoor Solutions, Illinois
Fort Pond Lodge, New York
Frank's Used Tank & Heaters, Texas
Frank Sharum Landscape Design, Arkansas
Franz Witte Landscape Contracting, Idaho
Franzen Farms, Texas
Fred Adams Paving Co, North Carolina
Front Range Snow & Ice, Colorado
Frontier Landscaping, Washington
Fuller's Landscaping, Ohio
This letter is signed by over 1,300 organizations and small businesses from every State in the union supporting this H-2B returning worker program. H-2B workers offer short-term help. They cannot and do not stay in the United States. More importantly, the H-2B program contains strong provisions to ensure American workers have the first right to work.

Without an extension of the returning worker program, small and seasonal businesses will face significant labor shortages this year. If small businesses lose their ability to hire seasonal, full-time American workers, all their American jobs are at stake and may be lost.

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

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

Ms. WATSON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.

GOLD, SILVER, COPPER AND THE PERU FREE TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.
Peru to Declare Miners Strike Illegal, Pinilla Says

By Alex Emery

Nov. 6 (Bloomberg) -- Peru's government will declare a two-day national mining strike illegal today, forcing miners to return to work or lose their jobs, Labor Minister Susana Pinilla said.

The strike, which seeks to pressure companies to improve pensions, profit-sharing and rights for subcontracted workers, is "politically motivated," Pinilla told Lima-based CPN Radio.

"Union leaders have a different stance that has nothing to do with worker vindication," Pinilla said. "They have led workers into an illegal strike where they could lose their jobs."

Strikes this year, including a five-day national walkout by Peruvian miners in May, have cut copper output in Peru, Chile and Mexico, helping spur a 17 percent rally in the price of the metal. Peru is the world's No. 2 producer of copper, zinc and tin, the biggest of silver and fifth-largest of gold.

The stoppage in Peru has affected mines owned by companies including Southern Copper Corp., Freeport-McMoRan Copper & Gold Inc., Newmont Mining Corp. and Doe Run Resources.

Workers also are on strike at mines run by Cia. De Minas Buenaventura SA, tin miner Minsur SA, Shougang Hierroperu's iron mine and zinc producers Cia. Minera Raura and Cia. Minera Santa Luisa, according to Mining Federation spokesman Cirilo Yarihuaman.

Tales Planned

Southern Copper's Peruvian mines, where 20 percent of workers went on strike, don't expect production losses, parent Grupo Mexico said in a filing to the Mexican Stock Exchange.

National metals output hasn't been cut and only 6,300 workers, or 5.3 percent of Peru's miners, are on strike, Pinilla said.

The Mining Federation gave the number at 45,000.

Union leaders planned to hold talks with Cabinet chief Jorge del Castillo and the president of Congress, Luis Gonzales Posada, to pass laws granting miners a 10 percent share of profits, up from the current 8 percent, and eight-hour shifts instead of the 12 hours imposed at many mines, Yarihuaman said.

The federation, which represents 70 unions and in the very early days at the Washington Lab School, I had an opportunity to learn more about Mrs. Sally Smith, during her time here amongst us, was a great American and left a footprint on this country in the area of education like no other in the past.

Sally Smith, during her time here amongst us, was a great American and left a footprint on this country in the area of education like no other in the past.

Sally Smith ran and actually founded with her husband the Lab School of Washington. And for someone who has been not only involved in the Lab School, but has a daughter that attends the Lab School, I had an opportunity to learn more about Mrs. Sally Smith and what she did in the very early days at the Washington Lab School.

Mrs. Smith and the faculty at the Lab School have done an excellent job in protecting and nurturing all of the young people with learning differences at the Lab School, here in Washington and Baltimore.

On Saturday, December 1, 2007, Mrs. Smith died at the age of 78. Born on May 7, 1929, Mrs. Smith was a native of
Mrs. Smith developed the Relying on her intuition and creative expression, she created a school uses arts as a central component to the education process. In fact, the Lab School students spend half of the day in highly specialized, individualized classrooms and offer the other half in the arts.

Inspired by her pursuit to assure that her youngest son received a quality education, Mrs. Smith created a school designed to educate students diagnosed with one or more learning disabilities. Relaying on her intuition and creativity, Mrs. Smith developed the “academic method,” which serves as the cornerstone of the Lab School’s curriculum. The academic method is a nontraditional academic approach founded on the belief that a child’s future to learn means that the teacher has not yet found a way to help him.

Not only did her academic method lead to her youngest son’s academic and professional success, but it has also left behind a gift that has enriched the lives of so many. Her great legacy will continue to live through the success of the current students and adults that have been part of the Lab School of Washington, D.C., Baltimore, and Philadelphia. In addition, her excellence will live on through her literary works, many of which have earned her recognition.

Mrs. Smith was well accomplished in academia and also accomplished in awards, advisory board appointments, and was even highlighted by NBC’s Today Show.

Mr. Speaker, I think it’s important that the Members understand that there are many Americans, including myself and including many others, that have been honored by the Lab School of Washington. Those of us that have learning disabilities, auditory processing, dyslexia, what have you, Mrs. Smith gave young people the inspiration and adults the inspiration to pursue beyond their disabilities. Those have been honored by the Lab School because Sally was a part of lifting the hopes and the dreams not only of the students, but also the parents, people like Magic Johnson, James Earl Jones, and also Danny Glover and Charles Schwab have been honored by the Lab School.

We will miss Mrs. Smith, but we know that her legacy and memory will continue.

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

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

ENERGY INDEPENDENCE FOR AMERICA

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 18, 2007, the gentleman from New Mexico (Mr. PEARCE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PEARCE. Mr. Speaker, I would like to address the body tonight about what we are facing in this country as we experience higher gasoline prices, higher energy prices. There is an article that I will submit for the RECORD today: Dow Chemical announced it is going to cut jobs and close plants in the United States.

Dow Chemical To Cut Jobs and Close Plants

(By Bob Sechler and Ana Campoy)

Dec. 5—Dow Chemical Co. plans to cut 1,000 jobs and shutter a number of underperforming plants, saying it will put the savings into higher-growth opportunities.

The job cuts constitute about 2.3% of Dow’s estimated 42,500 employees. The chemical company expects to incur a fourth-quar- ter charge of about $500 million to $600 million, including costs for severance and asset write-downs.

The effort “reflects our commitment to prune businesses that are not delivering appropriate value and tackle tasks more efficiently across the entire organization,” Chief Executive Andrew N. Liveris said in a statement.

Dow Chemical, based in Midland, Mich., has been struggling with higher prices for natural gas and oil, the main feedstock for chemical production. Commodity chemicals, and lower prices for commodity chemicals, account for about 50% of the company’s revenue.

To reduce its costs, the company has been actively moving its commodity-chemical production to places like Asia and the Middle East, where raw materials are cheaper. It has also worked with local companies in those regions to reduce the amount of money it has to invest.

The company also is trying to expand its commodity-chemical business, which is more profitable and less exposed to the ups and downs of energy markets. Dow has been widely expected to unveil a major joint venture or acquisition that would reduce its dependence on low-margin commodity chemicals.

The company pegged the annual savings from the moves at $180 million once complete.

Among the moves announced yesterday, Dow said it will exit the auto-sealers business in North America, Asia Pacific and Latin America, and explore options for the business. Eventually, the company will close an agricultural-chemicals manufacturing plant in Lauterbourg, France.

Now, it’s not that it is cutting those jobs in the United States and simply lowering its production worldwide. What it is doing is cutting jobs in America in order to make more competitive changes to the company and have those jobs overseas.

This is a significant thing that we on the Republican side have been talking about for the last several years. It is time for us as a Nation to fight the economic fight that we are engaged in.

We cannot continue to ignore what other nations are doing and what our energy costs are or we are going to continue to see headlines like this today with Dow Chemical cutting jobs and closing plants.

Now, we had a precursor to this earlier this year. Dow Chemical announced that it was going to build a plant in Saudi Arabia that cost $22 billion, an investment that large in Saudi Arabia will mean Dow will be able to start another plant for approximately $8 billion, and they knew at that point that they would begin this transfer of jobs.

Now, we have to ask ourselves is it because Dow Chemical is just a bad corporate partner? Maybe they are just after corporate greed. They’re going to make profits at the expense of the United States, because that’s what we have heard.

We have heard on the House floor that corporations are evil, that they don’t have the interests of the country at heart.

As we look at it a little bit closer, we recognize that in the United States just today the prices for natural gas are quoted at above the $8 range.

We have at the same point, and natural gas is a very key component of Dow Chemical’s products; in other words, about 50 percent of their costs, if I am not mistaken, come from the raw material costs, of which natural gas is the key component. So there is a direct correlation between the price of natural gas and jobs in this country. Now, when we are paying above $8 for natural gas, what are we paying in Saudi Arabia? In Saudi Arabia the price is today about 75 cents. So almost one tenth, one tenth the cost for 50 percent of their raw materials in Saudi Arabia versus here.

Now, you don’t have to be schooled in economics. You simply have to understand that you are not going to Wal-Mart and pay ten times the cost for something you buy when you could go down the street and get it somewhere else. You go to buy and get the best deal. Companies have to have the same incentive. If Dow Chemical stays here and pays ten times more, ultimately they become noncompetitive in the world. Someone else will set up the plant in Saudi Arabia with one tenth the cost of raw materials, and the jobs will come away from Dow Chemical and go to another plant. So all that Dow Chemical is doing is saying we have competitive forces that cause us to consider this move.

We have done nothing in this Congress to dispel those costs, to drive
Chemical ship jobs overseas.

Now, we have to then look at what the Congress is doing. Speaker Pelosi announced very early on that it was her desire to make this country independent of foreign companies. I will tell you that what we are finding now, we see this particular chart, and this is for the summer of 2007 and moving forward, we see the predictions that we have a 23 percent estimated increase in prices, especially in the western part of the country; in the middle regions about 30 percent increase; 19 percent on the eastern seaboard; in Florida we are seeing 21 percent; Texas, 32 percent; California, 29 percent. Now, when you are seeing those prices, you would think that we as consumers are not seeing this energy independence. If we are, it’s not a helpful thing to us, that, in fact, it is somewhat hurtful when we see energy prices and our home heating increase by that much. We are told these are the forecasts right now, so we are seeing the effects not only in jobs but also everyday costs.

We have passed two bills, one back in January, H.R. 6, and then we also passed H.R. 3221, and those were to deal with the problem of higher prices, and yet they still have not come back from the Senate. We still don’t have an agreement. And I will say that in the early stages, the things that we saw pass off this House floor were actually penalties to energy independence. They tax American companies but they don’t tax Hugo Chavez.

Now, we must at some point ask ourselves why we have a policy that would tax American companies and American jobs, would limit the supply so that the cost goes up and we lose jobs. Exactly why are we doing this as a country? Why are we suggesting passing policy off the floor that is causing this particular effect? Those are things that we saw early on that is mandating the future, the discussions today are quite simple. We cannot do this, we cannot rely on every possible resource to solve the problem of higher prices.

I would say that the harmful effects are not to be found. The harmful effects are not there. They’re not documented. The oil companies are simply price takers. Exxon cannot set the price of oil worldwide. They simply take the price that’s offered to them. They have a large production. They are making quite a bit of money, but they have also got a large investment in the offshore rigs. They have got a large investment in infrastructure, large transportation costs. Their costs are about the same as any company worldwide. But we are not taxing worldwide companies in each of the energy bills; we are only taxing American companies. And we have to ask ourselves why. Why are we driving the price of natural gas up, sending jobs overseas, and why are we taxing American companies and not taxing Hugo Chavez?

These are the questions that we are here to ask about as we move very close to a discussion of what might be in the energy bill when we close this week. We were told at the beginning of the week we will have an energy bill this week; yet we have not seen it on our side. We have been told that we are going to discuss it. Tomorrow is the last day of business for the week, to my knowledge, and yet we still don’t have a printed copy, we on the Republican side, and I don’t think many Democrats have seen a written bill. But we do have in front of us what has been done earlier this year.

I am joined tonight by a colleague from Pennsylvania, a classmate of mine, Congressman Tim Murphy. He has concerns also about the direction that we are taking the energy policy in this country. We are facing worldwide competition, increasing pressure from the large states of China, India, the other competitive nations in the world, and at a time when we should be all looking to the get the Democrats and Republicans alike, to protect the economic base of this country and understanding that energy is a key piece of the economic base of this country, that jobs are created around the cost of energy. At a time when we should be focused outward together, we instead have a, suggested policies that punish American producers, American oil and gas companies, and they give competitive advantage to other nations and other sources. I would like to yield to the gentleman from Pennsylvania to talk about the nuclear, the coal, and the natural gas industries. He is from a coal-producing State and has good knowledge on these.

Again, I yield to the gentleman from Pennsylvania.

Mr. TIM MURPHY of Pennsylvania. I thank the gentleman for yielding to me on this critically important issue about energy. As American families look into the next few months about how they are going to be paying their gas bills as the cold winter sets upon us, as natural gas prices go up, of how they will be paying their automobile costs as gasoline prices go up, as we look at such things as jobs such as chemical industry as was just outlined by my friend from New Mexico, it is extremely important that as Congress looks at facing an energy bill this week that we note not only what is in there but what we expect is not in the bill. It seems to me that the comprehensive energy policy in America, America will be facing more brownouts, more times when the power is not there. And in a world where other countries, such as China are opening up new-coal-fired power plants, for example, every few months with the scrubbers and environmental controls we have on, they will be able to undercut us even further with our costs of manufacturing. Unless we will be able to tax in America to back up energy legislation that looks to the big picture of diversifying our energy production and help to lower costs for consumers, our problems will only multiply.

Now, I represent a district in Pennsylvania coal country, directly above the Pittsburgh coal seam. It extends throughout western Pennsylvania, Ohio, and West Virginia. Some geologists tell me that the coal seam has been the most valuable mineral deposit in the world. It was responsible for the growth of the American steel industry, glass, chemical industry, and it has some 50,000 jobs in southwestern Pennsylvania. And the coal industry, railroads, barges, trucking, so many other industries involved. It allowed for the development of modern railroads, river navigation networks. It remains a valuable resource that we can be able to tax in America to back up energy legislation that looks to the big picture of diversifying our energy production and help to lower costs for consumers, our problems will only multiply.

Closing the mines in Pennsylvania would be like closing the bridges in Florida or closing the harbors in New Orleans. The country can’t afford to stop using coal, either. It is a valuable economic resource for our region as other resources available in other parts of the country. So we have to take advantage of every possible resource to meet our energy demands. The messages today are quite simple. We cannot achieve energy independence without coal. We cannot achieve energy security without coal. And our coal must be clean coal, not the other version of no coal at all.

Now, listen to these numbers. They are quite compelling. Over the next 40 years or so, the electricity demand in the United States will be affected by some of the demands of people in their homes. They are also the demands of increasing jobs in this country. We will conserve, and we will have make great strides in efficiency. But with the growth in the population and improving quality of life, it all dictates that electricity demands will still increase substantially.
Coal accounts for about 50 percent of our electricity, and nonhydro renewables like solar and wind account for about 2 percent. We have already built as much hydroelectric as possible, and it is doubtful that people will want to see more dams built across the country. But even if we triple the share of renewable electricity, we will still need coal for close to half of our electricity in 2050. This means we will still have approximately to double the available coal capacity by 2050 just to meet demand.

Right now there are about 400 coal plants in the United States. Many of them are old and inefficient, outdated. Most or all of them will need to be replaced over the next 40 years. So just to maintain our current level, we are going to need to build about 400 plants to replace those. And then to meet the new electrical demands over the next 40 years, we are going to have to build an additional 400. That is 800 new coal-fired power plants between now and 2050. This is twice as many plants as have been built since the start of the Industrial Revolution. This translates to about one coal plant every 2 to 3 weeks, even if we start in 2010, just to maintain that capacity at an acceptable rate. And we can do that in a way that has clean coal technology, zero emissions, if we will choose to make the investments. MIP said about $8 billion or so will be needed to meet those coal demands. That seems a lot cheaper than it took us back in the 1960s to put someone on the Moon. In the meantime, China is adding about one or two coal plants a week and they are going to continue. They put cheap power in the plants without scrubbers. In the U.S., renewable technologies such as solar and wind are expanding rapidly and will continue to do so. But they simply cannot match coal in terms of delivered power.

Here are some examples. This past August, power from West Virginia’s largest wind farm was available only about 10 percent of the time that it was actually needed. That is, the wind doesn’t blow consistently every day. At 10 percent availability and 3 megawatts capacity, about 3,000 windmills would be needed to equal the useful output of just one coal plant. To completely replace coal with wind, we would need to build 80,000 windmills. This assumes the utilities will actually be allowed to build all the new miles of transmission lines they will need. And will people want all those wind towers up?

Another area, the largest solar panel array in the United States is under construction at Nellis Air Force Base in Nevada. It is going to cover 140 acres of desert with 70,000 solar panels, but will produce only about 2 percent of the output of a modern coal-fired power plant. At that rate, we would have to destroy 11 square miles of beautiful southwestern Pennsylvania forest or consume this much valuable land from our farmers just to avoid building one coal plant.

The truth is, we need to increase the supply of all energy, coal, natural gas, nuclear and renewables. We can’t afford to ignore any of them unless we want new brownouts and blackouts, or further brownouts and blackouts during times when the sun doesn’t shine and the wind doesn’t blow. So the key to solving this problem includes developing clean coal technologies with zero emissions and other renewables.

Another option is to switch to natural gas, and what we are hearing in the energy bill is there will be more push for doing that, as was outlined by my friend from New Mexico. As natural gas prices continue to soar, that is more jobs out of America that use chemical plants and more families’ gas bills going up. Natural gas provides about 19 percent of our current electricity demand, and its use will also have to double by 2050 to maintain our current market share. About 90 percent of the electric generating capacity installed since the year 2000 has been natural gas-based, and natural gas is about three times more expensive than coal per kilowatt of electricity generated. We are increasing demand for natural gas and raised the price of both gas and electricity. The increased use of natural gas for electricity combined with our policies that place offshore limits of much of our domestic gas resources has increased the price of natural gas and raised the price of both gas and electricity. The increased use of natural gas for electricity combined with our policies that place offshore limits much of our domestic gas resources has increased the price of both gas and electricity. The increased use of natural gas for electricity combined with our policies that place offshore limits much of our domestic gas resources has increased the price of both gas and electricity. The increased use of natural gas for electricity combined with our policies that place offshore limits much of our domestic gas resources has increased the price of both gas and electricity.

The companies say, well, we were put under pressure to do something that improve efficiency by a few percent, at that point, the government said let’s do less, the companies said let’s do more. Now, we have zero emissions coal, zero greenhouse gases, massively reduce that. Right now I know in Pennsylvania about 40 percent of our coal-fired power plants have no scrubbers, or inadequate scrubbers. Unfortunately, the way new source review works is if a company says let’s work to improve efficiency, let’s put in new turbines or other things that improve efficiency by a few percent, at that point, the government comes in and says, no, we now have to replace everything. If you don’t take care of everything with all the scrubbers, you can’t do it at all.

The companies say, well, we were
thinking of spending 20, or 50 or $150 million on some upgrades but we don’t have four or $500 million to take care of this one plant. So they hold off. That is not cleaning the air. That is not taking care of our needs.

What we need is a look at ways of promoting the new technology, helping private business make those investments in new technology, but above all, meet our current and our future needs by addressing the issues of America’s abundant oil and gas holding the potential of cost of cheap, expanding the use of nuclear power which is clean. It is one of those areas we have to deal with seriously.

I thank the gentleman from New Mexico for yielding me this time and his leadership on working in these areas which is so important for America’s energy security.

Mr. PEARCE. I thank the gentleman for his comments and recognize that we have a 15-year lead time before we build nuclear power plants. China is right now currently hiring our nuclear technology capability. They are hiring our people so that we first of all don’t have young people going into the nuclear industry, those who are retiring are going to China because they have to do to build nuclear power plants. And as the gentleman said, we face a severe shortage of energy in the future. We are already giving up jobs. And we are doing nothing about it.

Now, I would like to show a difference in viewpoints. Up above the Speaker’s dais is a quote by Daniel Webster. If I were to read that quote, it says, “Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests and see whether we also in our day and generation may not perform something worthy to be remembered.” It begins, “Let us develop the resources of our land.” Daniel Webster. Can we do something great that our generation might be remembered for?

Now, I would go also to a quote from earlier this year from the chairman of our Resources Committee. Now, keep in mind Daniel Webster said, “Let’s develop our resources.” But the chairman of our Resources Committee this year says, “I see no reason, no reason whatsoever why good public land law should be linked to the gross national product.” I’m sorry, the gross national product is not going to provide jobs. And contrasting with Daniel Webster who says, “Let’s do everything we can to build a great country.” Let’s build this dream of American exceptionalism and let’s fight to have the hope and opportunity that we as a country have and let’s use our resources to do it.

Contrast that to this year, this year’s energy bill. “No reason, no reason whatsoever, why good public land law should be linked to the gross national product.” Just earlier this week, I authored an article in Human Events magazine. If you want to go online, pearce.house.gov. Be sure and spell it p-e-a-r-c-e. If you spell it p-i-e-r-c-e, there are things on the Web site that come up on that that your mother would not want you to see. We simply need to go and look at energy policy. If you go to pearce.house.gov and look at the Human Events article earlier this week, we talk about the energy bill that was passed out of the House by the chairman who says, “No reason why public law should be linked to gross national product and what they did in this administration bill that was passed out of the House by them cut off 9 trillion cubic feet of natural gas from Colorado’s Roan Plateau.

They cut off 2 trillion barrels of oil from the great oil shale that is in Colorado. This, by the way, is twice the reserves of all known reserves in the world. We could be the Saudi Arabia of oil if we would simply harness those resources down there. Webster talks about, that shale oil in Colorado.

The bill, H.R. 3221, dramatically expands the environmental study requirements on existing oil and gas pads. This policymakers expect to reduce or delay onshore natural gas supply by approximately 18 percent. So at a time when Dow Chemical is investing $22 billion in Saudi Arabia because their natural gas prices are one tenth of what they use to be supplied by another 18 percent by our bureaucratic and regulatory requirements. It just does not make sense.

There are breaches in the legitimate legal offshore energy contracts between companies and the U.S. Government, in the same way as Hugo Chavez and Vladimir Putin might install. That is a quote from some of our friends at the Washington Post earlier this year writing about H.R. 6. It cuts off 10 billion barrels of oil from the National Petroleum Reserve in Alaska, and it cuts off the government agency’s communication for oil and gas permitting activities, as they currently do.

Now, these are things in the bill that supposedly are going to bring us energy independence. It is a bill that we oppose. We as Republicans and we as conservatives say that we must first take care of the opportunity for our young people to have jobs and careers. We first want to defend our economy against those foreign countries that would take our living standard, that would take our jobs. And yet we are passing a bill that the chairman says there is no reason, no reason whatsoever why good public land law should be linked to the gross national product. I find that quote to be stunning.

One of the provisions in the bill that is suggested might come up, again, the Democrats are saying, NANCY PELOSI is saying we are going to have an energy bill this week, and one of the provisions in that is a provision to require renewable fuel standards.

Now, that is legislation good, until one looks more closely. That part of the renewable fuel standard is ethanol from cellulose fibers. Those are wood fibers.

I would like to yield to the gentleman from Utah, a good friend of mine, Representative BISHOP, who heads the National Parks Public Lands Subcommittee in the Resources Committee, is knowledgeable about national forests and allows opportunity that we have to help lower energy costs by using renewable fuels as the technology exists or does not exist today.

I yield to the gentleman from Utah.

Mr. BISHOP. I thank the gentleman from New Mexico for offering, for allowing me an opportunity of saying a few words on what will be a significant piece of legislation that we will maybe be asked to vote upon this week.

You know, it is only intuitive that this Nation should be energy independent. If we were energy independent, not relying on foreign sources of energy from obviously other places, not only would it allow our military to have flexibility in whatever situation upon which it is called to be used, but it allows our diplomacy to be used in flexibility in any situation.

So, how do we actually replace this foreign oil that is presently being brought in here? Everyone who understands the situation will tell you there is no simple, single silver bullet. Multiple means have to be used.

Energy conservation, conservation in transportation, means we have talked about, those are good. That is part of the mix. But only about 16 percent of our foreign oil imports could be eliminated simply by using efficiency in transportation or energy conservation means. Other methods have to be added to the mix as well, and one of those is biomass.

Biomass by itself could produce 24 percent of all the foreign oil we are importing into this country, far more than our best efforts of conservation or efficiency. If we combined those two together, we are well on our way to trying to become energy independent.

For those of you like me that like technical talk, biomass is dead trees, dead shrubs, the stuff that burns in forests if you don’t remove it first. And as much as our friends on the other side of the aisle will continuously say they want to require biomass to be part of the fuel standards, the renewable alter-
seen that destroy property, that actually pay taxes will be hit higher when we don’t need to do it if we simply look to the resources we have.

As the gentleman from New Mexico clearly said, quoting Daniel Webster, this quote that is in this Chamber, we sit and look and say, very few of us actually look up the words, but, once again, Daniel Webster said, “Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests.” And why? “And see whether we also, in rural schools, may not perform something worthy to be remembered.”

This bill that will be before us is a bill that is not going to be worthy to be remembered. It does not move us towards energy self-sufficiency. It does not make us independent in our efforts. It does not grow our energy needs and provide jobs and give a cleaner kind of energy for the future.

It simply doesn’t make the cut on a whole bunch of areas, one of which happens to be biomass. What could have been a great source for energy in the future is literally shut out by provisions in this bill that should not be there, ever. It is the wrong approach to take.

Now, I appreciate the chance of rambling on here for a minute, and I appreciate what my good friend from New Mexico is doing to present the concepts that are in this bill that we are glossing over, in an effort to try and rush an energy bill just before Christmas. No one is going to have the time to look at it. No one is going to have the time to study it. No one is going to have the time to simply sit down and say, you know, there is a better way. We could tweak it here and there and actually come up with a decent policy. But because we have waited and piddled around until the very end of the session when our backs are to the wall, we are going to be faced with an up or down vote on something that just isn’t worth it. It has too many flaws.

With that, I would yield back to the gentleman from New Mexico.

Mr. PEARCE. I thank the gentleman from Utah for his compelling arguments.

The situation is, again, there appears that there will be a requirement to produce ethanol from cellulose, which is a nice thing to think about. We have had a mad science in the past that technology exists to do that, and it could be 20 years before that technology exists.

Now, you would ask what are the circumstances in the bill that deal with this. What if there is no technology, but there is a requirement? That is fairly simple. There is up to $2 a gallon penalty, tax, fee, on the companies, the refiners, if they can’t produce the minimum amount of ethanol from cellulose.

So, first of all, we are restricted from using our national forests and stopping them from burning down. We have all seen the wildfires in San Diego and New Mexico, and we had the Los Alamos fire back in 2000. We had the Kokopelli fire up near Ruidoso that burned 30-something houses. We have seen the devastating effects of wildfires in the West, and yet we are prohibited now by this law from going in and taking those fibers. One has to look at the trend there. Why are we doing that? I would say again, it is special interests, the extremists of the environmental movement, who say we are not going to let the Forest Service cut one single tree. We are not going to allow any harvest.

We passed the healthy forest initiative back about 2004, and yet this is the way that we gut the bills. We can say on the one hand we passed the healthy forest initiative, and then we don’t quite tell the people of the country that the healthy forest initiative will not be implemented. We won’t keep our forests healthy because we are going to prevent anybody from using those materials out of them. So it is going to be a sheer cost, a cost to the government, where we could get someone to pay the government.

Mr. Speaker, I would submit the article from the Human Events paper, “America Does Not Need a San Francisco Energy Policy,” for the RECORD.

AMERICA DOES NOT NEED A SAN FRANCISCO ENERGY POLICY

(By Representative Steve Pearce)

When Democrats took control of Congress last year, they promised to do something about energy prices. They have delivered on that promise by driving the price of oil to an all-time high of $99 per barrel and forcing the average American household to pay an estimated loss of $1,788 in spending power, an all-time high of $99 per barrel and forcing the average American household to pay an estimated loss of $1,788 in spending power.

The House bill, in particular, is designed to increase bureaucratic hurdles to domestic production and allow the most expensive and least efficient forms of energy to be subsidized. The House bill would impose the highest levels of tax and fee increases, and would give preferential treatment to the most expensive forms of energy, including some that are proven to be failures.

For example, the House bill would provide $16.3 billion to subsidize wind and solar energy, while the Senate bill provides only $1.5 billion. The House bill also would provide $3 billion for biomass, while the Senate bill provides only $1 billion. The House bill also would provide $4 billion for energy efficiency, while the Senate bill provides only $1 billion.

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expensive and less available to Americans. Their plan:

- Cuts off nine trillion cubic feet in natural gas from the Colorado Roan Plateau. This is enough clean-burning natural gas to heat four million homes for 10 years.
- Cuts off two trillion barrels of oil from oil shale resources. This is twice the total proven oil in the world.
- Dramatically expands the environmental study requirements on existing oil- and gas-drilling pads. This provision alone is expected to delay our onshore natural-gas supply by approximately 18%.
- Breaches legitimate legal offshore energy contracts between companies and the U.S. government in the way that Mr. Chavez and Vladimir Putin.
- Cuts off 10 billion barrels of oil from the National Petroleum Reserve in Alaska, as though derailing production of 10 billion barrels from the Artic National Wildlife Refuge weren’t enough.
- Cuts off government agencies’ communications with energy producers about the possibility of cutting activities as they do under current energy law.
- Raises the tax on American-made oil and refined products by as much as 9%. This tax will affect all consumers.
- DANGEROUS RELIANCE ON FOREIGN SOURCES

Since their plan will make domestic energy harder and more expensive to produce, the majority’s energy future creates a dangerous reliance on foreign energy sources. They have repeatedly prevented the use of energy resources in ANWR and the Outer Continental Shelf and locked up a large portion of our public lands that are rich in energy. Without access to domestic sources, we will become increasingly reliant on energy from ruthless dictators such as Hugo Chavez or from highly volatile regions of the world like the Middle East.

This is not a good time to be experimenting with San Francisco-style energy policies, given the fast-approaching competitive pressures for energy around the world are China and India, who are expected to surpass the United States in economic output within two decades. Both countries will put part America at the beginning of this year as an exporter and have since moved at lightning speed to eclipse Germany’s once insurmountable export prowess. China and India are using every type of energy they can get their hands on, our leadership in Congress is trying to severely limit our energy options.

America used to survive when we have the means to ensure that survival, we shouldn’t lock it up and throw away the key.

Mr. PEARCE. Mr. Speaker, now we should talk about the components of the bill that is suggested. Again, keep in mind that we are here talking about the future of the Nation. We are talking about the philosophical underpinning of where we are going in this country with our jobs, with our economy, with our future. This bill is at the basis of the American economy is driven by affordable, cheap energy.

1915

And what are we to say about the bill? We are having to speculate. We are told that it’s coming up this week, either today or tomorrow. It’s obvious that it’s not coming up today. So one would say that it must come up tomorrow because we had that promise from the Speaker of the House. And yet we don’t have the text of the bill that is dealing with our future as a Nation, our ability to make and create jobs, and we know nothing tonight so that we can not really talk in anything but speculative terms. But we feel fairly certain on those speculative terms because we have had leaks from behind those closed doors where this process is going on.

How are we to believe might be in that bill? First of all, there is going to be the renewable fuel standard, the RFS, renewable fuel standard, which says that we need to produce a certain amount of our gasoline, from ethanol. That is a worthy and acceptable thing if it’s possible and if it doesn’t stop us from implementing the Healthy Forests Act.

The second thing that is in the bill that we feel pretty certain about is that there will be some renewable portfolio. That is, we are suggesting that companies should produce electricity using renewable fuels. The only problem is that the suggestion up to now has been that they should produce 15 percent of their own energy. The problem there because we have not yet seen the capability to produce from renewable fuels 15 percent. Again, one has to wonder about the penalty. Every major utility is against this provision because they keep it from them.

Every single one of us wishes that we were independent of Saudi Arabian oil and Hugo Chavez oil. But the truth is we are not. We made the wrong decisions 30 years ago, and the wrong decisions today.

And what are we to say about the mix? We are talking about the mix that we have today. We did not make incentives in renewables 30 years ago. We made it harder to invest in nuclear power 30 years ago. Today, we are making it harder to invest in coal. We are requiring the conversion to natural gas, and that conversion to natural gas is pushing the price of natural gas up, which is causing Dow Chemical to say we are taking our jobs to where the price of gas is 75 cents, not over $8. It is a very simple process that we are engaged in.

So the bill, we think, is going to have a renewable fuel standard. It’s going to have a renewable fuel standard that says we cannot take woody fibers out of our national forests, even when they are burning down, even when the trees are dead, even when they are at threat of burning down. There’s going to be a renewable portfolio standard which says that you have to produce more energy than what is technically feasible right now in this country from renewable sources.

The next thing actually appears to be a good consensus from the auto industry on the CAFE standards. If the auto-makers say that we can hold American jobs and we can produce those standards, again, we have not seen the exact standards, but if the automakers say we can keep American jobs, then that’s one of the key pieces of the debate.

There is another thing in the energy bill that we are supposed to bring up tomorrow but yet haven’t seen. But there is a component that we are assured is going to be there. That is the $21 billion in taxes on American companies, $21 billion, and the truth is taxes are not paid by companies, taxes are passed along by companies. So that is $21 billion that is going to come out of the taxpayers’ pocket. Every time you fill up with gas, $21 billion is going to your pocket from the proceeds of the taxpayer. It’s going to the government and it’s going to lower the capability for us to balance our personal budgets.

So $21 billion in taxes in this bill that will be borne by consumers.

Now this is where you really must understand that there are elements of this tax provision that include a rollback of the section 199 manufacturers’ deduction. That was a deduction that was passed in Congress back in 2004. It included oil and gas, but it was specifically there to encourage increased domestic production activities. We wanted to assure American jobs and we wanted to assure that American jobs were competitive with overseas countries. We roll back in the 199 taxes. I’m sorry; we established the section 199 manufacturers’ deduction but the bill that is coming before us, it has leaked out that it has a rollback in those incentives for petroleum.

Now, the difficult thing is that the rollback hits only the top five producers. It hits BP, Chevron, ConocoPhillips, ExxonMobil, and Shell.

Now if you are listening like I am reading from the top of this list, you really must understand that there are $21 billion that is going to a tax increase? Citgo.

Now Citgo is owned by Hugo Chavez. I do not know if it is by design, but I can say that according to the information that is out right now, there is going to be a rollback in deduction for the top five companies so that they pay more taxes, and we are not charging Hugo Chavez any more tax. One has to wonder about the value system that says don’t charge Hugo Chavez tax but do charge ConocoPhillips, do charge Chevron/Texaco, do charge Shell and BP.

Now, what you have been led to believe, if you listen to the people on the left, they want you to believe that ExxonMobil is an evil entity; that they by themselves are driving the price of oil up that they might profit. When we look at a world assessment of size of companies, we realize the falseness of that argument.

I look at this chart which begins to look at countries and companies. Many countries own their oil companies. Saudi Arabia by far has the largest oil company, you can see. It has about 10.3 million barrels per day. You go to Iran. It has a very large oil company. The Iraqi National Oil Company is actually quite large. Qatar, Kuwait, Venezuela, ADNOC, Nigeria. You notice we are not even yet to ExxonMobil.

And yet HILLARY CLINTON says, I am going to take ExxonMobil’s profits and spend them. NANCY PELOSI has said the same thing. We are going to take...
ExxonMobil profits and spend them. We haven’t taken yet any profits from any of these companies, and they dwarf ExxonMobil. We go all the way down to this far on the chart—this far down to this far on the chart—now we find the first privately owned companies. They dwarf ExxonMobil. We go all the way down to this far on the chart. When we as policymakers begin to do round-trip sales, it’s no wonder that we have the reputation that only 9 or 10 percent of the American public really trusts what we are doing. We are doing things that do not make sense for our economy. We are doing things that are creating a false illusion about our potential to pay for things that we are saying we are going to do. We are watching our jobs leave and go away, all because we in this country need affordable energy, and yet we are doing things that hurt the chances of providing affordable energy.

Again, the point that we object to in this context is that our bill or bills we are talking about this week, are the renewable fuel standards that are not achievable and keep us from implementing the healthy forest initiative so that we don’t burn down our forests. It’s objectionable that a renewable portfolio standard is something that we cannot reach. It’s objectionable that we are raising taxes by $21 billion to American consumers. It’s objectionable that we are using a tax that is going to be punitive to American companies but will not tax Hugo Chavez. At the end of the day we have to ask ourselves exactly why. Why is it that this majority is taking these stances that harm Americans so much? I don’t know an answer to that.

I would like to submit for the RECORD a summary of the report, the Charles River report. In that, Charles River is suggesting that we are going to lose jobs, almost $5 million from the energy policies that are being suggested in this Congress. We are going to lose 5 million jobs. The average American household’s purchasing power could drop by $1.700 by 2030. Aggregate business investment in the U.S. could drop by as much as $220 billion by 2030. Our gross domestic product could decline by more than $1 trillion by 2030. The costs of petroleum products could more than double by 2030.

If you take a look at that report, you will see the damaging effects to your current and future families and the economic impact. As household and business consumption fall, demand for goods and services weakens.

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us representing roughly 660,000 constituents. We are called upon by the Constitution and the rights that are passed from God through the Declaration and the Constitution, we are called upon to step up to those responsibilities. We are elected to represent the people in our districts with those priorities of what is good for America. First God, then country, then State, and then district.

I know, Mr. Speaker, there are Members who view their jobs simply reflecting the political will of their constituents. In other words, take a poll, wet the finger, see which way the wind is blowing, put down a vote, and determine that your longevity here in this Congress somehow puts together this vast mosaic which turns out to be a beautiful painting. I, Mr. Speaker, do not believe that.

I believe we are charged with the responsibility of leadership. We are elected for our judgment. We owe our best effort and commitment to our constituents, and part of that best effort and best judgment is to listen to them and receive their input, but exchange the information that we gather here and across the country.

We need to be paying attention to the issues that affect this Nation. We have access to more information than most of our constituents do. We have a responsibility to process that information, give our opinion back to our constituents, and reach a conclusion on how best to conduct ourselves on our public statements which affect public policy, on our votes and on our activities, on the bills that we sponsor and cosponsor and author, and the positions that we take in committee and here on the floor. All of that comes with a great profound responsibility of serving people here in the United States Congress.

I came here this evening to address one end responsibility, and maybe a little bit outside of the realm of an official duty of a Member of Congress, but certainly implied within our duty and responsibility, and that is that all of us in this Chamber are involved in a constant conversation with each other, with our constituents, with our associates, with the press, on how we select the next leader in the free world because, Mr. Speaker, the nomination process here in America will only happen twice more, one Democrat and one Republican, and perhaps an Independent, that will be on the ballot in November. One of them will be the next leader of the free world. One of them will be the Commander in Chief of the Armed Services of the only unchallenged superpower on the globe, and with that comes a series of profound responsibilities.

So how then do we in these positions of leadership, how do we take this job, and I am going to say seriously, to make this evaluation? How do we come to the conclusion on whom we support and might consider endorsing for President of the United States?

I, Mr. Speaker, have the great privilege to represent a district in Iowa, one of five Congressional districts, where we are the first in the Nation contest. Iowans will, in the caucus on January 3, make the first recommendation to the rest of the Nation and the individual that Iowa believes will make the next President of the United States, both Democrats and Republicans.

We have had that responsibility of the Iowa caucus for several decades now. I believe it was Jimmy Carter that first identified the leverage and the opportunity to come to Iowa in the first in the nation caucus and engage in that process and emerge victorious and go on to New Hampshire and South Carolina and beyond and be successful in the process of nomination and be successful in the process of being elected as President.

Jimmy Carter identified that opportunity in that time that we have had Presidential candidates constantly in Iowa over the last year and a half in particular. But this process is an open process whereby it is the first time in my memory that both the Democrats and the Republicans neither have a candidate that will be up for renomination for a second term or a Vice President who might have been picked or appointed by a sitting President. It is wide open. It is wide open for Democrats and Republicans for the nomination process very seriously.

We have developed over the generations astute people who are engaged in politics. But I don’t want to say that Iowa is the only ones that have that ability because we don’t. Obviously that ability exists in every State in significant numbers. But I do want to say that if no State has a first in the Nation caucus process, if every State, for example, if we went to Super Tuesday on the 5th of February, if everybody held the primary contest at the same time, the polls opened at 7 in the morning and closed at 9 at night, we would all go in as a Nation, 300 million of us, those who voted in the primary, at least a ballot for our selection for nominee, if we did that, we would nominate the Democrat candidate and the Republican candidate who had the deepest pockets, most ability to raise money and the most ability to buy ads and put their chosen persona out before the American people to convince them that on Super Tuesday, February 5, they should go to the polls and vote for them. Not a personal contest, but a media image, money raising contest is what we would have. We will have the media image, money raising contest on Super Tuesday on February 5 and those dates beyond that other States have their primaries, and some have a caucus or convention.

Iowans this first in the Nation caucus is different. You simply cannot earn votes by running media. You simply can’t run television ads and radio ads and print and mailer and do robocalls and be able to get people to be inspired to get up on a cold January night and vote with the caucus-goers, registered voters, and they will all be registered voters who will vote. The Iowa caucus is regular people, heartland people, regular Americans from all walks of life, it is so important we have a process that allows the supporters of the candidates to get to know the President of the United States.

We are in this modern cyber era where information goes with the click of a mouse and you can transfer capital around the world in a nanosecond. In that period of time, we can also transmit visual images and radio commercials and print text in the blogosphere. Anyone who has an e-mail distribution list can listen to a Presidential candidate in a living room in Davenport, Iowa, write that little quote down and pump it into their Blackberry and send it on the e-mail list that is a million e-mail distribution list. We have those kinds of folks who do that.

These Presidential candidates are being evaluated day by day, hour by hour, minute by minute, by people who take their privilege to weigh in on this nomination very seriously.

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But before I get into that, I want to get into how important it is that we have a process of nomination that includes a contest like an Iowa caucus, an opportunity for individuals, to caucus-goers, registered voters, and they will all be registered voters who will vote. The Iowa caucus is regular people, heartland people, regular Americans from all walks of life, it is so important we have a process that allows the supporters of the candidates to get to know the President of the United States.

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If people are going to invest hours of their time, because it isn't just write
the name of a Presidential candidate
on a piece of paper and turn it in. It also includes the initial offering of the
planks for the State party platform and
and the election of the delegates that
go to the county conventions. These
nights are full of political debate and
exchange of ideas.

There are people who will go to the
caucuses who have more on their
mind who they will support for Presi-
dent, but they will listen to the speech-
es, whether Republicans or Democrats.

So what is this caucus process and
why is it unique? It is unique because
it requires organization. It requires
the candidate to build an organization
within the State, to identify workers
within the counties and people that
will go forth and profess the validity
of their candidate as the best President
that we could ask for in this era as
President of the United States.

This statewide conversation that
goes on continually is a conversation
one on one, person to person. It goes on
in the coffee shop and it goes on in
schools and churches and over talk
radio constantly. It goes on over the
telephone lines from neighbor to neigh-
bor and business conversation to busi-
ness conversation. People seeking to
influence others to support their can-
didate and others that are ambivalent,
and who lay out the prin-
ciples that they require a candidate to
stand for, but may not be behind the
personality of the individuals.

And there are components of this
statewide conversation that have to do
with anecdotes about each of the Presi-
dential candidates, how they conducted
themselves in private. Maybe they
gone to a barbecue someplace in Iowa
County and when nobody was looking,
they got up and cleaned off the table
and helped or maybe they got around
at a staff aide and cut loose and yelled
at them behind the curtain and the
stage when they thought nobody was
at them behind the curtain and the
staff aide and cut loose and yelled
and helped out. Or maybe they got mad
and some that will lay out the prin-
cipals of each of those players makes a
difference in the evaluations process. If
we do not have such a process, then
again it becomes just a media campa-
jign, just a media contest.

I would take you back, Mr. Speaker,
to reflect upon the 2004 caucus when,
at this stage before the caucus, a month
before the caucus, the national news
media had Howard Dean as the nomi-
nee for President for the Democratic
Party, because Howard Dean had built
an organization and raised a ton of
money, he had an Internet presence
there that was unique and hadn't been
matched at that time. The polls were
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nittee to be able to overcome him or overtake him. And
yet 3 weeks before the caucus, at least
2 weeks, in that period of time, 2 to 3
weeks before the caucus, we knew that
Howard Dean was not going to win the
Iowa caucus. He might have won the
nomination elsewhere, but we knew he
wasn't going to win the Iowa caucus. We
could tell on the streets of Iowa.
People were starting to walk away
from and back away from Howard
Dean.

Mr. Speaker, I don't come here to
speak ill of the individual. He set a new
standard and certainly made a name
for himself in the State and across
America. And many, many Iowans had
the opportunity to meet Howard Dean.

But I think that the conclusion that
they drew and the reason that they
didn't show up in the Democrat caucus
where you have to stand up and say,
I'm for Howard Dean, all of us that are
for him, come gather around here, we'll
be able to overcome him. And, truthfully,
they did not show up to support Howard
Dean. That was not because of the
scream. The scream was a result of
folks not showing up to support him,
Mr. Speaker. I believe that Iowans
came to the conclusion that Howard
Dean, of all the things he had to offer,
did not have the temperament to be
President of the United States. I think
that was the bottom line conclusion.

And as Iowans walked away from
Howard Dean, John Kerry then won Iowa
and went on to win the nomination. His
prospects were pretty dim at this point
and 4 years ago, but we know how his-
story launched John Kerry forward and
now we're making a measurement. Let's
to put the scream that was the scream of
frustration that, of all the good things
he had done as he was on the inside
track and he was turning on towards
victory and it collapsed, because in the
end it becomes just a media campaign
on real people, evaluating their work
ethic, their faith, their character, their
personalities, how they interact with
people. That's something that only
happens there and only happens in
Iowa. It happens, I think, in New
Hampshire also to some degree, but it is
a different process. It is a primary
process, not a caucus process. So it
changes the dynamic in New Hamp-
shire. And then beyond it becomes
more and more of a media and less and
less of an organizational effort.

But to have this unique process, this
first-in-the-Nation caucus process so
that Presidential candidates meet-
people face-to-face, eye-to-eye. Some
might call it a relic of the old
days, but I will tell you that I believe,
Mr. Speaker, that it is the foundation
of one of the great things about Amer-
ica that those of us who have the privi-
lege to represent the people, whether it
is in the White House or in the Con-
gress or in the statehouse or through
our courthouses or city hall, we face
the people, we answer their questions,
we listen and evaluate whether we be-
lieve in and we let them evaluate our
work ethic and our value system,
and then they make the decision. It is up
to the people.

So I am a great fan of this caucus
process. I will do all I can to protect
and preserve it, because I do not want
to see an America that is simply a paid
media nomination and a paid media
campaign that insulates Presidential
candidates from the people. That
launches somebody off to be President
who might not meet that test if they
had to look you or me in the eye. That
is what the caucus does.

On the Republican side of this in
the Iowa caucus, Mr. Speaker, we are eval-
uating a lot of different components,
and we have watched the polls sort
some of this through. We have some
very good people there that stand solid
on the issues. Some people with whom
I would be pleased to run alongside
of the House of Representatives, if I put down
a wish list of the Presidential can-
didates, where they stand on each of
the issues and a little box to check, we
have some people from this House run-
ing that I would be pleased to run
with. John Thune is one of those people
that are standing up under the bright light of public
scrutiny and you have done that for
more than a year, and you have not been found wanting in
character or your policy. Your faith will be meas-
ured. Your work ethic will be meas-
ured. The tempo of your work, the peo-
ple who are gathered around as paid
staff and volunteers, all of them be-
come part of a team, and the personal-
ities of each of those players makes a
difference in the evaluations process. If
we do not have such a process, then
again it becomes just a media cam-
paign, just a media contest.

I would take you back, Mr. Speaker,
to reflect upon the 2004 caucus when,
at this stage before the caucus, a month
before the caucus, the national news
media had Howard Dean as the nomi-
nee for President for the Democratic
Party, because Howard Dean had built
an organization and raised a ton of
money, he had an Internet presence
there that was unique and hadn't been
matched at that time. The polls were
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Mr. Speaker. I believe that Iowans
came to the conclusion that Howard
Dean, of all the things he had to offer,
did not have the temperament to be
President of the United States. I think
that was the bottom line conclusion.
I want to at this point, Mr. Speaker, compliment my friend Tom Tancredo for making immigration the issue of the day. When I first met him, I already knew him, I thought, because of the hours that he had spent on this floor speaking into this microphone. Mr. Speaker, about the importance of border control, about the importance of preserving our national sovereignty by controlling our borders and who comes in the United States and who does not, protecting the security of the American people from the terrorists from without. Tom Tancredo has done that job to the extent where, in the debate the other night, they spent 30 minutes or more, all of the Presidential candidates, debating on who would be the toughest on immigration and who would be the most like Tom Tancredo. I call that a victory for Tom Tancredo.

I think he has implanted the issue that burns the most passionately within him, which is immigration reform, border control, workplace enforcement, ending anchor babies, the automatic citizenship that comes with babies of illegal immigrants who are born here on American soil. All of those components that are so necessary to defend our borders and our future, to control, workplace enforcement, ending anchor babies, the automatic citizenship that comes with babies of illegal immigrants who are born here on American soil. All of those components that are so necessary to defend our borders and our future, to defend our sovereignty from without. Tom Tancredo has done that job to the extent where, in the debate the other night, they spent 30 minutes or more, all of the Presidential candidates, debating on who would be the toughest on immigration and who would be the most like Tom Tancredo. I call that a victory for Tom Tancredo.

And to some extent that is what happens in a Presidential campaign when the issue that is the most important to you is adopted by the rest of the candidates.

Now, it doesn't mean that they didn't have some opinions on it. It doesn't mean that immigration wasn't important to them. But what I have seen happen is that immigration reform, border control, workplace enforcement, ending anchor babies, the automatic citizenship that comes with babies of illegal immigrants who are born here on American soil. All of those components that are so necessary to defend our borders and our future, to defend our sovereignty from without. Tom Tancredo has done that job to the extent where, in the debate the other night, they spent 30 minutes or more, all of the Presidential candidates, debating on who would be the toughest on immigration and who would be the most like Tom Tancredo. I call that a victory for Tom Tancredo.

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January, that message will be heard around the country and around the world. And those who have not then made a decision on who they support will be taking another look. Some who have made a decision might be reassessing.

So I would ask this. Let’s evaluate their character, their work ethic, their personalities, how they handle themselves in a time of stress or a time of relaxation. Let’s do that. But I like to look at this as a matter of principle, and I believe these Presidential candidates be those who carry with them the convictions on a series of issues that I think are important to the future of America. And this, Mr. Speaker, is the point for which I come to this floor.

The issues that I believe this Nation’s future pivots on, the most important issues, among them are life, marriage, the war on terror, illegal immigration, tax reform, second amendment, health care, and national sovereignty.

Of that list of issues that I have laid out here, Mr. Speaker, I will start with life, and that is innocent unborn human life. In particular, life from its natural beginning, which is from fertilization/conception until natural death. The human life is sacred in all of its forms. It begins and ends as I have described. Do the Presidential candidates understand that and believe that? Or, I would ask them if they did not, how to the I would say, when did your life begin?

Mine began at conception. When did your life begin?

Madam Speaker, I believe that every American that’s going to have an opinion on policy needs to ask themselves that very question. When did your life begin? I believe, began at that moment of conception. I believe that’s when I was blessed with a soul, and I have a destiny like all of us, and we’re all created in God’s image and we have a duty. And from whom much is given, much is required. And so the issue of life is an essential component, and I will say the most important issue in this race or any race because that tells us the quality and the character and the integrity and the faith, the core faith of the Presidential candidates, how they view this subject.

The second issue is marriage. And Madam Speaker, marriage is an institution that I believe is a sacrament. It’s a blessing that’s given to us from God. Adam and Eve were joined together before original sin. Marriage is as old as man and woman itself. It’s a blessing too that came from God, and marriage has survived original sin and marriage has survived the great flood, and marriage has been with us for thousands of years, and it’s been defined as a bond between a man and a woman joined together in holy matrimony. That’s marriage, according to our faith. It’s marriage according to our civil law in this country. It’s marriage according to the Defense of Marriage Act at the Federal level. It’s marriage according to the Defense of Marriage acts in all States except Massachusetts, if I have that correct, and between a man and a woman. And it’s protected in the Constitutions of 27 States in America. We don’t have a difficulty understanding what marriage is. It’s between a man and a woman. And yet we have activists in the country that are using our courts to try to redefine marriage.

I would submit that if you believe differently than me, come to this Congress and make your case. If you believe differently than the law, different than the 27 Constitutions in America, different than the Defense Marriage Act here in the Federal statute, then take your case to the States and make your argument there and lobby for the representatives and the State senators to redefine what is your wish, if that is your will, if that is your conviction. That is how it’s done in this country. But when we hand over decisions to the courts when we know that we don’t have the support of the people, then the people who hire the attorneys and the judges and the courts are asking for an activist judge that will overturn the will of the people, will overturn the Constitution and overturn the State law or the Federal law, as the case may be, that’s when we get strife, that’s when we get stress in this country. That’s when we get domestic conflict in America is when the judges make the laws. But when the people’s voice is heard, we accept that as the will of the people and we move on.

If you believe differently than me, I believe marriage is between a man and a woman. I believe Iowa must pass a constitutional amendment now to fix a wrong that was committed, I believe, by an activist judge. If it’s between a man and a woman, if it’s between a man and a woman. And it’s between a man and a woman.

I believe the President is responsible for the defense of marriage. I believe that he has the constitutional authority to defend marriage. I believe that the President can defend marriage. I believe that he can defend marriage, and I believe that he can defend marriage under the 10th Amendment. I believe he can defend marriage under the 10th Amendment of the Constitution, and I believe that the President is responsible for the defense of marriage.

And if you say the most important issue in this country this year is the war on terror, some more aggressively, some with more insight, some with a vision towards a final victory, some reluctantly because they don’t really believe that this is a war that we’re fighting. Some kind of thing on the other side that we just need to understand why they hate us and maybe we can take away the reasons for the hate. But we have to fight this war on terror, and our Republican candidates will all, to one degree or another, a little bit of difference in methodology, but they’ll fight this war on terror.

I mentioned the illegal immigration and how important that is. It changes our destiny, Madam Speaker.

And then the next component of this is tax reform. Now, there are people here in this Congress that believe that through money management, through tax management, regulation management, access to tax revenue and handling that money out, that we can engineer this entire society, that we can socially engineer in America with a tax structure that if we just set our tax structure right, we can grow the businesses that need to grow and shrink the businesses we’d like to shrink and reward the people that need to be rewarded and punish the people that need to be punished. Some people think that through tax policy you can do all of those things. I am not among them, Madam Speaker. I believe that tax policy should be for the purposes of raising revenue, for the legitimate functions of government, for the constitu- tional legitimacy of government and nothing else; that we should not have a thought about if we reward this behavior and punish this behavior...
with our tax structure, that will maneuver this country into a direction that we like better.

We should have a tax structure that’s fair, that makes everyone a taxpayer, that rewards earning, savings and investment and sweat equity. We need to have a kind of a tax policy that takes the tax off of all productivity in America and puts it on consumption. If we do that, and I would remind you, Madam Speaker, that the Federal Government has the first lien on all productivity in America. If you’re going to produce in this country, if you punch the time clock at 8:00 on Monday morning, or if you go collect the interest on your passbook savings account, or if you sell the farm and you take the capital gains and you roll it over and you invest it into a factory with a production line and higher workers, wherever there’s production, wherever there is a return on an investment, the Federal Government has the first lien on what we tax, we get less of. And so we hear with our tax policy, tax everything that produces and nothing that consumes. Well, little of what is consumed. And tax reform is a big issue.

And the philosophy that takes the tax off of all productivity and work and sweat equity, and a tax structure that will defend that right to keep and bear arms shall not be infringed. That’s the second amendment, Madam Speaker.

One of the other issues that I mentioned that we want to make sure we can evaluate Presidential candidates in is the amendment along with the first, the right to keep and bear arms, and if we look back in our Constitution under the second amendment, clearly, that we are guaranteed an individual right to keep and own firearms. A well-regulated militia being necessary to a free state, the right of the people to keep and bear arms shall not be infringed. That’s the second amendment, Madam Speaker.

There’s a case before the United States Supreme Court that will come up perhaps in March of next year, and we will get the first decision of the Supreme Court on that question, I believe, in 70 years. But we need a President that will defend that right to keep and bear arms.

And I would remind the body, Madam Speaker, that the right to keep and bear arms is not a right for self-defense specifically. It wasn’t written for that reason. It isn’t necessarily a right to go out and target shoot or to hunt. Those things that I’ve mentioned, self-defense, hunting, target shooting, collecting firearms, all of those things are fringe benefits to the real reason for the second amendment. The real reason we have a right to keep and bear arms is because our forefathers feared tyranny, and they understood that a well-armed populace would not capitulate to a military state, that a dictator could not emerge and herd the people like sheep at the point of a bayonet if the people themselves had guns. That’s the reason that I’ve been around the second amendment. And you’ll notice in the last 200-and-some years, we haven’t had a single tyrant emerge as a leader here in America. Some would disagree with me, but I’m sure that they’re wrong in any analysis. And one of those reasons is because of the restraint that’s in place because the people in America hold guns within their possessions, within their homes. And the second amendment is a silent deterrent against the emergence of tyranny. And while that’s going on, we’re deterring tyranny, and we’re protecting our homes and we get to enjoy target shooting and hunting andcollecting firearms.

And by the way, if you go over to the Smithsonian, Madam Speaker, you can walk through the collection of firearms that are there and track the history of America, history of America is written within the firearms that have defended the balance of our freedoms, and without that defense, the ability to defend our freedoms, none of the rest of this holds together. So the second amendment becomes an essential evaluation and how it’s defended by a Presidential candidate.

And health care is an issue that we are constantly churning and it will be in my lifetime an issue in the next Presidential race. It is today in the caucus and in the primary, both among Democrats and Republicans, how would these Presidential candidates deal with health care. And it is 1/5 of our economy that is connected in health care, Madam Speaker. That’s a significant percentage. And I’ll come back to that perhaps in a moment.

But I wanted to mention the last issue, which is our national sovereignty. As the history of America is written within the firearms that have defended the balance of our freedoms, and without that defense, the ability to defend our freedoms, none of the rest of this holds together. So the second amendment becomes an essential evaluation and how it’s defended by a Presidential candidate.

And political sovereignty is one that we give away if we don’t control our borders. If we simply have 2,000 miles on the southern border and 4,000 miles on the northern border and open seashores on the Atlantic and on the Pacific, anything that want to come to America come, and those that want to go certainly are always free to leave, Madam Speaker, that is no sign of sovereignty. No nation that doesn’t protect its borders is a nation. And if we do not protect our borders, if people flow back and forth at will, if they carry goods and contraband back and forth across the border at will, we are no longer a sovereign nation. We’re just a location where people do business and trade, whether it’s legitimate or illegitimate. This national sovereignty has an essential component, and it must be part of our decision-making process as we evaluate the Presidential candidates.

And so, Madam Speaker, as we come to this, I began to ask these questions. How do I sort these issues? And what stands out as the essential components of what should be this decision-making process? And I’ll read through the list again. Life, marriage, the war on terror, illegal immigration, tax reform, the second amendment, health care, protecting our national sovereignty. How do these top Presidential candidates on the Republican side stack up today? And when I evaluate where they stand on these issues and what are the most important?

Well, as I look across this list, and having served in this Congress now for 5 years, I come to the conclusion that the next President, whether he’s a Democrat or Republican, will defend access to health care in America. I don’t think that there are any American candidates are in danger of losing access to health care under any policy that’s advocated by a Republican or a Democrat. It might come in a different form from the Democrat side of the aisle. It would be universal socialized medicine. That’s their platform and there’s no one over there that disagrees. They’re all talking about how they would provide socialized medicine, no matter.

That’s not a disagreement. On the Republican side, there is discussion about this, and I don’t know Republican candidates that support socialized medicine. Some will vary degrees on how they would approach this, but all would ensure that all Americans have access to health care.

So I don’t think health care becomes the deciding issue by which I should throw my support behind a Republican or a Democratic Presidential candidate. It’s important. We’ll debate it, we’ll protect it, we’ll preserve it, and hopefully we’ll make it better. And I bring some ideas to this Congress that I hope can get implemented along with my colleagues. I had a meeting this morning, as a matter of fact. So I will set health care off on the side and I will say it’s not in jeopardy. I think that all Presidential candidates will preserve and protect access to health care.

Then I look at the war on terror and also come to the same conclusion that, on the Republican side at least, all Presidential candidates will continue to conduct this war on terror. We understand who our enemy is. We understand who our enemy is going to continue to defeat this enemy that is seeking to kill us. I believe the next Republican will do the same. And I think it’s a matter of debate and degrees; whether Rudy Giuliani would have the most insight and be the most aggressive or whether John McCain would have the most insight and be the most aggressive. There are strong convictions on the part of Mitt Romney or Fred Thompson or Mike Huckabee, would all stand up to this foe, would all work to defeat our enemies, would all narrow the laser beam down on Osama bin Laden and on Al Qaeda. And I think that the party that can put together a team to promote our American values overseas so that the people over there understand that we want to help them rid
themselves of the habitat that breeds that kind of terror. I think that happens.

So I think I can put health care over on the side and say it’s not at risk in this nomination. Americans are going to be debating this thing in Congress on how we want to move forward with it, but let’s set it off on the side because we’re going to be all right with it. Let’s set the global war on terror off on the side because I believe that all Presidential candidates will fight that.

And as I take these issues on down then, the second amendment is another one. It’s important. It’s essential. We need to protect our right to keep and bear arms, and yet this Congress will protect our second amendment rights.

The courts, I believe we will discover in March, or if the decision comes down the following June, that they will have protected our second amendment rights and written for a long time a definitive word on the meaning and the understanding of the second amendment to be consistent with our historical readings and understanding and the text of the Constitution. I think that happens. And I think, even with an unfriendly President on the second amendment, that this Congress in the end protects our second amendment rights. So as much as I believe in the second amendment, I think I can set that over on this side with the war on terror and with health care, those three issues, those three, that I can protect and defend this another way.

But what does it take a President to do? What will the next President do that will turn the destiny of the United States the most profoundly for the good, or miss that opportunity by taking a wrong turn and never being able to get back to the interstate again? And I believe the next President will make probably two appointments to the Supreme Court, maybe more, and these will be significant appointments to the Court.

I think it’s imperative that we elect a President who understands that the nominees to the Supreme Court must be originalists, they must be the kind of jurists who read the Constitution and understand that the Constitution means what it says, means the text that’s in the Constitution. They must be the kind of judiciary that look at the Constitution and understand that we need to evaluate it within the original understanding of the Constitution because, without that, without originalism, without textualism, without the original intent of the Constitution as the foundational criterion for determining the constitutionality of current law, without that, the Constitution is no guarantee at all, except a guarantee to the justices to be able to manipulate their decisions to move this society in the direction they choose, as if they were legislators.

The last people that should be amending our Constitution, whether literally amending it or de facto amending the Constitution by their decisions, are the nine justices of the Supreme Court. The next President has to understand that. And he cannot ask the question of the potential nominees for the Court, are you pro-life or are you pro-choice? Are you pro gay marriage or are you pro gay marriage? They can’t ask that question because that would interfere with the confirmation process. It would interfere with the decision-making process. And, in fact, I don’t ask the essential, whether if the judges ask myself because I know they have to make a decision on the case that’s before them. We would be asking them to make a decision on a case that hasn’t been written or presented to them, perhaps.

But they need to be the kind of justices that have profound and reverent respect for this Constitution, for its meaning, for its guarantee. Because in it is the guarantee of our rights and our freedom like none other on the face of America. It’s the guarantee that we have a justice, or five of the nine, that decide they want to social engineer by the decisions that they make.

This next President must understand this, must have advisers that will tell him the potential nominees, and must come down with nominations of the kind of quality that we see in Justice Roberts, Justice Alito, two stellar appointments to the Supreme Court made by President Bush. If we can continue down that line, that become the justices in the lower courts start to respect the text of the Constitution, too. And then, in my perfect world, they will start to teach the Constitution in con law in law school in instead of teaching off the case law. I know some of you do. Many do not. And that is essential.

So the issues for the next President to understand and promote and embody are the appointments to the Supreme Court. There are probably two to potentially five nominees, and must come down with nominations of the kind of quality that we see in Justice Roberts, Justice Alito. I want those decisions to come down on the Constitution, not on their will or their whim of what the policy should be; not in some legal constitutionalist approach to try to arrive at a conclusion that fits their social liberalism. I want a justice that can maybe come to a conclusion that, even though they disagree with the policy that unfolds, the Constitution says so. They can be reasonable, who will defend the Constitution.

And life and marriage do hang in the balance on that, but those decisions will be made off the Constitution in my future world, not off the whim of the policy because we wish it so.

So as I look down through this list, life and marriage, wrapped up in the original understanding of the Constitution, that being, I think, the most important, and then the issue of our national sovereignty wrapped within the streets of America and can we defend our borders? Who is strong and who is silent? And as I evaluate the Presidential candidates, there are some who have clearly supported our amnesty policy. And the Senator from Arizona has a policy such that has his name on it, or at least did have, the McCain-Kennedy. And some of that has changed, but the debate is the same national policy to accommodate their wishes of the American people, against the rule of law. I think that weighs heavily when we make decisions on
who we support for President, weighs heavily if they have supported amnesty, and weighs heavily if they’ve advocated policies like sanctuary cities, if they’ve presided over sanctuary cities. It weighs heavily if protecting that central pillar of American exceptionalism, rule of law, has been sacrificed to a whim because of a heart taking over where the head needs to rule. We need to have tough love or we will be sacrificing the rule of law. And I am quite a coup that we have a series of Presidential candidates that won’t hold their ground on that issue because holding their ground on the immigration issue holds our ground on the sovereignty issue.

Now, if they would make the right appointments to the Supreme Court, that’s going to be, to some degree, a redeeming characteristic, but in the end, the right appointments to the Supreme Court and the sacrifice of our national sovereignty and the importation of every wrong that is wrought in the process of a legal immigration policy, and we have such a massive illegal policy that we can no longer have a debate in this Congress on a legal immigration policy. We need a President to lead us out of that, not a President that leads us into that mess even further.

To think of the idea of another 4 or 8 years of hypercompassionate conservatism that would grant a DREAM Act scholarship to people who are here illegally, or grant paths to citizenship to reward people who are unlawfully present here in the United States, that would not uphold the rule of law, undermines our sovereignty, what America do we have left?

If we have a court that would preserve life and marriage, but we don’t have a national sovereignty that’s protected because the heart of a presidential candidate ruled over their head, then we sacrifice our sovereignty and our destiny.

So, Mr. Speaker, I submit this: Look through the list of the issues that matter, life, marriage, the war on terror, illegal immigration, tax reform, the second amendment, health care, and our national sovereignty. Look at those issues that we can put over to the side and say, we can protect them and promote them here from Congress and we think all the Presidential candidates will stand behind them, and those would be the war on terror, the tax reform issue, which probably doesn’t change our destiny right now, but we can put that off on the side because I just think that it’s not a destiny changer at this moment. The second amendment will protect here in this Congress. It’s important, but we will protect it. Health care is important, but we’ll protect it. It’s not constitutional, by the way, for those of you who are wondering. But what it comes down to is life, marriage and our national sovereignty as viewed through whether we will protect our borders.

Ask yourselves: Do these Presidential candidates understand these issues? What is their focus on life and marriage? What confidence do you have in their judicial appointments all the way down the line? But ask yourselves, where are they in the end? Are they for or against amnesty? Do they stand up for amnesty, as I have defined it, or do they stand up for their own purpose because their heart leads their head? I hope you make some sound decisions and make a solid recommendation to America. I thank you for your attention tonight, Madam Speaker.

RECESS

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). Pursuant to clause 2(a) of rule 1, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 o’clock and 30 minutes p.m.), the House stood in recess subject to the call of the Chair.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 6, ENERGY INDEPENDENCE AND SECURITY ACT OF 2007

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110-474) on the resolution (H. Res. 846) providing for consideration of the Senate amendments to the bill (H.R. 6) to reduce our Nation’s dependency on foreign oil by investing in clean, renewable, and alternative energy resources, promoting new emerging energy technologies, developing greater efficiency, and creating a Strategic Energy Efficiency and Renewable Reserve to invest in alternative energy, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HOJOJOYA (at the request of Mr. HOYER) for today and December 4.
Ms. HOOLEY (at the request of Mr. HOYER) for December 4, 5, and 6 on account of medical reasons.
Ms. JACKSON-LEE of Texas (at the request of Mr. HOYER) for today until 7 p.m.
Mr. ORTIZ (at the request of Mr. HOYER) for today after 3 p.m. on account of an event in the district.

Mr. LUCAS (at the request of Mr. BORHNER) for today after 2:30 p.m. and the balance of the week on account of a family commitment.

SPECIAL ORDERS GRANTED

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

Ms. WOOLSEY, for 5 minutes, today.
Ms. DEFAZIO, for 5 minutes, today.
Ms. WATSON, for 5 minutes, today.
Ms. KAPIT, for 5 minutes, today.
Mr. MEEK of Florida, for 5 minutes, today.
Mr. STUPAK, for 5 minutes, today.
Mr. POE, for 5 minutes, December 12.
Ms. JONES of North Carolina, for 5 minutes, December 12.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker’s table and, under the rule, referred as follows:

S. 863. An act to amend title 18, United States Code, with respect to fraud in connection with major disaster or emergency funds; to the Committee on the Judiciary.
S. 1327. An act to create and extend certain temporary district court judgeships; to the Committee on the Judiciary.

ENROLLED BILL SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1429. An act to reauthorize the Head Start Act, to improve program quality, to expand access, and for other purposes.

ADJOURNMENT

Mr. HASTINGS of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o’clock and 53 minutes p.m.), the House adjourned until tomorrow, Thursday, December 6, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

4250. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department’s final rule—Importation of Unshu Oranges From the Republic of Korea into Alaska (Docket No. APHIS-2006-0133) (RIN: 0579-AC20) received October 25, 2007, pursuant to 5 U.S.C.
801(a)(1); to the Committee on Agriculture.

4231. A letter from the Assistant Secretary, Department of Agriculture, transmitting the Department’s final rule — Fresh Prunes Grown in Designated Counties in Washington and in Umatilla County, OR; Decreased Assessment Rate — [Docket No. AMS-FV-07-0087; FV07-989-1 FIR] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Agriculture.

4232. A letter from the Administrator, Department of Agriculture, transmitting the Department’s final rule — Domestic Dates Produced or Packed in Riverside County, CA; Decreased Assessment Rate — [Docket No. AMS-FV-07-0087; FV07-989-1 FR] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Agriculture.

4233. A letter from the Administrator, Department of Agriculture, transmitting the Department’s final rule — Raisins Produced From Grapes Grown in California; Final Free and Reserve Percentages for 2006-07 Crop Year; Final Rule — [Docket No. AMS-FT-07-0071; FT-07-989-2 FR] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Agriculture.

4234. A letter from the Administrator, Department of Agriculture, transmitting the Department’s final rule — California Raisin Program, Sunset Review — [Docket Number EPA-HQ-OPP-2007-0077; FR-8142-2] received September 11, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Energy and Commerce

4235. A letter from the General Counsel, Environmental Protection Agency, transmitting the AGENCY’s final rule — Procedures for Implementing the National Environmental Policy Act and the National Environmental Effects Abroad of EPA Actions [EPA-HQ-04-002; FRL-8468-3] (RIN: 2000-AO37) received September 11, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Energy and Commerce

4236. A letter from the Assistant Secretary, Department of Agriculture, transmitting the Department’s final rule — Raisins Produced From Grapes Grown in California; Final Free and Reserve Percentages for 2006-07 Crop Year; Final Rule — [Docket No. AMS-FT-07-0071; FT-07-989-2 FR] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Agriculture.

4237. A letter from the Administrator, Department of Agriculture, transmitting the Department’s final rule — Domestic Dates Produced or Packed in Riverside County, CA; Decreased Assessment Rate — [Docket No. AMS-FV-07-0087; FV07-989-1 FR] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Agriculture.

4238. A letter from the Secretary, Department of Agriculture, transmitting the Department’s final rule — Domestic Dates Produced or Packed in Riverside County, CA; Decreased Assessment Rate — [Docket No. AMS-FV-07-0087; FV07-989-1 FR] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Agriculture.

4239. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the AGENCY’s final rule — Procedures for Implementing the National Environmental Policy Act and the National Environmental Effects Abroad of EPA Actions [EPA-HQ-04-002; FRL-8468-3] (RIN: 2000-AO37) received September 11, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Energy and Commerce

4240. A letter from the Acting Secretary, Department of Agriculture, transmitting a report of a violation of the Anti-Deficiency Act by the Department of the Army, Case Number 06-10, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

4241. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Army, Case Number 06-10, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

4242. A letter from the General Counsel, Government Accountability Office, transmitting the Department’s final rule — Community Development Block Grant Program; Small Cities Program [Docket No. FR-5013-F-02] (RIN: 2050-AI22) received September 4, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Financial Services.

4243. A letter from the Secretary, Department of Agriculture, transmitting the Department’s final rule — Model Manufactured Home Installation Standards [Docket No. HQ-04-002; OP-04-002; AC-51] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Agriculture.

4244. A letter from the Acting Secretary, Department of Agriculture, transmitting the Department’s final rule — Domestic Dates Produced or Packed in Riverside County, CA; Decreased Assessment Rate — [Docket No. AMS-FT-07-0071; FT-07-989-2 FR] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Agriculture.

4245. A letter from the Assistant Secretary, Department of Agriculture, transmitting the Department’s final rule — Community Development Block Grant Program; Small Cities Program [Docket No. FR-5013-F-02] (RIN: 2050-AI22) received September 4, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Financial Services.

4246. A letter from the Acting Secretary, Department of Agriculture, transmitting the Department’s final rule — Community Development Block Grant Program; Small Cities Program [Docket No. FR-5013-F-02] (RIN: 2050-AI22) received September 4, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Financial Services.

4247. A letter from the Acting Secretary, Department of Agriculture, transmitting the Department’s final rule — Model Manufactured Home Installation Standards [Docket No. HQ-04-002; OP-04-002; AC-51] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Agriculture.

4248. A letter from the Assistant Secretary, Department of Agriculture, transmitting the Department’s final rule — Domestic Dates Produced or Packed in Riverside County, CA; Decreased Assessment Rate — [Docket No. AMS-FT-07-0071; FT-07-989-2 FR] received October 24, 2007, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Agriculture.
4261. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, submitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

4262. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, submitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

4263. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles to international waters (Transmittal No. DDTC 076-07); to the Committee on Foreign Affairs.

4272. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(d) of the Arms Export Control Act, certification regarding the proposed license for the manufacture of military equipment to the Government of France (Transmittal No. DDTC 066-07); to the Committee on Foreign Affairs.

4273. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and (d) of the Arms Export Control Act, certification regarding the proposed technical assistance agreement for the export of technical data, defense services, and defense articles and services to the Government of Russia (Transmittal No. DDTC 066-07); to the Committee on Foreign Affairs.

4274. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and (d) of the Arms Export Control Act, certification regarding the proposed amendment to a manufacturing license agreement for the manufacture of significant military equipment and defense articles and defense services to the Government of Vietnam (Transmittal No. DDTC 051-06); to the Committee on Foreign Affairs.

4275. A letter from the Director, Office of Policy and Resource Planning, Department of State, Department of State's Fiscal Year 2007 summary of the financial activity of the Bureau of Population, Refugees, and Migration; to the Committee on Foreign Affairs.

4276. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles and services to the Governments of the Bahamas, the British Virgin Islands, and Canada (Transmittal No. DDTC 062-07); to the Committee on Foreign Affairs.

4277. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles to international waters (Transmittal No. DDTC 062-07); to the Committee on Foreign Affairs.

4278. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles and services to the Governments of Russia and Kazakhstan (Transmittal No. DDTC 022-07); to the Committee on Foreign Affairs.

4279. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles and services to the Governments of the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.


4282. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service’s final rule — Update for Weighted Average Interest Rates [Effective Date: October 14, 2007] received October 15, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4283. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act, as amended, Transmittal No. 08-14, concerning the Department of the Navy’s proposed Letter(s) of Offer and Acceptance to Kuwait for defense articles and services; to the Committee on Foreign Affairs.

4284. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to section 36(d) of the Arms Export Control Act, certificate regarding the proposed license for the manufacture of military equipment to the Government of France (Transmittal No. DDTC 066-07); to the Committee on Foreign Affairs.

4285. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and (d) of the Arms Export Control Act, certification regarding the proposed technical assistance agreement for the export of technical data, defense services, and defense articles and defense services to the Government of Russia (Transmittal No. DDTC 066-07); to the Committee on Foreign Affairs.

4286. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles to international waters (Transmittal No. DDTC 076-07); to the Committee on Foreign Affairs.

4287. A letter from the Assistant Secretary for Legislative Affairs, Department of State, submitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

4288. A letter from the Assistant Secretary for Legislative Affairs, Department of State, submitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.
By Mr. EHLERS:

H.R. 4278. A bill to extend the temporary suspension of duty on yttrium oxides having a purity of at least 99.9 percent; to the Committee on Ways and Means.

By Mr. CONyers (for himself, Mr. BERMAN, Mr. SMITH of Texas, Mr. Sibley, Mr. CASSIDY, Mr. Issa, Mr. CHABOT, Mr. COHEN, Mr. KELLER, Ms. JACKSON-LEE of Texas, and Mr. GOODLATTE):

H.R. 4284. A bill to enhance remedies for violations of intellectual property laws, and for other purposes; to the Committee on the Judiciary.

By Mrs. CURN (for herself, Mr. THOMPSON of California, and Mrs. MCCARTHY of New York):

H.R. 4289. A bill to amend the Federal Land Policy and Management Act of 1976 to provide death and disability benefits for aerial firefighters who work on a contract basis for the Forest Service, to the Committee on Natural Resources, and for other purposes; to the Committee on Agriculture, 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. MCCRYR:

H.R. 4281. A bill to extend the temporary suspension of duty on 2-Acetylnicotinic acid; to the Committee on Ways and Means.

By Mr. McCRRY:

H.R. 4282. A bill to extend the suspension of duty on methyoxyacetic acid; to the Committee on Ways and Means.

By Mr. SCOTT of Virginia (for himself, Mr. DAVIS of Illinois, and Mr. CONyers):

H.R. 4283. A bill to amend title XVIII to provide for coverage of annual preventive physical examinations under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on 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. FORTU:

H.R. 4288. A bill to name the Department of Veterans Affairs outpatient clinic in Ponce, Puerto Rico, as the “Europides Rubio Department of Veterans Affairs Outpatient Clinic”; to the Committee on Veterans’ Affairs.

By Mr. McCaUL of Texas:

H.R. 4290. A bill to amend the Homeland Security Act of 2002 to provide for additional availability of testing equipment and to extend the authority of the Secretary of Homeland Security to carry out certain research and development projects; to the Committee on Homeland Security.

By Mr. OBERSTAR:

H.R. 4291. A bill to authorize the sale of certain National Forest System lands in the Superior National Forest in Minnesota; to the Committee on Natural Resources.
the Committee on Agriculture, and in addition to the Committees on Natural Resources, Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:
H.R. 2493. A bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for State and local, and foreign, real property taxes; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Mr. Shay, Mr. Van Hollen, Mr. Castle, Mr. Emanuel, and Mr. Platts):
H.R. 2494. A bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes; to the Committee on House Administration, and in addition to the Committee on 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. RYAN of Wisconsin (for himself, Mr. Hensarling, and Mr. Flake):
H.R. 2495. A bill to amend title XVIII of the Social Security Act to require wealthy beneficiaries to pay a greater share of their premiums under the Medicare prescription drug program; to the Committee on Energy and Commerce, and in addition to the Committee on 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 Ms. SCHWARTZ (for herself, Mr. Foxx, and Mrs. Cappelli):
H.R. 2496. A bill to amend title XVIII of the Social Security Act to require physician utilization of the Medicare electronic prescription drug program; to the Committee on Energy and Commerce, and in addition to the Committee on 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. STUPAK:
H.R. 2497. A bill to direct the Federal Trade Commission to revise the regulations regarding the do-not-call registry to prohibit politically-oriented recorded message telephoning calls to telephone numbers listed on that registry; to the Committee on Ways and Means.

By Mr. JENSON of Georgia:
H. Res. 44. A resolution recognizing the service and dedication of Dr. Daisaku Ikeda and the work of the Supreme Buddha in the United States; to the Committee on Foreign Affairs.

By Mr. HASTINGS of Florida (for himself, Mr. Mario Diaz-Balart of Florida, Mr. Klein of Florida, Mr. Manzullo of Florida, Mr. Wexler, Mr. Mack, Mr. Lincoln Diaz-Balart of Florida, Ms. Ros-Lehtinen, Ms. Wasserman Schultz, Ms. Castor, Mr. Ford of Florida, Mr. Keller, Ms. Corinne Brown of Florida, Mr. Mica, Mr. Meek of Florida, Mr. Buchanan, and Mr. Putnam):
H. Res. 84. A resolution recognizing the 60th anniversary of Everglades National Park; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADDITIONAL SPONSORS

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

H.R. 82: Mrs. Christensen, Ms. Tsongas, and Mr. Duncan.
H.R. 549: Mr. Welch of Vermont and Mr. Ross.
H.R. 583: Mr. Kagen.
H.R. 629: Mr. Smith of New Jersey and Ms. Kilpatrick.
H.R. 621: Mr. Bilirakis.
H.R. 718: Mr. Johnson of Georgia.
H.R. 871: Mr. Sires and Ms. Baldwin.
H.R. 882: Mr. McCarthy of California, Mr. Rodriguez, Mr. Boozman, and Mr. Lewis of Kentucky.
H.R. 989: Mr. Jordan.
H.R. 1006: Mr. Gary G. Miller of California, Ms. Castor, and Mr. Uddall of Colorado.
H.R. 1031: Mr. Scott of Georgia.
H.R. 1032: Mr. Hinojosa, Mrs. Christensen, Mr. George Miller of California, Mr. Cohen, and Mr. Kucinich.
H.R. 1043: Mr. Welch of Vermont.
H.R. 1091: Mr. McDermott.
H.R. 1110: Mr. Andrews.
H.R. 1111: Mr. Meeks of New York.
H.R. 1112: Mr. Kline of Minnesota.
H.R. 1201: Mr. McCarthy.
H.R. 1216: Mr. Andrews.
H.R. 1237: Mr. Courtney, Ms. Berkley, Mr. Petri, Mr. Larson of Connecticut, and Mr. Scott of Georgia.
H.R. 1275: Mr. Rothman.
H.R. 1282: Ms. Solis.
H.R. 1359: Mr. Salis and Mr. Barrett of South Carolina.
H.R. 1422: Mr. Wicker.
H.R. 1497: Mr. Serrano and Mr. Goode.
H.R. 1512: Mr. Richardson.
H.R. 1518: Ms. Baldwin.
H.R. 1580: Mr. Gillibrand.
H.R. 1609: Ms. Foxx, Mr. Ramstad, Mr. Grijalva, Mrs. Myrick, Mr. Jackson of Illinois, and Ms. Woolsey.
H.R. 1621: Mr. Capuano of Pennsylvania.
H.R. 1711: Mr. Rothman, Mr. Ross, and Mr. Cohen.
H.R. 1742: Mr. Wexler, Mr. Davis of Alabama, and Mr. McKeon.
H.R. 1744: Mr. Kline of Minnesota.
H.R. 1843: Mr. Crenshaw, Mr. Franks of Arizona, Mr. Conaway, Mr. Shadegg, Mr. Rodriguez, Mr. Alexander, Mr. Renzi, and Ms. Sutton.
H.R. 1881: Mr. Towns.
H.R. 1884: Mr. Davis of Illinois, Mr. Allen, Mr. Sires, Ms. Sutton, Ms. Berkley, and Mr. Terry.
H.R. 1964: Mr. Crowley.
H.R. 1983: Mr. Latham.
H.R. 2052: Mr. Butterfield.
H.R. 2075: Mr. LaTourette.
H.R. 2091: Mr. Uddall of Colorado and Mr. Davis of Kentucky.
H.R. 2112: Mr. Markey.
H.R. 2125: Mr. Bonner.
H.R. 2138: Mr. Hinojosa and Mr. Welch of Vermont.
H.R. 2166: Mr. Cohen, Mr. Ross, Mr. Rothman, and Mr. Shumakis.
H.R. 2265: Mr. Thompson of California.
H.R. 2421: Mr. Davis of California.
H.R. 2477: Ms. Schwartz.
H.R. 2511: Ms. McCollum of Minnesota.
H. Res. 213: Mr. Rush, Mr. Hastings of Florida, Mr. Markley and Mr. Stark.
H. Res. 333: Mr. Grijalva.
H. Res. 690: Mr. Blunt.
H. Res. 700: Ms. Berkley and Mr. Tanner.
H. Res. 748: Mr. Kline of Minnesota.
H. Res. 768: Mr. Braley of Iowa, Mr. Courtney, Mr. Welch of Vermont, Mr. Payne and Mr. Larson of Connecticut.
H. Res. 783: Mr. Barrett of South Carolina and Mr. Linder.
H. Res. 800: Ms. Granger.
H. Res. 814: Ms. Bordallo and Mr. Gilchrest.
H. Res. 819: Mr. Hodes, Ms. Castor and Mr. Johnson of Georgia.
H. Res. 822: Ms. Woolsey, Mr. Sires, Ms. Schakowsky and Mr. King of New York.
H. Res. 843: Mr. Burton of Indiana, Mr. Keller, Mr. Derer, Mr. Herger, Mr. Fortenberry, Mrs. McMorris Rodgers, Ms. McCaul of Minnesota, Mr. McCaul of Texas, Mr. Brown of South Carolina, Mr. Ehlers, Mr. Boustany, Mr. Gingrey, Mr. Rohrabacher, Mr. Gohmert, Mr. Tiahrt, Mr. Nunes, Mr. Mario Diaz-Balart of Florida, Mr. Knollenberg, Mr. Cannon, Mr. Bachu, Mr. Pitti, Mr. Cole, Mr. Wamp, Mr. Calvert, and Mr. Doolittle.

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. 3120: Mr. Putnam.