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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mrs. CAPPS).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 8, 2008.

I hereby appoint the Honorable LOIS CAPPS to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 34 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. JONES of Ohio) at 2 p.m.

PRAYER

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

Lord God, our Defense and our Liberator, throughout our history as Americans, and even in our individual lives, You have come to our aid and strengthened us in the face of all our struggles against evil. Be with us now and always.

The prophet Daniel offers a distinction. He said he saw You in the very beginning ''when the evil horn spoke arrogant words until the beast was slain and its body thrown into the fire. But there were other beasts, too, which also lost their dominion but were granted a prolongation of life for a time and a season.''

Lord, we believe You always deliver us from evil. Yet each of us can name ''the other beasts'' described by Daniel in our history as a nation and in our personal lives. They may no longer have dominion to completely overcome us, but we know they can be granted ''a prolongation of life for a time.''

Therefore, Lord, we plead for Your help to persevere for the time being. Sometimes in the fight we personally need to undergo treatment or continue therapy. For a nation, it may take time to reform, rebuild, or reconcile, so continue, Lord, to uphold us until evil is brought to its end. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Ms. BORDALLO led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE PRESIDENT

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

DO NOT SELL OUT THE TROOPS AND LOSE A WINNABLE WAR

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

Mrs. BLACKBURN. Madam Speaker, today is a serious day on Capitol Hill. General Petraeus and Ambassador Crocker have returned. They are reporting to the Nation on the progress in Iraq.

Since they were last here, this is what the Iraqi Parliament has passed: A pension law for regime officials; de-Baathification reform; an amnesty law; a provincial election law. The national government is sharing oil revenues with the provinces; sectarian killings are down 90 percent; civilian deaths have dropped by more than 70 percent; and coalition casualties have dropped by more than 70 percent. Most importantly, Iraqi security forces are fighting for the future of their very own country.

Some in this House are so invested in the narrative of defeat that they are blind to the results of a campaign that ranks among the greatest in the history of our Armed Forces.

Our troops have achieved tremendous success through valor and sacrifice. Let's not sell them out and choose to lose a winnable war. History would not forgive us for that.

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HONORING THE INDEPENDENCE OF BOSNIA-HERZEGOVINA

(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, I would like to take this time to congratulate the citizens of Bosnia-Herzegovina on their 16th anniversary of independence.

It is an honor for me to represent the largest Bosnian-American population in the United States, as well as cochair the bipartisan Congressional Caucus on Bosnia with Congressman CHRIS SMITH of New Jersey. Our Bosnian-American neighbors who have come to St. Louis and the other parts of the U.S. have contributed a great deal to our country.

I am proud that on April 7, 1992, the United States was one of the first nations to recognize the newly independent Bosnia-Herzegovina. As we honor the anniversary of their independence today, let us reaffirm our support for Bosnia's progress toward Euro-Atlantic integration and remember their long history of multi-ethnic and religious tolerance.

I would like to applaud their democratic orientation, and strongly encourage the further strengthening of government reforms with respect to human rights, rule of law and free market economy.

I once again congratulate the citizens of Bosnia-Herzegovina on the anniversary of their independence, and I look forward to further collaboration between our two countries.

THE STRATEGY OF DEFEAT

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

Mr. POE. Madam Speaker, as positive progress continues against America's enemies in Iraq, the vocal, timid and meek here at home promote a strategy of defeat and retreat. Victory to these retreatists is not an option because they plan for abandonment of the Iraqi people and failure for America's fight against those who murder in the name of religion.

These war alarmists wish to capitulate in this war. They want to redeploy the troops, which means withdraw our military while they are in the midst of success. This strategy of defeat will not bring peace to Iraq or America. It will not stop the extremists, but increase their determination for more violence against the innocents. It will not make us safe at home, but encourage those who hate us to kill again. And those vile zealots will rightfully claim America doesn't have the stomach to fight for the God-given principles of liberty.

President Kennedy told the world that America will pay any price, support any friend and oppose any foe to defend liberty. We do not fight for ourselves alone. This war is more than for our cause alone. We fight for the human cause of all peoples to be free. That is what this war is about.

And that's just the way it is.

PUTTING A POSITIVE SPIN ON THE WORST MILITARY FIASCO IN AMERICAN HISTORY

(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, General Petraeus and Ambassador Crocker are understandably trying to put a positive spin on the Iraq war. But the reality is that this has been the worst military fiasco in American history. But one of the questions I would like them to answer is how, when the Iraqi government has over $56 billion of revenue this year, they have the gall to ask the American taxpayer for another $170 billion?

They have $40 billion in reserve that they have gotten from oil being over $100 a barrel. The American taxpayer is paying more than $3.30 a gallon for gas, and yet Iraq wants another $170 billion? They have got $10 billion in reconstruction funds. Yet we are going to continue to pay for all their needs? But that is what we are doing. We are paying for everything from military training, all the way down to garbage pickup, with American taxpayers' money, when they have got tens of billions of dollars that they choose not to spend.

This is a disgrace, Madam Speaker. This policy has never been worthy of the sacrifice of our military families, let along their loved ones in uniform.

SUPPORT VICTORY, NOT DEFEAT

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

Mr. WILSON of South Carolina. Madam Speaker, this morning I joined many of my colleagues from both political parties with over 400 Iraq and Afghanistan veterans at an event organized by Vets for Freedom. This nonpartisan organization is dedicated to supporting our veterans by achieving victory in the global war on terrorism to protect American families by defeating terrorism overseas. I am proud to stand with these patriotic Americans.

Their visit to Washington comes on the eve of General David Petraeus' and Ambassador Ryan Crocker's presentation to the House of their report on Iraq. I hope my colleagues will listen to General Petraeus and Ambassador Crocker with an open mind.

As a grateful veteran with two sons who have served in Iraq, I know these two men serve the best interests of our troops and the safety of American families. They deserve attention to what they have to say.

The old, failed talking points that ''the war is lost'' or ''so the surge is a failure'' do a disservice to this debate. Those claims have been soundly refuted by the facts on the ground, as I saw last month on my ninth visit to Iraq. Let's be sure our policy going forward is based on the facts.

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

SUPPORTING THE BRAVE AMERICANS IN HARM'S WAY

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

Mr. WAMP. Madam Speaker, as I closed the rally today with 400 veterans in support of our troops and their mission in Iraq and Afghanistan, I quoted John Stuart Mill, who said, ''War is an ugly thing, but not the ugliest of things. The decayed and degraded state of moral unpatriotic feeling which thinks that nothing is worth war is much worse. A person who has nothing for which they are willing to fight, nothing they care more about than their own personal safety, is a miserable creature who has no chance of ever being free unless those very freedoms are made and kept by better persons than themselves.''

Those better persons are our Nation's veterans, the men and women in uniform, and today may God almighty, Jehovah God, bless and keep those brave Americans in harm's way on our behalf.

APPROVE THE U.S.-COLOMBIA TRADE PROMOTION AGREEMENT

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

Mr. HERGER. Madam Speaker, now that the Colombia trade agreement is before Congress, I hope that all Members will weigh its benefits carefully and approve it with a strong bipartisan up-or-down vote. The United States is the largest manufacturer and exporter in the world and new markets are essential to our workers, 42 percent of whom are employed by companies that are involved with trade.

The Colombia trade agreement would level the playing field for American workers and grant our exporters the same fair access that Colombian producers already enjoy into the U.S. market. It would also strategically strengthen Colombia's fight against narcoterrorists and help them reject the influence of Venezuela's anti-American strong man, Hugo Chavez.

I urge support of the U.S.-Colombia TPA.

SUPPORT THE TROOPS IN IRAQ

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

Mr. YOUNG of Alaska. Madam Speaker and my fellow colleagues, today is the day with General Petraeus to recognize that with all the rhetoric on this floor, that we should listen to the troops. They are the ones that are sacrificing. They are the ones that I believe have firsthand knowledge of what is occurring in Iraq.

I have a letter that I am going to read:

Dear Congressman YOUNG:

I am an Alaska Army National Guard soldier serving in Iraq voluntarily on one of the 10 'surge' Embedded Provincial Reconstruction Teams, based at Camp Taji. My team works in the Taji and Abu Ghraib districts, and soon, Tarmiya. Our surge military forces, along with the greatly improved Iraq Army, Police and local Critical Infrastructure Security Forces have won the battles. Al Qaeda is gone from our districts. Now we need the time to win the war. The security situations are set and 180 degrees turned around from pre-surge. I've seen it happen and am living it daily. Do not let the United States lose this part of the Global War against Terrorists. This campaign in Iraq needs to play out and be a visible win for our country. Me and my fellow Servicemembers and the Civilians of DOD and State are here to make it true. We need your support. Thank you for your time and attention. WE ARE WINNING.

Most Sincerely,

Mike Bridges, Colonel,

Deputy Team Leader, EPRT Baghdad 5.

□ 1415

VETS FOR FREEDOM

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

Mr. GINGREY. Madam Speaker, this morning I was honored to join with Senator MCCAIN and other Republican and Democratic Members of both the House and Senate to welcome over 400 veterans from Iraq and Afghanistan that were here for a rally in support of all those who are risking their lives on the front lines in this global war against terror.

This morning's rally marks the single largest gathering of Iraq and Afghan veterans since the war began. Make no mistake, these heroes were gathering in support of victory, not a politically driven withdrawal, which would ensure defeat.

These veterans are so committed to success in Iraq and Afghanistan that they have formed a nationwide group, called Vets for Freedom, with a mission of educating the American public and Congress about the importance of achieving success in this global war on terror and what the failure to do so would mean for our Nation's security.

Every Member of this body should, this week, meet with these veterans, talk to them, learn of the benefits of their firsthand experience in Iraq and Afghanistan. In the words of the Vets for Freedom, it is time to put ''long-term national security before short-term partisan political gain.''

Again, I thank the Vets for Freedom, as well as General Petraeus and Ambassador Crocker, for their great service to this country.

ALTERNATIVE ENERGY

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

Mr. STEARNS. Madam Speaker, according to the Energy Information Agency, the United States imports about 60 percent of its oil today and that number is expected to go up to almost 80 percent in the next 10 years. As a country, we need to reduce our dependency on foreign fuel sources and start implementing alternative energy sources and programs that can be found here in the United States, like coal.

Imported fuel such as crude oil and natural gas are costing the country millions of dollars a year and accounts for about one-third of the United States trade deficit. Imported fuels also account for about 17 percent of an increase in America's energy consumption from 2004 to 2005.

Now liquid coal can be developed for $50 a barrel. Compare that with $107 for oil today. Not only does this innovative fuel cost us less, but also coal is one of the most abundant natural resources in the United States. As Congress continues to explore the use of alternative energy sources, we need to look closely at coal to liquid.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

APRIL 7, 2008.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 7, 2008, at 10:33 a.m.:

That the Senate agreed to S. Con. Res. 73.

With best wishes, I am,

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–103)

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

To the Congress of the United States:

I am pleased to transmit legislation and supporting documents to implement the United States-Colombia Trade Promotion Agreement (the ''Agreement''). The Agreement represents an historic development in our relations with Colombia, which has shown its commitment to advancing democracy, protecting human rights, and promoting economic opportunity. Colombia's importance as a steadfast strategic partner of the United States was recognized by President Clinton's support for an appropriation in 2000 to provide funding for Plan Colombia, and my Administration has continued to stand with Colombia as it confronts violence, terror, and drug traffickers.

This Agreement will increase opportunity for the people of Colombia through sustained economic growth and is therefore vital to ensuring that Colombia continues on its trajectory of positive change. Under the leadership of President Alvaro Uribe, Colombia has made a remarkable turnaround since 1999 when it was on the verge of being a failed state. This progress is in part explained by Colombia's success in demobilizing tens of thousands of paramilitary fighters. The Colombian government reports that since 2002, kidnappings, terrorist attacks, and murders are all down substantially, as is violence against union members.

The Government of Colombia, with the assistance of the United States, is continuing its efforts to further reduce the level of violence in Colombia and to ensure that those responsible for violence are quickly brought to justice. To speed prosecutions of those responsible for violent crimes, the Prosecutor General's Office plans to hire this year 72 new prosecutors and more than 110 investigators into the Human Rights Unit. These additions are part of the increase of more than 2,100 staff that will be added to the Prosecutor General's office in 2008 and 2009. To support these additional personnel and their activities, Colombia has steadily increased the budget for the Prosecutor General's Office, including by more than $40 million this year, bringing the total outlay for that office to nearly $600 million.

In negotiating this Agreement, my Administration was guided by the objectives set out by the Congress in the Trade Act of 2002. My Administration has complied fully with the letter and spirit of Trade Promotion Authority—from preparation for the negotiations, to consultations with the Congress throughout the talks, to the content of the Agreement itself. In addition, my Administration has conducted several hundred further consultations, led congressional trips to Colombia, and last year renegotiated key labor, environmental, investment, and intellectual

property rights provisions in the Agreement at the behest of the Congress. By providing for the effective enforcement of labor and environmental laws, combined with strong remedies for noncompliance, the Agreement will contribute to improved worker rights and higher levels of environmental protection in Colombia. The result is an Agreement that all of us can be proud of and that will create significant new opportunities for American workers, farmers, ranchers, businesses, and consumers by opening the Colombian market and eliminating barriers to U.S. goods, services, and investment.

Under the Agreement, tariffs on over 80 percent of U.S. industrial and consumer goods exported to Colombia will be eliminated immediately, with tariffs on the remaining goods eliminated within 10 years. The Agreement will allow 52 percent of U.S. agricultural exports, by value, to enter Colombia duty-free immediately, with the remaining agricultural tariffs phased out over time. This will help to level the playing field, as 91 percent of U.S. imports from Colombia already enjoy duty-free access to our market under U.S. trade preference programs.

My Administration looks forward to continuing to work with the Congress on a bipartisan path forward to secure approval of this legislation that builds on the positive spirit of the May 10, 2007, agreement on trade between the Administration and the House and Senate leadership, and the strong bipartisan support demonstrated by both Houses of Congress in overwhelmingly approving the United States-Peru Trade Promotion Agreement last year. The United States-Colombia Trade Promotion Agreement represents an historic step forward in U.S. relations with a key friend and ally in Latin America. Congressional approval of legislation to implement the Agreement is in our national interest, and I urge the Congress to act favorably on this legislation as quickly as possible.

GEORGE W. BUSH.

THE WHITE HOUSE, *April 7, 2008*.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

NATIONAL MONTH OF THE MILITARY CHILD

Ms. BORDALLO. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 265) honoring military children during ''National Month of the Military Child,'' as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 265

Whereas more than 2,750,000 Americans are demonstrating their courage and commitment to freedom by serving in the Armed Forces of the United States;

Whereas 50 percent of the members of the Armed Forces, when deployed away from their permanent duty stations, have left families with children behind;

Whereas no one feels the effect of those deployments more than the children of deployed service members;

Whereas as of March 15, 2008, approximately 3,400 of these children have lost a parent serving in the Armed Forces during the preceding 5 years;

Whereas the daily struggles and personal sacrifices of children of members of the Armed Forces too often go unnoticed;

Whereas the children of members of the Armed Forces are a source of pride and honor to all Americans and it is fitting that the Nation recognize their contributions and celebrate their spirit;

Whereas the ''National Month of the Military Child'', observed in April each year, recognizes military children for their sacrifices and contributes to demonstrating the Nation's unconditional support to members of the Armed Forces;

Whereas in addition to Department of Defense programs to support military families and military children, various programs and campaigns have been established in the private sector to honor, support, and thank military children by fostering awareness and appreciation for the sacrifices and the challenges they face; and

Whereas a month-long salute to military children will encourage support for those organizations and campaigns established to provide direct support for military children and families: Now, therefore, be it

Resolved, That the House of Representatives—

(1) joins the Secretary of Defense in honoring the children of members of the Armed Forces and recognizes that they too share in the burden of protecting the Nation;

(2) urges Americans to join with the military community in observing the ''National Month of the Military Child'' with appropriate ceremonies and activities that honor, support, and thank military children; and

(3) recognizes with great appreciation the contributions made by private-sector organizations that provide resources and assistance to military families and the communities that support them.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Virginia (Mr. WITTMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

Ms. BORDALLO. Madam Speaker, I yield myself such time as I might consume.

Madam Speaker, I stand before you in support of House Resolution 265, honoring military children for their personal sacrifice and recognizing the month of April as the National Month of the Military Child.

Currently, 2.75 million Americans are serving in the Armed Forces of the United States. Of that number, 1.7 million who have served or who are currently serving have been deployed, nearly 600,000 members have deployed more than once, and close to 260,000 are currently deployed.

These are important points for us to take note of and reflect upon today because today there are nearly 1.2 million military children in families whose parents proudly serve in the uniform.

Unfortunately, 50 percent of the servicemembers who are currently deployed away from their duty stations are separated from their spouses and their children.

Long-term and multiple deployments have shown undesirable effects on both servicemembers, their families and their children. They sometimes experience severe emotional, psychological and fiscal problems over the course of these deployments. Over extended periods of time, anxiety and strain become a part of the daily lives of both spouses and children who sacrifice unduly.

Approximately 3,400 military children have lost a parent serving in the Armed Forces during the preceding 5 years. Military children are making personal sacrifices in support of this Nation.

During National Month of the Military Child, we need to ensure that we support all the American children who faithfully share their family in order to protect our way of life.

House Resolution 265 encourages public and private sector support for both military children and their families through direct contributions to scholarships, grants and donations, action which promotes family readiness.

So it is appropriate to celebrate the children who are loved by these brave men and women in uniform. The health and the well-being of these children is important to the overall readiness of our forces.

We therefore appreciate the leadership shown by our distinguished colleague from Northern Virginia (Mr. MORAN) in sponsoring this important resolution.

Madam Speaker, I urge my colleagues to support House Resolution 265, and I reserve the balance of my time.

Mr. WITTMAN of Virginia. Madam Speaker, I yield myself such time as I might consume.

Madam Speaker, I rise in strong support of House Resolution 265, as amended, which honors military children during National Month of the Military Child.

Today we are a Nation at war with more than 2.75 million men and women in uniform and more than 280,000 deployed worldwide. The men and women

of today's Armed Forces are all volunteers, but as never before in our history, they are also married and have families. At any given time, when deployed away from their home bases, 50 percent of the members of the Armed Forces leave behind families with children.

While the numbers and statistics are interesting, the real message here is that the sacrifices and commitments made by the members of the armed services are very often directly felt and experienced by their family members and especially their children. Each of the military services and the Department of Defense go to extraordinary lengths to provide the resources and environment to support military families and children. Preservation and support of families is recognized as a military readiness requirement.

I fully support those efforts. The resolution today strives to ensure that proper attention is focused on sacrifices, spirit and contributions made by the children of military families. This resolution also seeks to bring the recognition and thanks to both the Department of Defense and private sector programs that support military children and families.

I want to thank my friend, Mr. MORAN of Virginia, for sponsoring this important resolution and urge my colleagues to support it.

I reserve the balance of my time.

Ms. BORDALLO. Madam Speaker, I yield such time as he may consume to my friend and colleague, the gentleman from Virginia (Mr. MORAN) who is the original sponsor of this important measure.

Mr. MORAN of Virginia. I thank my friend, the distinguished delegate from Guam, for yielding me the time.

I thank the gentleman from Virginia (Mr. WITTMAN) for his kind comments as well. I am glad to be joined here by the Chair of Military Construction, Veterans Affairs Appropriations Subcommittee, Mr. Chet Edwards.

Madam Speaker, a child's process of growing up is difficult, but imagine what it must be like when one parent or even both parents are deployed abroad as part of their duty in our Armed Forces.

While friends and relatives pray for their safe return, no one feels the impact of deployment more than the children of servicemembers in combat overseas. We are learning more about the impact that living under this shadow of uncertainty has on our children.

The incidence of military children needing psychological counseling has increased dramatically. Last year Children's Hospital in the District of Columbia had over 1,000 visits from military children suffering from behavioral and mental health problems. These are just normal kids who want what any child wants, their mothers and fathers at home to tuck them in at night reassuring them everything will be all right.

Today more than 2,300,000 Americans demonstrate their courage and commitment every day to our Nation by serving in our Armed Forces. Of these men and women, most have families subjected to frequent moves from one installation to another, long deployments abroad, and the fear that their loved one serving overseas might never come home.

□ 1430

Fifty percent of our troops deployed overseas have children that are left behind. That is more than one million children with at least one parent deployed overseas. Those figures, statistics, can too easily be ignored sometimes because they are abstract. But here is one that can't be dismissed: 3,400 children have already lost a parent serving in the Armed Forces over the past 6 years.

When I introduced this resolution 2 years ago, the number of children who had lost a parent was 1,000 and now it is 3,400. The Department of Defense understands that without the families' support, they will never have the soldiers' full support.

In 1986, Secretary of Defense Casper Weinberger declared this month the ''National Month of the Military Child.'' Every year since, events at military bases, forts and other installations across the Nation have been held to celebrate the military family, replete with lots of lofty rhetoric but not enough true attention to their needs.

Two bases in my own district, Fort Belvoir and Fort Myer, hold annual events providing military kids the chance to be distracted a bit by just being a kid with other kids in similar situations. But the Congress needs to step up.

Today I am glad to join with my colleagues, particularly with my colleagues who will speak here today, to offer this resolution officially recognizing the month of April as the National Month of the Military Child, and dedicating the Congress to pay more attention to the children and the spouses of our soldiers.

My colleagues on the other side of the aisle, Representative ISSA and WALTER JONES of North Carolina are bipartisan sponsors for this effort. I thank them for their support and leadership.

This resolution is just a small way that Congress can recognize the sacrifice these youngsters and their families are asked to make, but it is an opportunity to commit ourselves to doing much more.

Specifically, the resolution joins the Secretary of Defense in honoring military children, recognizing that they too share the burden and are making a great sacrifice in protecting our Nation.

I would also like to take the opportunity to thank the organization Kids Serve Too. It is in my congressional district, and is dedicated to the needs of military families everywhere. It was created by military families to support other military families. Kids Serve Too sponsors activities and events for military children. It is represented in the gallery today specifically by Tricia Johnson and her daughters, Cat and Claire, and her sister, Kathleen Murphy.

Madam Speaker, military families and their children deserve our heartfelt appreciation for their sacrifice. Today we honor them and their sacrifice and thank you for bringing this resolution to the floor.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are not permitted to recognize guests in the gallery.

Ms. BORDALLO. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS), the chairman of the Appropriations Subcommittee on Military Construction.

Mr. EDWARDS. Madam Speaker, I thank the gentlelady for her time and recognition.

Madam Speaker, I want to salute Mr. MORAN and the cosponsors of this resolution. In my book, military children and spouses are truly the unsung heroes and heroines of our Nation's defense. They may not put on our Nation's uniform, but they serve every single day and they serve with great honor and distinction.

One cannot have a makeup day for a parent not being present for a birthday, special occasion, for a mom or dad not being there for a high school graduation or a college graduation. There are no makeup days for those missed special occasions. And as Mr. MORAN pointed out, in 3,400 cases, military children have made the ultimate sacrifice of losing a mother or father in service to our country. It is so right that we honor these great Americans, the military children, today with this resolution.

As Mr. MORAN also pointed out, I think it is also more important that we honor them not just during the month of April with our words and floor speeches, but every day and every month and every year with our deeds, with effective funding, adequate funding for the Impact Aid Program that provides extra Federal funding to school districts with heavy concentrations of military children, with day-care programs which this Congress last year took the initiative on and added $130 million worth of day-care centers for military children throughout the country, especially needed during a time of war.

We worked hard on military housing so children can live in houses they are proud to call their homes, and their parents are as well. And this Congress last year took the initiative in increasing by an historic unprecedented level funding for VA medical care so that when those parents leave the military, they will continue to get their military care. I urge support of this resolution.

Mr. WITTMAN of Virginia. I yield back the balance of my time.

Ms. BORDALLO. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and agree to the resolution, H. Res. 265, as amended.

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

A motion to reconsider was laid on the table.

CONGRATULATING THE ARMY RESERVE ON ITS CENTENNIAL

Ms. BORDALLO. Madam Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 70) congratulating the Army Reserve on its centennial, which will be formally celebrated on April 23, 2008, and commemorating the historic contributions of its veterans and continuing contributions of its soldiers to the vital national security interests and homeland defense missions of the United States, as amended.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 70

Whereas on January 9, 1905, the 26th President of the United States, Theodore Roosevelt, dispatched a ''special message'' to the Senate and the House of Representatives that ''earnestly recommended passage'' of legislation to establish a Federal reserve force of skilled and trained personnel to bring ''our Army . . . to the highest point of efficiency'';

Whereas on December 14, 1905, the then-Secretary of War and later 27th President of the United States, William Howard Taft, transmitted to the Senate and the House of Representatives a draft bill and letter authored by Major General Leonard Wood, ''strongly commending . . . proposed legislation'' to ''increase the efficiency of the Medical Corps of the Army'' by establishing a Federal reserve force comprised of specially trained personnel;

Whereas in response to the recommendations of President Theodore Roosevelt and senior military and civilian leaders, the 60th Congress enacted Public Law 101, entitled ''An Act to increase the efficiency of the Medical Department of the United States Army'', ch. 150, 35 Stat. 66, which was signed into law on April 23, 1908, by President Theodore Roosevelt;

Whereas Public Law 101 authorized the establishment of the first Federal reserve force and the first reservoir of trained officers in a reserve status for a United States military service;

Whereas Congress subsequently adapted, expanded, and amended the reserve organization of the Army to include additional military occupational specialties and capabilities and established the organization today known as the Army Reserve;

Whereas the Army Reserve has played a major role in the defense of our Nation and in furtherance of United States interests for 100 years;

Whereas many distinguished Americans have served honorably and with distinction in the Army Reserve, including Presidents Harry S. Truman and Ronald W. Reagan, the former Chairman of the Joint Chiefs of Staff, General Henry H. Shelton, Brigadier General Theodore Roosevelt, Jr., Major General William J. Donovan (Director of the Office of Strategic Services during World War II), Drs. Charles H. Mayo and William J. Mayo, and Captain Eddie Rickenbacker;

Whereas the Army Reserve contributed 169,500 soldiers to the Army during World War I;

Whereas the Army Reserve contributed 200,000 soldiers and 29 percent of the Army's officers during World War II and was recognized by General George C. Marshall for its unique and invaluable contributions to the national defense;

Whereas 240,500 soldiers of the Army Reserve were called to active duty during the Korean War;

Whereas more than 60,000 Army Reserve soldiers were called to active duty during the Berlin Crisis;

Whereas 35 Army Reserve units were activated and deployed in support of operations in Vietnam, where they served with distinction and honor;

Whereas the Army Reserve contributed more than 94,000 soldiers in support of Operations Desert Storm and Desert Shield in 1990 and 1991;

Whereas the Army Reserve contributed more than 48 percent of the reserve component soldiers mobilized in support of Operation Joint Endeavor and Operation Joint Guard in Bosnia;

Whereas since September 11, 2001, the Army Reserve has provided indispensable and sustained support for Operations Enduring Freedom, Noble Eagle, and Iraqi Freedom, with 98 percent of units either deployed or providing mobilized soldiers, and more than 147,000 individual soldiers being mobilized (of which more than 110,000 individual soldiers have deployed) in support of the Global War on Terrorism;

Whereas more than 39,000 individual soldiers of the Army Reserve have served multiple deployments since September 11, 2001;

Whereas 13,003 Army Reserve soldiers were forward-deployed in the Central Command Area of Responsibility on October 31, 2007, and 102 soldiers of the Army Reserve had borne the ultimate sacrifice in support of Operations Enduring Freedom and Iraqi Freedom through October 31, 2007;

Whereas the Army Reserve is organized into 3 components, the Ready Reserve, the Standby Reserve, and the Retired Reserve, which together contain more than 601,000 soldiers;

Whereas the Army cannot go to war or sustain a military operation without the highly skilled and trained personnel of the Army Reserve;

Whereas the Army Reserve provides more than 37 percent of the mission essential combat support and combat service support forces of the Army;

Whereas 100 percent of the Army's Internment Settlement Brigades, Judge Advocate General Units (Legal Support Organizations), Medical Groups, Railway Units, and Training and Exercise Divisions are in the Army Reserve;

Whereas more than 66 percent of the Army's Civil Affairs Units, Psychological Operations Units, Theater Signal Commands, Expeditionary Sustainment Commands, and Medical Capabilities are in the Army Reserve;

Whereas the Army Reserve is no longer a force held in strategic reserve but today functions as an integral and essential operational reserve in support of the missions of the active Army;

Whereas the Army cannot go to war or sustain a military operation without the skilled and trained Ready Reserve and Retired Reserve soldiers of the Army Reserve;

Whereas the Selected Reserve component of the Army Reserve is comprised of more than 30,000 officers and 150,000 enlisted soldiers who have volunteered their personal service in defense of the Constitution and their fellow citizens;

Whereas the Army and the Army Reserve are recognized as institutions that have played historic and decisive roles in promoting the cause of individual dignity and the value of integration;

Whereas nearly one in four Selected Reserve soldiers and more than one in five Individual Ready Reserve soldiers are women whose contributions are consistently characterized by a high degree of commitment, professionalism, and military bearing;

Whereas the ability of individual soldiers and the Army Reserve to perform their wartime missions is contingent on the active engagement and support of their families, employers, and local communities;

Whereas the Army Reserve is a community-based force with an active presence in 1,100 communities and 975 Army Reserve centers in operation throughout the United States;

Whereas Sir Winston Churchill once remarked that ''Reservists are twice the citizen'', a sentiment that applies especially to the soldiers of the Army Reserve; and

Whereas the Army Reserve makes these contributions to the security of our nation in return for less than 5 percent of the Army's total budget: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress—

(1) congratulates the Army Reserve on the occasion of the 100th anniversary of the enactment of its original authorizing law;

(2) recognizes and commends the Army Reserve for the selfless and dedicated service of its past and present citizen-soldiers whose personal courage, contributions, and sacrifices have helped preserve the freedom and advance the national security and homeland defense of the United States; and

(3) extends its gratitude to the veterans, soldiers, families, and employers whose essential and constant support have enabled the Army Reserve to accomplish its vital missions and renews our Nation's commitment in support of their noble efforts.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Virginia (Mr. WITTMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution now under consideration.

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

There was no objection.

Ms. BORDALLO. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.J. Res. 70, which commemorates 2008 as the centennial of the United States Army Reserve, celebrating the historic contributions of its veterans and continuing contributions of its soldiers to operations at home and abroad. I thank my colleague, Mr. BISHOP of Georgia, for introducing this important resolution.

On January 9, 1905, the 26th President of the United States, Theodore Roosevelt, dispatched a special message to the Senate and the House of Representatives recommending passage of legislation to establish a Federal Reserve force of trained personnel to bring our Army to its highest point of efficiency.

Beginning as a supplementary unit at the turn of the 20th century, our Army Reserve soldiers have shown immeasurable dedication and valor through the broadening of their inceptive purpose. The Army Reserve has developed from a few support troops during World War I into a vital and sustained operational force for current and future operations. This Federal force has been deployed in different capacities, serving in eight wars and defending the interests of the United States and its allies in World War I, World War II, Korea, Vietnam, Russia, Berlin, Panama, the Persian Gulf, Somalia, Haiti, Bosnia, Kosovo, Kenya, Iraq and numerous humanitarian missions in other countries during its first 100 years. Involvement in operations Desert Storm, Desert Shield, Joint Endeavor, Joint Guard, Enduring Freedom, Noble Eagle, and Iraqi Freedom shows the Army is incomplete without the skilled and trained personnel of its Reserve.

The Army Reserve has grown from 160 medical officers to virtually 200,000 soldiers who play a major role in the defense of our Nation and who continue in the furtherance of the United States defense interests.

At this moment approximately 50,000 of our Nation's Army Reserve soldiers are serving on active duty around the world. These men and women voluntarily put their civilian careers and family lives on hold. And in most cases, they do so for over a year which is a testament to their selflessness, patriotism, and willingness to sacrifice for the good of our country.

Indeed, I am extremely proud of all of our Armed Forces: the Army, the Navy, the Air Force, the Marine Corps and the National Guard. Our entire military continues to work diligently in a time of conflict, and deserves the highest respect for their courage in the face of adversity.

H.J. Res. 70 is our way, as the United States Congress, of recognizing the centennial of our Army Reserve, a force that our institution played a role in creating 100 years ago. This resolution honors the sacrifice and tremendous distinction of the millions of American men and women who have served as Army soldiers since April 23, 1908.

Madam Speaker, I again thank our colleague from Georgia (Mr. BISHOP) for his initiative in bringing us together today to recognize and honor the Army Reserve on the occasion of its 100th anniversary, and I urge my colleagues to support the resolution.

Madam Speaker, I reserve the balance of my time.

Mr. WITTMAN of Virginia. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of House Joint Resolution 70, as amended, which congratulates the Army Reserve on its centennial.

There are over 340 Army reservists in Virginia's First Congressional District, and over 150 have been mobilized in support of the global war on terror. Ever since 1908 when the Army Reserve began as a means to increase the efficiency of the Army Medical Corps, the Army Reserve and its soldiers have stepped up magnificently to every challenge and mission presented to them.

Those challenges span the breadth of the American wars in the past 100 years. In World War I, 169,500 Army reservists served; in World War II, 200,000, including 29 percent of the Army's officer corps; in Korea, 240,500; in Operation Desert Shield and Desert Storm, 94,000. And since September 11, 2001, 147,000 Army reservists have been mobilized in support of the global war on terror; 110,000 have deployed, 39,000 have served multiple deployments, and 102 have died in the war on terror.

Army reservists are citizen soldiers active in 1,100 communities across the Nation. They are the sons and daughters, mothers and fathers of America. They are remarkable in many respects, but no more so than their willingness to serve this Nation in a professional and unselfish manner. They continue to serve today knowing that they will likely be deployed away from home, family and civilian employment.

For many in America, the patriotism, commitment, and sacrifice of these remarkable citizens called Army reservists goes unnoticed. I believe every effort should be made to highlight and acknowledge their service to a grateful Nation. So it is entirely proper and fitting that we take this moment not only to mark an historical milestone of 100 years of service to the Nation by the Army Reserve, but also to honor those soldiers past and present who have served and are serving so honorably as well as Army reservists.

□ 1445

Madam Speaker, I strongly urge my colleagues to support this joint resolution.

I reserve the balance of my time.

Ms. BORDALLO. Madam Speaker, I yield 5 minutes to my friend and colleague, the gentleman from Georgia (Mr. BISHOP), the original sponsor of this joint resolution.

Mr. BISHOP of Georgia. Madam Speaker, I'm honored to sponsor this bipartisan resolution, along with Representatives BUYER, SHIMKUS and TAYLOR, to congratulate the United States Army Reserve on its 100th anniversary, which will be formally celebrated on April 23, 2008.

The resolution, which has 260 cosponsors, also commemorates the contributions of Army Reserve veterans who've helped to ensure that the United States' vital national security interests are protected and defended in times of war and peace.

I'm very gratified by the outpouring of bipartisan support that this resolution has received. It's indicative of the high regard and esteem in which the Army Reserve is held among Members of Congress and the American people.

As a current member of the Appropriations Subcommittee on Defense, as well as the Military Construction and Veterans Affairs Committee, I've been extremely impressed by the level of commitment that Army Reserve soldiers bring to their work, and by their high degree of professionalism. They truly are ''twice the citizen,'' as Winston Churchill once remarked.

Today, the U.S. Army Reserve is composed of more than 30,000 officers and 150,000 enlisted soldiers. They have an active presence in 1,100 communities across our Nation, contributing military values, important job skills, and economic support. They are husbands and wives, fathers and mothers, sons and daughters. They are our neighbors, our friends, our acquaintances and our colleagues at work. These soldiers can be called up at any time to serve our Nation, and they must be trained and prepared to respond at a moment's notice.

Here in the House of Representatives, 24 Members, including myself, have been privileged to serve in the Reserves. In fact, two of the lead sponsors of this resolution, Representatives STEVE BUYER and JOHN SHIMKUS, still serve in the Army Reserve.

As this resolution notes, the role of today's Army Reserve soldier has expanded and changed dramatically since President Roosevelt first requested that Congress establish a reserve of trained officers. On April 23, 1908, Congress responded to the President's request by establishing a permanent reserve corps of trained medical officers. The modest corps represented the humble start of what is today a multi-faceted operational and strategic force.

Since then, their duties have expanded. The Army Reserve is now an integral component in any active U.S. Army mission. They have answered the call of duty in World Wars I and II, Korea, Vietnam, the Cold War, Panama, the Gulf War, Somalia, Haiti, Bosnia, Kosovo and, of course, since September 11, 2001, in Operation Noble Eagle, Operation Iraqi Freedom, and Operation Enduring Freedom.

Through October 31, 2007, 102 Army Reserve soldiers made the ultimate sacrifice while serving in Iraq and Afghanistan. Since then, an additional four Reserve officers have lost their lives in combat. We dedicate this resolution to their memory and to the memory of all Reserve soldiers who fought and died defending our Nation's freedoms throughout our history.

We dedicate this resolution to our living heroes as well, to those men and women who continue their service to our Nation in the U.S. Army Reserve today.

I want to commend several staff members for the outstanding work in bringing this resolution to the floor: Kevin Coughlin, Joe Hicken and John Chapla on the House Armed Services Committee, Tim Welter and Abel Carreiro on Congressman BUYER's staff, Grant Culp from Congressman SHIMKUS' staff, Randy Jennings on Congressman TAYLOR's staff, David Whitney on the House Judiciary Committee, Lieutenant General Jack C. Stultz and Lieutenant Colonel Rob Young of the Army Reserve, and Jonathan Halpern and Ed Larkin on my staff.

Madam Speaker, I, again, thank my colleagues who are cosponsors for their extraordinary support of this resolution, and I urge its immediate adoption.

Mrs. BACHMANN. Madam Speaker, as the Army Reserve celebrates its centennial, I rise to congratulate the Reserve on its dedicated service and sacrifice to ensure our Nation's freedom. Since its inception on April 23, 1908, the Reserve and its more than 1 million citizen-soldiers have protected American citizens at home and abroad. When tyranny raises its fist and liberty is threatened, the citizen-soldier answers the call to ease the suffering. For this, our Nation is forever grateful.

Today, more than 20,000 Army Reserve soldiers are deployed in Iraq, Afghanistan, and 18 other countries, with an additional 7,000 Army Reserve serving in the United States. In my home State of Minnesota, historic Fort Snelling is the proud home to the 88th Regional Readiness Command, comprised of Reserve units from Minnesota, Wisconsin, Illinois, Indiana, Michigan, and Ohio. America's greatness lies in her people, and the American soldier is the embodiment of hard work, patriotism and service, the finest of America's principles.

Madam Speaker, it is my honor to recognize today the selfless commitment and sacrifice of so many citizen-soldiers. It is they who lay down their lives to defend those who cannot defend themselves. It is they who lay down their lives to protect the rights of those who disrespect our flag and our Nation. And it is they who lay down their lives so that true freedom will never know extinction. As April 23 approaches, let us remember and be forever grateful for the Army Reserve's 100 years of noble service and sacrifice to our Nation.

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

Ms. BORDALLO. Madam Speaker, at this time 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 gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the joint resolution, H.J. Res. 70, 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.

The SPEAKER pro tempore. Does the gentlewoman from Guam seek recognition?

Ms. BORDALLO. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Is there objection to the demand for the yeas and nays?

There was no objection.

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.

RECOGNIZING THE TREMENDOUS SERVICE THAT MEMBERS OF ARMED FORCES HAVE GIVEN TO THE NATION

Ms. BORDALLO. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1020) recognizing the tremendous service that members of the Armed Forces have given to the Nation, especially those who have been wounded in combat, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1020

Whereas United States soldiers, sailors, airmen, Marines, and their families have made extraordinary sacrifices to serve our country in Afghanistan and Iraq;

Whereas more than 1,600,000 members of the Armed Forces of the United States have been deployed in Operation Enduring Freedom or Operation Iraqi Freedom since September 2001;

Whereas more than 30,000 soldiers, sailors, airmen, and Marines have been wounded in battle;

Whereas advances in battlefield medicine have resulted in hundreds of lives being saved; and

Whereas both physical and mental injuries sustained during combat have a life-altering impact on our servicemen and women as well as their families: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the tremendous service that our soldiers, sailors, airmen, and Marines have given to the Nation, especially those who have sustained injury in combat;

(2) is committed to providing wounded warriors with the highest quality medical care available, and to supporting wounded members of all Armed Forces and their families during their recovery;

(3) commends the actions of private citizens and organizations who volunteer their continued support to America's wounded warriors; and

(4) encourages Members and all citizens to take steps to show support and appreciation for returning troops, especially those who have been wounded.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Guam (Ms. BORDALLO) and the gentleman from Virginia (Mr. WITTMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Guam.

GENERAL LEAVE

Ms. BORDALLO. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the resolution now under consideration.

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

There was no objection.

Ms. BORDALLO. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of House Resolution 1020, recognizing the tremendous service that members of our Armed Forces have provided to the country, especially those who have been wounded in combat. I thank our colleague from Vermont (Mr. WELCH) for introducing this resolution.

Soldiers, sailors, airmen, marines and their families are making extraordinary sacrifices in service to our country. Over 4,500 servicemembers have made the ultimate sacrifice in Operations Enduring Freedom and Iraqi Freedom. Nearly 32,000 servicemembers have been wounded, of which a little over 17,000 have returned to duty.

Today, servicemembers have an unprecedented chance of survival, unlike those who had similar wounds in Vietnam and the Second World War. The medical advances that have taken place on the current battlefield have made these significant achievements possible.

However, while members are surviving their injuries and wounds at an unprecedented rate, they are coming home with more complex psychological injuries. These individuals who have honorably served our Nation may need medical care and assistance for the rest of their lives.

House Resolution 1020 commits this Congress to ensuring that these brave, wounded warriors receive the best medical care available, and commends all Americans who volunteer to support these wounded warriors and their families.

So, Madam Speaker, I again commend our colleague from Vermont (Mr. WELCH) for his introduction of this resolution, and I urge my colleagues to support its passage.

I reserve the balance of my time.

Mr. WITTMAN of Virginia. Madam Speaker, I yield myself such time as I might consume.

Madam Speaker, I rise in strong support of House Resolution 1020, as amended, which recognizes the tremendous service that members of the Armed Forces have given to the Nation, especially those who have been wounded in combat.

Madam Speaker, throughout our history, America's sons and daughters have been called upon to fight our Nation's wars to preserve our freedom and our way of life. Each time we have gone to war, these brave men and women who answered the call, unfortunately, have been wounded and injured; 204,002 in World War I, 671,846 in World War II, 103,284 in Korea, 153,303 in Vietnam, and 467 in Desert Storm.

Today, Madam Speaker, as we continue to fight terrorism throughout the world, 30,000 soldiers, sailors, airmen and Marines have been wounded and injured in Iraq and Afghanistan. As with

previous generations, these men and women are our Nation's finest, and we owe them more than just our gratitude.

Madam Speaker, since the beginning of the wars in Iraq and Afghanistan, Congress and the American people have made it clear that our combat wounded deserve the best our Nation has to offer. To that end, Congress has worked hard to ensure that the needs of the wounded troops and their families are met. From the best health care to jobs, to education benefits, the Members of this House have and will continue to insist that the support to the wounded and injured is unsurpassed.

Madam Speaker, there is no question that serving in combat is a profoundly life-altering experience. Men and women who survive the horrors of combat return home forever changed. Our Nation is eternally indebted to the brave men and women of the Armed Forces who fight to preserve our freedoms.

It is right and fitting, Madam Speaker, that today we recognize the service and the sacrifice of the members of the Armed Forces who have been wounded while serving this great Nation.

I'd like to thank my friend and colleague from Vermont (Mr. WELCH) for introducing this resolution, and I strongly urge all Members to support this resolution.

Madam Speaker, I reserve the balance of my time.

Ms. BORDALLO. Madam Speaker, I yield 3 minutes to my friend and colleague, the gentleman from New York (Mr. HIGGINS).

Mr. HIGGINS. I want to thank the sponsor of this bill, Mr. WELCH, from Vermont.

Madam Speaker, I'm proud to be an original cosponsor of House Resolution 1020. Thanks to advances in modern technology, many American soldiers serving in Iraq and Afghanistan have lived through events that would have previously cost them their lives. Of the 1.6 million servicemembers that have been deployed in Operation Enduring Freedom, in Operation Iraqi Freedom since September, 2001, more than 30,000 have been wounded in battle.

The numbers are staggering, but we are here today to acknowledge that these wounded warriors are not just statistics; they are men and women from across the country who have faced unique situations and struggles, and they have individual stories to tell.

Last summer I had the honor to meet a young man from my district who was injured in a roadside bomb explosion in Iraq that killed three other soldiers riding in the same HUMVEE. He suffered extensive injuries, including a broken back and elbow, and underwent two surgeries at a hospital in Germany before being transferred to Walter Reed Army Medical Center.

Quick reaction by the medics meant that instead of being paralyzed, he can now walk again, but only after extensive surgeries and painful rehabilitation. This young man is actually a lucky one. He was able to recover with the help of a caring family and a supportive wife. There are many others that are not as fortunate, and it is our responsibility to provide them with the best physical and emotional support possible.

Over the last year, Congress has taken many steps to enhance the quality of care of our veterans, including passing the largest increase in veterans' health funding in history, but there is still more to be done.

With this legislation, we do a simple but necessary thing; we take a moment to thank the men and women of the Armed Services who have been wounded in the line of duty and for their service and their sacrifice.

I urge my colleagues to support passage of House Resolution 1020.

□ 1500

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

Ms. BORDALLO. Madam Speaker, I yield 2 minutes to my friend and colleague, the gentleman from Vermont (Mr. WELCH), the original sponsor of this very important resolution.

Mr. WELCH of Vermont. Madam Speaker, I thank the gentlewoman from Guam, my cosponsor and traveling companion, the new Member, the distinguished Member already from Virginia, my cosponsors.

You know, they have said it pretty well. There's nothing that we can say or do that will acknowledge our appreciation for the sacrifice that the men and women of the uniformed services have given to this country.

What we are acknowledging here is that we have a common commitment to meeting the needs of those soldiers and sailors and airmen who return from active duty. What we are also acknowledging is that in this war, very much unlike past conflicts, our soldiers, benefiting from this extraordinary battlefield medicine, are returning with extraordinary injuries. That is what they will have to live with for the rest of their lives.

Many of us have had the opportunity to visit some of these soldiers out at Bethesda, out at Walter Reed. We are trying, in this small gesture, to acknowledge the sense that all of us have in Congress of our debt and our obligation and our appreciation to them.

Madam Speaker, next week, we are going to have a group of these servicemen and -women visiting us in the Capitol. I'm going to be joining with my colleagues here today to welcome those men and women of the uniformed services to this Capitol, and I will encourage all of us to join in welcoming them personally to thank them for their sacrifice.

Mr. WITTMAN of Virginia. Madam Speaker, I yield to the gentleman from Michigan (Mr. WALBERG) as much time as he may consume.

Mr. WALBERG. Madam Speaker, I rise with my colleague from Vermont to voice strong support for H. Res. 1020, which expresses the commitment of this Congress to our injured heroes, ensures they're receiving the highest quality of health care available and encourages all Americans to show support and appreciation for our veterans.

Today, I want to take time to thank all of the servicemen and -women and their families for their sacrifices. I know the pride of having a son serve in the United States military, and my wife, Sue, and I pray every day for the safety of our fighting men and women abroad and here at home.

When our soldiers go into battle, we can all agree that they deserve the best training, equipment, and necessary resources to accomplish their mission. Congress has an obligation to care for America's wounded heroes when they return home from the battlefield. I believe the least we can do is to provide the highest quality medical care to the brave men and women of our Armed Forces when they're injured defending the freedoms that we enjoy.

Right now, we have more wounded warriors returning home than ever before because of improved medical technology and advanced equipment to transport our sick and wounded. The thousands of men and women serving in the military who have been wounded serving in Iraq and Afghanistan and other wars deserve the best treatment and care available.

I look forward to working with my colleagues in a nonpartisan manner to make sure Congress delivers on our responsibility. I urge my colleagues to support H. Res. 1020 and support our wounded warriors.

Ms. BORDALLO. Madam Speaker, at this time I have no further requests for time. I am prepared to close after my colleague has yielded back his time. I continue to reserve the balance of my time.

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

Ms. BORDALLO. Madam Speaker, at this time I have no further speakers, and I would like to extend my sincerest thanks to my colleague on the House Committee on Armed Services and Natural Resources, Mr. WITTMAN. I've enjoyed working with him on the floor this afternoon.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and agree to the resolution, H. Res. 1020, as amended.

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

A motion to reconsider was laid on the table.

EARLY HEARING DETECTION AND INTERVENTION ACT OF 2008

Mrs. CAPPS. Madam Speaker, I move to suspend the rules and pass the bill

(H.R. 1198) to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1198

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 ''Early Hearing Detection and Intervention Act of 2008''.

SEC. 2. EARLY DETECTION, DIAGNOSIS, AND TREATMENT OF HEARING LOSS.

Section 399M of the Public Health Service Act (42 U.S.C. 280g–1) is amended—

*(1) in the section heading, by striking ''**INFANTS**'' and inserting ''**NEWBORNS AND INFANTS**'';*

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''screening, evaluation and intervention programs and systems'' and inserting ''screening, evaluation, diagnosis, and intervention programs and systems, and to assist in the recruitment, retention, education, and training of qualified personnel and health care providers,'';

(B) by amending paragraph (1) to read as follows:

''(1) To develop and monitor the efficacy of statewide programs and systems for hearing screening of newborns and infants; prompt evaluation and diagnosis of children referred from screening programs; and appropriate educational, audiological, and medical interventions for children identified with hearing loss. Early intervention includes referral to and delivery of information and services by schools and agencies, including community, consumer, and parent-based agencies and organizations and other programs mandated by part C of the Individuals with Disabilities Education Act, which offer programs specifically designed to meet the unique language and communication needs of deaf and hard of hearing newborns, infants, toddlers, and children. Programs and systems under this paragraph shall establish and foster family-to-family support mechanisms that are critical in the first months after a child is identified with hearing loss.''; and

(C) by adding at the end the following:

''(3) To develop efficient models to ensure that newborns and infants who are identified with a hearing loss through screening receive follow-up by a qualified health care provider. These models shall be evaluated for their effectiveness, and State agencies shall be encouraged to adopt models that effectively increase the rate of occurrence of such follow-up.

''(4) To ensure an adequate supply of qualified personnel to meet the screening, evaluation, diagnosis, and early intervention needs of children.'';

(3) in subsection (b)—

(A) in paragraph (1)(A), by striking ''hearing loss screening, evaluation, and intervention programs'' and inserting ''hearing loss screening, evaluation, diagnosis, and intervention programs''; and

(B) in paragraph (2)—

(i) by striking ''for purposes of this section, continue'' and insert the following: ''for purposes of this section—

''(A) continue'';

(ii) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(B) establish a postdoctoral fellowship program to foster research and development in the area of early hearing detection and intervention.'';

(4) in paragraphs (2) and (3) of subsection (c), by striking the term ''hearing screening, evaluation and intervention programs'' each place such term appears and inserting ''hearing screening, evaluation, diagnosis, and intervention programs'';

(5) in subsection (e)—

(A) in paragraph (3), by striking ''ensuring that families of the child'' and all that follows and inserting ''ensuring that families of the child are provided comprehensive, consumer-oriented information about the full range of family support, training, information services, and language and communication options and are given the opportunity to consider and obtain the full range of such appropriate services, educational and program placements, and other options for their child from highly qualified providers.''; and

(B) in paragraph (6), by striking '', after rescreening,''; and

(6) in subsection (f)—

(A) in paragraph (1), by striking ''fiscal year 2002'' and inserting ''fiscal years 2009 through 2014'';

(B) in paragraph (2), by striking ''fiscal year 2002'' and inserting ''fiscal years 2009 through 2014''; and

(C) in paragraph (3), by striking ''fiscal year 2002'' and inserting ''fiscal years 2009 through 2014''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. CAPPS) and the gentleman from Georgia (Mr. DEAL) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

Mrs. CAPPS. Madam Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 1198, the Early Hearing Detection and Intervention Act. I'm very proud to have introduced this bill with Congressman JIM WALSH of New York, who has championed this issue for many years.

This bill is near and dear to me as cochair of both the Hearing Health Caucus and the Infant Health and Safety Caucus.

The Early Hearing Detection and Intervention Program is one of those success stories that are often rare in Washington. Since its authorization in 2000, we have seen a tremendous increase in the number of newborns who are being screened for hearing loss, but our work is not done. We need to ensure that every newborn is screened and that every family that needs access to follow-up care is given that access.

I have been a school nurse for over 20 years, and in those years, I can tell you firsthand what happens to a child who has undiagnosed hearing loss and/or never received proper intervention. They may fall behind in school and they may face other social difficulties. Early identification and intervention are essential to a child's well-being, and that's what we aim to achieve through the reauthorization of the Early Hearing Detection and Intervention Act.

I would like to thank the Deaf and Hard of Hearing Alliance, the American Academy of Audiology, and the March of Dimes for their support of this legislation. Let's continue to build upon the success of the past 8 years and make sure that every child has access to diagnosis and treatment of hearing loss.

Madam Speaker, I reserve the balance of my time.

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

I would like to join my colleague in supporting H.R. 1198, the Early Hearing Detection and Intervention Act of 2008.

This legislation reauthorizes the Early Hearing Detection and Intervention Program, which was first enacted in 2000 to help States develop newborn hearing screening and early intervention programs. This program has successfully improved newborn screening for hearing loss, which allows many children to benefit from early detection. This provides enhanced opportunities for language and communication skill development.

Unfortunately, children experiencing hearing loss who are not identified early can have delays in speech, language, and cognitive development. Through grant programs, this legislation helps ensure infants with hearing losses are identified and receive appropriate follow-up care. The bill also establishes a post-doctoral fellowship program to improve early hearing detection research.

This legislation moved through our committee in a bipartisan fashion, and I would urge its adoption.

I reserve the balance of my time.

Mrs. CAPPS. Madam Speaker, I continue to reserve the balance of my time.

Mr. DEAL of Georgia. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from New York (Mr. WALSH) who was the sponsor of the original legislation which this bill seeks to reauthorize.

Mr. WALSH of New York. Madam Speaker, I thank my friend and colleague, Mr. DEAL from Georgia, for yielding time and his leadership on health issues. I would also like to thank my colleague from California, LOIS CAPPS, who's done such a marvelous job of leading the Hearing Caucus for the past several years.

I would like to recognize, also, my cochairs along with Congresswoman CAPPS, VERN EHLERS, and CAROLYN MCCARTHY, who also worked long and hard on this issue, as well as the Deaf and Hard of Hearing Alliance, the National Center of Hearing for Assessment and Management. Without their hard work, this important legislation would not have been possible.

In the year 2000, Congress authorized the Children's Health Act which, among several initiatives, provided the necessary authority for the U.S. Department of Health and Human Services to begin addressing the screening

and intervention needs of newborns and children with hearing loss. Indeed, when this program began, there were pilot programs in the country, probably back about 12 or 13 years ago, 3 percent of the children born in the United States were tested. Today, it's well over 95 percent of the entire universe of newborns born in the United States today are being tested.

As we all know, the first 3 years of life are the most important period for language and speech development. It is essential that hearing impaired infants and young children be identified and an intervention begun in order to take full advantage of the developing sensory systems. If unidentified, these children will lose out on the crucial period of speech and language learning.

Auditory impairment can impact social, emotional, cognitive, and academic development leading to personal, vocational, and economical defects. Delayed identification in management of severe to profound hearing loss can impede a child's ability to adopt to life in a hearing or deaf community.

The early hearing, detection, and intervention programs include screening, audiological evaluation, and early intervention to enhance communication, thinking, and behavioral skills needed to achieve academic and social success. The EHDI programs are serving a critical need in a successful manner.

Today, I call upon Congress to continue the success that has been experienced since the year 2000 and enact legislation to reauthorize EHDI programs. H.R. 1198 builds upon the EHDI authorization from the year 2000 to address areas of continuing challenge.

First, it would provide authority to address those children who are falling through cracks and not receiving necessary care after a screening that shows they have potential hearing loss.

Second, it is clear that family-to-family support is critical in the first months after a child is identified with hearing loss. Excellent family-to-family support programs developed by state EHDI programs and other organizations are not yet wildly implemented. This legislation would provide the agency authority to support and disseminate such programs that are working for parents and their children.

Third, it is clear that more research and study is needed in the area of hearing detection and intervention.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DEAL of Georgia. I yield the gentleman an additional minute.

Mr. WALSH of New York. I thank the gentleman.

H.R. 1198 would enable NIH to establish a post-doctoral research fellowship program to effectively recruit researchers to become involved in early hearing detection and intervention.

Finally, H.R. 1198 provides the agency the authority to address the shortage of trained health professionals and other personnel necessary to make certain that every child who is screened with a hearing problem gets access to appropriate interventions needed to succeed.

I urge my colleagues to support this important legislation. Again, I thank my cochairs on the caucus.

Mrs. CAPPS. Madam Speaker, I continue to reserve.

Mr. DEAL of Georgia. I would urge the adoption of the resolution, and I yield back the balance of my time.

Mrs. CAPPS. Madam Speaker, I am prepared to close, and as I do, I would like to remind us all that since the authorization of the Early Hearing Detection Intervention Act in 2000, we've seen a tremendous increase in the numbers of newborns who are being screened for hearing loss; and with this passage of this reauthorization, we can continue to build upon the success of the past 8 years and make sure that every child has access to diagnosis and treatment of hearing loss.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of the Early Hearing Detection and Intervention Act.

Sadly, thousands of infants are born with a hearing loss each year. Fortunately, thanks to the Early Hearing Detection and Intervention (EHDI) program that was established in 2000, today approximately 93 percent of all newborns are screened. Many infants with hearing loss and their families have benefited from early identification of hearing loss. The EHDI program allows babies with hearing loss to develop normally and lead productive lives by ensuring that they will be ready to learn when they enter school.

However, many infants who are identified as having a hearing disability due to the screening tests do not receive timely follow-up care because of shortages in trained professionals needed for infant hearing screening programs. We must do better in ensuring that infants and their families have access to comprehensive hearing loss care. The bill seeks to accomplish this by presiding comprehensive information about family support, training, and information services to the family of children identified with hearing loss and ensure that they are given the opportunity to consider all the options of early intervention services, educational and program placements.

This legislation will improve on the successful Early Hearing Detection and Intervention program. I urge my colleagues to vote for this much needed bill.

Mrs. CAPPS. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and pass the bill, H.R. 1198, 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.

□ 1515

WAKEFIELD ACT

Mrs. CAPPS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2464) to amend the Public Health Service Act to provide a means for continued improvement in Emergency Medical Services for Children, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2464

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 ''Wakefield Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) There are 31,000,000 child and adolescent visits to the Nation's emergency departments every year.

(2) Over 90 percent of children requiring emergency care are seen in general hospitals, not in free-standing children's hospitals, with one-quarter to one-third of the patients being children in the typical general hospital emergency department.

(3) Severe asthma and respiratory distress are the most common emergencies for pediatric patients, representing nearly one-third of all hospitalizations among children under the age of 15 years, while seizures, shock, and airway obstruction are other common pediatric emergencies, followed by cardiac arrest and severe trauma.

(4) Up to 20 percent of children needing emergency care have underlying medical conditions such as asthma, diabetes, sickle-cell disease, low birth weight, and bronchopulmonary dysplasia.

(5) Significant gaps remain in emergency medical care delivered to children. Only about 6 percent of hospitals have available all the pediatric supplies deemed essential by the American Academy of Pediatrics and the American College of Emergency Physicians for managing pediatric emergencies, while about half of hospitals have at least 85 percent of those supplies.

(6) Providers must be educated and trained to manage children's unique physical and psychological needs in emergency situations, and emergency systems must be equipped with the resources needed to care for this especially vulnerable population.

(7) Systems of care must be continually maintained, updated, and improved to ensure that research is translated into practice, best practices are adopted, training is current, and standards and protocols are appropriate.

(8) The Emergency Medical Services for Children (EMSC) Program under section 1910 of the Public Health Service Act (42 U.S.C. 300w–9) is the only Federal program that focuses specifically on improving the pediatric components of emergency medical care.

(9) The EMSC Program promotes the nationwide exchange of pediatric emergency medical care knowledge and collaboration by those with an interest in such care and is depended upon by Federal agencies and national organizations to ensure that this exchange of knowledge and collaboration takes place.

(10) The EMSC Program also supports a multi-institutional network for research in pediatric emergency medicine, thus allowing providers to rely on evidence rather than anecdotal experience when treating ill or injured children.

(11) The Institute of Medicine stated in its 2006 report, ''Emergency Care for Children: Growing Pains'', that the EMSC Program ''boasts many accomplishments . . . and the work of the program continues to be relevant and vital''.

(12) The EMSC Program has proven effective over two decades in driving key improvements in emergency medical services to children, and should continue its mission to reduce child and youth morbidity and mortality by supporting improvements in the quality of all emergency

medical and emergency surgical care children receive.

(b) PURPOSE.—It is the purpose of this Act to reduce child and youth morbidity and mortality by supporting improvements in the quality of all emergency medical care children receive.

SEC. 3. REAUTHORIZATION OF EMERGENCY MEDICAL SERVICES FOR CHILDREN PROGRAM.

Section 1910 of the Public Health Service Act (42 U.S.C. 300w–9) is amended—

(1) in subsection (a), by striking ''3-year period (with an optional 4th year'' and inserting ''4-year period (with an optional 5th year'';

(2) in subsection (d)—

(A) by striking ''and such sums'' and inserting ''such sums''; and

(B) by inserting before the period the following: '', $25,000,000 for fiscal year 2009, $26,250,000 for fiscal year 2010, $27,562,500 for fiscal year 2011, $28,940,625 for fiscal year 2012, and $30,387,656 for fiscal year 2013'';

(3) by redesignating subsections (b) through (d) as subsections (c) through (e), respectively; and

(4) by inserting after subsection (a) the following:

''(b)(1) The purpose of the program established under this section is to reduce child and youth morbidity and mortality by supporting improvements in the quality of all emergency medical care children receive, through the promotion of projects focused on the expansion and improvement of such services, including those in rural areas and those for children with special healthcare needs. In carrying out this purpose, the Secretary shall support emergency medical services for children by supporting projects that—

''(A) develop and present scientific evidence;

''(B) promote existing and innovative technologies appropriate for the care of children; or

''(C) provide information on health outcomes and effectiveness and cost-effectiveness.

''(2) The program established under this section shall—

''(A) strive to enhance the pediatric capability of emergency medical service systems originally designed primarily for adults; and

''(B) in order to avoid duplication and ensure that Federal resources are used efficiently and effectively, be coordinated with all research, evaluations, and awards related to emergency medical services for children undertaken and supported by the Federal Government.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. CAPPS) and the gentleman from Georgia (Mr. DEAL) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. CAPPS. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mrs. CAPPS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of H.R. 2464, the Wakefield Act. This legislation reauthorizes the Emergency Medical Services for Children ''EMSC'' program. The EMSC program ensures state-of-the-art emergency medical care for ill or injured children and adolescents.

Since its establishment more than 20 years ago, the EMSC program has driven major improvements in emergency care for children. In fact, injury-related deaths among children have dropped by 40 percent over that time period. Enormous strides have been made in areas such as ensuring that all ambulances carry appropriate pediatric supplies and equipment, and in collecting data on pediatric emergency care to inform future quality improvement efforts. Although much progress has been achieved, more remains to be done.

H.R. 2464 is an important piece of legislation that will work toward ensuring the best emergency medical care for children.

I would like to congratulate my colleague on the Energy and Commerce Committee, JIM MATHESON, and commend him for his hard work and dedication to this important piece of legislation.

I encourage all of my colleagues to join me in support of H.R. 2464.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I, too, rise in support of H.R. 2464, which reauthorizes the Emergency Medical Services for Children program. It is, indeed, the only Federal program dedicated to improving emergency care for children. Since its inception in 1984, death rates due to pediatric injury have dropped some 40 percent.

The program provides grants to States to improve existing medical emergency services systems, and to evaluate pediatric emergency care data to improve future treatment efforts. Many emergency centers do not have all of the necessary supplies to treat pediatric emergencies, despite the fact that 18 percent of emergency department patients are children.

The legislation also increases the authorization for this program by 5 percent annually for the next 5 years starting at $25 million in FY 2009. The bill also extends by 1 year the period that the Secretary of the Department of Health and Human Services may award grants under the program. The bill had broad bipartisan support in the committee, and I would urge its passage.

Madam Speaker, I reserve the balance of my time.

Mrs. CAPPS. Madam Speaker, I am very pleased to yield 5 minutes to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Madam Speaker, I rise today to speak in support of H.R. 2464, the Wakefield Act. I am the lead sponsor of this legislation, along with Representative PETER T. KING on the other side of the aisle.

Today, the hospital emergency department is such a fundamental part of our health system that it's easy to forget that emergency medicine is a relatively new specialty. Emergency rooms were first established in the 1970s as medical personnel returned from the Vietnam War. The skills developed to save soldiers' lives on the battlefield were being put to use saving victims of car crashes and other traumas.

However, the bodies of adult soldiers are very different from those of kids. By the early 1980s, doctors were seeing marked disparities in survival rates among adults and children with similar injuries. In fact, kids had twice the death rate in emergencies as adults.

In 1984, the Emergency Medical Services for Children program was first created. This unique act has driven fundamental changes in America's emergency medical system. Since it was established, child injury death rates have dropped 40 percent. The research that resulted from this legislation helped establish pediatric emergency medicine as its own specialty.

Program grants have provided seed money to every State and territory to help first responders and hospitals improve children's emergency care. In the mid-1980s, emergency personnel received little training in caring for children. Now, thanks to this program, paramedics can be exclusively trained, and their ambulances are stocked with the equipment and supplies needed by seriously injured kids.

Nowhere has this been more critical than in rural areas where the closest emergency room is often many miles from the scene of an accident. Getting it right for these small patients in the first critical minutes often means the difference between life and death.

Data collection and training seminars offered under this program, including from the Emergency Medical Services for Children Data Analysis Resource Center based in my district at the University of Utah, help ensure that best practices are developed and disseminated across the country.

The Emergency Medical Services for Children program's authorization expired in September 2005. In the summer of 2006, the Institutes of Medicine released a report which documented the value of this program. It noted the gaps that still remain in providing quality emergency care for children. And there is still a serious gap between the percentage of kids who end up in the emergency room and the percentage of emergency rooms staffed, trained and equipped to respond appropriately. The report said this program is ''well positioned to assume a leadership role'' in closing this gap.

I am pleased that H.R. 2464, the Wakefield Act, has bipartisan and bicameral support, including support from 75 of my colleagues in the House of Representatives. The bill is endorsed by over 50 organizations, including the American Academy of Pediatrics, the American College of Emergency Physicians, the American Medical Association, the Emergency Nurses Association, and many more.

Madam Speaker, this legislation enhances the program by authorizing the appropriate funding needed to ensure

the program can drive improvements in emergency and disaster care for children.

Madam Speaker, I want to acknowledge the bipartisan nature in which this bill moved through our committee, working on both sides of the aisle within the Energy and Commerce Committee. We worked together to make this bill as good as it can be.

Madam Speaker, nobody likes to see a child get hurt. Together, we can assure that when that happens, children have the best possible chance for recovery and a good outcome. I strongly urge the adoption of this legislation.

Mr. DEAL of Georgia. Madam Speaker, I urge the adoption of this resolution.

I yield back the balance of my time.

Mrs. CAPPS. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. I thank the gentlelady for yielding, and I am also very pleased to speak in favor of H.R. 2464, the Wakefield Act.

I wanted to bring you just a little bit of perspective in terms of the difference this act has made in one young man's life, and I think it's reflective of a number of children who have been saved by having medical appropriate services for traumatic and life-threatening injuries of kids.

The Wakefield Act is called the Wakefield Act in recognition of a living memory of a family, the family of Tom Wakefield, who was involved in a horrible head-on traffic accident as they drove to the airport for a winter's vacation. A vehicle crossed the median and struck this vehicle head on, killing Tom and two of his children, one age three and one age seven. Twelve-year-old Lucas lost his arm in the accident and was almost lost as well.

Emergency responders on the scene and thereafter saved his life and the life of his mother, Loy. I know this family, and I know their survivors, and I care deeply about them. They have certainly impressed upon me, as they would impress upon any of you, just how vitally important it is that we equip our emergency response to deal with any who may be hurt. And the 40 percent improvement in saving lives of children since the act was initially passed in 1984 shows just how critically important this reauthorization is. I'm very pleased that the Commerce Committee has done the work to bring it to the floor today, and I am grateful for the chance to speak on the bill.

I was at an event just this weekend where Lucas, now fully recovering, adapted to his new circumstance. This is a young man that makes me very, very proud. And I believe the Wakefield Act, named in honor of his family, is a very appropriate commendation of the ongoing efforts to keep all our children safe.

Mrs. CAPPS. Madam Speaker, I have no further requests for time. And following that eloquent testimony to the value of this legislation, we can all recognize that H.R. 2464 is an important measure that will work toward ensuring the best emergency medical care for all children.

I again want to congratulate my colleague on the Energy and Commerce Committee, JIM MATHESON, and all of those who have spoken today, including the ranking member of the subcommittee, for all the hard work and dedication to this important piece of legislation. I urge all of my colleagues to join in support of H.R. 2464.

Mr. KING of New York. Madam Speaker, today I rise as a strong supporter of H.R. 2464, the Wakefield Act, which will reauthorize the Emergency Medical Services for Children program for an additional 4 years.

Since the program began in 1984, EMSC grants have helped all 50 States to better prepare their health systems to treat children in an emergency. The EMSC program has improved the availability of child-appropriate equipment in ambulances and emergency departments, supported hundreds of programs to prevent injuries, and provided thousands of hours of training to EMTs, paramedics, and other emergency medical care providers.

In my home State of New York, EMSC funds are going toward the development of a statewide, standardized system that recognizes hospitals capable of managing pediatric emergencies, both trauma and medical. This will enhance the State's ability to transfer injured children to the hospital best suited to their treatment. New York is also utilizing EMSC funds to ensure that all ambulances have the essential pediatric equipment and supplies for prehospital pediatric emergency care.

Across the country, EMSC is enabling State and local emergency care providers to better treat children. The projects funded under EMSC are vital for the safety and well-being of America's children and have saved countless lives throughout the program's existence. During a time when a terrorist attack or natural disaster may occur at any moment, it is essential that we ensure that we are adequately prepared to care for every infant, toddler, and child in an emergency situation.

I would like to thank Representative MATHESON for his hard work and continued leadership on this issue, and I urge you to support the Wakefield Act.

Mrs. CAPPS. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and pass the bill, H.R. 2464, 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. MATHESON. 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.

CYTOLOGY PROFICIENCY IMPROVEMENT ACT OF 2008

Mrs. CAPPS. Madam Speaker, I move that the House suspend the rules and pass the bill (H.R. 1237) to amend the Public Health Service Act to provide revised standards for quality assurance in screening and evaluation of gynecologic cytology preparations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1237

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 ''Cytology Proficiency Improvement Act of 2008''.

SEC. 2. REVISED STANDARDS FOR QUALITY ASSURANCE IN SCREENING AND EVALUATION OF GYNECOLOGIC CYTOLOGY PREPARATIONS.

(a) IN GENERAL.—Section 353(f)(4)(B)(iv) of the Public Health Service Act (42 U.S.C. 263a(f)(4)(B)(iv)) is amended to read as follows:

''(iv) requirements that each clinical laboratory—

''(I) ensure that all individuals involved in screening and interpreting cytological preparations at the laboratory participate annually in a continuing medical education program in gynecologic cytology that—

''(aa) is approved by the Accrediting Council for Continuing Medical Education or the American Academy of Continuing Medical Education; and

''(bb) provides each individual participating in the program with gynecologic cytological preparations (in the form of referenced glass slides or equivalent technologies) designed to improve the locator, recognition, and interpretive skills of the individual;

''(II) maintain a record of the cytology continuing medical education program results for each individual involved in screening and interpreting cytological preparations at the laboratory;

''(III) provide that the laboratory director shall take into account such results and other performance metrics in reviewing the performance of individuals involved in screening and interpreting cytological preparations at the laboratory and, when necessary, identify needs for remedial training or a corrective action plan to improve skills; and

''(IV) submit the continuing education program results for each individual and, if appropriate, plans for corrective action or remedial training in a timely manner to the laboratory's accrediting organization for purposes of review and on-going monitoring by the accrediting organization, including reviews of the continuing medical education program results during on-site inspections of the laboratory.''.

(b) EFFECTIVE DATE AND IMPLEMENTATION; TERMINATION OF CURRENT PROGRAM OF INDIVIDUAL PROFICIENCY TESTING.—

(1) EFFECTIVE DATE AND IMPLEMENTATION.—Except as provided in paragraph (2), the amendment made by subsection (a) applies to gynecologic cytology services provided on or after the first day of the first calendar year beginning 1 year or more after the date of the enactment of this Act, and the Secretary of Health and Human Services (hereafter in this subsection referred to as the ''Secretary'') shall issue final regulations implementing such amendment not later than 270 days after such date of enactment.

(2) TERMINATION OF CURRENT INDIVIDUAL TESTING PROGRAM.—The Secretary of Health and Human Services shall terminate the individual proficiency testing program established pursuant to section 353(f)(4)(B)(iv) of the Public

Health Service Act (42 U.S.C. 263a(f)(4)(B)(iv)), as in effect on the day before the date of the enactment of subsection (a), at the end of the calendar year which includes the date of enactment of the amendment made by subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. CAPPS) and the gentleman from Georgia (Mr. DEAL) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

Mrs. CAPPS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 1237, the Cytology Proficiency Improvement Act of 2007. This legislation would modernize Federal regulations under the Clinical Laboratory Improvement Amendments Act of 1988, CLIA, that subject those who screen and interpret Pap tests to annual proficiency testing.

In 2005, CMS launched a program to begin testing pathologists and other laboratory professionals who performed Pap tests for proficiency. However, the program was designed using regulations written in 1992. In the 13 years between the regulation and the program's start, significant investments were made in the science and practice of Pap tests. Instead of relying on outdated practices, H.R. 1237 draws on the best that science and technology has to offer.

H.R. 1237 has 175 bipartisan cosponsors, including myself and every other female member of the Energy and Commerce Committee. Additionally, this bill is supported by the College of American Pathologists, the American Medical Association, the American Clinical Laboratory Association, the American College of Obstetricians and Gynecologists, and the American College of Nurse Midwives.

I want to commend my colleagues, Representative GORDON and Representative DEAL, for their hard work and commitment on this very important piece of legislation. This bill would improve the quality of women's health care. I strongly encourage all of our colleagues to join me in support of H.R. 1237.

Madam Speaker, I reserve the balance of my time.

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

I, too, rise in support of the Cytology Proficiency Improvement Act. I was a sponsor of legislation similar to this in the last Congress which passed the House, but unfortunately it was never signed into law. The bill revises national quality assurance standards of laboratories responsible for cytology services.

A few summers ago, I had the opportunity to visit a laboratory of a pathologist in my district, and I saw first hand the impact of this legislation. This bill is the result of actions taken in 2005 by the Centers for Medicare and Medicaid Services to institute a proficiency testing program for individual pathologists.

□ 1530

Unfortunately, this program was based on regulations first issued in 1992 as a result of the Clinical Laboratory Improvement Amendments of 1988. Thus the cytology proficiency program is now very outdated and based on regulations from nearly 15 years ago.

The legislation would provide for an orderly phase-out of the current program and transition into a new program where all individuals involved in screening and interpreting Pap tests would participate in a continuing medical education program in gynecologic cytology. This educational approach will present participants with complex cases to keep their skills on the cutting edge and will provide individuals an opportunity to test their skills.

I believe this legislation would be an important step in the right direction and would modernize the current regulatory framework while providing quality assurance, as was required in the Clinical Laboratory Improvement Amendments. Unlike last Congress, I hope we will be able to get this legislation signed into law in order to modernize an outdated proficiency testing program for pathologists.

Madam Speaker, I reserve the balance of my time.

Mrs. CAPPS. Madam Speaker, I continue to reserve the balance of my time.

Mr. DEAL of Georgia. Madam Speaker, I am pleased to yield 5 minutes to my colleague from Georgia (Mr. PRICE), one of the original cosponsors of the legislation this year, a medical doctor.

Mr. PRICE of Georgia. I thank my friend and colleague from Georgia, Congressman DEAL, for his leadership on this issue and for the time today.

I also want to express my gratitude and thanks to Representative GORDON, who was extremely cooperative and helpful and productive throughout this entire process. I want to thank the American College of Pathology and all of the pathologists across the Nation who are working day in and day out to make certain that they provide quality care for the patients for whom they are charged.

Madam Speaker, I include in the RECORD a copy of an article by Dr. George Nagy that documents the dysfunctional federally mandated proficiency test in cytopathology.

THE DYSFUNCTIONAL FEDERALLY MANDATED PROFICIENCY TEST IN CYTOPATHOLOGY—A STATISTICAL ANALYSIS

Proficiency testing in cytopathology and in other disciplines should be based on firm statistical and scientific foundations, because test theory in general is a heavily statistical subject. Statistical considerations have demonstrated that the design of ''short'' proficiency tests in cytopathology, including the current federally mandated test, fundamentally is unsound because of the lack of sufficient validity and reliability. Examinees too frequently are misclassified by such short-format tests: Competent examinees fail the test in surprisingly high numbers, whereas most of the examinees who have insufficient cytologic skills eventually pass the test after the allowed retakes. Only dichotomous tests are suitable for accurate computation of the effects of test design on reliability, but the statistical conclusions also are generalizable to nondichotomous tests. In conclusion, the current federally mandated proficiency test cannot reliably measure the level of expertise of cytologists and, thus, cannot assure that only adequately skilled individuals evaluate Papanicolaou test samples. To render the test suitable for its intended purpose, the authors believe that complete redesign of the test, with the participation of experts in modern test theory, would be advisable.

Proficiency testing in cytopathology (PTC), which was established in the 1991 regulations to implement the Clinical Laboratory Improvement Amendments of 1988 (CLIA'88), has only recently been enforced on a national scale. For more than a decade, during which logistical hurdles hampered the development of a national program for PTC, there was not much incentive to think about the value and potential of PTC or its theoretical background or to worry that the test design was so poor. In 2004, however, the Center for Medicare and Medicaid Services announced that a national PTC program developed by the Midwest Institute for Medical Education had been approved and that the regulations finally would be enforced on a national level. Suddenly, the shortcomings of the test were everyone's problem. What followed was a flurry of comments, articles, proposals, and Internet discussions about the PTC and its future. Although the testing has proceeded nationwide in conformity with the original regulations, the dust has not yet settled on the subject. The professional organizations agree that PTC, as prescribed in CLIA'88, is inadequate and is in great need of improvement if indeed it should remain in place at all. Regarding the projected revisions, it is a real impediment that some regulatory authorities that are in a position to make decisions about the implementation of PTC apparently are not familiar with most of the theoretical implications of test theory, which is an exceedingly complicated subject. So long as the test is mandatory for every practitioner of gynecologic cytopathology in the United States, it is in the best interest of all participants for PTC to become a scientifically well-founded, valid, and reliable quality assurance method. In the current article, we have attempted to shed light on some gaps in the knowledge about the theoretical underpinnings of PTC that seem to endure in the cytopathology literature.

TEST THEORY IS STATISTICAL

Test theory is a heavily statistical subject. Virtually all aspects of test theory have been investigated in depth almost exclusively by educators and psychologists, which is understandable, because testing is a central issue in their disciplines. Unfortunately, this valuable body of literature apparently has been disregarded completely by the federal authorities that are responsible for PTC regulations.

The statistical apparatus used in modern test theory is formidable. Many books and

articles written about the subject use highly sophisticated mathematical tools, including differential and integral calculus and matrix algebra. One of the reasons for the high degree of mathematization of test theory in psychology and education science is that these disciplines deal largely with intangibles, like motivation, intelligence, understanding, and adaptability, which are not directly measurable. Such entities must be studied indirectly, through measurements of other quantities. That is why psychological test theory introduced the concept of ''constructs'' that can substitute for and represent the kinds of abstract attributes mentioned above. Even so, the highly complicated mathematical and statistical tools that have been promoted in educational and psychological test theory fulfill mainly academic purposes. Most actual problems in everyday testing can be solved on a practical level that does not use highly complicated mathematical methods but, at the same time, does not disregard basic statistical principles.

TESTING IN THE PHYSICAL AND BIOLOGIC SCIENCES

Cytopathology, unlike educational science or psychology, is an applied natural science, and this is one of the reasons why PTC can be performed without the application of overly sophisticated mathematical tools. Interpretation of Papanicolaou smears, reproduction of cytologic diagnoses, and measurement of false-negative proportions, among others, are very complex tasks. By comparison, technically, it is a comparatively straightforward matter to evaluate the examinees' ability to assign diagnostic categories to cytologic changes observed on a slide or computer screen. Thus, abstract constructs hardly are needed in PTC. Nevertheless, a certain level of mathematical and statistical understanding by the designers of the test is crucial if a fair and scientifically valid system of PTC is to be established. Most pathologists, including ourselves, do not have rigorous training in statistics; therefore, if PTC is to continue, then the regulatory authorities ought to contract with experts in statistics and test theory who, through interaction with knowledgeable cytopathologists and cytotechnologists, would design an equitable and scientifically well-founded system for the nationwide PTC.

We do not mean to suggest that statisticians have not participated in the design of cytology testing programs. In fact, the College of American Pathologists' (CAP) Interlaboratory Comparison Program for Cervicovaginal Cytology was designed, implemented, and monitored with the extensive help of statistical expertise. However, this educational endeavor was not intended to be a PTC program as envisioned in the federal regulations. In fact, its original, scientifically and statistically supported structure ironically prevented its use as a PTC program because of the specific requirements of the federal regulations.

SHORT TESTS AND RELIABILITY

One of the central problems in the practice of PTC is reliability, and the reliability of PTC is related closely to the size of the test sets (the number of the test items or challenges in 1 test set). ''Short'' tests, which require the evaluation of relatively small numbers of slides, are characterized by a high misclassification rate. (The pervasive effect of sample size on the reliability of statistical inference is the reason why pollsters use large samples: The larger the sample, the narrower are the confidence limits in relative terms. The statistical estimates inferred from a single sizable sample that has been chosen by randomization will approach the true parameters of the population.) Short tests will not prevent the frequent failure of competent examinees or the passing of examinees who have less than desirable skill levels. Already in 1991 one of us (G.K.N.), in a report that was written with D.C. Collins, emphasized that the expected misclassification rate of such short tests can be surprisingly high and that, in the case of dichotomous tests, this rate can be calculated (or approximated) through the use of the binomial theory of statistics. (A dichotomous test evaluates the responses to test items as ''right'' or ''wrong,'' without using intermediate results or weighing of answers. The PTC system used in New York State for 36 years was dichotomous and so was the original Interlaboratory Comparison Program in Cervicovaginal Cytology. The CLIA'88-mandated PTC is not dichotomous.) This so-called ''simple binomial error model'' was described in test theory initially in the 1950s.

The results of the CLIA'88 mandated national PTC in 2005 dramatically demonstrated the effect of misclassification during short tests, as described previously. According to the data from the National Cytology Proficiency Testing Update, 9% of the examinees failed the test when they attempted it for the first time. However, when this group that supposedly had inferior skills retook the test, curiously, the failure rate for this second attempt was similar to that for the entire original group (10%). It appears that the cytologic skills among those examinees who had failed originally improved miraculously, allowing 90% of them to pass the examination, although all of them initially failed. It is hard to believe that a short remedial training between the first and second attempt could result in such an impressive real improvement. The only plausible scientific explanation is the well-known statistical phenomenon, the Galtonian ''regression toward the mean.'' The majority of failures during the first attempt were the consequence of misclassification because of the poor validity and reliability of the short test and were not caused by the insufficient skills of those who failed. The failure rate in all groups of examinees is about the same on the first attempt and on the second attempt, and previous failures do not seem to matter much. Essentially, the results of the CLIA'88-mandated PTC mostly mirror the statistical chances and not the examinees' skills.

Of course, multiple other variables beyond regression toward the mean, including experience gained in the technique of the test, differences in the difficulty of particular test sets, and even increased skills after remedial training, etc, also may play a role in the improvement of test results at the second attempt for individual examinees. However, to date, we do not have any data or even a plausible explanation concerning how any of these other factors, with the exception of regression toward the mean, could produce such a consistent result.

THE SIMPLE BINOMIAL ERROR MODEL

Misclassification of examinees by any short test, including the CLIA'88-mandated PTC, can be demonstrated by means of an analogy. Strictly speaking, this analogy is applicable only to dichotomous testing systems. However, in this sense, dichotomous and non dichotomous systems are correspondent. For statistical or evaluation purposes, non dichotomous systems can be made dichotomous at any time, even after the tests have been carried out. For example, an answer can be evaluated as correct only if it falls into the appropriate single category (''success'') and all other answers are rated as wrong (''failure''). Another solution to this problem in PTC would be to restrict the number of diagnostic categories to 2, with 1 category, for instance, ''negative for premalignant or malignant changes'' and the second category ''premalignant or malignant lesions are present.'' This is the approach used in the original CAP PAP program with its ''100 series'' and ''200 series.''

The CLIA'88 regulations concerning PTC, with their 4 diagnostic categories and complicated scoring system, do not fit into the dichotomous scheme. Despite this fact, the conclusions drawn by using the binomial error model regarding PTC are applicable to any short test to a large extent.

EXAMPLE OF SIMPLE BINOMIAL ERROR MODEL

For the purpose of illustration, let us suppose, that in a large population (for instance, that of an entire country), the results from a scrupulous statistical survey using many thousands of questionnaires and proper randomization indicate that the proportion of individuals who like to watch television (TV) is 90%. Because the survey is conducted in a scientific way and the sample size is very large, this result is considered highly accurate. The basic question on which the analogy with PTC will be based is, ''What can we expect if we ask 10 randomly selected individuals in this population about their attitude toward TV?'' The most probable result will be that, in this population, 9 of 10 individuals will like TV. However, it is reasonable to expect that, in many samples that consist of 10 individuals, all 10 individuals are TV fans; whereas, in other similar samples, there may be only 8, 7, or 6 such individuals. However, it is hardly conceivable that we will identify as few as only 1 or 2 fans in a sample of 10 individuals if the principle of random selection is followed.

Random selection is important. For example, a nonrandom sample, like one that consists exclusively of nuns in convents, would not yield a statistically valid reflection of the entire population; indeed, we may identify only 1 or 2 individuals in such a sample who like to watch TV. Exclusive selection of nuns or members of any other group with some special interest would not be compatible with the principle of randomness. However, to select a nun occasionally in a sample, with a frequency roughly corresponding to the proportion of nuns in the entire population, would be appropriate.

There is a statistical method that uses the so-called ''binomial formula'' for calculating the probability of encountering 10, 9, 8, 7, etc, TV fans in a sample of 10 individuals from our postulated population. (This method is not detailed in the current article, but an explanation can be found in any elementary statistical textbook). The probabilities even can be looked up in tables that are found at the end of statistical books. Under the circumstances outlined above (with a 90% proportion of TV fans in a sample size of 10 individuals). the probabilities of identifying 10, 9, 8, 7, and 6 TV fans in a random sample of 10 individuals are 0.35, 0.39, 0.19, 0.06, and 0.01, respectively.

The probability of identifying ≤5 TV fans under the above-described circumstances in a truly random sample of 10 individuals is exceedingly small. The succession of numbers described above represents a ''probability distribution,'' which can be observed in a histogram. This distribution is interpreted as follows: If, from this very large population, we take numerous random samples, each consisting of 10 individuals, and ask about their preferences for TV; then we will find that 35% of the samples would include 10 fans, 39% of the samples would include 9 fans, 19% of the samples would include 8 fans, and so on.

If we change the size of the sample, then the magnitudes of the single probabilities

and their distribution also will change and, along with them, the probability distribution. If we choose sample sizes of 100 individuals instead of 10, then the probabilities will be clustered much more tightly around the value of 90% than was the case in the smaller samples. The larger the size of the sample, the more reliable is the estimation; in other words, the observed value in every sample approaches the real population parameter. It is virtually unimaginable that there will be only 50 or 60 TV fans among 100 randomly selected individuals from this population. (Distribution data for such large samples are not provided even in the tables of larger statistical reference books: They are not needed, because the probability distribution for large samples can be found by the so-called ''normal approximation of the binomial distribution.'' To perform this method is mathematically simple, but the results may be slightly inaccurate. There are complex Web-based Internet tools, however, that calculate these probabilities very accurately.) Of course this holds true only if the randomness principle is strictly observed.

How can we apply the reasoning described above to the issue of sample sizes in PTC? Fortunately, the results of these binomial calculations can be generalized. The reason why we can do this is that, if the ''experiment'' qualifies as binomial, then the specifics of the experiment, whether they are related to liking TV or to success in PTC, have no bearing on the values of the probabilities or on the probability distribution.

TRUE SCORES

At this point, we need to review the term ''true score,'' a concept that is used widely in modern test theory. The true score of a hypothetical examinee is defined as the average of the observed or measured scores that would be obtained over an infinite number of repeated testing by the same test, provided that the examinee's skills remain indefinitely stable. For actual examinees, the true score can be estimated with a small error margin, but its exact value is essentially unknowable. For instance, if a cytologist screens 100,000 cervical smears, and if his or her diagnoses are correct 98,000 times, then the approximation of his or her true score is 0.98. Because the accurate determination of the true score would require an infinite number of repeat testing, which is not feasible, this true score of 0.98 remains an approximation. Obviously, we can be rather sure that, when the same individual screens the next 100,000 preparations, the approximation of his or her true score will not remain the same: The chances of this are infinitesimally small. The estimate of the true score will almost certainly change slightly, for instance to 0.97 or to 0.99, and so on, for each successive trial.

It has to be emphasized that assignment of an exact ''true score'' to a cytologist is somewhat arbitrary for further reasons. It cannot be expected that anybody's cytologic skills will remain invariant for a prolonged time. We can hope, of course, that the professional prowess of cytologists improves over time. Furthermore, everybody who has ever screened cytology specimens knows that screening performance depends on many factors, some of which are extraneous to the level of cytology skills. On a ''good'' day, a cytologist may function on a 0.98 score level; whereas, on a different, ''bad'' day, he or she might be less ''proficient.'' Even his or her experience with particular kinds of cytologic presentations on the previous day, for example, having seen an unusual presentation of high-grade squamous intraepithelial lesion on a quality-assurance review, could affect decision-making on the current day. Of course, these and other psychological variables (eg, the effects of anxiety or tiredness during tests or routine work) cannot be factored into the statistical considerations. Nagy and Collins, describing this concept, used the term ''competence level'' instead of ''true score'' in their 1991 article.

Direct measurement of the true score is not possible. What we have after an evaluation of test results is the ''observed score,'' which is related to the true score but is not identical to it. It can be considered an estimate of the true score.

COMPARISON OF TV PREFERENCE AND PTC RESULTS

TV preference and PTC results can be compared as follows: The values derived by the binomial formula are determined only by the number of trials and the probability of success. If the ''experiment'' qualifies as binomial, then the specifics of the experiment have no bearing on the numerical results. (In statistical parlance, any methods or procedures that yield raw data are called experiments.) In our TV example, the number of trials (the sample size) is 10, and the probability of success is 0.9. These 2 data are sufficient to calculate the probability distribution for this specific case. Let us consider now an example of PTC in which these specifics are the same as described above. The PTC design prescribes 10 slide test sets (number of trials). A cytologist who performs routine screening and customarily renders accurate diagnoses 9000 times among 10,000 screened slides has an approximate true score of 0.9. (In other words, the probability of success is 0.9.) When this cytologist attempts to pass this particular PTC, then the probability distribution of the possible correct answers will be identical to the probability distribution observed in the TV example, because the specifics of the TV experiments are the same. If this hypothetical cytologist attempts the test many times, then he or she will read 10 slides correctly in 35% of the tests, 9 slides correctly in 39% of the tests, and so on. The numerical values in the 2 experiments are identical.

We also should note that, if an examinee reads 10 slides or 9 slides correctly:which happens in 74% of events under the circumstances described above, then he or she passes the test. However, this individual, who essentially has an adequate true score, will fail a dichotomous PTC 26% of the time because of the low validity and reliability of the test. The phenomenon of failure in this case can be called ''type 1 error.'' (The null hypothesis is that ''the cytoscreener is competent.'') A valid and reliable test is expected to pass virtually all cytoscreeners with true scores on the 0.9 level; however, any dichotomous test that consists of 10 slides or challenges will misclassify approximately 26% of such individuals. It is obvious that this test does not really meet the expectation to determine the competence of an examinee who had a true score of 0.9.

It needs to be reiterated here that binomial calculations can be performed only for dichotomous tests. The probabilities for some well ordered, nondichotomous tests may be calculated by the use of more complicated multinomial assessments.

LIMITATIONS OF THE SIMPLE BINOMIAL ERROR MODEL

The binomial error model provides only a rough appraisal of the statistical factors that need to be taken into account in the design of PTC. One of the drawbacks of the model, as mentioned above, is that it is applicable only to dichotomous testing systems. However, the simplicity, transparency, and mathematical calculability of dichotomous setups counterbalance every other consideration. The dichotomous test design makes it possible to assess the impact of test set size on test validity and reliability and to calculate confidence intervals. Thus, the use of a dichotomous test would confer greater predictability and practicability to PTC. The effects on test validity and reliability of a haphazard design, like the CLIA'88-mandated PTC, hardly are calculable by scientific-statistical means. We do not state that dichotomous designs would solve every problem inherent in every type of test, including PTC. However, given that all other conditions of the testing are equal, dichotomous tests have insurmountable advantages over nondichotomous tests.

SIZE OF TEST SETS AND RATE OF MISCLASSIFICATION

Figures (not shown) illustrate the probability distributions of correct diagnoses for variable test set sizes and for examinees with different theoretical ''true scores.'' An ideal and flawless PTC would fail all examinees with true scores of 0.85, but no test design can fulfill such requirements. The reliability of the tests improves, however, as the test sets get larger. For examinees with true scores of 0.85 or 0.8, the accuracy of the test increases in parallel with the increasing size of the test sets. (The failure rates become larger for larger test sets.)

Visualization of the effect of sample size on misclassification also is possible by tabulation. The more slides the test set contains, the lower the misclassification rate. There appear to be anomalies at the set sizes of 9 and 19, in which the misclassification rate decreases for examinees with low true scores and increases for the more competent examinees. A test set that consists of 9 or 19 slides would be a very impractical choice. If the passing level is set at 90% (eg, 9 correct answers for 10 slides in dichotomous tests), as it is the general practice for PTCs, then 1 error is allowed for a 10-slide set. Under these circumstances, to pass a test based on 9-slide sets with a 90% passing grade would be incomparably more difficult than to pass a test based on a 10-slide set, because a single mistake would mean an error >10% and, consequently, a failure. The situation is similar for 19- or 29-slide sets. The greater grade of difficulty with a 9-slide test set is reflected in the smaller passing rates for both competent and less competent examinees. (This circumstance, paradoxically, improves the accuracy of the test for the participants with low true scores.) For these reasons, if the passing level is set at 90%, then only decimal-based test set sizes (10, 20, 30, etc. slides or challenges) should be used.

Another observable phenomenon is the ''law of diminishing returns,'' in which, as the number of slides in the test sets is increases, the misclassification rates decrease. However, the rate of decrease is not level but trails off with increasingly larger set sizes. For instance, misclassification of examinees with a true score of 0.8 is almost halved, from 38% to 20%, when the number of slides in the sets increases from 10 to 20. The next step, from a 20-slide set to a 30-slide set, is accompanied by a smaller relative improvement, and so on.

An important conclusion that can be drawn is that, when the number of slides is increased in the test sets, the decrease in the misclassification rate is more precipitous if the true score is 0.8 or 0.85, ie, on the side of the table for less competent examinees, than if the true score is 0.95. From our viewpoint, this is an advantage. The basic purpose of PTC is not the confirmation of the proficiency of the average cytologist who performs well but the identification of individuals who may have problems with expertise and need remediation. The type 1 error, the failure of competent examinees, is less consequential than the type 2 error, the passing

of less competent examinees. The simple binomial model is more suitable to investigate the latter than the former in the set-size ranges that are prevalent in the practice of PTC.

WHAT SHOULD BE THE MINIMAL NUMBER OF TEST SLIDES IN TEST SETS?

The question about the minimal number of test slides in test sets could be formulated more accurately as follows: What should be the minimal number of test slides so that we can be 90% confident that the test result is accurate? This type of calculation is relatively simple to perform if the test is dichotomous. In our calculations, we assumed a dichotomous test and 90% as the passing level for the observed score.

The minimum necessary number of test slides depends to a large extent on the competence of the individual examinee. For a cytologist with very poor skills, a relatively small test set would suffice. However, the discriminatory power of PTC decreases at the point where the skills of the examinee are almost satisfactory but still insufficient. Therefore, for such an individual, the test sets should be much larger if we want 90% confidence. It would be unrealistic to expect any test to differentiate easily between an ''incompetent'' cytologist whose true score is 0.89 and a ''competent'' cytologist with a true score of 0.9.

Just to illustrate a possible solution, we calculated the minimal size of test sets for examinees who had a true score of 0.8. We wanted to have 90% confidence in the accuracy of the test result. (This means that at least 90% of examinees with a true score of 0.8 will fail the test if the test set contains the calculated number of test slides.) Similar calculations were performed for examinees who had a true score of 0.85.

For the calculation, we used the algorithm written by the Vassar Education Department, which is in the public domain and may be found on the Internet. According to the results, a 40–slide set would provide >90% confidence (exactly, 92.409% confidence) in the accuracy of the results for examinees with a true score of 0.8. A 30–slide set would provide only an 87.729% confidence level for these individuals.

For examinees with a true score of 0.85, much larger test sets would be necessary to provide 90% confidence in the results. A test set consisting of 90 slides would provide 88.468% confidence, and only the use of a 100–slide test set would ensure >90% confidence (exactly, 90.055 confidence) in the test results. The extent of the confidence intervals can be easily visualized. Lord et al. presented the 90% confidence intervals for a 30–item dichotomous test on different true score levels.

The numbers provided above are given only for illustrative purposes. It is obvious that test sets consisting of 100 slides, or even 40 slides, could not be used under the generally accepted conditions of PTC. Evidently, only a board-type, full-day, or 2-day-long examination would satisfy the statistical requirements for an accurate and equitable test. Conversely, because such a board-type test would determine the capabilities of the examinees with a high level of accuracy, it would become safe to increase the intertest interval to 8 years or 10 years.

However, if most aspects of the current federal regulations for PTC remain in force—in other words, if a highly inaccurate and unreliable test also will be used in the future—then it will not be advisable to increase the yearly interval between tests very much. The main reason for this is that short tests are incapable of accurately identifying examinees with low professional skills. Competent examinees who fail the test (type 1 error) pass the test on the second or third attempt with a high probability. Most of these valuable professionals are not harmed much beyond the inconvenience of repeated testing. In contrast, examinees with questionable skills who pass the test (type 2 error) do not have to submit to repeat testing, and they continue to screen patient slides without censure at least until the next test. Of course, it may be argued that, if the test were totally useless, then increasing the interval between test events would not have any effect on public health. However, if the test were totally useless, then the only honest course to follow would be the complete abolishment of PTC. In our opinion, the test in its present form is not totally useless. The current test will force a certain number of cytologists with very poor professional skills (regardless of their low proportion in the entire cytopathology community) to recognize their deficiencies, to participate in remediation(s), and at least to attempt to improve their professional skills. However, as made obvious in the discussion above, the federally mandated PTC in its current form is not able to identify all cytologists with very poor skills. Allowing such individuals, unidentified by the test, to continue screening constitutes a certain danger for the public. If we try to make the current PTC useful at least to some degree, then we should not increase the time interval between tests to 3 or 4 years.

THE HIGH PASSING RATE OF LESS SKILLED PROFESSIONALS IN SHORT TESTS

Through the use of the simple binomial model, it also is possible to calculate the number of less than competent individuals who eventually will pass the short tests after repeated attempts. For instance, among 100 examinees who have true scores in the less competent range of 0.85, 54 individuals will pass a dichotomous test that consists of 10 test slides on the first attempt. The remaining 46 examinees will attempt the test a second time, and 54% of them (ie, 25 individuals) will pass on this second try. The remaining 21 examinees will attempt the test a third time, and 54% of them (ie, 11 individuals) will pass. In summary, 54 + 25 + 11 = 90 of these less-skilled examinees among 100 who were supposed to be identified by the system will avoid serious consequences if a short, 10–slide-based dichotomous test with 3 permitted retakes is used.

A similar calculation illustrates that, among 100 examinees with true scores of 0.8, 76 individuals eventually will pass, if 3 attempts are allowed, in a 10 slide-set, dichotomous PTC system.

These numbers indicate all too clearly the utter uselessness of short dichotomous PTCs in terms of capability to identify less skilled cytologists. However, we do not go so far as to declare that short PTC systems, dichotomous or nondichotomous, are totally lacking in utility. Even a short test generates interest, creates opportunity for self-assessment, and possibly highlights deficiencies in some areas in the professional knowledge of the individual cytologist. This effect should be perceived as beneficial. Our personal experience indicates that very short educational tests, although they may not be suitable in themselves as statistical assessments of professional knowledge of individuals, almost always provide a welcome impetus for continuing education. A short PTC, as an educational experience, may remain a valuable quality-assurance method, although it is limited in scope. In this regard, other valuable educational activities, such as the CAP Pap program, have their full justification. However, we in the cytopathology community should persevere in our attempts to prevent the deleterious situation in which PTC remains an expensive and rather meaningless ritual; a test that, on repeated attempts, can be passed by virtually all competent cytologists, as expected, and also by a very high percentage of those who would be adjudged incompetent if a more reliable testing process were available.

STATISTICS ARE NOT EVERYTHING

A more intensive integration of statistical principles would be needed to make the current design of PTC more functional. However, we do not believe that, even if statistical principles were applied optimally to PTC, all of the inherent problems of testing could be eliminated. There are many nonstatistical facets of all tests, including PTC. For instance, because, in cytopathology, we are confronted with the morphologic manifestations of extremely complicated biologic systems, total equivalence in the difficulty of test challenges (that is, absolute conformity of corresponding slides in different test sets) cannot be achieved. Perhaps this can be overcome with computerized digital tests to some extent in the future.

LESSONS FROM THE SIMPLE MODEL OF DICHOTOMOUS PTC THAT CAN BE APPLIED TO THE DYSFUNCTIONAL FEDERAL DESIGN

We emphasize once more that the discussions and calculations above are based on the relatively simple model of dichotomous proficiency testing. The current CLIA'88–mandated test, with its elaborate scoring system and multiple diagnostic categories, is much more complicated; therefore, our conclusions cannot be transferred to it in any straightforward or easy way. The proportions of expected misclassification rates, the widths of confidence intervals, and other statistical parameters in nondichotomous systems cannot be calculated accurately by using the simple binomial model. In other words, the generalizability (''external validity'') of the foregoing statistical considerations to nondichotomous systems could be questioned. The Galtonian regression toward the mean in the results of the first year of the CLIA'88-mandated test, however, provides indirect evidence that misclassification by the federal test is substantial, and its magnitude is in the range indicated by the simple binomial model. Therefore, it is plausible that the conclusions of the statistical considerations outlined above are applicable to the federally mandated PTC to a large extent.

We emphasize that the theoretical underpinnings of PTC are much more complex than may be perceived readily. We hope that, if mandatory, nationwide PTC remains in any form, then it is redesigned to be a valid and reliable proficiency testing system or possibly a board-type examination. We believe that accomplishing this would require the engagement of both cytologists and experts who are well versed in the practical and theoretical aspects of modern test theory. This does not mean that more descriptive data from the existing results of the CLIA'88–mandated PTC should be collected. On the contrary, because the design of the CLIA'88–mandated test is flawed, little true insight may be gained by amassing and further studying descriptive data from such a source. Rather, we advocate the careful application of more inferential or theoretical statistics, which would allow a fairer conceptual design of PTC while leaving the final decisions in the hands of expert cytopathologists and cytotechnologists who are familiar the wider aspects of our difficult discipline.

I also want to thank all of the members of the Women's Caucus. Without their wonderful support, I don't know where we would be at this point. And I thank, once again, Congressman DEAL,

the ranking member of the subcommittee; Chairman PALLONE and Chairman DINGELL and Ranking Member BARTON.

Madam Speaker, as has been described by my colleagues, in 1998 the CLIA, or the Clinical Laboratory Improvement Amendments, went into effect. The law was passed. And it took them 4 years for the provision to evaluate the performance of laboratories interpreting Pap tests or Pap smears to be put into law or to have the rule finalized by Health and Human Services. The problem is that program then sat on the shelf for 13 years. So in 2005 the rules were then put into effect and enforced. And therein lies the program.

This program currently in place is based upon more than a decade old, even 15, 16 years old, 1992, regulatory approach that doesn't reflect the modern science and real-world laboratory practice. It does little to help patients or physicians charged with caring for them. The approach of relying on government-driven individual proficiency testing to evaluate the quality of Pap smear interpretations is both outdated and not cost effective.

So the solution is within the bill that we have before us today, H.R. 1237. There's a companion bill, Madam Speaker, over in the Senate, S. 2510, and I'm hopeful, as Congressman DEAL said, that we will be able to get this legislation through both Chambers during this session.

The Cytology Proficiency Improvement Act modifies CLIA by suspending the current regulation that subjects pathologists and others who screen for cervical cancer to annual proficiency testing and instead requires annual continuing medical education that would provide laboratory professionals opportunities to improve their screening and interpretation skills in a nonpunitive environment. The bill allows for an orderly phase-out of the current program and establishes reasonable timelines for the implementation of the new program. The educational approach is consistent with that included in the Mammography Quality Standards Act, a program that is remarkably effective. So the bill would ensure continuing education keeps up with the technology in the field and that clinicians are using day after day after day to help save lives of Americans all across our Nation. This is a major move in the right direction.

I want to thank once again all of those involved and encourage my colleagues to support the bill.

Mrs. CAPPS. Madam Speaker, I continue to reserve the balance of my time.

Mr. DEAL of Georgia. Madam Speaker, I urge the adoption of the bill.

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

Mrs. CAPPS. Madam Speaker, I have no further requests for time and again would like to commend my colleagues Representative GORDON and Representative DEAL and also the Women's Caucus for their much hard work and commitment on this important piece of legislation.

This bill would improve the quality of women's health care, and I strongly encourage all of our colleagues to join in support of H.R. 1237.

Mrs. MYRICK. Madam Speaker, I rise today in support of H.R. 1237, the Cytology Proficiency Improvement Act. I am pleased to see that the House will vote today on revamping a 16-year-old CMS regulation—from 1992—that calls for a Federal program to test the proficiency of individual laboratory professionals who read Pap tests.

I first became aware of the need to revisit this outdated regulation several years ago, in 2005, when CMS first began implementation of the program long after it was first put on the books. Congress knows well that promulgating regulations and implementation can do more harm than good.

The current oversight model that CMS is using is intended to help ensure that Pap tests are being read accurately—to improve public health. However, the approach established more than a decade ago, and being used today, doesn't necessarily protect women, improve quality or further our fight against cervical cancer.

H.R. 1237 provides an alternative. It redirects the current "testing" scheme to require pathologists and other lab technicians who read Pap tests to participate in an annual continuing medical education, CME program where their skills would be assessed and where the latest advances in Pap test practice could be shared. It would complement extensive Pap test quality controls that labs must already meet under the Clinical Laboratory Improvement Act. The Mammography Quality Standards Act includes a similar CME approach.

I've talked to pathologists in my district to better understand what it would take to add value to their profession, rather than just more red tape. Dr. Jared Schwartz was one of those who educated me and lent his expertise. He is now serving as president of the College of American Pathologists and is a strong advocate for ensuring access to Pap tests for all women. The laboratory and medical community support this bill, and I'm pleased to support it.

Mr. BUCHANAN. Madam Speaker, I rise today in support of H.R. 1237, the Cytology Proficiency Improvement Act of 2007. I am a cosponsor of this important legislation, which enhances women's health by establishing a continuing medical education requirement for pathologists and laboratory professionals who examine Pap tests to screen for cervical cancer.

I recently toured Sarasota Pathology and heard directly from my constituents about the importance of this bill and its potential to help save lives.

This legislation amends the Clinical Laboratory Improvements Amendments of 1988, CLIA, which mandated a cytology proficiency test to be administered by the Federal Government. However, the program lay inactive until 2005, which, because of scientific advancements makes the test obsolete and out of date.

Unlike the current CLIA testing model, H.R. 1237, with its annual continuing medical education requirement, will provide the means to increase the skills necessary to identify potential cervical cancer, and will keep pace with new science.

H.R. 1237 is modeled after the Mammography Quality Standards Act, MQSA, which was passed in 1992. That bill ensured women would have access to quality mammography procedures. This bill requires similar educational testing for pathologists.

The American Medical Association, the College of OBGYNs, the College of American Pathologists, the American Society for Clinical Pathology, the College of Nurse Midwifes, and the Cancer Research and Prevention Foundation endorse the bill.

Finally, I want to mention that the Congressional Budget Office has determined that it will not cost the Federal Government any additional expenditure.

Madam Speaker, I urge my colleagues to join with me in support of a bill that will greatly improve the quality of women's health care in America.

Mrs. CAPPS. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and pass the bill, H.R. 1237, 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.

SAFETY OF SENIORS ACT OF 2007

Mrs. CAPPS. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 845) to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 845

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 "Safety of Seniors Act of 2007".

SEC. 2. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended—

(1) by redesignating section 393B (as added by section 1401 of Public Law 106–386) as section 393C and transferring such section so that it appears after section 393B (as added by section 1301 of Public Law 106–310); and

(2) by inserting after section 393C (as redesignated by paragraph (1)) the following:

"SEC. 393D. PREVENTION OF FALLS AMONG OLDER ADULTS.

"(a) PUBLIC EDUCATION.—The Secretary may—

"(1) oversee and support a national education campaign to be carried out by a nonprofit organization with experience in designing and implementing national injury prevention programs, that is directed principally to older adults, their families, and

health care providers, and that focuses on reducing falls among older adults and preventing repeat falls; and

''(2) award grants, contracts, or cooperative agreements to qualified organizations, institutions, or consortia of qualified organizations and institutions, specializing, or demonstrating expertise, in falls or fall prevention, for the purpose of organizing State-level coalitions of appropriate State and local agencies, safety, health, senior citizen, and other organizations to design and carry out local education campaigns, focusing on reducing falls among older adults and preventing repeat falls.

''(b) RESEARCH.—

''(1) IN GENERAL.—The Secretary may—

''(A) conduct and support research to—

''(i) improve the identification of older adults who have a high risk of falling;

''(ii) improve data collection and analysis to identify fall risk and protective factors;

''(iii) design, implement, and evaluate the most effective fall prevention interventions;

''(iv) improve strategies that are proven to be effective in reducing falls by tailoring these strategies to specific populations of older adults;

''(v) conduct research in order to maximize the dissemination of proven, effective fall prevention interventions;

''(vi) intensify proven interventions to prevent falls among older adults;

''(vii) improve the diagnosis, treatment, and rehabilitation of elderly fall victims and older adults at high risk for falls; and

''(viii) assess the risk of falls occurring in various settings;

''(B) conduct research concerning barriers to the adoption of proven interventions with respect to the prevention of falls among older adults;

''(C) conduct research to develop, implement, and evaluate the most effective approaches to reducing falls among high-risk older adults living in communities and long-term care and assisted living facilities; and

''(D) evaluate the effectiveness of community programs designed to prevent falls among older adults.

''(2) EDUCATIONAL SUPPORT.—The Secretary, either directly or through awarding grants, contracts, or cooperative agreements to qualified organizations, institutions, or consortia of qualified organizations and institutions, specializing, or demonstrating expertise, in falls or fall prevention, may provide professional education for physicians and allied health professionals, and aging service providers in fall prevention, evaluation, and management.

''(c) DEMONSTRATION PROJECTS.—The Secretary may carry out the following:

''(1) Oversee and support demonstration and research projects to be carried out by qualified organizations, institutions, or consortia of qualified organizations and institutions, specializing, or demonstrating expertise, in falls or fall prevention, in the following areas:

''(A) A multistate demonstration project assessing the utility of targeted fall risk screening and referral programs.

''(B) Programs designed for community-dwelling older adults that utilize multi-component fall intervention approaches, including physical activity, medication assessment and reduction when possible, vision enhancement, and home modification strategies.

''(C) Programs that are targeted to new fall victims who are at a high risk for second falls and which are designed to maximize independence and quality of life for older adults, particularly those older adults with functional limitations.

''(D) Private sector and public-private partnerships to develop technologies to prevent falls among older adults and prevent or reduce injuries if falls occur.

''(2)(A) Award grants, contracts, or cooperative agreements to qualified organizations, institutions, or consortia of qualified organizations and institutions, specializing, or demonstrating expertise, in falls or fall prevention, to design, implement, and evaluate fall prevention programs using proven intervention strategies in residential and institutional settings.

''(B) Award 1 or more grants, contracts, or cooperative agreements to 1 or more qualified organizations, institutions, or consortia of qualified organizations and institutions, specializing, or demonstrating expertise, in falls or fall prevention, in order to carry out a multistate demonstration project to implement and evaluate fall prevention programs using proven intervention strategies designed for single and multifamily residential settings with high concentrations of older adults, including—

''(i) identifying high-risk populations;

''(ii) evaluating residential facilities;

''(iii) conducting screening to identify high-risk individuals;

''(iv) providing fall assessment and risk reduction interventions and counseling;

''(v) coordinating services with health care and social service providers; and

''(vi) coordinating post-fall treatment and rehabilitation.

''(3) Award 1 or more grants, contracts, or cooperative agreements to qualified organizations, institutions, or consortia of qualified organizations and institutions, specializing, or demonstrating expertise, in falls or fall prevention, to conduct evaluations of the effectiveness of the demonstration projects described in this subsection.

''(d) PRIORITY.—In awarding grants, contracts, or cooperative agreements under this section, the Secretary may give priority to entities that explore the use of cost-sharing with respect to activities funded under the grant, contract, or agreement to ensure the institutional commitment of the recipients of such assistance to the projects funded under the grant, contract, or agreement. Such non-Federal cost sharing contributions may be provided directly or through donations from public or private entities and may be in cash or in-kind, fairly evaluated, including plant, equipment, or services.

''(e) STUDY OF EFFECTS OF FALLS ON HEALTH CARE COSTS.—

''(1) IN GENERAL.—The Secretary may conduct a review of the effects of falls on health care costs, the potential for reducing falls, and the most effective strategies for reducing health care costs associated with falls.

''(2) REPORT.—If the Secretary conducts the review under paragraph (1), the Secretary shall, not later than 36 months after the date of enactment of the Safety of Seniors Act of 2007, submit to Congress a report describing the findings of the Secretary in conducting such review.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. CAPPS) and the gentleman from Georgia (Mr. DEAL) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

Mrs. CAPPS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of Senate bill 845, the Safety of Seniors Act.

Falls represent a serious health risk for millions of older Americans. In the United States, one of every three persons age 65 or older falls each year. Falls are the leading cause of injury deaths and the most common cause of injuries and hospital admissions for trauma in older adults.

Senate bill 845 seeks to address the growing problem of falling and fall-related injuries among older adults. This legislation would direct the Department of Health and Human Services to oversee and support national and local education campaigns focused on reducing falls and preventing repeated falls among older adults. It is important to note that the House Committee on Energy and Commerce held a markup of the House companion legislation H.R. 3701, the Keeping Seniors Safe From Falls Act, which was introduced by Health Subcommittee Chairman FRANK PALLONE. The committee amended H.R. 3701 to ensure that it was identical to Senate bill 845, which has already passed the Senate by unanimous consent. So I want to commend my good friend FRANK PALLONE for his hard work and commitment on this important piece of legislation.

I urge my colleagues to support Senate bill 845.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, my wife and I had the opportunity to take care of my mother and her parents in their later years for a period of about 8½ years prior to their passage some 1½ years ago. We were always aware of the danger that was posed by falls, and certainly falls are one of the main causes of injuries and hospital admissions for senior adults.

S. 845, the Safety of Seniors Act of 2008, tries to address this danger by focusing attention on preventing falls among senior citizens and conducting research to evaluate the cause of falls among our older adults. The legislation provides the Secretary with discretion to implement a national education campaign, and, also, it gives him authority to evaluate the effectiveness of community programs designed to prevent falls. It also gives the Secretary the ability to create demonstration projects focused on evaluating and preventing falls in senior citizens.

I urge the adoption of this bill.

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

Mrs. CAPPS. Madam Speaker, I have no further requests for time, and I support the passage of Senate bill 845, which seeks to address the growing problem of falls and fall-related injuries among older adults.

Mr. PALLONE. Madam Speaker, many of us have elder parents, relatives, neighbors or colleagues who have experienced an unnecessary fall. Recently, Nancy Reagan and Senator ROBERT BYRD have both suffered from falls that have caused them to be hospitalized.

Falls among elderly Americans in fact are so commonplace that one in three Americans over the age of 65 each year experiences a debilitating fall. As a result, it is the leading cause of injury-related deaths for older Americans.

The Centers for Disease Control and Prevention, CDC, estimates that fall-related medical expenses cost Americans more than $20 billion annually. Projections are that those expenses will climb to more than $40 billion over the next 15 years, posing additional burdens on already strapped Medicare and Medicaid funding.

Effective demonstration tests and comprehensive public information and education campaigns can help reduce and mitigate these avoidable and frequently disabling injuries.

To that end, I introduced H.R. 3701, the "Keeping Seniors Safe from Falls Act of 2007" with my good friend Representative RALPH HALL, which is the House companion to S. 845, the bill we are debating today. If enacted, this legislation would launch a comprehensive preventive care program and educational campaign to reduce the number and severity of falls to the elderly.

In closing I want to acknowledge all the hard work that went into this bill, including the work of my colleagues both here in the House and the Senate, as well as the Falls Free Coalition working group, which has been advocating for this legislation for sometime.

Madam Speaker, falls among the elderly are clearly an issue that affect and potentially imperil us all. This legislation offers a national approach to reducing these tragic events I urge my colleagues on both sides of the aisle to support this important bill.

Mrs. CAPPS. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and pass the Senate bill, S. 845.

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.

FOOD ALLERGY AND ANAPHYLAXIS MANAGEMENT ACT OF 2008

Mrs. CAPPS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2063) to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop a voluntary policy for managing the risk of food allergy and anaphylaxis in schools, to establish school-based food allergy management grants, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2063

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 ''Food Allergy and Anaphylaxis Management Act of 2008''.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) Food allergy is an increasing food safety and public health concern in the United States, especially among students.

(2) Peanut allergy doubled among children from 1997 to 2002.

(3) In a 2004 survey of 400 elementary school nurses, 37 percent reported having at least 10 students with severe food allergies and 62 percent reported having at least 5.

(4) Forty-four percent of the elementary school nurses surveyed reported that the number of students in their school with food allergy had increased over the past 5 years, while only 2 percent reported a decrease.

(5) In a 2001 study of 32 fatal food-allergy induced anaphylactic reactions (the largest study of its kind to date), more than half (53 percent) of the individuals were aged 18 or younger.

(6) Eight foods account for 90 percent of all food-allergic reactions: milk, eggs, fish, shellfish, tree nuts, peanuts, wheat, and soy.

(7) Currently, there is no cure for food allergies; strict avoidance of the offending food is the only way to prevent a reaction.

(8) Anaphylaxis is a systemic allergic reaction that can kill within minutes.

(9) Food-allergic reactions are the leading cause of anaphylaxis outside the hospital setting, accounting for an estimated 30,000 emergency room visits, 2,000 hospitalizations, and 150 to 200 deaths each year in the United States.

(10) Fatalities from anaphylaxis are associated with a delay in the administration of epinephrine (adrenaline), or when epinephrine was not administered at all. In a study of 13 food allergy-induced anaphylactic reactions in school-age children (6 fatal and 7 near fatal), only 2 of the children who died received epinephrine within 1 hour of ingesting the allergen, and all but 1 of the children who survived received epinephrine within 30 minutes.

(11) The importance of managing life-threatening food allergies in the school setting has been recognized by the American Medical Association, the American Academy of Pediatrics, the American Academy of Allergy, Asthma and Immunology, the American College of Allergy, Asthma and Immunology, and the National Association of School Nurses.

(12) There are no Federal guidelines concerning the management of life-threatening food allergies in the school setting.

(13) Three-quarters of the elementary school nurses surveyed reported developing their own training guidelines.

(14) Relatively few schools actually employ a full-time school nurse. Many are forced to cover more than 1 school, and are often in charge of hundreds if not thousands of students.

(15) Parents of students with severe food allergies often face entirely different food allergy management approaches when their students change schools or school districts.

(16) In a study of food allergy reactions in schools and day-care settings, delays in treatment were attributed to a failure to follow emergency plans, calling parents instead of administering emergency medications, and an inability to administer epinephrine.

SEC. 3. DEFINITIONS.

In this Act:

(1) ESEA DEFINITIONS.—The terms ''local educational agency'', ''secondary school'', and ''elementary school'' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) SCHOOL.—The term ''school'' includes public—

(A) kindergartens;

(B) elementary schools; and

(C) secondary schools.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services, in consultation with the Secretary of Education.

SEC. 4. ESTABLISHMENT OF VOLUNTARY FOOD ALLERGY AND ANAPHYLAXIS MANAGEMENT POLICY.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(1) develop a policy to be used on a voluntary basis to manage the risk of food allergy and anaphylaxis in schools; and

(2) make such policy available to local educational agencies and other interested individuals and entities, including licensed child care providers, preschool programs, and Head Start, to be implemented on a voluntary basis only.

(b) CONTENTS.—The voluntary policy developed by the Secretary under subsection (a) shall contain guidelines that address each of the following:

(1) Parental obligation to provide the school, prior to the start of every school year, with—

(A) documentation from the student's physician or nurse—

(i) supporting a diagnosis of food allergy and the risk of anaphylaxis;

(ii) identifying any food to which the student is allergic;

(iii) describing, if appropriate, any prior history of anaphylaxis;

(iv) listing any medication prescribed for the student for the treatment of anaphylaxis;

(v) detailing emergency treatment procedures in the event of a reaction;

(vi) listing the signs and symptoms of a reaction; and

(vii) assessing the student's readiness for self-administration of prescription medication; and

(B) a list of substitute meals that may be offered to the student by school food service personnel.

(2) The creation and maintenance of an individual health care plan tailored to the needs of each student with a documented risk for anaphylaxis, including any procedures for the self-administration of medication by such students in instances where—

(A) the students are capable of self-administering medication; and

(B) such administration is not prohibited by State law.

(3) Communication strategies between individual schools and local providers of emergency medical services, including appropriate instructions for emergency medical response.

(4) Strategies to reduce the risk of exposure to anaphylactic causative agents in classrooms and common school areas such as cafeterias.

(5) The dissemination of information on life-threatening food allergies to school staff, parents, and students, if appropriate by law.

(6) Food allergy management training of school personnel who regularly come into contact with students with life-threatening food allergies.

(7) The authorization and training of school personnel to administer epinephrine when the school nurse is not immediately available.

(8) The timely accessibility of epinephrine by school personnel when the nurse is not immediately available.

(9) Extracurricular programs such as non-academic outings and field trips, before- and after-school programs, and school-sponsored programs held on weekends that are addressed in the individual health care plan.

(10) The collection and publication of data for each administration of epinephrine to a student at risk for anaphylaxis.

(c) RELATION TO STATE LAW.—Nothing in this Act or the policy developed by the Secretary under subsection (a) shall be construed to preempt State law, including any State law regarding whether students at risk for anaphylaxis may self-administer medication.

SEC. 5. VOLUNTARY NATURE OF POLICY AND GUIDELINES.

The policy developed by the Secretary under section 4(a) and the food allergy management guidelines contained in such policy are voluntary. Nothing in this Act or the policy developed by the Secretary under section 4(a) shall be

construed to require a local educational agency or school to implement such policy or guidelines.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. CAPPS) and the gentleman from Georgia (Mr. DEAL) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

Mrs. CAPPS. Madam Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 2063, the Food Allergy and Anaphylaxis Management Act of 2008.

This legislation would provide schools with uniform guidance on how to create appropriate management and emergency plans for children with food allergies.

I was a school nurse, again, for 20 years, and I know so well the challenges confronting educators when working to ensure that their students are adequately cared for. And with the current shortage of school nurses, it is more important than ever that we assist local educational agencies in being prepared to manage the risk of food allergy and anaphylaxis in school.

The risk of accidental exposure to foods can be reduced in the school setting if schools will work with students, parents, nurses, and physicians to minimize risks and provide a safe educational environment for food-allergic students.

I want to commend my good friend from New York NITA LOWEY for her tireless work on this important bill. I urge my colleagues on both sides of the aisle to join me in supporting H.R. 2063.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I do rise in support of H.R. 2063, the Food Allergy and Anaphylaxis Management Act of 2008.

Many children face life-threatening food allergies which dramatically impact their lifestyles and make an ordinarily safe place like a school cafeteria a place filled with potential dangers. However, despite this threat and the growing prevalence of these food allergies, many schools struggle to establish effective guidelines to protect the health and well-being of students with food allergies.

I had the occasion this past year to visit with neighbors and constituents of mine whose children have these kind of allergies, one of the children having a very severe food allergy problem. It is truly remarkable the degree of care that children and parents must take and the life-changing events that occur as a result of these food allergies.

This legislation seeks to address this problem by requiring the Department of Health and Human Services to establish voluntary guidelines and policies to manage the risks of food allergy in a school setting. This policy will take into account the important role played by parents and the individual needs of students with differing allergies. Hopefully, this legislation will provide important Federal guidelines, which, when implemented, will provide peace of mind for parents of children with food allergies when they send their children to school every day.

Madam Speaker, I reserve the balance of my time.

Mrs. CAPPS. Madam Speaker, I am very pleased to yield 5 minutes to the author of the bill, our good friend and colleague from New York (Mrs. LOWEY).

Mrs. LOWEY. Madam Speaker, I rise in strong support of H.R. 2063, the Food Allergy and Anaphylaxis Management Act.

And I want to thank my good friend Congresswoman LOIS CAPPS and Congressman DEAL for your support on this very important legislation.

More than 11 million Americans suffer from food allergies. Each year several hundred of these individuals die and an estimated 30,000 receive lifesaving treatments in emergency rooms due to food-induced anaphylaxis. Despite the critical nature of these allergies, the only way to prevent dangerous reactions is to avoid all foods that contain allergy-inducing ingredients. And while there have been vast improvements in food labeling, this is still easier said than done, particularly for millions of children in school-based settings.

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Unfortunately, we have a patchwork of policies, regulations and State laws to address this problem. Food allergies and the risk of anaphylaxis are simply too dangerous to not have a more uniform approach to safety.

The Food Allergy and Anaphylaxis Management Act, which I first introduced in 2005, would require the Department of Health and Human Services to provide schools across the country with uniform guidance on how to create management and emergency plans for students with food allergies. These guidelines, which will be developed in consultation with the country's leading scientists and public health officials, will help schools tailor management plans to their students' individual needs, while also giving them confidence that the measures they are taking have the stamp of approval from the Federal Government. These guidelines are not only critically important in keeping children safe throughout the school day, but in ensuring that there is uniformity in how schools address this growing problem.

With the enactment of this legislation, parents will no longer have to worry about their children's safety if they move to a different school district or State. And most importantly, parents will no longer be charged with creating these policies on their own. This commonsense legislation will give schools, teachers and parents the information they need to keep food-allergic children safer and deserves the support of every one of my colleagues.

I would like to thank Senator DODD, who is pushing a similar bill in the Senate, Leader HOYER and his staff, Ivana Alexander, Chairmen DINGELL, MILLER and PALLONE and their staffs, particularly William Garner and Bobby Clark, for their support of this bill, and of course Jean Doyle, my legislative director, for her tireless efforts on this issue. I would also like to thank Anne Munoz-Furlong from the Food Allergy and Anaphylaxis Network, Todd Slotkin from the Food Allergy Initiative, Dave Bunning from the Food Allergy Project, and Dr. Hugh Sampson from Mt. Sinai Hospital for their tireless work on behalf of all individuals with food allergies.

This bill will take an important step in protecting children with food allergies.

I urge my colleagues to support it.

Mr. DEAL of Georgia. Madam Speaker, I would urge the adoption of this legislation.

I yield back the balance of my time.

Mrs. CAPPS. Madam Speaker, I am very pleased to yield 1 minute to our majority leader of the House, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentlelady for yielding, and I rise in very strong support of this legislation, and I thank the gentlelady from New York for her leadership on this issue. I thank Mr. DEAL for his leadership, as well, on this very, very important issue.

Madam Speaker, today this House is considering seven very important but largely noncontroversial public health bills. This week, of course, is National Public Health Week, a time to reflect on the importance of the quality of public health programs and a time to reiterate our commitment to addressing the critical problems that afflict America's health care system, such as exploding costs and the rising number of uninsured.

Today, however, I want to address one of the seven health bills that we are considering. The one under consideration right now is H.R. 2063, the Food Allergy and Anaphylaxis Management Act, introduced by my good friend, NITA LOWEY, of New York, the chairwoman of the Foreign Operations Subcommittee, with whom I had the great privilege of serving for many years. She is a longtime member of the Health and Human Services and Education Subcommittee of the Appropriations Committee. On that committee, she has focused on health care for Americans, but health care particularly for children, as she has focused on education for our children.

In short, Madam Speaker, this legislation will provide schools across the

country with uniform guidance on how to create appropriate management and emergency plans for children with food allergies. It will direct the Secretary of Health and Human Services to develop a voluntary policy for schools to implement measures to prevent exposure to food allergens and to ensure a prompt response if a child suffers a potentially fatal anaphylactic reaction.

Madam Speaker, deadly food allergies are not some arcane, rare occurrence. Frankly, even if they were, they would require our attention. But the reality is that as many as 2 million school-age children suffer from food allergies. One of those children is my granddaughter, Alexa.

No cure currently exists. Avoiding any and all products with allergy-causing ingredients is the only way to prevent potentially life-threatening reactions, reactions including severe anaphylaxis, which often occur at school and which can kill within minutes, unless epinephrine is administered.

Alexa, Madam Speaker, is 5 years of age. When she is at my house, as she was this past weekend, when she is in a restaurant, she is acutely aware, extraordinarily aware, for a 5-year-old, of what she can and cannot eat. And her mother, my daughter, asked the restaurant, what do you cook your french fries in? What do you use on your foods? It is an extraordinarily anxious time when my granddaughter eats. Just last week, for example, members of my family, including Alexa, visited my office, and we had sandwiches put out for a number of the family members. We had to make sure that all peanut butter and jelly sandwiches were removed from our conference room before Alexa entered to protect her.

To tell you how extraordinarily sensitive she is, she was in Disney World in Florida. She was walking with her mother and father down the pathway there from one exhibit to the other, and all of a sudden she started to wheeze heavily. Anne, who had seen this happen before, could not understand it because she didn't have anything to eat. They retraced their steps, and about 100 feet before this started, 100 feet, they saw some popcorn being popped in peanut oil. And it was simply the wind wafting that peanut odor. And whatever it was in the air she then breathed in, and that immediately started to give her a problem.

The importance of managing life-threatening food allergies in the school setting has been recognized by the American Medical Association, the American Academy of Pediatrics, the National Association of School Nurses and the American Academy of Allergy, Asthma and Immunology. One of the extraordinary nurses of America is our colleague, LOIS CAPPS. And I want to thank Congresswoman CAPPS for her leadership on this issue, as well. As a health professional, she knows firsthand of the consequences of allowing this to go unchecked and unprepared for.

Unfortunately, no consistent, standardized guidelines currently exist to help schools safely manage students with potentially deadly food allergies. As a matter of fact, my daughter, and parents similarly situated, meet with their child's teacher, Alexa is in kindergarten, and teaches them how to use the EpiPen, and it is ever present. My daughter goes nowhere without her EpiPen for use on Alexa should she have an attack.

That is why it is critical that we pass H.R. 2063 to ensure the safety of not only Alexa, but the millions of other school-age children afflicted with food allergies across the country.

I recently went to an event in New York. And after the event, I went to dinner, and there were eight of us at the table. Three of us were grandfathers. Eight people, in New York, not anything dealing with this issue, all three grandfathers were telling one another about the fact that they have grandchildren with food allergies. That is why it is critical that we pass this bill to ensure the safety not only of Alexa, but as I said, of the millions of other school-age children.

Madam Speaker, I urge all Members on both sides of the aisle to support this important, life-saving legislation.

Mrs. CAPPS. At this point, Madam Speaker, I have no further speakers, and as has been so eloquently underscored by our majority leader on behalf of all of the families, millions of children, as has been said across this country, their families, but also the schools in which they attend public schools that it is incumbent upon us to pass this important legislation and get this bill signed into law.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of the Food Allergy and Anaphylaxis Management Act.

Imagine having a child with a food allergy who is at school and can potentially eat something that will cause a life-threatening or fatal reaction. This can especially be a very nerve-wracking experience for any parent when their child is away from home and spends most of their time in school.

This commonsense legislation was brought to my attention by many school-age children from my congressional district. They shared their experiences of what they have to do every day to manage their food allergies. They have to scrutinize everything they eat in order to make sure they avoid the allergy-producing ingredients. The least we can do for these children and their parents is to encourage school districts across the country to adopt uniform guidelines in managing the risk of food allergy and anaphylaxis, and develop emergency plans for children who suffer from this illness. This legislation would accomplish this goal by creating a new grant program to provide resources for those school districts who voluntarily implement these measures.

Madam Speaker, by passing this bill, we can help reduce the number of life-threatening allergic reactions and help children manage their food allergies. I urge my colleagues to support this legislation.

Mrs. CAPPS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and pass the bill, H.R. 2063, as amended.

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

The title was amended so as to read: ''A bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop a voluntary policy for managing the risk of food allergy and anaphylaxis in schools.''.

A motion to reconsider was laid on the table.

NEWBORN SCREENING SAVES LIVES ACT OF 2007

Mrs. CAPPS. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 1858) to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 1858

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 ''Newborn Screening Saves Lives Act of 2007''.

SEC. 2. IMPROVED NEWBORN AND CHILD SCREENING FOR HERITABLE DISORDER.

Section 1109 of the Public Health Service Act (42 U.S.C. 300b–8) is amended—

(1) by striking subsections (a), (b), and (c) and inserting the following:

''(a) AUTHORIZATION OF GRANT PROGRAM.—From amounts appropriated under subsection (j), the Secretary, acting through the Administrator of the Health Resources and Services Administration (referred to in this section as the 'Administrator') and in consultation with the Advisory Committee on Heritable Disorders in Newborns and Children (referred to in this section as the 'Advisory Committee'), shall award grants to eligible entities to enable such entities—

''(1) to enhance, improve or expand the ability of State and local public health agencies to provide screening, counseling, or health care services to newborns and children having or at risk for heritable disorders;

''(2) to assist in providing health care professionals and newborn screening laboratory personnel with education in newborn screening and training in relevant and new technologies in newborn screening and congenital, genetic, and metabolic disorders;

''(3) to develop and deliver educational programs (at appropriate literacy levels) about newborn screening counseling, testing, follow-up, treatment, and specialty services to parents, families, and patient advocacy and support groups; and

''(4) to establish, maintain, and operate a system to assess and coordinate treatment relating to congenital, genetic, and metabolic disorders.

''(b) ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—

''(1) a State or a political subdivision of a State;

''(2) a consortium of 2 or more States or political subdivisions of States;

''(3) a territory;

''(4) a health facility or program operated by or pursuant to a contract with or grant from the Indian Health Service; or

''(5) any other entity with appropriate expertise in newborn screening, as determined by the Secretary.

''(c) APPROVAL FACTORS.—An application submitted for a grant under subsection (a)(1) shall not be approved by the Secretary unless the application contains assurances that the eligible entity has adopted and implemented, is in the process of adopting and implementing, or will use amounts received under such grant to adopt and implement the guidelines and recommendations of the Advisory Committee that are adopted by the Secretary and in effect at the time the grant is awarded or renewed under this section, which shall include the screening of each newborn for the heritable disorders recommended by the Advisory Committee and adopted by the Secretary.'';

(2) by redesignating subsections (d) through (i) as subsections (e) through (j), respectively;

(3) by inserting after subsection (c), the following:

''(d) COORDINATION.—The Secretary shall take all necessary steps to coordinate programs funded with grants received under this section and to coordinate with existing newborn screening activities.''; and

(4) by striking subsection (j) (as so redesignated) and inserting the following:

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated—

''(1) to provide grants for the purpose of carrying activities under section (a)(1), $15,000,000 for fiscal year 2008; $15,187,500 for fiscal year 2009, $15,375,000 for fiscal year 2010, $15,562,500 for fiscal year 2011, and $15,750,000 for fiscal year 2012; and

''(2) to provide grant for the purpose of carrying out activities under paragraphs (2), (3), and (4) of subsection (a), $15,000,000 for fiscal year 2008, $15,187,500 for fiscal year 2009, $15,375,000 for fiscal year 2010, $15,562,500 for fiscal year 2011, and $15,750,000 for fiscal year 2012.''.

SEC. 3. EVALUATING THE EFFECTIVENESS OF NEWBORN AND CHILD SCREENING PROGRAMS.

Section 1110 of the Public Health Service Act (42 U.S.C. 300b–9) is amended by adding at the end the following:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $5,000,000 for fiscal year 2008, $5,062,500 for fiscal year 2009, $5,125,000 for fiscal year 2010, $5,187,500 for fiscal year 2011, and $5,250,000 for fiscal year 2012.''.

SEC. 4. ADVISORY COMMITTEE ON HERITABLE DISORDERS IN NEWBORNS AND CHILDREN.

Section 1111 of the Public Health Service Act (42 U.S.C. 300b–10) is amended—

(1) in subsection (b)—

(A) by redesignating paragraph (3) as paragraph (6);

(B) in paragraph (2), by striking ''and'' after the semicolon;

(C) by inserting after paragraph (2) the following:

''(3) make systematic evidence-based and peer-reviewed recommendations that include the heritable disorders that have the potential to significantly impact public health for which all newborns should be screened, including secondary conditions that may be identified as a result of the laboratory methods used for screening;

''(4) develop a model decision-matrix for newborn screening expansion, including an evaluation of the potential public health impact of such expansion, and periodically update the recommended uniform screening panel, as appropriate, based on such decision-matrix;

''(5) consider ways to ensure that all States attain the capacity to screen for the conditions described in paragraph (3), and include in such consideration the results of grant funding under section 1109; and'';

(D) in paragraph (6) (as so redesignated by subparagraph (A)), by striking the period at the end and inserting '', which may include recommendations, advice, or information dealing with—

''(A) follow-up activities, including those necessary to achieve rapid diagnosis in the short-term, and those that ascertain long-term case management outcomes and appropriate access to related services;

''(B) implementation, monitoring, and evaluation of newborn screening activities, including diagnosis, screening, follow-up, and treatment activities;

''(C) diagnostic and other technology used in screening;

''(D) the availability and reporting of testing for conditions for which there is no existing treatment;

''(E) conditions not included in the recommended uniform screening panel that are treatable with Food and Drug Administration-approved products or other safe and effective treatments, as determined by scientific evidence and peer review;

''(F) minimum standards and related policies and procedures used by State newborn screening programs, such as language and terminology used by State newborn screening programs to include standardization of case definitions and names of disorders for which newborn screening tests are performed;

''(G) quality assurance, oversight, and evaluation of State newborn screening programs, including ensuring that tests and technologies used by each State meet established standards for detecting and reporting positive screening results;

''(H) public and provider awareness and education;

''(I) the cost and effectiveness of newborn screening and medical evaluation systems and intervention programs conducted by State-based programs;

''(J) identification of the causes of, public health impacts of, and risk factors for heritable disorders; and

''(K) coordination of surveillance activities, including standardized data collection and reporting, harmonization of laboratory definitions for heritable disorders and testing results, and confirmatory testing and verification of positive results, in order to assess and enhance monitoring of newborn diseases.''; and

(2) in subsection (c)(2)—

(A) by redesignating subparagraphs (E), (F) and (G) as subparagraphs (F), (H), and (I);

(B) by inserting after subparagraph (D) the following:

''(E) the Commissioner of the Food and Drug Administration;''; and

(C) by inserting after subparagraph (F), as so redesignated, the following:

''(G) individuals with expertise in ethics and infectious diseases who have worked and published material in the area of newborn screening;''; and

(3) by adding at the end the following:

''(d) DECISION ON RECOMMENDATIONS.—

''(1) IN GENERAL.—Not later than 180 days after the Advisory Committee issues a recommendation pursuant to this section, the Secretary shall adopt or reject such recommendation.

''(2) PENDING RECOMMENDATIONS.—The Secretary shall adopt or reject any recommendation issued by the Advisory Committee that is pending on the date of enactment of the Newborn Screening Saves Lives Act of 2007 by not later than 180 days after the date of enactment of such Act.

''(3) DETERMINATIONS TO BE MADE PUBLIC.—The Secretary shall publicize any determination on adopting or rejecting a recommendation of the Advisory Committee pursuant to this subsection, including the justification for the determination.

''(e) ANNUAL REPORT.—Not later than 3 years after the date of enactment of the Newborn Screening Saves Lives Act of 2007, and each fiscal year thereafter, the Advisory Committee shall—

''(1) publish a report on peer-reviewed newborn screening guidelines, including follow-up and treatment, in the United States;

''(2) submit such report to the appropriate committees of Congress, the Secretary, the Interagency Coordinating Committee established under Section 1114, and the State departments of health; and

''(3) disseminate such report on as wide a basis as practicable, including through posting on the internet clearinghouse established under section 1112.

''(f) CONTINUATION OF OPERATION OF COMMITTEE.—Notwithstanding section 14 of the Federal Advisory Committee Act (5 U.S.C. App.), the Advisory Committee shall continue to operate during the 5-year period beginning on the date of enactment of the Newborn Screening Saves Lives Act of 2007.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $1,000,000 for fiscal year 2008, $1,012,500 for fiscal year 2009, $1,025,000 for fiscal year 2010, $1,037,500 for fiscal year 2011, and $1,050,000 for fiscal year 2012.''.

SEC. 5. INFORMATION CLEARINGHOUSE.

Part A of title XI of the Public Health Service Act (42 U.S.C. 300b–1 et seq.) is amended by adding at the end the following:

''SEC. 1112. CLEARINGHOUSE OF NEWBORN SCREENING INFORMATION.

''(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration (referred to in this part as the 'Administrator'), in consultation with the Director of the Centers for Disease Control and Prevention and the Director of the National Institutes of Health, shall establish and maintain a central clearinghouse of current educational and family support and services information, materials, resources, research, and data on newborn screening to—

''(1) enable parents and family members of newborns, health professionals, industry representatives, and other members of the public to increase their awareness, knowledge, and understanding of newborn screening;

''(2) increase awareness, knowledge, and understanding of newborn diseases and screening services for expectant individuals and families; and

''(3) maintain current data on quality indicators to measure performance of newborn screening, such as false-positive rates and other quality indicators as determined by the Advisory Committee under section 1111.

''(b) INTERNET AVAILABILITY.—The Secretary, acting through the Administrator, shall ensure that the clearinghouse described under subsection (a)—

''(1) is available on the Internet;

''(2) includes an interactive forum;

''(3) is updated on a regular basis, but not less than quarterly; and

''(4) provides—

''(A) links to Government-sponsored, nonprofit, and other Internet websites of laboratories that have demonstrated expertise in

newborn screening that supply research-based information on newborn screening tests currently available throughout the United States;

''(B) information about newborn conditions and screening services available in each State from laboratories certified under subpart 2 of part F of title III, including information about supplemental screening that is available but not required, in the State where the infant is born;

''(C) current research on both treatable and not-yet treatable conditions for which newborn screening tests are available;

''(D) the availability of Federal funding for newborn and child screening for heritable disorders including grants authorized under the Newborn Screening Saves Lives Act of 2007; and

''(E) other relevant information as determined appropriate by the Secretary.

''(c) NONDUPLICATION.—In developing the clearinghouse under this section, the Secretary shall ensure that such clearinghouse minimizes duplication and supplements, not supplants, existing information sharing efforts.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $2,500,000 for fiscal year 2008, $2,531,250 for fiscal year 2009, $2,562,500 for fiscal year 2010, $2,593,750 for fiscal year 2011, and $2,625,000 for fiscal year 2012.''.

SEC. 6. LABORATORY QUALITY AND SURVEILLANCE.

Part A of title XI of the Public Health Service Act (42 U.S.C. 300b–1 et seq.), as amended by section 5, is further amended by adding at the end the following:

''SEC. 1113. LABORATORY QUALITY.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in consultation with the Advisory Committee on Heritable Disorders in Newborns and Children established under section 1111, shall provide for—

''(1) quality assurance for laboratories involved in screening newborns and children for heritable disorders, including quality assurance for newborn-screening tests, performance evaluation services, and technical assistance and technology transfer to newborn screening laboratories to ensure analytic validity and utility of screening tests; and

''(2) appropriate quality control and other performance test materials to evaluate the performance of new screening tools.

''(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $5,000,000 for fiscal year 2008, $5,062,500 for fiscal year 2009, $5,125,000 for fiscal year 2010, $5,187,500 for fiscal year 2011, and $5,250,000 for fiscal year 2012.

''SEC. 1114. INTERAGENCY COORDINATING COMMITTEE ON NEWBORN AND CHILD SCREENING.

''(a) PURPOSE.—It is the purpose of this section to—

''(1) assess existing activities and infrastructure, including activities on birth defects and developmental disabilities authorized under section 317C, in order to make recommendations for programs to collect, analyze, and make available data on the heritable disorders recommended by the Advisory Committee on Heritable Disorders in Newborns and Children under section 1111, including data on the incidence and prevalence of, as well as poor health outcomes resulting from, such disorders; and

''(2) make recommendations for the establishment of regional centers for the conduct of applied epidemiological research on effective interventions to promote the prevention of poor health outcomes resulting from such disorders as well as providing information and education to the public on such effective interventions.

''(b) ESTABLISHMENT.—The Secretary shall establish an Interagency Coordinating Committee on Newborn and Child Screening (referred to in this section as the 'Interagency Coordinating Committee') to carry out the purpose of this section.

''(c) COMPOSITION.—The Interagency Coordinating Committee shall be composed of the Director of the Centers for Disease Control and Prevention, the Administrator, the Director of the Agency for Healthcare Research and Quality, and the Director of the National Institutes of Health, or their designees.

''(d) ACTIVITIES.—The Interagency Coordinating Committee shall—

''(1) report to the Secretary and the appropriate committees of Congress on its recommendations related to the purpose described in subsection (a); and

''(2) carry out other activities determined appropriate by the Secretary.

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $1,000,000 for fiscal year 2008, $1,012,500 for fiscal year 2009, $1,025,000 for fiscal year 2010, $1,037,500 for fiscal year 2011, and $1,050,000 for fiscal year 2012.''.

SEC. 7. CONTINGENCY PLANNING.

Part A of title XI of the Public Health Service Act (42 U.S.C. 300b–1 et seq.), as amended by section 6, is further amended by adding at the end the following:

''SEC. 1115. NATIONAL CONTINGENCY PLAN FOR NEWBORN SCREENING.

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary, acting through the Director of the Centers for Disease Control and Prevention and in consultation with the Administrator and State departments of health (or related agencies), shall develop a national contingency plan for newborn screening for use by a State, region, or consortia of States in the event of a public health emergency.

''(b) CONTENTS.—The contingency plan developed under subsection (a) shall include a plan for—

''(1) the collection and transport of specimens;

''(2) the shipment of specimens to State newborn screening laboratories;

''(3) the processing of specimens;

''(4) the reporting of screening results to physicians and families;

''(5) the diagnostic confirmation of positive screening results;

''(6) ensuring the availability of treatment and management resources;

''(7) educating families about newborn screening; and

''(8) carrying out other activities determined appropriate by the Secretary.

''SEC. 1116. HUNTER KELLY RESEARCH PROGRAM.

''(a) NEWBORN SCREENING ACTIVITIES.—

''(1) IN GENERAL.—The Secretary, in conjunction with the Director of the National Institutes of Health and taking into consideration the recommendations of the Advisory Committee, may continue carrying out, coordinating, and expanding research in newborn screening (to be known as 'Hunter Kelly Newborn Screening Research Program') including—

''(A) identifying, developing, and testing the most promising new screening technologies, in order to improve already existing screening tests, increase the specificity of newborn screening, and expand the number of conditions for which screening tests are available;

''(B) experimental treatments and disease management strategies for additional newborn conditions, and other genetic, metabolic, hormonal and or functional conditions that can be detected through newborn screening for which treatment is not yet available; and

''(C) other activities that would improve newborn screening, as identified by the Director.

''(2) ADDITIONAL NEWBORN CONDITION.—For purposes of this subsection, the term 'additional newborn condition' means any condition that is not one of the core conditions recommended by the Advisory Committee and adopted by the Secretary.

''(b) FUNDING.—In carrying out the research program under this section, the Secretary and the Director shall ensure that entities receiving funding through the program will provide assurances, as practicable, that such entities will work in consultation with the appropriate State departments of health, and, as practicable, focus their research on screening technology not currently performed in the States in which the entities are located, and the conditions on the uniform screening panel (or the standard test existing on the uniform screening panel).

''(c) REPORTS.—The Director is encouraged to include information about the activities carried out under this section in the biennial report required under section 403 of the National Institutes of Health Reform Act of 2006. If such information is included, the Director shall make such information available to be included on the Internet Clearinghouse established under section 1112.

''(d) NONDUPLICATION.—In carrying out programs under this section, the Secretary shall minimize duplication and supplement, not supplant, existing efforts of the type carried out under this section.

''(e) PEER REVIEW.—Nothing in this section shall be construed to interfere with the scientific peer-review process at the National Institutes of Health.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. CAPPS) and the gentleman from Georgia (Mr. DEAL) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

Mrs. CAPPS. Madam Speaker, I rise in strong support of Senate bill 1858, the Newborn Screening Saves Lives Act. This legislation would facilitate the creation of Federal guidelines on newborn screening and would assist State newborn screening programs in meeting these guidelines.

Newborn screening is used for early identification of infants affected by certain genetic, metabolic, hormonal, and functional conditions for which there may be an effective treatment or intervention. If left untreated, these disorders can cause death, disability, mental retardation and other serious conditions. Every year, more than 4 million infants are born and screened

to detect conditions that could threaten their lives and their long-term health.

Senate bill 1858 will educate parents and health care providers about newborn screening. It will improve follow-up care for infants when illness is detected, and it will help States expand and improve their newborn screening programs.

It is very important to note that the House Committee on Energy and Commerce held a markup of House companion legislation H.R. 3825, which was introduced by my colleague, LUCILLE ROYBAL-ALLARD. And I want to say a word of commendation toward LUCILLE ROYBAL-ALLARD, who has really worked diligently over quite a period of time to make sure that this bill reached the floor today. She couldn't be here to speak on behalf of the legislation, but I know that there has been a great deal of leadership that has brought us to this point today.

The House Energy and Commerce Committee amended H.R. 3825 to ensure that it was identical to the Senate bill, 1858, which has already passed the Senate by unanimous consent. And so the good work of our friend, Congresswoman ROYBAL-ALLARD, has brought us to this point and to the commitment that I share on this important piece of legislation.

I appreciate all of her efforts to carry this legislation forward and admire her dedication to helping the children and families affected by these conditions.

I urge all of my colleagues to join in support of Senate bill 1858.

I reserve the remainder of my time.

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

Newborn screening can certainly identify children at risk for certain metabolic and genetic diseases for which there may be an effective treatment. If it is detected early it is certainly a cost-saving way of dealing with these problems that can lead to death, disability, mental retardation and many other serious conditions.

Currently, States have differing policies and procedures for doing newborn screening. Accurate screening ensures affected babies are identified and receive the proper care.

□ 1600

This legislation establishes a newborn screening education and outreach program at the Department of Health and Human Services in order to improve newborn screening. Many parents of newborns are not aware of the wide variety of screening tests that are available. Thus, the legislation would establish a clearinghouse of educational and family support and services information on newborn screening in order to provide resources for those families.

This legislation moved through our committee in a bipartisan process and the majority and the minority were able to reconcile a few differences on the legislation in that committee process. I would ask my colleagues to join me in supporting this important bill.

Madam Speaker, I reserve the balance of my time.

Mrs. CAPPS. Madam Speaker, I reserve the balance of my time.

Mr. DEAL of Georgia. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from New York (Mr. REYNOLDS).

Mr. REYNOLDS. Madam Speaker, I thank the gentleman from Georgia.

Madam Speaker, as one of the chief sponsors of the Newborn Screening Saves Lives Act, I rise today in strong support of Senate 1858 and urge its passage. I would like to extend my thanks to Chairman DINGELL and Ranking Member BARTON for working together to get this bill to the floor today.

This bill is a tribute to children and their parents who have had to face the pain of experiencing a disease that wasn't caught by newborn screening. Each year, over 4 million children are routinely tested at birth for genetic disorders. But what so many parents don't realize is that the actual number of conditions that their child is screened for depends on the State they live in. A child's life in one State should never mean more or less than a child's life in another.

Every child born with a disease, whether it is common or rare, should receive early diagnosis and treatment. That is why we need the Newborn Screening Laws Saves Lives Act signed into law and adequately funded. Through this legislation, we cannot only educate parents about lifesaving tests available for their newborn child, but greatly expand the screening programs at the State level.

Left untreated, many disorders are life-threatening or can cause serious mental and physical disabilities. Early detection through screening can lessen effects or even completely prevent progression of many disorders by providing for immediate medical intervention.

My State of New York has long been a national leader in newborn screening, starting in 1960 when Dr. Robert Guthrie developed the first newborn screening tests in Buffalo, New York. New York now tests each child for 44 different conditions.

In 2004, the American College of Medical Genetics completed a report commissioned by the U.S. Department of Health and Human Services which recommended at a minimum every baby born in the United States be screened for a core set of 29 treatable disorders. Currently, only 19 States and the District of Columbia require infants to be screened for all 29 of the recommended disorders. It is my sincere hope through grants and research funding provided for in the Newborn Screening Saves Lives Act, every State will be able to coordinate their newborn screening tests in order to bring consistency across the country.

Finally, I would like to acknowledge the strong bipartisan efforts of my colleagues LUCILLE ROYBAL-ALLARD, MIKE SIMPSON, and HENRY WAXMAN. They have long fought for life saving changes to newborn screening it, and it has been a pleasure working with them to achieve its consideration today.

I would like to thank Jill and Jim Kelly and Jacque Waggoner from Western New York for their tireless advocacy on behalf of enhanced newborn screening and for the tremendous efforts to raise public awareness about this vital issue.

Madam Speaker, I urge a ''yes'' vote on the bill.

Mr. DEAL of Georgia. Madam Speaker, I have no other requests for time. I urge the adoption of the resolution, and I yield back the balance of my time.

Mrs. CAPPS. Madam Speaker, I have no further speakers. I urge the adoption of S. 1858, the Newborn Screening Saves Lives Act, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and pass the Senate bill, S. 1858.

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.

TRAUMATIC BRAIN INJURY ACT OF 2008

Ms. BALDWIN. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 793) to provide for the expansion and improvement of traumatic brain injury programs, as amended.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 793

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 ''Traumatic Brain Injury Act of 2008''.

SEC. 2. CONFORMING AMENDMENTS RELATING TO RESTRUCTURING.

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended—

(1) by redesignating the section 393B (42 U.S.C. 280b–1c) relating to the use of allotments for rape prevention education, as section 393A and moving such section so that it follows section 393;

(2) by redesignating existing section 393A (42 U.S.C. 280b–1b) relating to prevention of traumatic brain injury, as section 393B; and

(3) by redesignating the section 393B (42 U.S.C. 280b–1d) relating to traumatic brain injury registries, as section 393C.

SEC. 3. TRAUMATIC BRAIN INJURY PROGRAMS OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

(a) PREVENTION OF TRAUMATIC BRAIN INJURY.—Clause (ii) of section 393B(b)(3)(A) of the Public Health Service Act, as so redesignated, (42 U.S.C. 280b–1b) is amended by

striking ''from hospitals and trauma centers'' and inserting ''from hospitals and emergency departments''.

(b) NATIONAL PROGRAM FOR TRAUMATIC BRAIN INJURY SURVEILLANCE AND REGISTRIES.—Section 393C of the Public Health Service Act, as so redesignated, (42 U.S.C. 280b et seq.) is amended—

(1) in the section heading, by inserting ''SURVEILLANCE AND'' after ''NATIONAL PROGRAM FOR TRAUMATIC BRAIN INJURY''; and

(2) in subsection (a), in the matter preceding paragraph (1), by striking ''may make grants'' and all that follows through ''to collect data concerning—'' and inserting ''may make grants to States or their designees to develop or operate the State's traumatic brain injury surveillance system or registry to determine the incidence and prevalence of traumatic brain injury and related disability, to ensure the uniformity of reporting under such system or registry, to link individuals with traumatic brain injury to services and supports, and to link such individuals with academic institutions to conduct applied research that will support the development of such surveillance systems and registries as may be necessary. A surveillance system or registry under this section shall provide for the collection of data concerning—''.

(c) REPORT.—Section 393C of the Public Health Service Act (as so redesignated) is amended by adding at the end the following:

''(b) Not later than 18 months after the date of enactment of the Traumatic Brain Injury Act of 2008, the Secretary, acting through the Director of the Centers for Disease Control and Prevention and the Director of the National Institutes of Health and in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, shall submit to the relevant committees of Congress a report that contains the findings derived from an evaluation concerning activities and procedures that can be implemented by the Centers for Disease Control and Prevention to improve the collection and dissemination of compatible epidemiological studies on the incidence and prevalence of traumatic brain injury in individuals who were formerly in the military. The report shall include recommendations on the manner in which such agencies can further collaborate on the development and improvement of traumatic brain injury diagnostic tools and treatments.''.

SEC. 4. STUDY ON TRAUMATIC BRAIN INJURY.

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended by inserting after section 393C, as so redesignated, the following:

''SEC. 393C–1. STUDY ON TRAUMATIC BRAIN INJURY.

''(a) STUDY.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention with respect to paragraph (1) and in consultation with the Director of the National Institutes of Health and other appropriate entities with respect to paragraphs (2), (3), and (4), may conduct a study with respect to traumatic brain injury for the purpose of carrying out the following:

''(1) In collaboration with appropriate State and local health-related agencies—

''(A) determining the incidence of traumatic brain injury and prevalence of traumatic brain injury related disability and the clinical aspects of the disability in all age groups and racial and ethnic minority groups in the general population of the United States, including institutional settings, such as nursing homes, correctional facilities, psychiatric hospitals, child care facilities, and residential institutes for people with developmental disabilities; and

''(B) reporting national trends in traumatic brain injury.

''(2) Identifying common therapeutic interventions which are used for the rehabilitation of individuals with such injuries, and, subject to the availability of information, including an analysis of—

''(A) the effectiveness of each such intervention in improving the functioning, including return to work or school and community participation, of individuals with brain injuries;

''(B) the comparative effectiveness of interventions employed in the course of rehabilitation of individuals with brain injuries to achieve the same or similar clinical outcome; and

''(C) the adequacy of existing measures of outcomes and knowledge of factors influencing differential outcomes.

''(3) Identifying interventions and therapies that can prevent or remediate the development of secondary neurologic conditions related to traumatic brain injury.

''(4) Developing practice guidelines for the rehabilitation of traumatic brain injury at such time as appropriate scientific research becomes available.

''(b) DATES CERTAIN FOR REPORTS.—If the study is conducted under subsection (a), the Secretary shall, not later than 3 years after the date of the enactment of the Traumatic Brain Injury Act of 2008, submit to Congress a report describing findings made as a result of carrying out such subsection (a).

''(c) DEFINITION.—For purposes of this section, the term 'traumatic brain injury' means an acquired injury to the brain. Such term does not include brain dysfunction caused by congenital or degenerative disorders, nor birth trauma, but may include brain injuries caused by anoxia due to trauma including near drowning. The Secretary may revise the definition of such term as the Secretary determines necessary.''.

SEC. 5. TRAUMATIC BRAIN INJURY PROGRAMS OF THE NATIONAL INSTITUTES OF HEALTH.

Section 1261 of the Public Health Service Act (42 U.S.C. 300d–61) is amended—

(1) in subsection (b)(2), by striking ''Labor and Human Resources'' and inserting ''Health, Education, Labor, and Pensions'';

(2) in subparagraph (D) of subsection (d)(4), by striking ''head brain injury'' and inserting ''brain injury''; and

(3) in subsection (i), by inserting '', and such sums as may be necessary for each of the fiscal years 2009 through 2012'' before the period at the end.

SEC. 6. TRAUMATIC BRAIN INJURY PROGRAMS OF THE HEALTH RESOURCES AND SERVICES ADMINISTRATION.

(a) STATE GRANTS FOR DEMONSTRATION PROJECTS REGARDING TRAUMATIC BRAIN INJURY.—Section 1252 of the Public Health Service Act (42 U.S.C. 300d–52) is amended—

(1) in subsection (a)—

(A) by striking ''may make grants to States'' and inserting ''may make grants to States and American Indian consortia''; and

(B) by striking ''health and other services'' and inserting ''rehabilitation and other services'';

(2) in subsection (b)—

(A) in paragraphs (1), (3)(A)(i), (3)(A)(iii), and (3)(A)(iv), by striking the term ''State'' each place such term appears and inserting the term ''State or American Indian consortium''; and

(B) in paragraph (2), by striking ''recommendations to the State'' and inserting ''recommendations to the State or American Indian consortium'';

(3) in subsection (c)(1), by striking the term ''State'' each place such term appears and inserting ''State or American Indian consortium'';

(4) in subsection (e), by striking ''A State that received'' and all that follows through the period and inserting ''A State or American Indian consortium that received a grant under this section prior to the date of the enactment of the Traumatic Brain Injury Act of 2008 may complete the activities funded by the grant.'';

(5) in subsection (f)—

(A) in the subsection heading, by inserting ''AND AMERICAN INDIAN CONSORTIUM'' after ''STATE'';

(B) in paragraph (1) in the matter preceding subparagraph (A), paragraph (1)(E), paragraph (2)(A), paragraph (2)(B), paragraph (3) in the matter preceding subparagraph (A), paragraph (3)(E), and paragraph (3)(F), by striking the term ''State'' each place such term appears and inserting ''State or American Indian consortium''; and

(C) in clause (ii) of paragraph (1)(A), by striking ''children and other individuals'' and inserting ''children, youth, and adults'';

(6) in subsection (h)—

(A) by striking ''Not later than 2 years after the date of the enactment of this section, the Secretary'' and inserting ''Not less than biennially, the Secretary'';

(B) by striking ''Commerce of the House of Representatives, and to the Committee on Labor and Human Resources'' and inserting ''Energy and Commerce of the House of Representatives, and to the Committee on Health, Education, Labor, and Pensions''; and

(C) by inserting ''and section 1253'' after ''programs established under this section,'';

(7) by amending subsection (i) to read as follows:

''(i) DEFINITIONS.—For purposes of this section:

''(1) The terms 'American Indian consortium' and 'State' have the meanings given to those terms in section 1253.

''(2) The term 'traumatic brain injury' means an acquired injury to the brain. Such term does not include brain dysfunction caused by congenital or degenerative disorders, nor birth trauma, but may include brain injuries caused by anoxia due to trauma. The Secretary may revise the definition of such term as the Secretary determines necessary, after consultation with States and other appropriate public or nonprofit private entities.''; and

(8) in subsection (j), by inserting '', and such sums as may be necessary for each of the fiscal years 2009 through 2012'' before the period.

(b) STATE GRANTS FOR PROTECTION AND ADVOCACY SERVICES.—Section 1253 of the Public Health Service Act (42 U.S.C. 300d–53) is amended—

(1) in subsections (d) and (e), by striking the term ''subsection (i)'' each place such term appears and inserting ''subsection (l)'';

(2) in subsection (g), by inserting ''each fiscal year not later than October 1,'' before ''the Administrator shall pay'';

(3) by redesignating subsections (i) and (j) as subsections (l) and (m), respectively;

(4) by inserting after subsection (h) the following:

''(i) DATA COLLECTION.—The Administrator of the Health Resources and Services Administration and the Commissioner of the Administration on Developmental Disabilities shall enter into an agreement to coordinate the collection of data by the Administrator and the Commissioner regarding protection and advocacy services.

''(j) TRAINING AND TECHNICAL ASSISTANCE.—

''(1) GRANTS.—For any fiscal year for which the amount appropriated to carry out this section is $6,000,000 or greater, the Administrator shall use 2 percent of such amount to make a grant to an eligible national association for providing for training

and technical assistance to protection and advocacy systems.

''(2) DEFINITION.—In this subsection, the term 'eligible national association' means a national association with demonstrated experience in providing training and technical assistance to protection and advocacy systems.

''(k) SYSTEM AUTHORITY.—In providing services under this section, a protection and advocacy system shall have the same authorities, including access to records, as such system would have for purposes of providing services under subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000.''; and

(5) in subsection (l) (as redesignated by this subsection) by striking ''2002 through 2005'' and inserting ''2009 through 2012''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wisconsin (Ms. BALDWIN) and the gentleman from Georgia (Mr. DEAL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

GENERAL LEAVE

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

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

There was no objection.

Ms. BALDWIN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of the Senate bill, S. 793, the Traumatic Brain Injury Act of 2008, to authorize research and public health activities relating to trauma and traumatic brain injury. The version of the bill we are considering today represents bipartisan and bicameral consensus.

The purpose of S. 793, the Traumatic Brain Injury Act of 2008, is to authorize funding for research, treatment, surveillance and education activities related to trauma and traumatic brain injury at the National Institutes of Health, the Health Resources and Services Administration and the Centers for Disease Control and Prevention. Reauthorizing the traumatic brain injury program will strengthen the goal of understanding and addressing traumatic brain injury and strengthen our commitment to all those who experience traumatic brain injury.

I want to acknowledge my friend the gentleman from New Jersey, Congressman BILL PASCRELL, for his incredible leadership in the House on this important matter. I urge my colleagues on both sides of the aisle to join me in its support.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise to join my colleague in support of S. 793, the Traumatic Brain Injury Act of 2008. This legislation reauthorizes important grant programs, which assist States, territories, and the District of Columbia in establishing and expanding coordinated services of community-based services and support for those with traumatic brain injuries.

Traumatic brain injuries, TBI, can happen to anyone, and occur when someone experiences brain damage from externally inflicted trauma to the head. While these injuries can impact children, teenagers and adults, TBI has been described as the signature wound of the war in Iraq.

This legislation, first authorized in 1996, was reauthorized in 2000. With the large number of troops returning from the battlefield afflicted by this injury, it is important that we continue the activities authorized by this legislation.

The bill ensures that we are working to improve treatment through research at the National Institutes of Health and are able to gather information about the incidence of TBI and the prevalence of TBI-related disability.

I urge my colleagues to join me in supporting this important effort.

Madam Speaker, I reserve the balance of my time.

Ms. BALDWIN. Madam Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Madam Speaker, I want to thank the distinguished gentlewoman from Wisconsin. I would like to also thank Chairman DINGELL and Chairman PALLONE for their thoughtful consideration and support for millions of TBI survivors and their families. But I personally want to thank my friend from Pennsylvania, Congressman TODD PLATTS, for his leadership on this important issue. He has shown true sensitivity, and as cochair of the Congressional Brain Injury Task Force, families all through America could not have a better friend than TODD PLATTS.

I have witnessed firsthand, Madam Speaker, how these programs make a difference in people's lives. Traumatic brain injury is a leading cause of death and disability in young Americans, as well as being the signature injury of our troops in Iraq and Afghanistan.

Every 21 seconds, one person in the United States sustains a traumatic brain injury. That adds up to 1.4 million TBIs each year. About half of these cases result in at least short-term disability, and about 50,000 people die as a result of these injuries. Eighty thousand people sustain severe brain injuries leading to long-term disability.

The Centers for Disease Control estimates there are 5.3 million Americans who are living with long-term severe disability as a result of brain injury. The national cost is estimated at $60 billion annually.

The statistics involving brain injury are increasing even more now that reports show that traumatic brain injuries account for 14 to 20 percent of the casualties for those who survive combat in Iraq. As of 3 months ago, Madam Speaker, 30,327 servicemembers have been wounded in Iraq. Two-thirds of those, approximately 20,000, have had injuries during this war affecting the brain.

We are in truly a very important time in history. The brain is the last frontier of science. Many returning servicemembers suffering from TBI will receive excellent care and rehabilitation services within the Department of Defense and Department of Veterans Affairs. But others suffering TBI that are initially undiagnosed or misdiagnosed will later look to the civilian community and local resources for information and services, especially those who serve in the National Guard and Reserves.

That is why it is essential that we continue to foster collaboration between the civilian and the military, like the Department of Defense Center of Excellence for Psychological Health and Traumatic Brain Injury. My good friend Colonel Sutton has done a fantastic job there to build a system that ensures returning troops receive what they need to put their lives back together again.

Unfortunately, TBI remains a silent epidemic in the United States of America. That is why the legislation today, Madam Speaker, is so important. The TBI Act is the only legislation that specifically allocates Federal funds for programs supporting individuals with brain injury.

Originally passed in 1996 and reauthorized in 2000, the TBI Act represents a foundation for coordinated and balanced public policy in prevention, education and research and community living for people living with TBI and their circles of support, many times forgotten as well. It has produced results. For 10 years, the Traumatic Brain Injury Act was successfully providing direction and legal authority for the vast brain injury community in the United States. The act was not designed to provide direct care to persons with TBI, but rather to inform.

The Health Resources and Services Administration grants within the TBI Act have helped States to improve access to health and other services for persons with TBI. Prior to the 1996 law, they did not have the tools to even access their own needs. Thanks to the Centers for Disease Control and Prevention, we now have a record of incidence, including details and prevalence, plans for prevention, and, finally, access to treatment. We have also begun to educate the public and provide much-needed scientific data for our scientists, our health care providers and policymakers.

Madam Speaker, I cannot tell you how crucial this is to those who have TBI folks within their family. This is serious business. They have to live with it as well.

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

Ms. BALDWIN. I would yield the gentleman an additional 1 minute.

Mr. PASCRELL. I thank the gentlewoman from Wisconsin.

Funds would be authorized for the fiscal years 2009 to 2012. It authorizes several new studies, including a study from the CBC and NIH to not only determine the incidence and prevalence of traumatic brain injury, but to identify common therapeutic interventions and develop rehabilitation guidelines. It establishes a study in collaboration with the Departments of Defense and Veterans Affairs to identify the best methods of coordinating prevalence data in order to ensure that national research takes into account the incidence of brain injuries among our Nation's veterans and that current information about diagnostic tools and treatments are shared.

Madam Speaker, only a strong commitment from the folks here and on the other side of this building is going to continue the incredible advances we have made in the area of basic brain research with prevention, with detection and with early treatment, physical and mental rehabilitation, long-term care and patient advocacy.

I urge my colleagues to join with many of us on both sides of the aisle. I again thank the gentleman from Pennsylvania, TODD PLATT, for his great work.

□ 1615

Mr. DEAL of Georgia. Madam Speaker, I am pleased to yield to one of the real leaders who has kept this issue moving through this Congress, TODD PLATTS from Pennsylvania, and I yield the gentleman 5 minutes.

Mr. PLATTS. I thank the gentleman for yielding me the time.

Madam Speaker, I rise in strong support of Senate bill 793, which, as was well delineated, reauthorizes this very important legislation, the Traumatic Brain Injury Act.

I am honored to join with Representative BILL PASCRELL in introducing the House version of this legislation, which expands support systems for individuals who have sustained a traumatic brain injury. As the gentleman from New Jersey referenced, for the past 3 years, I have had the privilege of serving with him as cochair of the Congressional TBI Task Force.

I am pleased to recognize my distinguished colleague from New Jersey for his tremendous leadership and dedication related to TBI research and treatments over the course of many years. I have been delighted to serve as cochair for 3 years, but, long before that, the gentleman from New Jersey has been leading this effort and been a real champion of the importance of this work. I have been honored to work with the gentleman from New Jersey to bring awareness to the unique issues that surround TBI, such as frequent misdiagnoses and barriers to adequate and meaningful treatments.

Most Americans do not fully understand the amount of devastation caused by TBI each year. Most people do not realize that the incidence of TBI is greater than the incidence of breast cancer, HIV/AIDS, multiple sclerosis and spinal injuries combined.

Additionally, TBIs can manifest themselves in various manners, from a small behavioral change to complete physical disability and even death. Brain injuries affect the whole family emotionally and financially, often resulting in substantial medical and rehabilitation expenses.

The TBI Act of 1996 produced extensive research at the National Institutes of Health and Centers for Disease Control and Prevention regarding the incidence, detection and diagnosis of TBI. The time has come to better use these results and translate them into more extensive treatments. This is an important part of what Senate bill 793 aims to do.

In addition to expanding the research of NIH and CDC, this legislation will build on the support systems that States have already implemented to increase the independence and productivity of individuals living with TBI.

Soldiers returning from Iraq have brought much-needed attention to the variety of symptoms associated with TBI. Thanks to the state-of-the-art body armor with which our men and women overseas are equipped, these heroic individuals are able to survive violent attacks while receiving blunt force to the head. Studies have found that over 60 percent of all soldiers wounded in an explosion, vehicle accidents, gunshot wound to the head or neck sustain a traumatic brain injury.

This legislation provides additional support for States to integrate veterans into community-based treatments after these heroes return home from combat.

This is a bill aimed at helping individuals who, due to traumatic experiences, may never live their lives the same way again. Senate bill 793 builds on current research and support systems to help vulnerable individuals lead a more comfortable, productive and independent life.

I strongly urge my colleagues to support this legislation, and, I, again, commend my colleague from New Jersey for his great leadership in advancing this cause.

Ms. BALDWIN. Madam Speaker, I am proud to yield 2 minutes to my colleague on the Health Subcommittee, the gentlelady from California (Mrs. CAPPS).

Mrs. CAPPS. I want to thank my colleague for yielding to me.

Madam Speaker, I rise in strong support of Senate bill 793, the Traumatic Brain Injury Act of 2008. I want to commend the leaders of the bill in the House who have spoken already. This version of the bill we are considering today represents bipartisan and bicameral consensus.

It would fund, as we have heard, important research, treatment, surveillance and educational activities related to trauma and traumatic brain injury, commonly known now as TBI. The funding would support ongoing efforts at the National Institutes of Health, which are so important, and also the Health Resources and Services Administration and the CDC.

Reauthorizing this program will strengthen the goal of understanding and addressing TBI and strengthening our capacity to treat it. This current war has made us all too much familiar with the devastating effects of TBI and the importance of coordinated interventions to treat it. The war in Iraq and Afghanistan underscored the importance of this legislation, but by no means do these situations only arise in times of war.

We know that traumatic brain injury has been occurring all along with all kinds of traumas, traumas to the head and sometimes unsuspected injury that can result from other traumas. And so we need to, for a variety of reasons, pass this legislation and get this bill signed into law.

I want to acknowledge my friend and colleague Congressman BILL PASCRELL and also Congressman PLATTS from Pennsylvania. This leadership has brought us to this point. I know that our Health Subcommittee is pleased to be a part of this legislation.

I urge, strongly, our colleagues on both sides of the aisle to join in supporting Senate bill 793.

Mr. DEAL of Georgia. Madam Speaker, I yield back the balance of my time and urge adoption of the bill.

Ms. BALDWIN. Madam Speaker, I have no further requests for time and would also commend my colleagues to join me in support of this legislation.

Mr. EMANUEL. Madam Speaker, I rise today in support of S. 793, the Reauthorization of the Traumatic Brain Injury Act. S. 793 is the Senate companion to H.R. 1418, a bill that I cosponsored to amend the Public Health Service Act to reauthorize and improve our efforts to combat and treat traumatic brain injury, TBI, at the Federal and State levels. As a member of the Congressional Brain Injury Task Force, this issue is near and dear to my heart, and I am proud that we are debating this important legislation today.

Of troops wounded in Iraq 62 percent have sustained TBI, compared to a rate closer to 20 percent in previous conflicts. Overall in the U.S., there are about 1.5 million civilian cases of traumatic brain injury each year. I have worked hard to make researching and fighting TBI a priority and, in particular, the relationship between TBI and epilepsy.

Traumatic brain injury, TBI, causes epilepsy in up to 30 percent of civilians and 50 percent of military head injuries, greatly exacerbating chronic neurological disability. TBI is particularly problematic for soldiers currently serving or recently returned from Iraq and Afghanistan.

In 1996, members of Congress passed the Traumatic Brain Injury Act, which amended the Public Health Service Act to increase resources available to research on traumatic brain injury. Today, we have the opportunity to reauthorize and amend this act to include a broader spectrum of traumatic brain injury programs, especially those at the State level.

An expansion and improvement of our traumatic brain injury programs will serve those in

this country who suffer from the condition, while providing opportunities for research and development of programs to better prevent and detect traumatic brain injuries.

Madam Speaker, traumatic brain injuries affect families across America, and we must continue to invest in programs to prevent, detect, and treat these injuries. I encourage all of my colleagues to join me in voting in favor of this important legislation.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of the reauthorization of the Traumatic Brain Injury Act.

Traumatic Brain Injury, TBI, is a leading cause of death and disability in young Americans. Approximately 1.4 million people sustain a TBI each year in the United States. The most common causes of TBI are falls, traffic accidents, and assault. These brain injuries result in short-term or long-term disabilities and can severely impact how people live their lives.

Congress took an important step in 1996 by passing the Traumatic Brain Injury Act to promote brain injury research, education, treatment, and prevention. It is the only Federal law that specifically addresses the issues faced by persons with brain injury. This law has successfully improved access to health care and other services for individuals with TBI. Without the TBI Act, State governments and these individuals would be left to their own devices.

More recently, we have seen an increasing number of traumatic brain injuries in servicemembers returning home from combat operations. The programs in the TBI Act can help the thousands of troops wounded in combat and suffering from brain injury. We have an obligation to assist these soldiers, and I am proud that Congress has provided funding in the recent appropriations bill to address TBI in returning personnel.

The reauthorization of the Traumatic Brain Injury Act builds on the success of the original 1996 law by continuing to educate the public and provide much needed data on TBI for scientists, health care providers, and policy makers. I urge my colleagues to support this legislation.

Mr. SCOTT of Virginia. Madam Speaker, I rise today in support of National Public Health Week and the health bills that the House will debate today. It is important that we recognize and build on quality public health programs that affect every aspect of our lives—from effective childhood vaccination programs, to early screening programs for diseases, to ensuring that Americans have access to critical treatment programs.

Access to quality, affordable health care is critical to the well-being of our country, today and in the future. With 46 million uninsured—9 million of whom are children—we need to focus on strengthening the Medicare system, providing increased access to quality health care programs and ensuring that our low-income children and families have health insurance.

During my tenure in the Virginia General Assembly, I introduced a number of bills that focused on child and maternal health, preventive screenings for hearing and immunizations for children against certain diseases. The need for these services was vital to the health of the citizens not only of the Commonwealth of Virginia, but also to our Nation as a whole and continues to help our most vulnerable today.

Madam Speaker, there continues to be an urgent need for expanded health care coverage and increased access to health care for children, seniors and low-income individuals. Because of this need, I introduced H.R. 1688, The All Healthy Children Act. The All Healthy Children Act, endorsed by the Children's Defense Fund, is a logical, smart and achievable incremental next step to close the child coverage gap and guarantees all children have access to the health coverage that they need to survive, thrive and learn. This proposal would ensure that all children are covered by expanding the coverage of both the Medicaid and SCHIP programs while eliminating procedural red tape that currently prevents many children from being covered under either program. This comprehensive program would include all basic health care and preventive testing as well as coverage for mental health and prenatal care.

The bills that we will vote on today will also help to provide our medical community the tools necessary to improve lives through prevention, research and treatment of disease. For example:

The Early Hearing Detection and Intervention program is a critical CDC program intended to identify and help infants with hearing loss. This bill reauthorizes funding and expands the program to provide screening and intervention services for young children. We know that the earlier hearing problems are identified, the more effective the medical services can be.

The Wakefield Act is designed to improve emergency medical services for children needing trauma or critical care.

The Newborn Screening Saves Lives Act educates parents and health care providers about newborn health screening, improves follow-up care for infants with an illness detected through newborn screening, and helps States expand and improve their newborn screening programs. Many diseases and conditions which can be cured when detected early can lead to permanent disabilities if not detected in time.

The Cytology Proficiency Improvement Act is designed to improve the analysis of tests for cervical cancer by ensuring that health care professionals who read tests for cervical cancer are skilled in today's medical technology. It modernizes the cervical cancer testing program by requiring continuing medical education for pathologists to assess their diagnostic skills and ensure they keep up with the latest practices.

The Keeping Seniors Safe from Falls Act launches a comprehensive preventative care program to reduce the number and severity of falls by the elderly. It directs HHS to implement directives to reduce falls, including improving the identification of seniors who have a high risk of falling; supporting education campaigns focused on reducing and preventing falls and on educating health professionals about fall risk, assessment and prevention; and conducting research to reduce falls.

The Food Allergy and Anaphylaxis Management Act will help schools deal with food allergies among their student population by requiring the Department of Health and Human Services, in consultation with the Department of Education, to develop a policy for schools on appropriate management and emergency plans for children with food allergies and anaphylaxis. The policy would be provided to schools within 1 year after enactment, and schools could voluntarily implement the policy. The bill also authorizes HHS to award grants to local school districts to help them in implementing the policy.

The House amendment to the Traumatic Brain Injury Act authorizes the Centers for Disease Control, CDC, to provide State grants for patients with traumatic brain injury to enter treatment and rehabilitation programs. The thousands of brain injury survivors who are returning home from combat in Iraq and Afghanistan are joining the 5.3 million similarly afflicted Americans here at home. Indeed, TBI is the leading cause of death and disability among young Americans. The legislation would require the CDC to monitor brain injury incidents and create a reporting system to track the condition. It also directs CDC to study treatment techniques and NIH to conduct basic research to improve treatment.

Madam Speaker, action on these critical issues is imperative to meet the pressing health care concerns of our Nation. I urge my colleagues to support these bills.

Ms. BALDWIN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Wisconsin (Ms. BALDWIN) that the House suspend the rules and pass the Senate bill, S. 793, 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. BALDWIN. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 22 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1833

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CUMMINGS) at 6 o'clock and 33 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2537, BEACH PROTECTION ACT OF 2007

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–572) on the resolution (H. Res. 1083) providing for consideration of the bill (H.R. 2537) to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes, which

was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2016, NATIONAL LANDSCAPE CONSERVATION SYSTEM ACT

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110–573) on the resolution (H. Res. 1084) providing for consideration of the bill (H.R. 2016) to establish the National Landscape Conservation System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.J. Res. 70, by the yeas and nays;

H.R. 2464, by the yeas and nays;

S. 793, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

CONGRATULATING THE ARMY RESERVE ON ITS CENTENNIAL

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the joint resolution, H.J. Res. 70, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the joint resolution, H.J. Res. 70, as amended.

The vote was taken by electronic device, and there were—yeas 393, nays 0, not voting 37, as follows:

[Roll No. 161]

YEAS—393

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Filner
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—37

Abercrombie
Boucher
Braley (IA)
Brown, Corrine
Buyer
Carnahan
Crenshaw
Cubin
Diaz-Balart, L.
Diaz-Balart, M.
Emerson
Engel
Feeney
Ferguson
Flake
Gonzalez
Gordon
Granger
Hall (NY)
Heller
Johnson (GA)
Johnson (IL)
Langevin
Markey
McDermott
Mollohan
Payne
Peterson (PA)
Pryce (OH)
Rodriguez
Rohrabacher
Rothman
Rush
Sires
Udall (CO)
Wilson (NM)
Woolsey

□ 1859

Mr. MCCRERY changed his vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. JOHNSON of Illinois. Madam Speaker, on rollcall No. 161, I was unavoidably detained due to a delay in U.S. Airways flight number 3088. Had I been present, I would have voted "yea."

WAKEFIELD ACT

The SPEAKER pro tempore (Ms. RICHARDSON). The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2464, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and pass the bill, H.R. 2464, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 390, nays 1, not voting 39, as follows:

[Roll No. 162]

YEAS—390

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot

Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Filner
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—39

Abercrombie
Berman
Boucher
Braley (IA)
Brown, Corrine
Buyer
Crenshaw
Cubin
Diaz-Balart, L.
Diaz-Balart, M.
Emerson
Engel
Feeney
Ferguson
Flake
Gonzalez
Gordon
Granger
Hall (NY)
Heller
Johnson (GA)
Langevin
Markey
McDermott
Miller, George
Mollohan
Murphy, Tim
Payne
Peterson (PA)
Pryce (OH)
Rohrabacher
Rothman
Rush
Schwartz
Sires
Sullivan
Udall (CO)
Wilson (NM)
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes left in this vote.

□ 1907

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 above recorded.

A motion to reconsider was laid on the table.

TRAUMATIC BRAIN INJURY ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the Senate bill, S. 793, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Wisconsin (Ms. BALDWIN) that the House suspend the rules and pass the Senate bill, S. 793, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 392, nays 1, not voting 37, as follows:

[Roll No. 163]

YEAS—392

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Filner
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry

Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—37

Abercrombie
Boucher
Braley (IA)
Brown, Corrine
Buyer
Crenshaw
Cubin
Diaz-Balart, L.
Diaz-Balart, M.
Emerson
Engel
Feeney
Ferguson
Flake
Gonzalez
Gordon
Granger
Hall (NY)
Johnson (GA)
Langevin
Markey
McDermott
McIntyre
Mollohan
Payne
Peterson (PA)
Pryce (OH)
Radanovich
Renzi
Rohrabacher
Rothman
Rush
Sali
Sires
Udall (CO)
Wilson (NM)
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1917

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on the postponed question will be taken tomorrow.

CALLING ON THE GOVERNMENT OF CHINA TO END ITS CRACKDOWN IN TIBET

Mr. BERMAN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1077) calling on the Government of the People's Republic of China to end its crackdown in Tibet and enter into a substantive dialogue with His Holiness the Dalai Lama to find a negotiated solution that respects the distinctive language, culture, religious identity, and fundamental freedoms of all Tibetans, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1077

Whereas March 10, 2008, marked the 49th anniversary of a historic uprising against Chinese rule over the Tibetan people, which forced His Holiness, the 14th Dalai Lama, to escape into exile in India;

Whereas Tibetan Buddhist monks and nuns in and around Lhasa were blocked by Chinese authorities from staging peaceful demonstrations on this anniversary date and were met with excessive force by the Chinese authorities;

Whereas protests by Tibetans spread inside the Tibet Autonomous Region and other Tibetan areas of China;

Whereas the accumulated grievances of almost six decades of cultural, religious, economic, and linguistic repression of the Tibetan people by the Government of the People's Republic of China has resulted in resentments which are at the root of the Tibetan protests;

Whereas resentment of the Chinese Government by the Tibetan people has increased sharply since 2005 as a result of Chinese policies, laws, and regulations that have reduced economic opportunity for Tibetans and severely eroded the ability of Tibetans to preserve their distinctive language, culture, and religious identity;

Whereas the response by the Chinese Government to the Tibetan protests was disproportionate and extreme, reportedly resulting in the deaths of hundreds and the detention of thousands of Tibetans;

Whereas there have been reports that some Tibetans engaged in rioting that may have resulted in the destruction of government and private property, as well as the deaths of civilians;

Whereas His Holiness the Dalai Lama has used his leadership to promote democracy, freedom, and peace for the Tibetan people through a negotiated settlement of the Tibet issue, based on autonomy within the context of China;

Whereas six rounds of dialogue between representatives of the Dalai Lama and Chinese officials have not resulted in meaningful progress;

Whereas the Chinese Government has rebuffed calls by the President of the United States, the United States Congress, and world leaders to respond positively to the Dalai Lama's willingness to be personally involved in discussions with Chinese leaders on the future of Tibet;

Whereas the Chinese Government has denigrated the Dalai Lama, labeling him as ''a splittist'' and ''a wolf in monk's robes'', thereby further alienating Tibetans who consider the Dalai Lama their spiritual leader;

Whereas the Dalai Lama was recognized for his contribution to world peace when he received the Nobel Peace Prize in 1989;

Whereas the United States Congress, in recognition of the Dalai Lama's outstanding moral and religious leadership and his advocacy of nonviolence, awarded him with the Congressional Gold Medal on October 17, 2007;

Whereas the Chinese Government has failed to honor its commitment to improve the human rights situation in China as a condition for Beijing being selected as the site for the 2008 Summer Olympic Games;

Whereas the Chinese Government has impeded the access of international journalists to Tibetan areas of China and distorted reports of events surrounding the Tibetan protests, thereby violating the commitment it made that ''there will be no restrictions on media reporting and movement of journalists up to and including the Olympic Games'';

Whereas for many years, the Chinese Government has restricted the ability of foreign journalists and foreign government officials, including United States Government officials, to freely travel in Tibetan areas of China, thereby curtailing access to information on the situation in Tibetan areas;

Whereas the Chinese Government's use of propaganda during the protests to demonize Tibetans and incite ethnic nationalism is exacerbating ethnic tensions and is counterproductive to resolving the situation;

Whereas the United States Department of State included the People's Republic of China among the group of countries described as ''the most systematic violators of human rights'' in the introduction of the 2006 Country Reports on Human Rights Practices and in previous Human Rights Reports, but did not do so in the 2007 Human Rights Report, despite no evidence of significant improvements in the human rights situation in China in the past year; and

Whereas it is the policy of the United States ''to support the aspirations of the Tibetan people to safeguard their distinct identity'' and ''to support economic development, cultural preservation, health care, and education and environmental sustainability for Tibetans inside Tibet'', in accordance with the Tibetan Policy Act of 2002 (22 U.S.C. 6901 note): Now, therefore, be it

Resolved, That the United States House of Representatives—

(1) calls on the Government of the People's Republic of China to end its crackdown on nonviolent Tibetan protestors and its continuing cultural, religious, economic, and linguistic repression inside Tibet;

(2) calls on the Chinese Government to begin a results-based dialogue, without preconditions, directly with His Holiness the Dalai Lama to address the legitimate grievances of the Tibetan people and provide for a long-term solution that respects the human rights and dignity of every Tibetan;

(3) calls on the Chinese Government to allow independent international monitors and journalists, free and unfettered access to the Tibet Autonomous Region and all other Tibetan areas of China for the purpose of monitoring and documenting events surrounding the Tibetan protests and to verify that individuals injured receive adequate medical care;

(4) calls on the Chinese Government to immediately release all Tibetans who are imprisoned for nonviolently expressing opposition to Chinese Government policies in Tibet;

(5) calls on the United States Department of State to publicly issue a statement reconsidering its decision not to include the People's Republic of China among the group of countries described as ''the world's most systematic human rights violators'' in the introduction of the 2007 Country Reports on Human Rights Practices; and

(6) calls on the United States Department of State to fully implement the Tibetan Policy Act of 2002 (22 U.S.C. 6901 note), including the stipulation that the Secretary of State ''seek to establish an office in Lhasa, Tibet to monitor political, economic and cultural developments in Tibet'', and also to provide consular protection and citizen services in emergencies, and further urges that the agreement to permit China to open further diplomatic missions in the United States should be contingent upon the establishment of a United States Government office in Lhasa.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include

extraneous material on the resolution under consideration.

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

There was no objection.

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

Madam Speaker, I would first like to thank our Speaker, NANCY PELOSI, for introducing this important resolution. Speaker PELOSI's commitment to human rights generally, and Tibetan human rights specifically, is deep, well established, and unwavering.

For two decades in Congress, from her earlier stage as a junior Member to her current position as Speaker, she has used her powerful voice to speak on behalf of the Tibetan people. The bipartisan delegation that she recently led to Dharmsala to meet with the Dalai Lama and her authorship of this resolution demonstrate her continuing dedication on the Tibetan issue. I am, and all of us in this body should be, grateful for her leadership.

China's response to Tibetan protests over the last month has been tragically predictable. For half a century, the Tibetan people have struggled under the repressive policies of the Chinese authorities. And sadly, the current crackdown is only the most recent example of Beijing's mistreatment of Tibetans.

As the world watched events unfold inside China, we were sickened not only by the shock of seeing images of Chinese authorities beating Tibetans in the street, but also by the realization that these are images that we have seen before, and fear we may see again.

It was this legacy of repression that caused Tibetan monks to take to the streets on March 10th to peacefully protest Beijing's ongoing denial of religious, cultural, and human rights for the Tibetan people. And sadly, it was the same legacy that caused Beijing to respond with excessive force and a propaganda campaign designed to stoke Chinese nationalism by demonizing Tibetans and their spiritual leader, His Holiness, the Dalai Lama.

If China wishes to be viewed by the world as a truly responsible power, it must put an immediate end to its shortsighted policies towards Tibet which are morally reprehensible, irresponsible and dangerous.

Beijing cannot credibly claim that is seeks genuine reconciliation with the Tibetan people when its policies force Buddhist monks to denounce their allegiance to the Dalai Lama, deny educational and economic opportunities to Tibetans, and threaten Tibetan culture by encouraging an overwhelming influx of Han Chinese migrants into Tibetan areas. This resolution not only condemns Beijing's crackdown on Tibetan protesters, it also urges China to begin to move away from its policy of repression and incitement of ethnic tensions.

The resolution calls on Beijing to allow international monitors to assess the situation in Tibetan areas in China and ensure that those injured in the protest receive adequate medical treatment.

In addition, the resolution urges Beijing to hold direct and results-based discussions with the Dalai Lama in order to come to a resolution of the Tibetan issue, one that respects Chinese territorial integrity and sovereignty, but at the same time provides genuine religious and cultural autonomy for Tibetans.

The resolution instructs the Department of State to reconsider its decision not to include China among the countries with the worst human rights records in the Department's 2007 Human Rights Report.

Madam Speaker, at this point, once again, I would like to thank Speaker PELOSI for introducing this important resolution, which I strongly support, and ask my colleagues to do the same.

Madam Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong and enthusiastic support of this resolution which forcefully criticizes the current bloody crackdown that is taking place in Tibet. This resolution also condemns Beijing's almost six decades of suppression of the religious, linguistic, economic, and cultural rights of the people of Tibet.

It was my great honor, Madam Speaker, to sponsor legislation which resulted in the awarding of the Congressional Gold Medal, the highest honor that we can bestow in the United States Congress, to His Holiness, the Dalai Lama, last October. My late friend and colleague from across the aisle, Congressman Tom Lantos, and I worked together to ensure that His Holiness received the official recognition that he so richly deserves.

The Dalai Lama, who is also a Nobel Peace Prize recipient, has won the admiration of all of us, not only for his spiritual guidance, but also for his principled stand upholding the human rights of the captive people of Tibet.

Beijing's cynical and crass campaign to denigrate His Holiness both inside and outside of Tibet has drawn the anger of both the Dalai Lama's followers, as well as people of good will throughout the globe. Beijing has called His Holiness ''a splittist'' and ''a wolf in monk's clothing.'' The Chinese Embassy even recently sent out a computer link to offices here on Capitol Hill ludicrously comparing His Holiness to Nazis.

The people of Tibet can no longer silently bear these continued insults directed at their spiritual leader, a man respected as an advocate of peace, of compassion, and good will. A boiling point was reached on March 10th, the anniversary of the 1959 uprising in Tibet and subsequent flight of the Dalai Lama into exile in India. When demonstrators broke out in Lhasa, Beijing responded with an iron fist. In implementing a bloody crackdown, Beijing ignored its past pledge to the International Olympic Committee to improve the human rights situation in China prior to this summer's Olympics. Chinese authorities even denied foreign diplomats and journalists all access to Tibet.

With increasing numbers of American tourists traveling to Tibet every year, the United States has a legitimate interest in having diplomatic access to Tibet for consular services. But there should be no further openings of more Chinese consulates in the United States until China stops its repression of religious and ethnic minorities and stops violating the fundamental human rights of its own citizens.

The crackdown continued until April 3, when Chinese troops fired into a peaceful crowd of demonstrators outside a Tibetan temple in southwest China. The crowd had been protesting the arrest of two monks who were found in possession of photographs of the Dalai Lama. Eight were killed, including members of the Buddhist clergy.

But the Chinese regime has not only been responsible for shedding innocent Tibetan blood, in Darfur, in Burma, in North Korea, and inside China itself, bloody repression continues unabated.

□ 1930

This lack of liberty will further diminish the light of the Olympic torch. The progression of that torch from London and Paris to San Francisco has become a focal point for those who would raise their voices concerning the immense human rights abuses of the Chinese regime.

What has begun in Tibet will not stay in Tibet. Already there are reports of unrest among the Uyghur minority as well. Beijing's continued repression and denial of human rights will become the chief focal point of international attention in the summer of the Beijing Olympics. And, Madam Speaker, if the present repression continues, the Beijing games will indeed become the ''Genocide Olympics.''

I urge all of my colleagues to join in vigorous approval and support for this resolution.

With that, Madam Speaker, I reserve the balance of my time, and I ask unanimous consent that my good friend the gentleman from New Jersey (Mr. SMITH) be allowed to manage the remainder of our time.

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

There was no objection.

Mr. BERMAN. Madam Speaker, I am very pleased to yield 2 minutes of time to a member of the committee, the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Let me thank the distinguished chairman and

as well the ranking member of the full committee, to the Speaker of the House for her continued leadership. And I am always reminded of the late Chairman Tom Lantos and his commitment to the people of Tibet.

Madam Speaker, I've had the honor and privilege of being with the people of Tibet in their temples, listening to their plea, walking alongside of them, admiring and respecting their tenacity, determination, and their love of freedom and peace. As well, the Dalai Lama has visited not only this community but also the State of Texas, and we have had the pleasure of seeing him be a guiding force for peace.

It is time now for this resolution and the call that it makes for the People's Republic to shine the light on Tibet and give them the rights of engagement and discussion because what we are facing are accumulated grievances of almost six decades of cultural, religious, economic, and linguistic repression of the Tibetan people by the Government of the People's Republic of China. It has resulted in these resentments, and it has resulted in this oppression in the expression of the Tibetan people.

As this Olympic torch travels around the world, you will see the people who are peace loving and loving human rights standing up. As it comes to my city, as it goes to other cities, there will be those of us who stand against it. In fact, we have called upon the Chinese Ambassador to wake up and to recognize that the world is crying out for justice for the Tibetan people.

The resolution calls on this particular government, the Chinese Government, to begin a dialogue with the Dalai Lama, to bring about respect, to allow international monitors and journalists. I truly believe it is time now for the world to stand up.

And so to my colleagues, it is important that this resolution be passed. I believe we should be in front of the Chinese Embassy here in Washington, D.C., petitioning that government to hear the cry of the Tibetan people, to respect the Dalai Lama, and to bring finally peace and freedom and, yes, democracy to a peace-loving people. The oppressors cannot oppress the oppressed forever, and we stand against it. This resolution speaks to a resolution. We ask for the agreement.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in strong support of H. Res. 1077, Calling on the Government of the People's Republic of China to end its crackdown in Tibet and enter into a substantive dialogue with His Holiness the Dalai Lama to find a negotiated solution that represents the distinctive language, culture, religious identity, and fundamental freedoms of all Tibetans, and for other purposes, introduced by my distinguished colleague from California, Representative NANCY PELOSI. This important and timely legislation calls for an imperative dialogue which will set forth the road to peace and stability.

In recent days, the news has been littered with reports of human rights abuses by the Chinese government regarding Tibetan dissent. As we approach the 2008 Olympics that will be held in China, it is imperative that we look into the reports of violations of basic human rights by the Chinese government.

On March 4th, Tibetan monks began peaceful protests in the Tibetan capitol, Lhasa, which escalated into violence resulting in a staunch crackdown by the Chinese government, the effects of which have yet to be seen as international media has been strictly restricted in the area. What began as a peaceful protest for religious freedom and autonomy has resulted in Beijing admittedly sending thousands of paramilitary troops and police to the region in order to maintain "peace and stability."

March 14, 2008 marked the 49th anniversary of the Tibetan people's historic uprising against the Chinese government that forced His Holiness the Dalai Lama into exile in India, where he still resides. When Tibetan Buddhist monks and nuns attempted to assemble in peaceful demonstration on this anniversary, they were met with excessive force by Chinese authorities. Last month's riots in the Tibetan capitol of Lhasa have once again drawn international interest to the plight of the Tibetan people in their struggle for autonomy and religious freedom. The Chinese government has reported that more than 1,000 people have been captured or turned themselves in, in relation to their participation in said riots.

Last week, Amnesty International released a report stating that despite claims that hosting the Olympics will lead to Chinese observance of international human rights law, the approach of this historic event has actually lead to a crackdown of dissent on the part of the Chinese government. Just one day after the release of Amnesty International's report, Hu Jia, a Chinese activist who has publicized human rights abuses across China, was sentenced to three and a half years in prison for "inciting subversion of state power and the socialist system."

I wish to discuss briefly the importance of the relationship between the United States, China and Tibet and highlight some important legislation that I have supported to provide assistance to the human rights situation in Tibet. As we are well aware, controversy exists over Tibet's current political status as a part of China. This precarious relationship between China and Tibet has prompted U.S. congressional actions in support of Tibet's status and traditions.

Tibet has been under active Beijing rule since between 1949–1951, when the newly established communist government of the People's Republic of China, PRC, sent military troops to occupy Tibet. It was some years later, in 1959, that the Dalai Lama, who is still respected and regarded as the spiritual leader of the Tibetan people, along with his followers, fled from Tibet and went into exile in India.

As reports of human rights abuses and political activities surfaced regarding China's continuing repressive social and political controls in Tibet, it garnered more interest and congressional consideration in the late 1980s. Tenzin Gyatso, the fourteenth Dalai Lama, is the unrivaled spiritual and cultural leader of the Tibetan people. The Dalai Lama has used his leadership to promote democracy, freedom, and peace for the Tibetan people through a negotiated settlement of the Tibet issue, based on autonomy within the People's Republic of China. For his efforts on behalf of humanity, the Dalai Lama was awarded the Nobel Peace Prize in 1989. Most recently in 2006, I lent my support to S. Res. 2784, awarding the Congressional Gold Medal, the highest expression of national appreciation for exceptional service, to the Dalai Lama, Tenzin Gyatso. I appreciate his efforts to promote peace and non-violence throughout the globe, and his efforts to find democratic reconciliation for the Tibetan people through his "Middle Way" approach. I am grateful for the extensive work that the Dalai Lama has done for his country and on behalf of humanity.

Congress has taken a particular interest in the affairs of Tibet. Beginning in 1987, Congress passed non-binding measures declaring that the United States should make Tibet's situation a higher policy priority and urged China to establish a constructive dialogue with the Dalai Lama.

As a Member of Congress, I am interested in the welfare and human rights affairs of the Tibetan people and have previously proposed an amendment to provide $2 million in the Economic Support Fund for monitoring the human rights situation in Tibet and for training and education of Tibetans in democracy activities and an additional $2 million in the Emergency Refugee and Migration Assistance Fund for the Tibetan refugee program.

Madam Speaker, I am a staunch advocate for human rights and desire to see the plight of the Tibetan people rectified. As such, I strongly support H. Res. 1077 and call upon my colleagues to join me in supporting this important legislation.

Mr. SMITH of New Jersey. Madam Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), the coauthor of this resolution who recently returned from Dharamsala, where he met with the Dalai Lama.

Mr. SENSENBRENNER. I thank the gentleman for yielding.

Madam Speaker, I rise in support of this resolution and in solidarity with the Tibetan people in this trying time. The recent events in Tibet have captured the attention of this body and the American people. We as Americans are both saddened and outraged by the Chinese Government's crackdown on peaceful protests in Tibet.

This body must be clear in its support of fundamental human rights. Tibetans deserve the right to preserve their culture, heritage, language, and religion.

The Chinese Government has argued that this crackdown was in response to violent protest by the Tibetan people. However, the government dismissed outside journalists from the region and has restricted their ability to accurately report on the situation. Meanwhile, Americans traveling in China in recent weeks have revealed that their televisions went black when the international media reported on Tibet.

This restriction of freedom is consistent with China's historically abysmal human rights record. While it would be simpler to believe that the Chinese Government's assertion that its crackdown was a just response to violent protest, the very fact that

China has gone to such great lengths to control the flow of information on the protests makes such an assertion a great stretch of credulity.

I had the honor of meeting with Tibet's spiritual leader and historic head of state, the Dalai Lama, last month shortly after the protests began. His Holiness made very clear his opposition to the acts of violence taking place in Tibet. Since his exile 49 years ago, the Dalai Lama has consistently advocated for a peaceful resolution to the tension between Tibet and China. If there is to be a real solution to the problem, the Chinese Government must engage in dialogue with the Dalai Lama with the intention of finding a lasting resolution for both parties.

In the coming months, China will open its doors to the world and show its best face. We've heard a lot in this country recently about transparency, and this body responded by implementing greater transparency in our government. Now is the time for China to take responsibility for its actions and implement heightened transparency to the world community on the situation in Tibet and on the conduct of its own government.

The stage is set for China to demonstrate a newfound commitment to human rights and peace. This institution and the world are watching expectantly. Let us hope that the Chinese Government receives the message loud and clear that all pressures remain on the table in protecting the rights of the Tibetan people.

Madam Speaker, the Tibetan people have waited 49 years for their freedom. Their patience is wearing thin. If China wishes to be considered an equal among the leaders of the world, it must act like one by standing for basic human rights in Tibet.

Mr. BERMAN. Madam Speaker, I am pleased to yield 2 minutes to a member of our committee, a stalwart fighter for human rights, the gentlewoman from California (Ms. LEE).

Ms. LEE. Madam Speaker, first of all, let me thank our Speaker for her unyielding stand regarding China's human rights record in Tibet and its association with the genocidal government of the Sudan.

This resolution calls on China to end its crackdown on nonviolent protestors in Tibet and to talk with His Holiness the Dalai Lama to address the very legitimate grievances of the Tibetan people. It sends a clear message to China that the United States does not condone violence and repression against the Tibetan people.

This resolution is also timely as the Olympic torch will make its only stop in North America tomorrow when it comes to the Speaker's district in San Francisco, California, right across the bay from my home district.

As host of the Olympic games, China is facing calls to live up to the Olympic spirit of peace and brotherhood and sisterhood that the torch represents. China's actions in Tibet and its ongoing support for the genocidal regime in Sudan run contrary to that Olympic spirit.

Madam Speaker, China must play by the rules when it comes to human rights and to genocide. Now is the time to begin this dialogue with His Holiness the Dalai Lama. There are legitimate grievances of the Tibetan people which must be addressed, and who better to have this dialogue with than His Holiness the Dalai Lama?

I want to thank the Speaker for really carrying the torch for freedom and human rights and dignity of the Tibetan people. This resolution heeds the call of the international community and puts this body on the right side of history.

Mr. SMITH of New Jersey. Madam Speaker, I yield 1 minute to the distinguished gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. I thank the gentleman for yielding.

Madam Speaker, I rise in support of H. Res. 1077, introduced by our Speaker, NANCY PELOSI, calling on the Government of China to end its crackdown in Tibet and to enter into a substantive dialogue with His Holiness the Dalai Lama.

The recent violence in Tibet, which was triggered by the Buddhist monks asking for religious freedoms, should be a great concern to everyone concerned about human rights. China needs to end the violence and engage in open and honest dialogue with the Dalai Lama to achieve peace and reconciliation. China must come to realize that Tibetans deserve more autonomy and the world community will not be silent until they achieve it.

As a member of the Congressional Human Rights Caucus, I am very concerned about human rights in China but in particular the political and religious freedoms of Tibetans. I urge the resolution's adoption and appreciate this resolution coming to the floor.

Ms. LEE. Madam Speaker, I would like to yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

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

The SPEAKER pro tempore. Without objection, the gentlewoman from California will control the time.

There was no objection.

Mr. LEVIN. Madam Speaker, I rise in strong support of the resolution.

China has a law that includes protections for the distinctive culture, language, and identity of ethnic minority citizens. Its Regional Ethnic Autonomy Law guarantees ethnic minorities the ''right to administer their internal affairs.'' More specifically, the term ''regional ethnic autonomy'' reflects ''the state's full respect for . . . ethnic minorities' rights to administer their internal affairs.'' Madam Speaker, China in recent weeks has reflected anything but ''the state's full respect'' of ethnic minority rights nor of basic human rights recognized in both Chinese and international law.

Protest activity has included instances of rioting resulting in destruction of property and death of Tibetans and non-Tibetans alike. This is unacceptable in any context. But most protest activity, while at times disorderly, has been nonviolent. The Chinese Government's reaction, however, has revealed a level of hostility towards Tibetans not seen in decades and has heightened fears for the Tibetan people.

The Chinese Government would do well to consider a number of concrete steps to address the current crisis, and I would ask, Madam Speaker, that a list of such steps prepared by the staff of the Congressional-Executive Commission on China be submitted for the RECORD.

ADDENDUM TO FLOOR STATEMENT OF REPRESENTATIVE SANDER LEVIN, CHAIRMAN, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

ADDRESSING TIBETAN PROTESTS

1. Distinguish between peaceful protestors and rioters, honor the Chinese Constitution's reference to the freedoms of speech and association, and do not treat peaceful protest as a crime;

2. Provide a detailed account of Tibetan protest activity in each location where such activity took place;

3. Provide details about each person detained or charged with a crime, including each person's name, the charges (if any) against each person, the name and location of the prosecuting office (''procuratorate'') and court handling each case, and the name of each facility where a person is detained or imprisoned;

4. Allow access by diplomats and other international observers to the trials of people charged with protest-related crimes;

5. Allow international observers and journalists immediate and unfettered access to Tibetan areas of China;

6. Ensure that security officials fulfill their obligations under Articles 64(2) and 71(2) of China's Criminal Procedure Law to inform relatives and work places (monasteries in the case of monks) where detainees are being held;

7. Encourage and facilitate the filing of compensation suits under Chinese law in cases of alleged wrongful arrest, detention, punishment and other official abuses during the recent protests;

8. Permit international observers to monitor closely the implementation of China's new Regulation on Open Government Information, which comes into force on May 1, 2008, with special emphasis on implementation in Tibetan areas.

9. Strictly enforce the Regulations on Reporting Activities in China by Foreign Journalists During the Beijing Olympic Games and the Preparatory Period, with special emphasis on access to and in Tibetan areas of China.

10. Commence direct talks between the Chinese government and the Dalai Lama.

The commission monitors and reports on human rights and rule of law developments in China on an ongoing basis, and I encourage all to visit the commission's Web site, www.cecc.gov, to subscribe to the online newsletter and to use the commission's work to remain up to date on developments in China.

The resolution of Tibetan grievances can only occur with direct talks between the Chinese Government and the

Dalai Lama. The international spotlight will remain long after the ceremonies of the Olympic Summer Games. As China plays an increasingly important role in the international community, other countries will appropriately assess China's fulfillment of the commitments it has made in both Chinese and international law, including legal and constitutional commitments to ethnic minorities.

Mr. SMITH of New Jersey. Madam Speaker, I yield 3 minutes to the gentleman from Texas, an esteemed member of the Committee on Foreign Affairs (Mr. POE).

Mr. POE. I thank the gentleman for yielding time.

Madam Speaker, Tibet is being denied the basic human rights of freedom of speech, freedom of religion, and the freedom to seek grievances against its own government.

China, the bully of Asia, literally is beating up on the small religious Tibetan community. China puts down dissent by the use of the bloody club and the firearm. And China suppresses the world press that tries to report on what they are doing by issuing scripted propaganda papers about these peaceful Tibetan people, propaganda that we have not seen since Hitler's Nazi Germany.

China's ugly personality of brutality and oppression is now being seen by all of the world. And as China tries to carry the Olympic torch throughout the world, the flame of the torch is setting peoples in this world on fire in support of the people of Tibet.

□ 1945

So China must cease its oppression of its own people or face international rebuke and international condemnation, including condemnation by this body.

I support the people of Tibet, and I urge passage of this resolution. And I want to thank the chairman for bringing this resolution so quickly to the House floor.

Ms. LEE. I yield 2½ minutes to the gentleman from New Jersey (Mr. HOLT) who is a member of the Permanent Select Committee on Intelligence.

Mr. HOLT. Madam Speaker, I thank the gentlelady for yielding.

I am pleased to join the Speaker of the House today as an original cosponsor of this important legislation to address the rights of the people of Tibet. Across the globe, people are speaking out in support of the people of Tibet. And today, Congress is making a strong statement. And no one outside Tibet has been more clear and more eloquent than the Speaker of the House.

I recently had the honor to join the Speaker as a member of a congressional delegation to India. We were with the spiritual leader, the Dalai Lama, and we saw and heard thousands of Tibetan refugees cheering America, I'm pleased to say, but pleading and pleading with us not to forget Tibet.

Tibet has been under the heavy hand of China for almost five decades, and the situation has deteriorated with China brutally suppressing Tibetans and systematically and relentlessly eradicating Tibetan culture. Our delegation was moved to see and hear the pleadings of Tibetans of all ages who have braved Himalayan crossings to escape oppression, some weeks ago, some years ago. And the Dalai Lama gives them hope and calls on the world not to forget those who have fled and those who are left in Tibet. And we, too, should give them hope.

I have in my office a crayon-drawn Tibetan flag given to me during our delegation's visit to the Tibetan Children's Village, and I keep this flag in my office because it reminds me of the human toll of the situation. Children and adults flee the villages of Tibet and cross the highest range of mountains in the world to reach the promise of a life where they can preserve their culture and have freedom. The journey is treacherous, but children try to escape the oppression in Tibet.

I am pleased that all the members of this important trip joined the Speaker in introducing this resolution. Both Democrats and Republicans agree that the Chinese Government needs to end the violent crackdown on nonviolent Tibetan protesters. Furthermore, it is long past time for the Chinese Government to begin, without preconditions, a dialogue with His Holiness, the Dalai Lama, and ensure that human rights and dignity of all Tibetans are protected, to address the legitimate grievances of the Tibetan people, to safeguard the people and their distinctive identity, to support economic development, cultural preservation, health care, education and environmental sustainability.

This important resolution reminds the world and China of our commitment to the people of Tibet.

Mr. SMITH of New Jersey. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Madam Speaker, we stand at a historic moment. In the stream of history, it is oftentimes overlooked as we circumnavigate around time, fate and circumstance the momentous era and the momentous deeds which must be undertaken. This is one of them.

I thank the Speaker for bringing this resolution. I thank her for bringing with it the moral weight of her opposition to Communist China's abysmal human rights record throughout her career in this Congress, and for uniting Republicans and Democrats behind it.

But at this moment, I am also reminded of someone who is no longer with us, someone from whom I learned very much. That man is the late Chairman Tom Lantos, a man who embodied the human spirit in its ability to triumph over evil. How many people in this Congress understood the moment when the tanks rolled into Budapest and the Soviets went into Hungary, that that was a seminal moment in the Cold War, that the desire to breathe free, of the Hungarian people, could not be quelled by tanks and could only be quenched by freedom? And throughout the history of the Cold War, their example was emulated by others, including the Czechs in 1968, and of course the Poles, and that eventually brought down the Soviet Union.

Today, what may appear a resolution of the moment for a specific incident is not that. It is our generation's Budapest. It is this generation of Americans who get to witness the Tibetans trying to breathe free from beneath the Communist yoke of the Chinese regime. And as we Republicans and Democrats stand together today, we stand with them, and we send a clarion message to the Communist Chinese Government. They will be free. And as the Olympic torch goes from town to town and you see people gathering together of all political persuasions and all walks of life to protest the abominable suppression of the Tibetans, let us remember that we here have come together to make sure that the torch of Lady Liberty still shines bright as a beacon of hope for all the world.

Ms. LEE. I yield 2 minutes to the gentlewoman from California, a member of the Committee on Energy and Commerce, Congresswoman HILDA SOLIS.

Ms. SOLIS. Madam Speaker, I rise this evening in strong support of House Resolution 1077.

At the end of March, I traveled to India with Speaker NANCY PELOSI and a congressional delegation and met with the leader of Tibet, His Holiness, the Dalai Lama. We met young Tibetan children in India and saw hope in their eyes for a better future. We were greeted by many thousands and thousands of Tibetans along the road as we traveled up the mountain where they lived. Yet we heard stories of violence and torture inflicted by the Chinese Government on the Tibetan people and protesters. We learned of recent Chinese policies and laws that have limited the economic opportunities for Tibetans in China and severely endangered the Tibetan culture, religion and their language, in fact, their whole being.

Tibetans have fled to India to be able to practice their religion in peace and preserve their culture with dignity and respect. The Dalai Lama spoke to us about his desire for peace and his longing to live autonomously, not independent of, but autonomously in China so that Tibetans could practice their religion openly.

I, too, share his desire. House Resolution 1077 calls on China to end its repression inside Tibet, release prisoners who participated in nonviolent protest, and to begin a dialogue, a true dialogue with the Dalai Lama to find a solution for Tibet that respects human rights. The resolution calls for access for journalists so that the world can see, hear and view the situation in Tibet.

The Tibetan people are at a critical point in their movement to live peacefully and autonomously. We must

stand with them. We must also be a beacon of hope for them and for those thousands of children that we saw at the orphanage there. They greeted us with hearts open to us with flags both representing the U.S. Government and the Tibetan people.

I stand here, Members, strongly supportive of House Resolution 1077 and ask you to join with us and the Speaker of the House for its swift passage.

The SPEAKER pro tempore. Again, without objection, the gentleman from California regains control of the time.

There was no objection.

Mr. BERMAN. Madam Speaker, may I inquire how much time is remaining on both sides.

The SPEAKER pro tempore. There are 5½ minutes remaining for the gentleman from California. There are 6½ minutes remaining for the gentleman from New Jersey.

Mr. BERMAN. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Madam Speaker, due to the leadership of NANCY PELOSI, we were able to experience a profound and moving time in Dharamsala, India, 2 weeks ago, and it was profound for two reasons. One, when you talk to a Buddhist monk who has walked for 5 days through the Himalayan mountains to escape suppression and obtain some modicum of religious liberty, it would move the hardest of hearts. And we talked to monks who had that experience, monks who couldn't even show a little medallion with a picture of the Dalai Lama on their chest without having to go to jail in Tibet under the control of the Chinese Government. It was profound in that sense, but it was profound in meeting the Dalai Lama, as well, a person of great humor, great grace, great courage and great nonviolence. And he has asked for an investigation of what has gone on in Tibet, to quash what the Chinese Government has been saying about him, saying that he has instigated this violence. Anyone who makes that claim couldn't distinguish between Mahatma Gandhi and Che Guevara.

And I take great umbrage at this assertion that somehow he has been the reason for violence. His position has been reasonable. He has asked for a dialogue with the Chinese Government. He has asked for an investigation to what happened in Tibet. He has not called for a boycott of the Olympics, an extremely reasonable position given what his people have undergone.

His aspirations for China I think should be the world's, that as China grows into a great economic power, let it seek to be a great power in the sense of morality and humanity. My district has a growing relationship with China selling jets, software and agricultural products. And we like to see the economic potential of China. But that has to be married, to become a great nation, with a commitment to humanity, morality and religious freedom. This is consistent not only with America's core values, but international values in the Olympic spirit. We hope we move in that direction.

Mr. BERMAN. Madam Speaker, at this time, may I ask unanimous consent that we be granted an additional 10 minutes, 5 minutes for the majority, 5 minutes for the minority, on the time already allotted for this resolution debate.

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

There was no objection.

Mr. BERMAN. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Wisconsin, Mr. STEVE KAGEN.

Mr. KAGEN. Madam Speaker, what kind of nation would we be if we wouldn't stand up to speak out in favor of liberty everywhere in the world?

It was on January 6, 1941, right here in this chamber that President Franklin Delano Roosevelt enunciated and outlined for us the four essential human freedoms, freedoms that this Nation fought several world wars for and won. Freedom of speech everywhere in the world, freedom from fear, freedom from want, and freedom to worship God everywhere in the world.

The people of Tibet tonight must hear that we, the people of these United States, are on their side. And we encourage the current leadership of China to support these four essential human freedoms everywhere in the world.

Madam Speaker, very shortly, there will be some Olympic games held in China, Olympic games and Olympic spirit, based upon fair competition, fair and open competition on a level playing field. Isn't it time, we might also ask, that China begins to compete with us on a fair and level playing field, and in particular with regard to Paper Valley in which I live in Wisconsin, isn't it time that they stopped dumping illegal paper into our domestic marketplaces?

Madam Speaker, I rise in strong support of this resolution because we must support these four essential human freedoms everywhere in the world.

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

First of all, I want to thank Speaker PELOSI for introducing this very important resolution of which I am very proud to be one of the cosponsors, and especially for the trip, along with other Members of the House, that you led to India to be at the side of His Holiness, the Dalai Lama, in this hour of terrible suffering for the Tibetan people.

Madam Speaker, tonight we are here to speak frankly about what the Chinese Government is doing in Tibet. Last week, Lodi Gyari, His Holiness' Special Envoy, told me and others on the Congressional Human Rights Caucus that Tibet has ''become, particularly in the last few weeks, in every sense an occupied nation, brutally occupied by armed forces.''

Madam Speaker, despite the fact that there is an extensive news blackout, the grim consequences have gotten out.

□ 2000

Chinese soldiers and police have shot large numbers of people. The death toll is now well over 150. We don't have any idea how many have been wounded, how many are right now lying, wounded or dying, in attics and cellars, because they know that if they go to the hospital, they will simply disappear into the Chinese Laogai.

The Chinese Government has been subjecting Tibetans to mass arrests. They have searched whole sections of cities, house by house. Chinese officials admit to nearly 2,000 arrests. The China Commission estimates that there are at least 1,000 more. Frankly, I wonder if there might be thousands more, since there are large areas of Tibet from which nothing has been heard in weeks, where phone lines and cell towers and e-mail have been simply turned off.

Many thousands of monks are now being held under house arrest or in lockdown. Chinese riot police have surrounded some Buddhist monasteries and are letting no one get in and no one get out. Many have been tortured. I would remind my colleagues that we are seeing now, in a massive way, what has been ongoing and pervasive for decades.

I chaired a hearing in 1995, Madam Speaker. We heard from six survivors of the Laogai. One of those was Palden Gyatso, a Tibetan monk who spent 24 years in prison. When we invited him to come and speak, he brought with him some instruments of torture that are routinely employed and used in a horrific manner against men and women in the Chinese concentration camps. He told us that many people die of starvation. But when he brought those instruments, he couldn't even get past our Capitol Police. They stopped him. We had to come down and get him through.

Then, when he held up those batons that are used in the mouth and elsewhere in order to provide electric shocks, he actually broke down. He held it up and he said, ''This is what went into my mouth as a Buddhist monk and into the mouths of many other people to shock and to deface,'' and he has trouble swallowing to this day.

He talked about these self-tightening handcuffs, and held up his wrists and showed us the marks on his body, not just on his wrists, but elsewhere. He talked about piercing with bayonets. And this is routine. I would encourage Members to realize what goes on each and every day, but now in a more pronounced way, in a more massive way, against the people of Tibet, through the use of torture.

The Chinese Government, Madam Speaker, what they are doing right now is exactly what happened in some of the parts of the world ruled from the Communists. Who can forget the Soviet invasion of Hungary, which was still felt on the streets of Budapest in the 1980s, even though that happened

back in 1956. Tibet is now a cruel place, not the people, but the Chinese imposition of their crackdown.

Madam Speaker, it should be noted and emphasized that the Tibetan people have not provoked the government into this newest wave of repression. It is the Chinese Government that has provoked the Tibetan people to protest, a protest that, perhaps because of the Buddhist emphasis on peace, has been overwhelmingly peaceful.

As we all know, Tibet has been subjected to Chinese Communist tyranny since 1951. Since 1959, the Chinese Government is responsible for the deaths of hundreds of thousands of Tibetans—and that is a low estimate. The current number of Tibetans living in China is now about 5.4 million people.

I think Members should realize too that there has also been—and the Dalai Lama speaks about this when he speaks about his Five Points of Engagement—this population transfer, where the entire culture is being replaced by a Han Chinese culture. They are getting very good jobs. The incentive has been given them by the Chinese Government, in order to marginalize and decrease the Tibetan people, to make them more of a minority in their own land. What we are talking about here is nothing less than a planned destruction of a culture that has now gone to new lows with this recent crackdown.

In fact, the Chinese Government's attitude toward Tibet can be seen in these two insults by Zhang Qingli, the Secretary of the Chinese Party of the Tibet Autonomous Region, who offered to the people these words. He said, ''The Communist Party is like the parent to the Tibetan people, and it is always considerate about what the children need.'' We are talking about a very abusive parent here. He also said, ''The Central Party Committee is the real Buddha for Tibetans.'' What a sacrilege! What a sacrilege! What a violation of fundamental human rights.

I will say only a couple words about the Olympics, Madam Speaker. The IOC made a great mistake in allowing China to host the Olympics. Who can forget when they were vying for the 2000 Olympics and they let Wei Jingsheng out. Speaker PELOSI knows him very well. I met him in Beijing when he was let out, very briefly. As soon as they didn't get the Olympics, they rearrested him and beat him and tortured him. They finally let him out because he was close to death. But then the IOC awarded the Olympic venue to Beijing several years later.

They shouldn't be held in a nation that cracks down on all kinds of political dissent and has a system of coercion where brothers and sisters are illegal as part of its one-child-per-couple policy, its forced abortion policy, and also a country that is responsible for killing so many Africans. The most recent is happening in Darfur. This really is, as my colleague Ms. LEE said earlier, the ''genocide Olympics.''

That repression and those killing fields are ongoing today in Darfur. As we all know, some 4 million people died in Southern Sudan even before that, and it was the Chinese who enabled those killing fields as well.

Finally, let me just say briefly to my colleagues that there are American companies who may be supporting this tyranny. I am afraid some of them are doing that, playing smaller or larger roles in the crushing of Tibet, working with the Chinese Internet Surveillance Bureau to block Web sites and blocking and tracking down Tibetans who send Internet reports of arrests and massacres.

The New York Times has reported that the Chinese Government is indeed, and not unexpectedly, blocking Web sites to prevent uncensored news from reaching the Chinese people, including the Web sites of CNN, BBC, YouTube, Google and Yahoo.

The Times has also reported that the Chinese Internet Surveillance Bureau has warned Tibetans about sharing factual news about the protests. They have said, and I quote them, this is the Chinese Bureau, ''We inform Internet users that it is forbidden to post news about Tibet events . . . The Internet Surveillance Bureau will carry out filtering and censorship . . . Anyone infringing this ban will have their IP addresses sent to the police, who will then take the necessary steps.'' That means, Madam Speaker, arrests; that means, Madam Speaker, torture of those who simply try to share the truth as to what is going on in Tibet.

Who can forget Shi Tao, the journalist who got 10 years simply for sending information to an NGO in New York about what the Chinese Bureau of Propaganda had told them they could not do with regard to the Tiananmen Square massacre? Now it is going on in Tibet, and the ugly cycle continues.

As I think Members know, the Global Online Freedom Act legislation, which is pending and hopefully will come to the floor, would finally give us a full and thorough accounting as to this complicity, whether it be witting or unwitting, on the part of these Internet companies, so that we are not part of this tyrannical regime that is now so brutally suppressing, murdering and torturing Tibetan people and putting so many monks into prison, rather than letting them be in their monasteries, where they want to practice their faith.

Madam Speaker, this is an excellent resolution you have brought to the floor. I congratulate you. This is bipartisanship, I believe, at its best. We are all in support of the Dalai Lama. You have led on this for so many years, and are doing so now as Speaker, and I hope we get very strong support for this, on behalf of the Tibetan people and on behalf of the Dalai Lama.

Madam Speaker, I yield back the balance of our time.

Mr. BERMAN. Madam Speaker, I am very pleased to yield 1 minute to the gentlewoman from California, the author of the resolution, the Speaker of the House of Representatives (Ms. PELOSI).

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding. I thank him for his leadership on the Foreign Affairs Committee, and Congresswoman ILEANA ROS-LEHTINEN, the ranking Republican on the committee, for their leadership in bringing this resolution to the floor. It isn't without a tear in the eye that we bring this to the floor and remember our colleague, Congressman Tom Lantos, and how important this resolution would have been to him.

Twenty years ago when I was a new Member of Congress, Tom invited some of us to a meeting that I will never forget. It was with His Holiness the Dalai Lama. At that time he presented to us his proposal for autonomy for Tibet. That is over 20 years ago he has been preaching autonomy, and it is on that basis that we wanted him to have the opportunity to have full negotiations with the Chinese Government. They had said if he doesn't reject the idea of independence, that cannot happen. Well, he rejected independence 20 years ago, much to the dismay of those who want independence.

But, in any event, Tom Lantos opened the door for many of us to meet with His Holiness the Dalai Lama. Twenty years later, in the Capitol of the United States, under Tom's leadership and of that Congresswoman ROS-LEHTINEN, we were able to present to His Holiness the Congressional Gold Medal, the highest honor that this body can bestow. I am proud to say that President Bush stood there side-by-side with His Holiness presenting our Congressional Gold Medal to him. No President before had been so courageous, and I appreciate and am proud that President Bush did that.

Following that, we talked about taking a trip to India to talk about global warming, that our Energy Independence and Global Warming Task Force, which Mr. MARKEY and Mr. SENSENBRENNER, who spoke so eloquently earlier, were in the lead on.

When we planned the trip, we had accepted His Holiness' invitation to visit him in Dharamsala, without any thought that it would be at a controversial time. As fate would have it, we made our plans in December and January. When we got there in the middle of March, it was following the crackdown in Tibet of the peaceful demonstrators in Lhasa and in other parts of Tibet by the Chinese Government. It was stunning really to see the reaction of the Chinese to the simple observance of the 49th anniversary of the Dalai Lama being forced out of Tibet by the Chinese. As the monks demonstrated and protested, the Chinese government cracked down.

While we were there, it was interesting to hear that the Government of China was saying that His Holiness was the instigator of violence in China,

that he had the ''heart of a jackal'' and all kind of animal references. We all love our animals, but they were not appropriate to His Holiness. We all know His Holiness to be the personification of nonviolence in the world, a bridge builder for peace and human understanding, as we said in our presentation of the Congressional Gold Medal to him.

So we thought it must be our fate, it must be our karma, that we would be in Dharamsala at that time. As was indicated by some of our colleagues, Mr. INSLEE mentioned that some monks had traveled for 5 days over Himalayas to Dharamsala to tell us about the treatment they had received.

Some of the people we met with, Mr. SMITH, had been in prison for many years in China. One woman who was in her eighties had been in prison for over 25 years. We heard of the torture that was exacted upon them as recently as a matter of days before we were there. So the torture that you described that you heard about in your committee continues to this day, and we very tearfully received that information from the prisoners.

But the point is that in Tibet you are arrested and repressed for what you believe; not even for acting upon your beliefs, but for what you believe, and that is something that flies in the face of everything we stand for as a country. That is why I was so pleased that the President stood there and showed bipartisan spirit, Democrats and Republicans coming together, as Mr. SMITH mentioned. We have worked on this issue for many years and in a very bipartisan way in terms of China.

Another place where China has influence that Mr. SMITH and Mr. WOLF have been leaders has been in the Sudan. But for the Chinese's absolute insistence that they will not sanction the Sudan at the U.N., we could perhaps have an improvement in the human rights situation and the political situation in the Sudan.

Many of us took a trip, many Members have been there, I led a delegation there with Mr. CLYBURN to Darfur a couple of years ago and we saw firsthand the genocide that was going on there. It was horrible to see. We went to several camps. In one camp, 100,000 refugees were there. We saw the little children. The tiny ones really still had some brightness in their eyes. The older ones, they had seen too much.

In this camp, in the evening when it would be cool, if the father went out to get firewood, he would be killed. If the mother went out, she could be raped. In any event, the children could be kidnapped. They had been displaced from their villages with compliance of the Government of Sudan.

□ 2015

All we need is strong international leadership to end that situation. China stands in the way. When we are talking about Tibet and when we are talking about the Olympics and we are talking about Tibet, we have to remember Burma as well and the house arrest also for all these many years.

We have to remember what is happening in Darfur. I was reading in the paper the other day as the torch was going through Paris that one of the marchers, the carriers of the torch said that what was happening with the protesters was very unpleasant. I thought, you think that's unpleasant? Maybe you should be in the sub-human conditions that the refugees are in Darfur. If you think that's unpleasant, maybe you should be in a prison in Tibet for your faith and His Holiness, the Dalai Lama.

You think that's unpleasant? Maybe you could still be in prison from the Tiananmen Square massacre. Some people are still in prison from that time.

Mr. SMITH knows well the fight we had at the time because shortly after, a couple of years after Tiananmen, we were still fighting for the release of the prisoners of Tiananmen. We had about a $5 billion a year trade deficit.

We thought that that would give us so much leverage with the Chinese Government that surely if we threatened the most-favored nation status, as it was called then, that they would yield and release these prisoners because it meant $5 billion a year to them.

Well, we didn't win. We didn't prevail in that situation.

As I say, it was a Republican President and a Democratic President. We didn't get any better policy from either of them when it came to China. They told us that granting most-favored nation status, they changed the name to permanent normal trade relations because it sounded better, would, in fact, improve the political situation in China and improve our trade relationship with China.

When these people are saying it's unpleasant, I think it's unpleasant to think that a $5 billion a year trade deficit is now $5 billion a week, $5 billion a week. That is a quarter of a trillion dollars a year trade deficit with China.

Has it improved our trade relationship? I don't think so. Has it improved the human rights situation in China? I don't think so.

Somewhere along the way we lost our way. We said at the time, some of us, if you choose to ride this tiger that is China, only China will decide when you can get off. China won the Olympics. Some of us supported resolutions in opposition to that, but they won the Olympics.

I don't support a boycott of the Olympics. I think our athletes who have trained should be able to go there and compete. I think it should be treated as a sports event. Any time it tries to rise to the occasion of harmony, one world, one dream, a unifying factor, that is where it falls short, because the Chinese cannot on the one hand take the political upside of the credibility given to them at any welcoming ceremony and refuse to hear the other side of the political view that they are unworthy of making that claim.

As we speak tonight as we are gathered here in this Chamber, in my City of San Francisco human rights activists are preparing for the torch to come through our city tomorrow, a city very committed to human rights. I was very proud that yesterday they were able to display a ''One World, One Dream: Free Tibet'' banner across the Golden Gate Bridge. It's just frightening to think of how they were able to accomplish it, but they got their message across with, probably in my view, the most beautiful backdrop in the world for all the world to see.

Tomorrow, as the torch goes through the city, people will voice their views on it. But, still tonight, Desmond Tutu is leading a prayer vigil in San Francisco in protest of what is happening with that torch going through.

Probably the most insulting of all, though, is that China insists that the torch go through Tibet, that it go to Mount Everest and through Tibet on its way back to Beijing. That's the biggest insult, I think, of all. The world should not allow that to happen. What's right about that?

When I was in Dharamsala, I had the privilege of addressing the crowd gathered in the square. I said at the time that the situation in Tibet challenges the conscience of the world. Indeed, the situation in Darfur challenges the conscience of the world, two places where China can change, make a difference. I also said that if we, the freedom-loving people throughout the world do not stand up for human rights in China and Tibet, then we lose all moral authority to talk about it any other place in the world.

It is many years of activism on this subject, and lots of documentation, but, as Mr. SMITH mentioned, we know so many of the people firsthand, such as Harry Wu, who had been imprisoned. Why this is important tonight is because what the Chinese did, the most excruciating form of torture that an oppressor can exact on a political prisoner is to say to him or her nobody even knows you are here. They don't even care about you anymore. Society has passed this issue by. It's no longer important. Your family is out there suffering, you are here forgotten, but the world does not remember you.

Well, we are here tonight to say that the world does, a continuation of the work that Mr. SMITH has referenced and others have referenced tonight about our calling to the attention of the world the names, the actual names of people who have been imprisoned for their beliefs, their religious beliefs, their political beliefs. This the resolution is very simple, and when we vote on it tomorrow, I hope we have an overwhelming vote.

What it says to the Chinese Government, as they prepare for the Olympics in harmony, ''One World, One Dream: Free Tibet,'' is that they end the

crackdown in Tibet, that they enter into substantive dialogue directly with His Holiness the Dalai Lama, that they allow independent monitors, journalists and others into Tibet and they also allow medical personnel. As was mentioned, people who have been beaten by the Chinese cannot receive medical assistance and they need that life-saving attention. That's what we are talking about here.

As for the accusation that that jackal, His Holiness the Dalai Lama, the instigator of violence in Tibet, started all of this, His Holiness called for and our delegation in Dharamsala associated ourselves with his call which was for an independent outside investigation as to how that all started. If they are going to accuse him, then they must be prepared to have an investigation to prove their point or to be proven wrong.

When we were there, I just want to close by saying, because it was very moving for us, when we got off the airplane and we were driving to Dharamsala for miles and miles and miles and miles, and when we got to Dharamsala to the center of town, we were greeted by many Tibetans flying American flags. We take the pledge in the morning, and any time we see the flag, it is an emotional experience for us. But to see these people who have had to struggle so much for freedom pay homage to our flag was quite a remarkable thing.

Here is one sign, which was my particular favorite. It said, ''Thank you for everything you have done for us so far.'' But all the American flags, the Tibetans flags, and, just again, it was a forest of flags there.

Mr. HOLT referenced the children, when we went to the children's school, thousands of adorable children, many of them separated from their families, because that's the only way they could be raised in a Tibetan culture which is now restrained. Here are these children, they drew, they had thousands of these. I brought many of them home, an American flag on one side and on the other side a Tibetan flag, ''Free Tibet, Free Tibet.'' It goes on, ''Long live His Holiness the Dalai Lama.''

''Long live the friendship between the United States and Tibet,'' a friendship that began when Franklin Roosevelt sent His Holiness, when he was a very little boy, a watch. That watch had the rising of the sun, the months of the year, the phases of the moon, and it did tell time too. It was a very special fit, a gold watch. His Holiness has said that he took that watch with him when he left Tibet, imagine, a piece of America in that flight to freedom.

It is our wish that under the provisions of this legislation and the voices being heard all over the world now that those negotiations will take place between the Chinese Government and His Holiness the Dalai Lama. I, like many, have asked about the opening ceremonies. You don't want to boycott the Olympics, what about the opening ceremonies?

I think we should, since the Chancellor of Germany, Angela Merkel, has put that on the table, it should stay there. Our President should hold back any decision about going to those opening ceremonies until he sees what progress could be made, what leverage we could use to have those negotiations take place so that before too long and while His Holiness is still in good health he can return to Tibet and, indeed, the Tibetan people in their autonomous state of Tibet can be free.

I am very proud of this resolution. I couldn't be prouder of all the statements that were made this evening with all the passion and interest and history that went with it. I think it is a tribute to His Holiness, and I hope the vote tomorrow will be unequivocal about that. I am certain it will. I also they think that it is a tribute to our friend, Tom Lantos, who had been so faithful to this cause.

Thank you, Mr. Chairman. Thank you, Mr. SMITH.

Mr. BERMAN. Thank you, Madam Speaker, for those wonderful worlds, for elevating this Chamber.

Mr. FARR. Madam Speaker, in mid-March, the Chinese government conducted a bloody crackdown, grossly violating the human rights of the peaceful protestors in Tibet.

The protest by the Tibetans touched a nerve and rapidly spread beyond the capital city of Lhasa into other areas of Tibet and around the world. The peaceful protest drew a violent and disproportionate reaction from the Chinese government who sought to tamp down the Tibetan desire for autonomy and self-determination. Not only did the Chinese government react with terrible force upon the protesters, the authorities also tried to discredit the Dalai Lama and his movement for a free Tibet.

The Dalai Lama is as determined and committed to nonviolence as he is to seeing the emergence of a peaceful, prosperous, autonomous and self-determined Tibet. The brutal crackdown that seeks to derail the inevitable movement toward a free Tibet resulted in the deaths of more than 100 Tibetans and caused a great deal of social upheaval.

While we live a safe distance away from the struggle, comfortably ensconced in a liberal democratic society, we cannot act as though we do not have a role to play to support the Dalai Lama. We do.

I am enormously grateful to Speaker PELOSI, who has offered this House resolution which calls upon the Chinese to end this crackdown. This violent reaction is short-sighted and unproductive and, furthermore, it's not the long-term solution that respects the human rights and dignity of every Tibetan.

Rather, the Chinese Government must enter into a serious, substantive negotiation directly with the Dalai Lama and must allow independent monitors into Tibet. Only then will we be on the path toward a solution to this crisis. Furthermore, I join Speaker PELOSI and other supporters of a free Tibet, to ask for the immediate release of all Tibetans who were arrested for non-violent protest.

I am pleased this evening to express my support for the struggle toward a free Tibet, and I would encourage all my colleagues to join me by supporting this important House resolution.

Mr. ABERCROMBIE. Madam Speaker, I rise today in support of House Resolution 1077, calling on the Government of the People's Republic of China to end its crackdown in Tibet. The resolution also calls for the Chinese Government to enter into a substantive dialogue with His Holiness the Dalai Lama to find a negotiated solution that respects the distinctive language, culture, religious identity, and fundamental freedoms of all Tibetans.

The Dalai Lama has stated his willingness to accept cultural autonomy for Tibet under the Chinese Constitution. He has also been willing to negotiate with Beijing and has advanced a number of very moderate proposals regarding Tibet's future status. The Communist regime, however, has only met this attempt at accommodation with stiff opposition, and is currently instigating yet another crackdown in the lead up to the Beijing Olympics.

To date, Congress has stood strongly by the Tibetan people as they bravely struggle for their rights:

In 1991, Congress passed a resolution stating that Tibet is an occupied country.

In September of 2007, Representative ROHRABACHER introduced House Resolution 610, expressing the sense of the House of Representatives that the United States Government should take immediate steps to boycott the Summer Olympic Games in Beijing in August 2008 unless the Chinese regime stops engaging in serious human rights abuses against its citizens and stops supporting serious human rights abuses by the Governments of Sudan, Burma, and North Korea against their citizens. I wholeheartedly support and cosponsor this measure.

Congressman DANA ROHRABACHER and I recently formed the Tibet Caucus and already have 8 new members.

Congress awarded the Dalai Lama the Congressional Gold Medal.

We cannot stand silently by and watch as another wave of brutality and oppression sweeps across the country by the Beijing regime. Congress must continue to stand by the Tibetan people and uphold their rights as human beings. I urge every Member of Congress to join the Tibetan Caucus, vote ''yes'' for House Resolution 1077, and urge the President of the United States to issue an executive order boycotting the Beijing Olympics and uphold the rights of the Tibetan people to ensure their voice is not silenced.

Mr. MCGOVERN. Madam Speaker, I rise in strong support of H. Res. 1077 and I want to thank the Speaker of the House, NANCY PELOSI, for her leadership and commitment to the people of Tibet. For many years, in both words and deeds, she has stood by the people of Tibet, and called for the respect and support of their dignity, culture, heritage, and religion. And I am proud to be a cosponsor of this legislation.

Madam Speaker, I believe Tibet is one of the most serious human rights and political freedom issues of our time.

The violent response by Chinese military forces to peaceful protests that began in the Tibetan capital on March 11th is horrifying. I believe the United States and the international community must convey a strong condemnation of these acts, an accounting by China on the welfare and whereabouts of the many detained Buddhist monks and other Tibetan citizens who have been arrested, and facilitate access by international human rights monitors

and journalists to Tibetan areas, as requested by His Holiness, the Dalai Lama.

The State Department's 2007 Country Reports on Human Rights describes a human rights situation in China and Tibet that continues to worsen while the repression of religious freedom has increased. There is very disturbing evidence of a pre-Olympic crackdown on religious leaders, journalists and lawyers in recent months. It is long past time for the government in Beijing to respect the human rights and religion of every Tibetan. Further, as the protests in Tibet began calling for greater economic opportunity and equality, they clearly call into question China's claims that its development of Tibet advances the prosperity of Tibetans as well as the ethnic Chinese Han who have been encouraged to migrate to Tibet and establish themselves there.

Since I was first elected to Congress, I have worked with many of my House colleagues to press for greater freedom for Tibet and for the release of Tibetan prisoners of conscience who have been jailed by Chinese authorities, most of whom are imprisoned for their political and cultural beliefs. Personally, I believe Tibet should be restored as an independent nation, which it was prior to China's military invasion over 50 years ago. I deeply fear that China is successfully destroying a culture, religion and national heritage that have survived for thousands of years.

The legislation before us this evening calls upon the Government of the People's Republic of China to end its crackdown in Tibet and enter into a substantive dialogue with his holiness the Dalai Lama to find a negotiated solution that respects the distinctive language, culture, religious identify, and fundamental freedoms of all Tibetans. It is not a call for independence. But it is a call for the Chinese Government to respond as a mature member of the international community. I hope that Beijing will understand much is required of a nation that desires to be a leader in regional and international affairs, including the capacity to genuinely negotiate differences and find solutions that are meaningful and acceptable to all.

Madam Speaker, I have joined with my congressional colleagues, in a bipartisan fashion, on matters to Chinese authorities about the recent protests in Tibet. Over the past years I have also petitioned the Chinese Government on several individual cases, the most high profile of which would be the safety and well-being of the Pachan Lama. I have also asked my own government, at the highest levels, to advocate for the release of particular prisoners and for greater freedoms for the Tibetan people. I must admit, however, that I am very frustrated by the fact that the United States, like the rest of the international community, appears to voice reverence for the Tibetan culture and religion, while standing idly by and watching it be slowly eroded and dismantled year by year by the Chinese authorities. In the meantime, China continues to pursue its policies in Tibet, knowing there is no price to pay for its actions.

This time, Madam Speaker, we must all act differently. There must be consequences for the brutal repression of Tibet. I hope the Chinese Government will heed the message of this resolution. I hope it will open a genuine dialogue with His Holiness the Dalai Lama and negotiate in good faith a just solution with and for the people of Tibet.

I promise the sponsors of this bill that I will continue to join them and speak out on these matters and press President Bush, the international community, and the Chinese Government to respect the basic human rights of the Tibetan people. And passage of H. Res. 1077 is the first step in moving this process forward.

Mr. CHABOT. Madam Speaker, I rise in strong support of H. Res. 1077, a resolution you introduced calling on the government of the People's Republic of China to end its crackdown in Tibet and to enter into a substantive dialogue with the Dalai Lama to find a negotiated solution that respects the language, culture, and religious identity of the Tibetan people.

Madam Speaker, freedom, dignity, and respect are universal rights that should know no boundaries. When these rights are nurtured and protected, peace, prosperity, and harmony flourish among people and nations. When these rights are restricted, repressed, and ignored, each of us has an obligation to speak out, otherwise the world suffers.

Tibet has a long history of language, culture, and religion. Since the late 1500s, the teachings of the Dalai Lama and Buddhism have played integral roles in Tibet and throughout the world. The fact that Tibetans have lived under repressive conditions since China's crackdown in 1958, which led to the deaths of more than 10,000 Tibetans and sent the 14th Dalai Lama into exile, is inexcusable.

The fact that China has failed to live up to its commitment to improve its human rights record is intolerable. The continued attempts by the Chinese Government to placate the international community with promises cannot go unchallenged any longer. If China wants to be recognized as a world leader, it should start acting like one. A good first step would be to allow for vigorous political debate rather than suppressing it.

I urge my colleagues to support this important resolution and thank the distinguished gentlewoman from California, Madam Speaker, for her work on this issue.

Mr. MARKEY. Madam Speaker, I rise in strong support of this resolution, which calls upon China to end its repression in Tibet.

I would also like to commend the Speaker for her long advocacy on behalf of the rights of the Tibetan people, and for bringing this bill before the House today.

In Tibet, there is an ongoing struggle for basic human rights and human dignity. Our Nation has a moral obligation to make its views known to the Chinese Government regarding its oppression of the legitimate rights of the Tibetan people to practice their religion and express their culture.

Last month, I was honored to join Speaker PELOSI in traveling to Dharamsala. We met with His Holiness the Dalai Lama, with leaders of the Tibetan Government-in-Exile, and with ordinary Tibetan people have been forced to flee their homes and seek refuge from Chinese political oppression.

I was moved by the extraordinary struggle of the Tibetan people, and the stories I heard of the brutal repression that has been taking place in that country. All the Tibetan people are seeking is their right to be able to express their culture, language, and religion.

The Dalai Lama made it absolutely clear to us that he is firmly and unequivocally committed to nonviolence, that he is not seeking independence but autonomy, and that he is seeking peaceful dialogue with the Chinese Government. The Dalai Lama is not seeking a boycott of the Olympic Games; he is seeking to return to his homeland with his people in peace.

As I told Ambassador Zhou of China when I met with him last week, it is in the interest of China and Tibet to arrive at a lasting resolution of this dispute as soon as possible. China's reputation around the world, and its relations with other nations, will only continue to suffer if Beijing continues to ignore the world's call for action.

This resolution calls upon China to begin a dialogue with the Dalai Lama, without preconditions, to address the legitimate grievances of the Tibetan people. I truly hope that the Chinese Government heeds this call, ends its repression of Tibetan rights, and enters into a genuine dialogue on Tibet's future.

I urge adoption of the resolution.

Mr. UDALL of New Mexico. Madam Speaker, I rise today in support of H. Res 1077 and to express my concern over recent and ongoing events in China. Since March 10th, when Tibetan protests began in Lhasa, there have been demonstrations in at least 48 locations. While there are some accounts of violent actions, most Tibetan protestors have been peaceful. Unfortunately, the Chinese government has not taken the same approach in responding to these protests and protestors. While we do not know the true number, it is estimated that at least 3,000 Tibetans may be under detention. And it is even more unclear how many people have perished because of the Chinese government's excessive response to these largely peaceful demonstrations.

The Tibetans are a peace loving and resilient people, and even under the Chinese occupation they have been able to retain their culture. Unfortunately, while responding harshly, the Chinese government has also placed blame for the situation at the feet of the Dalai Lama. This, despite the fact that none of the purported evidence is linked directly to the Dalai Lama.

As these demonstrations continue, it is important that the Chinese government distinguishes between the peaceful protestors and the rioters, and that it honor its own constitutionally guaranteed freedoms of speech, association, and demonstration.

Passing this resolution today sends the message to the Chinese Government that this is what we expect, and that we will not turn a blind eye to their actions. On the contrary, we are closely monitoring what occurs in Tibet and will continue to do so. As China's engagement in the international community continues to grow, we must call on the Chinese government to honor the commitments it has made to both Chinese and international law. This resolution does just that, and I strongly support its passage.

Mr. ROYCE. Madam Speaker, I rise in support of H. Res.1077.

I would like to first commend the Speaker on her timely resolution that calls on the Government of the People's Republic of China to end its crackdown in Tibet and to open a dialogue with His Holiness the Dalai Lama.

Importantly, this resolution calls on the Chinese Government to release all Tibetan prisoners who were detained for their nonviolent expression of opposition to Chinese policy towards Tibet, something with which I very much agree.

In 2002, the Tibetan Policy Act was ushered through Congress under the leadership of former chairmen Lantos and Hyde, and signed into law. Amongst its components was a U.S. commitment to the economic and cultural preservation of Tibetans inside Tibet. I believe that this resolution reaffirms this commitment.

For decades, Beijing has oppressed the Tibetan people. As the State Department's most recent annual report on human rights found, tight control on religious expression and denial of other basic human rights are cause for serious concern. China's further crackdowns on peaceful protestors of the Olympic torch relay serve to further affirm the State Department's report.

At the center of international media coverage of China's crackdown on Tibetan Buddhism is Radio Free Asia, a non-profit broadcast corporation that provides alternative news sources in repressive countries. In addition to covering the abuses wrought against the Tibetans, Radio Free Asia has also documented the Chinese destruction of precious Tibetan religious relics and manuscripts. It is not just the ethnic discrimination against Tibetans that gives me pause, but also the efforts to erase their culture.

I commend Radio Free Asia on their tireless efforts to broadcast truth, and I commend you, Madam Speaker, on your work on this resolution.

Mr. GEORGE MILLER of California. Madam Speaker, as the Chinese Government was repressing peaceful Tibetan protests last month, I visited Dharamshala, India—the recognized home of Tibetans in exile—with Speaker Pelosi and several of my colleagues.

I had the honor and privilege to meet His Holiness, the Dalai Lama, and I was moved by the infinite patience and courage he exudes in the face of overwhelming odds. I was touched by the large population of Tibetans in exile who worry about family members they have left behind. These are people who left their homeland due to repression of religion and language by the Chinese Government and the constant violations of basic human rights and dignity in their own land.

The Speaker, along with everyone else on our trip, was incensed at the atrocities conducted by China. Our first order of business upon returning to the United States was to draft this important resolution before the House today.

Through this resolution, we call on the Government of the People's Republic of China to end its crackdown on nonviolent Tibetan protestors and its continuing cultural, religious, economic, and linguistic repression inside Tibet and to begin a dialogue directly with His Holiness the Dalai Lama.

The freedom of press is something we take for granted in the United States but Tibetans unfortunately do not enjoy this privilege, as all press inside Tibet, and all of China in fact, is closely monitored and controlled by the state. This resolution calls on the Chinese Government to allow independent international monitors and journalists, free and unfettered access to Tibet.

It is clear by the conviction and sentencing of human rights activist Hu Jia, who has been an outspoken critic of the human rights record of the Chinese Government and called on the international community to hold Beijing responsible for the promises it made when bidding to host the Olympic games, that China has no intention of unilaterally changing it's human rights record. The government of China has been and continues to be an abuser of basic human rights despite the State Department decision to not include China in a list of countries that most systemically violate human rights. This resolution asks the United States Department of State to publicly issue a statement reconsidering its decision.

The cause of the Tibetan people is a desire for freedom of religion, freedom to speak their own language, and to express their unique identity. It is a cause every American can relate to. I urge my colleagues to vote in support of this resolution—to vote in support of Tibet.

Ms. ESHOO. Madam Speaker, we've read and seen on the news the accounting of numerous deaths following the anti-government protests in the Tibetan capital of Lhasa. The proindependence protests were initiated by ethnic Tibetans commemorating the 49th anniversary of the failed 1959 uprising that sent the Dalai Lama into exile. China is now facing mounting international pressure, including the U.S., to demonstrate restraint in dealing with the dissent.

I support the aspirations of the Tibetan people to peacefully protest for independence and safeguard their distinct identity by promoting the elimination of all forms of racial, religious, and linguistic discrimination against them. The People's Republic of China, PRC, has failed miserably to guarantee the preservation of these rights for the Tibetan people and as a result, Tibetans remain plagued by poverty, illiteracy, and a limited infrastructure.

I was privileged to participate in the Speaker's congressional delegation to India last month when we visited the Dalai Lama in Dharamsala. During our visit we discussed the tragic violence that has been taking place in Tibet with the Dalai Lama and we agreed that an open dialogue with the PRC and international pressure are the most effective methods at our disposal for ending the crisis.

This resolution was born out of those discussions with the Dalai Lama. It condemns the government of the PRC for its bloody suppression of the Tibetan people and calls on the government of the PRC to invite the Dalai Lama to China for the purpose of dialogue to resolve the root causes of unrest in the Tibetan areas of China.

Free expression and the right to dissent are defining elements of a democracy. That's why it is essential for us to speak out in condemnation of China's repression of religion, its complicity in the Sudanese atrocities in Darfur and its oppression of Tibet.

I urge my colleagues to pass this important resolution.

Mr. VAN HOLLEN. Madam Speaker, today, the 2008 Olympic torch arrives for the first time on American soil. It almost didn't make it. After violence erupted in Paris and London between police and demonstrators protesting Chinese human rights abuses, there were serious discussions about ending the torch's journey across the world before it arrived in the United States.

Despite ongoing complaints by the international community about China's human rights abuses—and its restrictions on freedoms of speech—China refuses to take corrective action.

This resolution is an attempt to pressure the Chinese Government to address international concerns of human rights abuses in that country. This resolution is also a reaction to six decades of cultural and religious repression of the Tibetan people. Now is the time to bring the suffering of the Tibetan people to an end. I ask my colleagues to join me in supporting this resolution to encourage the People's Republic of China to enter into discussions with the Dalai Lama and respect the human rights of all its citizens.

Mr. BERMAN. 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 California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 1077.

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. BERMAN. 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.

□ 2030

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

NEWBORN SCREENING SAVES LIVES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. ROYBAL-ALLARD) is recognized for 5 minutes.

Ms. ROYBAL-ALLARD. Madam Speaker, this week the Nation is celebrating National Public Health Week, and I can think of no better way for this House to have begun the celebration than by the passage of today's packet of critical bipartisan public health legislation.

I commend Chairman DINGELL and Chairman PALLONE for their leadership in helping to pass this group of bills which will make a significant contribution to improving our environment and the quality of our Nation's health.

Regrettably, I was unable to return from Los Angeles in time to be a part of today's floor discussion. I am particularly pleased, however, that the Newborn Screening Saves Lives Act, S. 1858, as amended by my bill, H.R. 3825, was one of the public health bills that passed today.

I extend my sincere thanks to my colleagues, Congressman MICHAEL SIMPSON, TOM REYNOLDS, and HENRY WAXMAN for their original cosponsorship of H.R. 3825, the Newborn Screening Saves Lives Act. Their commitment and steadfast efforts have helped

make possible the passage of this significant piece of legislation.

In addition, I thank Senators DODD, ORRIN HATCH, HILLARY CLINTON, and EDWARD KENNEDY for championing the Senate companion bill, S. 1858.

I also thank the coalition of public health groups, especially the March of Dimes, for working with us over the last 4 years on this critical issue.

Madam Speaker, approximately 5,000 babies are born each year with detectable and treatable disorders. Forty years ago, these disorders would have gone undetected until symptoms appeared. This resulted in otherwise preventable deaths or lifelong suffering from disabling consequences such as mental retardation and cerebral palsy.

Today we have the ability to give a newborn baby a simple blood test that can identify many life-threatening genetic illnesses before symptoms occur. Fortunately, this early identification makes it possible to treat babies in time to prevent severe disorders, serious complications and even death.

Yet tragically in the United States, approximately 1,000 infants a year die or are permanently disabled from these treatable disorders. These preventable tragedies are largely due to the fact that our country lacks a national newborn screening standard. Without a national standard, our States have great disparity and variation in the quality and number of newborn screening tests an infant may receive.

Today's passage of Newborn Screening Saves Lives Act is a major step toward correcting these disparities because it encourages States to uniformly test for and keep updated a scientifically recommended panel of disorders. And it makes available the resources States need to expand and improve their newborn screening programs.

The Newborn Screening Saves Lives Act also has the potential to save millions of dollars in health care costs for families and States because it empowers parents and health care professionals with knowledge about the importance of newborn screening and follow-up care.

In addition, the bill requires the Centers for Disease Control to ensure the quality of laboratories involved in newborn screening and it establishes a system for collecting and analyzing data to help researchers develop better detection, prevention, and treatment tragedies.

Madam Speaker, by passing the Newborn Screening Saves Lives Act, this Congress seized an opportunity to protect vulnerable babies from undue suffering and death and to give them a chance for a long and healthy life. Once again, I thank my colleagues for voting to pass this critical piece of public health legislation.

RAPE OF A LITTLE GIRL

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

Mr. POE. Madam Speaker, in the early morning hours of March 2, 1998, 10 years ago, Patrick Kennedy of Jefferson Parish, Louisiana, called 911 to report that his 8-year-old stepdaughter had been dragged from her garage to the side yard and raped by two neighborhood boys. Kennedy told the 911 operator that he saw one of the boys riding away from the house on a bicycle, so a sheriff's deputy that was immediately in the area responded to the complaint and started looking for the culprit, but he did not find the individual.

The deputy noticed that the crime scene in the backyard was somehow inconsistent with rape, and he noticed that the dog was still sleeping undisturbed in the grass. Be that as it may, Kennedy led the deputy to the victim, his stepdaughter's bedroom, where she was lying on the bed wearing a T-shirt and wrapped in a filthy, bloody cargo blanket.

Kennedy informed the deputy that he had carried his stepdaughter like an infant from the yard and placed her in a bathtub to clean her. But the deputy noticed there was no blood on Kennedy's clothes.

When the deputy tried to question the victim, Kennedy constantly interrupted and answered the questions for his stepdaughter. The victim said that she was trying to sell Girl Scout cookies when the two neighborhood boys dragged her from the garage and raped her on the grass nearby.

The victim was taken to Children's Hospital for emergency surgery to repair serious injuries to her body. At the hospital, the victim told hospital personnel and a psychologist that the two neighborhood boys had raped her, but she finally told a family member that Patrick Kennedy, her stepfather, had assaulted her.

The investigation began to focus on Kennedy because his story did not make any sense to the investigators. And then the police learned more about Patrick Kennedy and who he was. Before he called 911, Kennedy called his boss at a local moving company to say he wasn't going to work that morning and he asked a co-worker how to get blood out of a carpet. The co-worker later indicated at trial that Kennedy sounded nervous, and he said his stepdaughter had ''just become a young lady.''

Kennedy also called B&B Carpet Cleaning at 7:30, 2 hours before the 911 call, and he asked how to clean and remove blood stains from a carpet. Police then found a 1-gallon jug of carpet cleaner and the bloody towels Kennedy used to clean up his crime and hide the evidence.

A forensic lab confirmed that the victim had no grass or soil stains on her clothes so she could not have been assaulted in the grass. The victim later told her mother that Kennedy had raped her. At the trial, she testified that when she woke up that morning, he was on top of her, covering her eyes with his hands, and that he raped her in her own bed. The victim said she fainted and later threw up.

A jury convicted Patrick Kennedy of aggravated rape of his own 8-year-old stepdaughter and sentenced him to death in Louisiana. Under Louisiana law, a person who commits sexual assault of a child under the age of 12 is subject to the death penalty. Kennedy has appealed to the Supreme Court, and next week in Kennedy v. Louisiana, the Supreme Court will hear the case and decide if rape of a child is constitutional under the eighth amendment and whether it violates the cruel and unusual punishment provision of the eighth amendment.

No one has been executed in the United States for a crime other than murder since 1964. Of 3,000 inmates on death row, only two face the death penalty for nonhomicide, and one is Patrick Kennedy.

In addition to Louisiana, Georgia, Montana, Oklahoma, South Carolina and Texas have laws allowing death penalty for rape of a child. In 1977, the Supreme Court decided that the death sentence for rape of an adult woman was unconstitutional, but they never ruled on the issue of sexual assault and rape of a child. Thus, this case appears before the Supreme Court.

Louisiana has interpreted the Supreme Court's previous rulings not to apply in Louisiana because the sexual assault was of a child and that is why this case appears before the Supreme Court to make this decision.

Madam Speaker, this crime is senseless. We can sometimes understand why people commit the crime of theft, we can understand why sometimes people commit the crime of burglary, and even sometimes commit the crime of murder, but there can never be a time in our culture when we understand why a person rapes an 8-year-old girl. It is the ultimate crime of degradation. It is the ultimate type of torture, and it is the ultimate crime against little girls and their identity. It is worse than murder. And in this instance, the victim has a daily reminder of the crime that has ruined her life. It is an attempt to destroy not the life but the soul of this victim. So justice must be pronounced in this case. Society will be judged and the Supreme Court will be judged by the way it treats the innocent among us. Hopefully this case will be upheld by the Supreme Court.

And that's just the way it is.

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

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

WASTE AND ABUSE

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

Mr. BISHOP of Utah. Madam Speaker, when I was first elected to Congress, my incoming class decided to concentrate on the concept of exposing waste, fraud and abuse in national government. I wish I was still doing that because with all due respect, I have struck the mother lode of waste, fraud and abuse.

Tomorrow we will debate on this floor under a rule a perfect example of abusing taxpayers, fraud on taxpayers, and wasting of taxpayers' money.

Less than 10 years ago, Secretary Babbitt established an organization called the National Land Conservation System. He said it was his idea, his hope, to move from what he called the ''Bureau of Livestock and Mining,'' which was actually his legal responsibility, to what he wanted to be, a bureau of landscapes and monuments. He wanted this organization to emphasize and recognize the crown jewels of the Bureau of Land Management.

One has to ask: How does one actually recognize and emphasize the crown jewels of the Bureau of Land Management?

In hearings, we asked the bureau spokesman if before this entity was established, was the Bureau of Land Management incompetent in handling these goals, or of emphasizing and recognizing these lands. And the answer was, obviously, no.

So the question once again is: Why do we want tomorrow to codify and make permanent this entity which is at best redundant and is at worst simply a waste of taxpayers' money, because you see, this new entity doesn't appoint anyone. It doesn't fire anybody. It doesn't write or remove regulations. It doesn't administer or regulate. It doesn't do anything except cost the taxpayer $50 million a year to run it.

The best argument that the proponents of this bill will have is that it doesn't change anything. In essence, it does nothing to an entity that does nothing; so why do it.

Another of the great arguments is it won't cost us a dime, except when the sponsor was asked in his State newspaper whether this new system would have more funds and regulations, his response was, ''Well, you've got to establish the system, and then you go to step two.''

In what actually is being purported as something that doesn't really change anything, my fear is this bill might actually do something.

The Department of Interior tentatively supports this proposal because it says it helps them to maintain the basic difference between a national park and a national monument on BLM land as opposed to a monument or park on National Park Service land. And the key element in the difference between the two is the concept in the BLM of multiple use on the public lands.

And yet when our side tried to introduce an amendment in the committee to make sure that multiple use was one of the key values of this new system, it was defeated on a party-line vote. And when we went to the Rules Committee to try to bring this issue to the floor, it was once again defeated on a party-line vote.

The only difference between BLM and National Park Service is this concept of multiple use, and yet this is one issue that is specifically eliminated from the bill that will be in discussion tomorrow. This bill is supposed to take the status quo and make it permanent; and yet all of the problems inherent in the status quo are not solved by this particular bill. We have great issue with private in holdings on these lands, none of which is addressed.

We tried to make sure that those people who like to recreate on these lands, that no boating, no shooting areas would be diminished if this went into effect, and once again that issue was rejected on a party-line vote and not even allowed to be discussed on the House floor.

□ 2045

We talked about potential border security, and an amendment will be granted tomorrow that says we will do nothing to change what we are doing on border security on these lands which are part of our border, and that is, indeed, one of the problems because it's not the status quo we want. It is change that needs to be done.

This area is sometimes called sarcastically the Trail of Amnesty, where it's estimated that every year a quarter of a million people will go through, those who are most of the worst in the human traffickers, the drug dealers and some of our gang members.

There is one ranch that is near this area; already in a short period of time has been burglarized 16 times even though he has iron bars on the window, a security system. When he's on horseback riding his ranch he finds needles, baby clothes, two skulls, four dead bodies. No Country for Old Men looks like a soap opera compared to this territory.

It is not the status quo we need to do. It is change that is essential. And once again, nothing like this happens. When we write fuzzy and vague language we invite lawsuits against the Federal Government.

We'll have an amendment tomorrow to try to eliminate or at least limit the kinds of potential lawsuits we have. We will see what happens because, once again, that was rejected in the committee.

This national land conservation system should not be codified and made permanent; if anything, it should be eliminated as a $50 million example of waste, fraud and abuse. The dream of Secretary Babbitt is really an expensive millstone around the neck of all taxpayers in this country.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

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

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

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

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

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

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

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

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

CONFLICT IN THE MIDDLE EAST

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the minority leader.

Mr. GINGREY. Madam Speaker, I thank you. And it's indeed an honor to be here tonight to talk with my colleagues about something that's going on in the world today that is of huge import. And no, I'm not talking about who was the victor in the NCAA Final Four Basketball Tournament.

I'm not here to talk to my colleagues about who might be the winner this year of the American Idol contest, as we get closer and closer and that draws the interest of so many of television viewers throughout the country.

What I'm talking about tonight, Madam Speaker, is probably the most important thing that this country has on its plate in a long, long time, and that is the situation in the Middle East and what's going on in Iraq and Afghanistan and how important that conflict is, not just to this country and its citizens, but the region in the Middle East and, indeed, the entire world, Madam Speaker, as we continue to wage, as we have for the last 5½ years, this battle, this war against global terrorism. And ground zero, Madam Speaker, make no mistake about it, ground zero is in Iraq.

Today our commander there, of the multinational force Iraq, General David Petraeus, and the United States Ambassador, Ambassador to Iraq, Ambassador Ryan Crocker, are here in Washington, D.C. to testify before both the United States Senate and in this chamber, the United States House of Representatives, to the Armed Services Committee of both the House and the Senate, and to the Foreign Affairs Committee of both bodies. General Petraeus and Ambassador Crocker spoke to the Senate today in a full, long day of testimony, and they will be speaking tomorrow to the House committees that I just mentioned.

Madam Speaker, along with yourself and many other very fortunate Members of this House of Representatives, I do serve on the Armed Services Committee, and I certainly look forward to hearing from these two great men who have served so well and for so long in a difficult part of the world, and also to have the opportunity to ask some questions, and I'm sure some of them will be tough questions, hard questions for Members of both political bodies, both the majority and the minority.

So, as I say, this opportunity tonight, on behalf of my party, the Republican minority, to take this hour and talk about this and try to explain to my colleagues that this is really, we are at a critical point in this war in the Middle East. And we have an opportunity, as I've felt for a long time, as I felt last September when General Petraeus and Ambassador Crocker first came before the committees and explained that the surge that we enacted in January of 2007 is, indeed, working. And what they said last September is that we need to give it a chance.

Indeed, if you made an analogy to a sporting event, you might say that we're in the fourth quarter of a tough game, and at times, indeed, January of 2007 and several months before that, it did appear that we were losing. Members of this body and the other body in leadership positions made some pretty drastic statements, even to the extent of saying the war's lost, it's hopeless, it's a hopeless situation; we need to just pack up and come home.

But General Petraeus and Ambassador Crocker, last September told us, no, that is not the case because we did change courses. We listened to the recommendations of the Iraqi Study Group, co-chaired by a very prominent Democrat and Republican, and we listened very carefully to their recommendations in regard to what needed to be done. And this surge of about 30,000 additional troops has certainly given us the opportunity to regain control and get the upper hand against these Islamic extremists and thugs that could, and would, and are determined not only to destroy Iraq, but to make that country the base of their support. And, yes, of course I'm talking about al Qaeda.

Anyone who thinks, Madam Speaker, that Iraq is not ground zero now for al Qaeda simply is ignoring the words of Osama bin Laden.

So we are, as General Petraeus and Ambassador Crocker said, we are at a very critical point. And today, the evidence will show, and during this next 45 to 60 minutes of time that me and some of my colleagues on our side of the aisle will have to discuss this, we are going to present the evidence that we are succeeding. We have not won yet, but we're ahead in the fourth quarter, and this is certainly not the time to pull our team off the field and say, well, you know, they're tired, they're stressed; the ranks are thin. It's cost us too much money. And hey, you know, we may have some conflict break out somewhere else in the world, and we have to be ready for that. Maybe 6 months from now, maybe a year from now, maybe 10 years from now.

So this approach, strategy of giving up something that we have almost won, after sacrificing 4,000 killed in action, and closer to 20,000 of our brave men and women severely wounded, and an untold number, maybe as many as 100,000 Iraqi civilians who have also given their lives for the cause, it makes no sense to this Member, Madam Speaker, that you would give up at such a critical, crucial time.

So what we're going to talk about tonight is really four things. I want to concentrate on four things. And as I say, hopefully, a number of my colleagues will be able to finish up their previous engagements and be here with me on the floor, because these Members are members of the Armed Services Committee and the Committee on Foreign Relations of the United States House of Representatives. And they, Madam Speaker, know of what they speak.

And what we're going to do is break it down, as I say, into four areas of discussion. The first area would be to talk about where are we today? What difference has a year made? Actually, it's a little more than a year. January of 2007. But it took until October, just this past fall, to get all of the additional troops and their support, logistical support into the theater. And you really couldn't expect a lot of change in the battle until we got the full force of those 30,000 additional troops. And you, ladies and gentlemen, my colleagues, we all refer to that as the surge. And this was what was recommended by General Petraeus.

And so we're going to talk about it, what a difference a year makes, and talk about some of the statistics about overall violence and progress. And the statistics don't lie. You can't put spin on numbers. Numbers are what they are. And I think the numbers, when we finish this special order hour, Madam Speaker, I think my colleagues will agree that by any standard, any parameter, any metric that I talk about, you'd have to say that the surge that was essentially envisioned, planned by General Petraeus, is, indeed, working, maybe even far better than he expected.

And the second thing that I'll talk about is, what would victory look like? You know, we're on track. We're not there yet. I think it would be presumptuous, maybe even naive of me to say that we have victory in our grasp, or to suggest that the mission is over, we won. No, we're not there yet.

And I think the violence that broke out recently in Basra, the second largest city in Iraq, after Baghdad, the port city where every drop of oil that's taken out of the ground, those 2½ to 3 million barrels a day from the reserves in the country of Iraq, they flow out of that port at Basra. And there's been a lot of violence there. And, you know, that's some disappointing news after we have had a string of several months of good news and great statistics.

But we know from that little wake-up call that there's still a lot of work to be done. Unfortunately, as has been the case in so many conflicts throughout the course of the history of our country, we have had to take the lead so many times. And we have had strong allies, certainly, the Brits have been a great ally of ours throughout history, and continue to be. But the fact is that they're citizens are, they're not as supportive, maybe, from time to time, as we would like for them to be.

□ 2100

And it's very difficult for their parliament to keep troops as part of our multinational force. There are some in Basra, but something like a thousand British troops were removed from that

critical area, which they have had responsibility for since day one of Operation Iraqi Freedom. A lot of those troops were brought home for political reasons in September of 2007, and it weakened our situation in Basra. We are paying the price today, I think, because of that, but we will talk about these statistics, and we will certainly talk about what victory would look like.

The third point that I am going to ask my colleagues to discuss, and I will discuss as well, is the fact that despite these overwhelming statistics and the progress that we've made, there are Members in this body, in this town, the media, voices, that say and continue to say, it is not worth it. It is not worth it. It is not worth the lives that we have sacrificed. It is not worth the money that we've spent. Even achieving victory is not worth it. We need to bring the troops home and spend that money on social welfare programs, on health care for everybody, and maybe a $5,000 tax rebate for every man, woman, and child in the country. There are other things that we could do to spend that $10 billion a month that this war is costing us. Now, I want to talk about that, and we will get into it.

And then lastly, and maybe most important tonight, we will talk about the consequences of failure, the consequences of withdrawal, which I am absolutely convinced, if done prematurely, will lead, inevitably, to failure.

So we will conclude by talking about the consequences of that. And I think, as my colleagues listen, it will be quite sobering to them as they think in their mind and understand, and this is an intelligent body of 435 great Americans, of people who have served this country well and representing their districts well, but sometimes we need a wake-up call. Sometimes we really, Mr. Speaker, need a wake-up call. And that's why we do these Special Orders on both sides of the aisle.

But tonight, I don't think there really is anything more important to talk about than the situation in the Middle East, and I'm proud to have this opportunity, and it's a great honor and a privilege.

I see my colleague from Tennessee, one of my classmates who joined with me in the 110th Congress. We were both elected in 2002. We both had served, me in the State of Georgia, she in the State of Tennessee, in the General Assembly; and we are part of a proud group of, I think there were 53 freshman back in 2003 as we got here. And we all, I'm sure, felt like we had the answers to all problems and that we were going to solve all of the country's problems and the world's problems. And I can tell you that we haven't, but we haven't given up, and we will continue to work hard.

So it's an honor to be joined now by the gentlewoman from Tennessee, my good friend and outstanding Member, MARSHA BLACKBURN.

Mrs. BLACKBURN. I thank the gentleman from Georgia, and Mr. Speaker, he just touched on something I think is so very important.

Every once in a while, we need a wake-up call, and I think that is indeed true. And today has been a very serious day. This week is a very serious week here on Capitol Hill. And as I entered the Capitol again this evening to participate in our Special Order hour, I was struck by this stillness of the surroundings, the serene feelings of the Capitol as you walk in and as you look at the paintings and at the statues, making my way over to the chamber, reminded of those who have loved this Nation and loved the freedoms that we all enjoy and that allow us to stand in this chamber and participate in debate and to bring forward ideas and talk about what is a good idea and what is a bad idea.

And indeed, as the gentleman from Georgia said, every once in a while we need a wake-up call and a reminder that freedom is an idea that definitely has served this Nation well. It, Mr. Speaker, is an idea that serves all of the nations of the world very well. It is something that people all over the globe seek to have.

We have had discussion on this floor tonight about Tibet and the desire there to live in freedom, to worship freely. Many of us have watched the Iraqi people move forward with elections freely and willingly. Some of us travel to other nations to participate as we watch people seek to go in large numbers to the ballot box in their nation to freely vote.

I was struck a little bit earlier today, and I think it was more or less a wake-up call for me, Mr. Speaker. I stood in the shadow of the Capitol on the Senate side with a group called Vets for Freedom. I have had the opportunity to spend some time with them as they have told their stories about the success, the success stories, if you will, of what is happening on the ground in Iraq. And today they were joined by Senator MCCAIN, Senator LIEBERMAN, and other Members of the Senate, several of us from the House, including one of our most distinguished Members and a former prisoner of war, SAM JOHNSON, the honorable gentlemen from the great State of Texas.

And it was amazing to stand there and look into the faces of these veterans who have been willing to put it all on the line for freedom, to put it all on the line to protect this great Nation. And then to give actions to, again, to the actions they've carried out, to the words and the stories they're telling, and again, to take an action of coming here and coming to the Capitol and meeting with the Members of this body and to stand and support General Petraeus and Ambassador Crocker as they reported to our Nation, to say we've been there, we've carried out the heavy lift, and indeed, freedom is worth the fight.

They've also made it very clear that America now has the opportunity to achieve our fundamental objectives in Iraq through the establishment of a peaceful, stable, secular, democratic State which will be a reliable ally in the struggle against both Sunni and Shiite terrorism. Establishing this ally would allow America to reorient our position in the Middle East away from a position that relies on anti-democratic States to a position based on a strong democratic partner whose citizens have explicitly rejected al Qaeda and terrorism in general and have chosen freedom.

Today, General Petraeus reported to the Senate on his progress. Tomorrow, the House will hear from the general.

What we've learned so far is that levels of violence and civilian deaths have been reduced substantially. Al Qaeda Iraq, and other extremist elements, have been dealt serious and damaging blows. The capabilities of the Iraqi security forces have grown. Indeed, the involvement of local Iraqis and local security has been noteworthy. The forces are growing, and indeed, the Iraqis have carried out their own surge, Mr. Speaker.

Americans are well aware the additional U.S. forces that deployed to Iraq as part of the surge and our great Nation's part there. What is less understood well is that Iraqi forces surged, adding over 100,000 additional soldiers and police to their very own security forces in 2007.

There has been a shift in attitude among certain elements of the Iraqi population. The Sunni communities in Iraq increasingly have rejected al Qaeda's indiscriminate violence and extremist ideology. They recognize that they cannot share in the new Iraq if they don't participate in the political arena. That, Mr. Speaker, is a major step forward.

Over time, these awakenings have prompted tens of thousands of Iraqis, some former insurgents, to contribute to local security as sons of Iraq. There are 91,000 sons of Iraq Shia, as well as Sunni, under contract to help coalition and Iraqi forces protect their own neighborhoods. Again, they are taking the lead.

Al Qaeda's leadership, who still see Iraq as the central front in a global strategy, send funding, instructions, and foreign fighters to Iraq. Iraq's ethno-sectarian conflict in many areas is taking place through debate rather than through violence. That is another turn that we have seen. Security incidents are at a level not seen since early 2005, and civilian deaths have decreased to a level not seen before the mosque bombings in 2006.

Mr. Speaker, these are all items that are being reported to us of successes, military successes, that are taking place; and indeed, the gentleman from Georgia has mentioned some of these, has touched on some of the trends that we are seeing; and I know he's going to spend a little bit of time this evening going back and looking at these steps that tell the story of what is happening on the ground.

And as we see this take place, we see a population that is, indeed, beginning to feel safe to leave their homes. And once you're safe to leave your home, then you can start to work to make certain that your neighborhood is safe and then you make certain that your province is safe. All of this leads to a safer and free Iraq.

We know that the Iraqi parliament is making some progress, and as the gentleman from Georgia detailed some of the stats tonight, these are going to be items that will be included as we look.

Mr. GINGREY. The gentlewoman remembers, I think we all remember, hopefully, that last year the Congress asked for the Iraqi government to meet certain benchmarks. And this is exactly what Representative BLACKBURN is talking about now in regard to certain laws that their parliament would need to pass. It was sort of like a, you know, we'll only continue to help you if you promise by a date certain that you will have provincial elections, that you will pass a de-Ba'athification law, which essentially meant that those Sunnis, those brave soldiers that we are calling now and referring to as sons of Iraq, and as I say, mostly Sunnis, that they would have an opportunity to be included, maybe to be officially a part of the Iraqi security force.

So the government had to get over the fact that there was this rivalry, if you will, between the Shias in the majority and the Sunnis in the minority and the Sunnis led by the brutal dictator. Saddam Hussein had suppressed, oppressed, murdered so many of the Shias for so many years of his reign of terror that it's difficult to all of a sudden reach out an olive branch, but that's what we asked them to do in regard to de-Ba'athification, and I think it's important. And also asking them to share the oil revenue with all parts of the country, not just where the oil is found in the oil-rich Kurdish region but also in the west where there's very little oil and in the south as you have sharing.

□ 2115

So that's what the gentlewoman is talking about, and I yield back to her.

I just wanted to say that, and I'll make this one last point before I yield back, if the gentlewoman will bear with me just a second. It was said that those benchmarks needed to be met before we would provide additional troops and security and help stabilize things on the ground. But you couldn't have an effective parliament, an effective government until the people on the ground, in the towns, in the villages felt that their new government that they voted for could protect them, that had the ability, had the military strength, had the training that they felt secure and that they could go forward with this government. So the provision of security on the ground was first and foremost, and that's what the surge was all about.

I yield back to the gentlewoman from Tennessee.

Mrs. BLACKBURN. I thank the gentleman for yielding. And he's exactly right. Security on the ground, a secure and stable environment. And that is what the counterinsurgency strategy has been about, and the results that it has yielded.

As we have just discussed, indeed, and as Americans know well, we had a surge from our troops. The Iraqis also carried out their surge, and what it has yielded is an environment where not only we saw the military progress, but also where political progress can take place. And there are some wonderful lessons learned here.

I think that one of those, when we are in Iraq visiting with our troops and working with some of the Iraqis and helping to mentor some of the women that we have mentored over there, one of the things they will tell you is, we are so glad that you have not left us. Thank you for not leaving us. We know people are frustrated. We know there are no guarantees. But we also know that it is important that we keep at it. It's not going to happen overnight. And thank you, thank you for not leaving. We fear what would happen if you left.

And they are, as the gentleman from Georgia was saying, Mr. Speaker, they are seeing progress. The Iraq parliament is seeing progress. And as the gentleman just listed some things, and let me touch on them again, a pension law for regime officials, that has happened. De-Ba'athification reform, that has been carried out. An amnesty law, provincial election laws. And as he said, the sharing, the national government now sharing oil revenues with the provinces, something that a year ago many people said, it will never happen. But, here we are, and yes, indeed, it all is beginning to take place.

I yield back to the gentleman from Georgia.

Mr. GINGREY. Well, again, I thank the gentlewoman from Tennessee. And I would like to reemphasize the statistics that she was talking about that we said at the outset, Mr. Speaker, of this hour that we're going to talk about what a difference that a year makes and present those statistics, how particularly violence has decreased. And Representative BLACKBURN has already talked about that.

But I would ask my colleagues to reference this first slide in regard to its title. This is a little difficult to see in the back of the Chamber, but ''Civilian Deaths.'' And it is amazing, if you look at this top line going back to January of 2006 and then coming forward almost to present day, March of 2008, and you see that about the time of the surge, that peaked the civilian deaths. We're talking about on an almost monthly basis, 4,000 civilian deaths. I think if you follow the line down, that would be about January or February of 2007. And in March of 2008, at the far side of the chart, you're looking at a number just slightly over 600. So to go from almost 4,000 deaths to 600. And I have some additional charts to basically show the same thing, again, the statistics that we promised to present at the outset of the hour, to show you what a difference a year makes.

And this slide, my colleagues, says ''High Profile Attacks,'' basically explosions. And the blue line is the total. The next, I guess you would call that the brown graph, is car bombs. The red is suicide car bombs. And then on the bottom is suicide deaths. But this is a total. And that's where the rubber meets the road in these statistics.

And again, about a year ago, you were talking about attacks occurring in the range of 125 a day. And until this recent outbreak in Basra, they were down to about 40 a day. So, again, as I said at the outset, by any measure, by any parameter, any metric you want to take, the success of the surge is obvious.

Mrs. BLACKBURN. If the gentleman will yield.

Mr. GINGREY. I will be glad to yield. I will make one further point, and then I will yield to the gentlewoman from Tennessee.

These success stories you don't see on the nightly news. I think it was Ann Murray that sang a very famous hit a number of years ago, and I think the title of that was ''A Little Good News Today.'' You don't hear about good news because, by definition, it's not news. It's only mayhem and violence and killings and rapes and people putting their children in the trunk of a car and leaving them there for a day as a disciplinary action for some minor infraction. These are the kind of things that are on the front pages of our newspapers and on the 24-hour news service. They only talk about it when there's violence. Unfortunately, there's not much credit given to a little good news, in fact, a lot of good news.

I yield to the gentlewoman from Tennessee.

Mrs. BLACKBURN. I thank the gentleman for yielding.

And he has shown us some great charts, civilian deaths, the coalition data, the high profile attacks with the suicide car bombings, the car bombs, the suicide attacks, the weapons caches that are found and cleared. And when you look at the fact that we are finding many more weapons caches than we were and when you look at the fact that the attacks are down and the deaths are down, you have to ask, how did this happen? And the way it has happened is our men and women in uniform, and God bless them all, and I think about my constituents from Fort Campbell who are deployed right now, who are in both Iraq and Afghanistan, but the men and women in uniform who are taking the lead and who are gaining the trust of the Iraqi people and of the Iraqi forces and of the Sons of Iraq. And it is our men and women in uniform, as they gain this trust, and as the Iraqis know we're not going to quit, they are telling them, this is what I know, this is where you go to root out this evil person, this is where

you go to root out this weapons cache, this is where you go to get this information. Because they know that we are their partner in success and we are their partner in freedom.

And it really begs the question, and as I visited with some of the veterans that have come to spend some time with us today, this really begs the question, when you look at the data and when you have this discussion, can we afford to give up on a war where we are winning, that our military men and women tell us that they are seeing some successes every single day? Can you afford to give up? And how would history remember it if you did give up?

I yield back to the gentleman.

Mr. GINGREY. And I thank the gentlewoman from Tennessee for those very intelligent remarks and understanding of what is going on. She has added so much to this hour.

We're getting into the final third of our time. And I'm very pleased that one of my colleagues, a freshman, it's hard to believe, Mr. Speaker, indeed, that he is a freshman because his wisdom is far beyond that. He serves with me on the Armed Services Committee. He will be there tomorrow when General Petraeus and Ambassador Crocker testify to us, to the House Armed Services Committee.

At this point, I would be happy to yield to the gentleman from Colorado, Representative DOUG LAMBORN.

Mr. LAMBORN. I thank the gentleman from Georgia for his kind introduction and for his leadership in bringing this issue before the American people tonight. I also thank the gentlelady from Tennessee for her intelligent remarks as well.

Mr. Speaker, I rise to support and recognize the tremendous efforts of the men, women and leaders of our Armed Forces. The progress made in Iraq is undeniable. The surge is working. And as General Petraeus said today before the Senate Armed Services Committee, the men and women of Iraq and Iraqi Security Forces have themselves surged, determined to make Iraq a safe, secure and self-determined nation.

The surge in Iraq is working, but America's job is not complete. We must continue our mission until true freedom and stability are obtained in Iraq. To stop or pull back now would be irresponsible and reckless, risking American and Iraqi lives and the national security of both nations.

Reducing our presence in Iraq at this point would quickly undo the valuable progress that has taken years to achieve. As General Petraeus said before the Senators, it is a fragile situation, and it is easily reversible. To pull back now would communicate to terrorists that America has given up and does not have the stamina or commitment to persevere in the global war on jihadist terror.

The decision on when to reduce the presence of our troops must be based on winning the peace for the people of Iraq, not political whim that overlooks the successes of our military. But it must not be based on artificial timelines proposed by politicians in Washington as opposed to the considered judgment of the commanders in the field. History will not forgive us if we choose to lose a war we can win.

Precipitous withdrawal now means future generations of Americans and Iraqis will be forced to pay for our giving up victory at a time when we are not only achieving success, but when the people of Iraq themselves are rising up against the influence of terrorists and sectarian ideals in order to create an Iraqi state based on self-determination and freedom.

The right thing to do is to support our service men and women and General Petraeus in their mission in Iraq. I, too, would like to bring our troops home, but not at the price of providing a safe haven for terrorists and allowing terrorists to claim victory.

To quit now would be a disservice to those who have sacrificed in so many ways, but especially to America's sons and daughters who have given so much, and in some cases paid the ultimate price for our security and the freedom of the people in Iraq as well.

So I join with my colleague from Georgia. I, too, look forward to listening to the two gentlemen tomorrow, General Petraeus and Ambassador Crocker, as they describe what has been going on. And I look forward to the opportunity to ask questions and get to the bottom of things that are going on. But I know that I can say what I've just said now with full confidence because I've been watching what's happening in the news and I've been getting the reports up until now, just as my colleague from Georgia has.

I yield back to the gentleman from Georgia.

Mr. GINGREY. Well, I thank the gentleman from Colorado for being with us. And I hope that if time permits, he can remain with us for some of the additional time. I would be happy to yield to him if you'll just let me know. But, again, he is a member of the House Armed Services Committee, and indeed, he knows of what he speaks.

Mr. Speaker, and my colleagues, the testimony today that went on with the Senate Armed Services Committee was very telling. We are all busy on this side of the Capitol with committee meetings and other responsibilities, so you don't have the time to sit there glued to the television set and watch every single member ask questions of General Petraeus and Ambassador Crocker. But I was able, on occasion, to hear some of the dialogue and the exchange. And I want to share just a little bit of that, Mr. Speaker, with my colleagues at this time. And this poster, this slide that I have, you can reference what I'm talking about.

Senator LINDSEY GRAHAM, the senior Senator from the great State of South Carolina where I spent most of my youth, I live and represent Georgia proudly now, but Senator GRAHAM, formerly a Member of this body, the House of Representatives, and now serving so well in the United States Senate, asked this question of General Petraeus: ''Is it fair to say that when Muslims will stand by us and fight against bin Laden, his agents and sympathizers, that we're safer? Is it fair to say that?''

□ 2130

And General Petraeus's response: ''Absolutely.'' It only took one word, my colleagues, ''absolutely,'' we are safer.

And Ambassador Crocker responded this morning in a similar manner, and let me give his quote: ''In the little over a year that I have been in Iraq, we have seen a significant degradation of al Qaeda's presence and its abilities. Al Qaeda is our mortal and strategic enemy. So to the extent that al Qaeda's capacities have been lessened in Iraq, and they have been significantly lessened, I do believe that makes America safer.'' And this is the direct quote from Ambassador Crocker's testimony this morning before the Senate Armed Services Committee.

We will get into now the third point that I said, Mr. Speaker, at the outset of the hour that I wanted to emphasize, and that's the question of is it worth it? Despite the progress that we have talked about tonight that General Petraeus told the Senate this morning, there are those who would ignore that progress and still as they did last September. Maybe it was a more credible argument then. Of course, they were making it before the surge had even gotten there, not really giving it much of a chance. But today to argue for immediate withdrawal and to give up, to snatch defeat literally from the jaws of victory, that's basically what they're saying: It's not worth it. It's not worth it. It's time to quit. And this is what General Petraeus said this morning, another quote, and I share it with my colleagues:

''I do believe it's worth it. I took on the task,'' and just like General Petraeus he would say this, ''the privilege of command of Multi-National Force Iraq because I do believe that it's worth it and I do believe the interests there are of enormous importance, again, to our country, not just the people of Iraq and the people of that region, and the world.'' That's a quote taken from General Petraeus's testimony this morning.

I am pleased at this time, Mr. Speaker, to yield to another one of my classmates, the gentleman from Iowa, Representative STEVE KING. Representative KING is not only on the Armed Services Committee, but I do believe he's on the Committee on Foreign Affairs. And he is extremely knowledgeable about foreign affairs, about national defense, about so many critical issues. So it's indeed a pleasure to welcome this evening another of my classmates, the distinguished gentleman from Iowa, Representative KING.

Mr. KING of Iowa. I thank the gentleman from Georgia and appreciate your yielding, Mr. GINGREY.

Mr. Speaker, I come to the floor tonight to join with my colleagues to raise our voices in unison in support of our Commander in Chief and the Commander of the Iraqi forces, General Petraeus, with whom I have had a significantly long working relationship for quite some time, and for all the troops that have fallen in line behind the Commander in Chief and behind General Petraeus all the way out across the board.

I have personally made five trips to Iraq. I've been to Afghanistan. Each time that I go over there, I stop in at Landstuhl. I visit the wounded. I see the price that's being paid. I see the dedication in their eyes. And I believe it's a little stronger in the eyes of those at Landstuhl than it is in those who are standing at attention in Iraq or those that are on duty in Iraq. But all them, all of them, have put their lives on the line. They are all volunteers.

And I think back to a time at a Thanksgiving dinner in Baghdad actually, and the command sergeant major gave me that look that was like I'd like to talk to you off on the side. And I walked over to the side, and he said, I know war is expensive, but we're all volunteers here. We are not just volunteers for this mission. We have volunteered for the military. We've all reupped since the beginning of this war, and we all knew that we had a very high likelihood of being deployed here. We want to come here. And I volunteered for this because I want to take this fight from my children and my grandchildren. I want it done in my time. I know war is expensive, but you can't say ''no'' to us. You cannot pull us out now, not after this sacrifice, not this time. We have got to finish this fight that's before us.

And that's a conversation I will never forget, and I will never forget the look in his eye as he delivered that to me. That's some of the best that we have, our command sergeant majors. And this one fried that into my memory. And I think he has expressed for the fighting men and women over there what they want us all to hear on the floor of Congress and what they want the American people to know. If they're willing to take the risk, if they're willing to provide the sacrifice, how are we to say ''no''?

Mr. GINGREY. Reclaiming my time, Mr. Speaker, I will yield right back to the gentleman, but I think his point is just so well taken.

This morning, I started the day at 8 o'clock in the morning with a rally in the park on the Senate side, and it was organized by a group called Veterans For Freedom, Vets For Freedom. And 400 of them, 400, were there to give us that very message that Representative KING is talking about, that it is worth it, it is worth it, and to beg us, literally to beg us. And I am sure, my colleagues, Mr. Speaker, you will be hearing from them. We will all be hearing from them. I did today. The members from Georgia that are part of the Veterans For Freedom are here, and they're going to make sure that we hear that message loud and clear.

And I yield back to my friend.

Mr. KING of Iowa. I thank the gentleman from Georgia. And I just left a table of marines that are all on multiple tours of duty in Iraq or Afghanistan, and a couple of them were decorated with Purple Hearts and serving in places like Fallujah. And you look them in the eye, and you see what they're asking us to do: Just back us. Just stand behind us. Don't undermine us. Stand behind us.

I take us back to the Vietnam war. I picked up the book written by General Giap, who was credited with what they call their victory for the Vietnamese, for North Vietnam. In that book on page 8, as I recall the page, page 8, there's a little phrase in there where he says they got our first inkling that we could defeat the United States when we saw that they didn't press for a total victory in Korea. A negotiated settlement in Korea gave Vietnam the inspiration to fight the war against us not only on the ground in Vietnam, where they paid multiple prices in lives beyond ours, but to do it in the public airwaves across the country. The protests that went on in the streets here and across in Europe were all part of their war strategy. The liberal media undermining the effort was all part of their war strategy. That doesn't mean they called the shots for the media, but they were complicit in this. And as the will of the American people was broken down by biased information and sometimes misinformation, they understood this: The bottom line in the book Principles of War by von Clausewitz, a summary of his analysis is the object of war is to defeat the will of the enemy.

So the voices that come out from this side of the aisle, Mr. Speaker, are the voices of defeat, not the voices of victory. They are undermining the will of the American people. The press is playing into that. We should be standing with our troops.

And I walked down the steps in the Cannon building, and I presume he was a veteran. He reached up and he said, ''Support our troops,'' and shook my hand. And I said, ''I will and I will continue to be there.'' But I missed a beat or I would have said ''and their mission'' because you can't support the troops without supporting their mission. You can't ask people to go off and put their lives on the line for something you don't believe in.

I believe in this. The Iraqi people believe in this. And today they know something they didn't know a year ago or 4 years ago, two big points that they understand, that's part of their national understanding: One is the Americans and the coalition forces are not there to occupy. We don't want to be there to occupy. We want them to have their freedom. The second thing is we're not there for the oil, or we would have taken it by now. We want the Iraqi people to live and breathe free.

Yesterday I had a lunch with an individual who was instrumental in bringing Benazir Bhutto to Iowa as she gave a keynote address shortly after September 11. I sat down with her on a couch afterwards one on one, and I asked her, How do we get to the point of victory? How do we defeat al Qaeda and our enemy?

And her answer was, You've got to give them freedom. You've got to give them a chance at democracy. If you do that, they'll change their focus from hatred towards taking care of their families, their communities, their neighborhoods, their jobs, and their mosques.

And I look back on that conversation. Sadly, we have lost her, her voice for freedom, but there is a piece of wisdom in that that the American people need to understand. Iraqi people are now breathing free. They weren't free before. The Afghani people are breathing free. They weren't free there ever. Today there are 50 million people that are free because of the sacrifice of U.S. and coalition troops and because of the inspiration that we provide for the world, and that is a very big thing to hand on to the next generations.

And as we watch the Bush administration move towards that last month in office, and we have many months to go yet, but when it gets to that point, I'm going to say this: I believe history will treat President Bush a lot more kindly than the media has treated him in this time when they write objectively what it means to have the strong leadership in the Commander in Chief, to have an all-volunteer military that's doing a better job than we could have ever asked anybody to do, and they say let us finish our task. The Iraqis say let us finish our task. They're paying their price. We need to hold up our end of this bargain, and we need to support General Petraeus.

And I yield back to the gentleman from Georgia, and I thank him.

Mr. GINGREY. I thank the gentleman from Iowa so much for being with us.

As we rapidly approach the conclusion of this hour, I wanted to make a few other points. The gentleman from Iowa spoke of it when he said we are not there for their oil. We are not there for their land. We're not there for anything except to try to bring a democracy to the Middle East. And you think about the history of this country in other battles that we have been in, in World War I in Belleau Wood, in World War II on the beaches of Normandy, or in the Argonne Forest, in the Korean war, in the rice paddies of Vietnam or the sands of Iwo Jima, whom were we fighting for, and what did we ask for in return? We were fighting for other people as much as we were fighting for ourselves, and the only thing that this country asked for in return was a little

bit of dirt to bury our dead. We don't bury our fallen soldiers anymore on foreign soil, but that's really all we ever asked for.

The 4,000 that we have lost in this battle, how can we possibly turn our back on them? How can we turn our back on the Veterans For Freedom that I talked about that we met this morning?

And, Mr. Speaker, I have sufficient time, and I hope you will allow me to read these 25 names from my district, the 11th of Georgia, who have paid the ultimate sacrifice in this conflict to bring a little bit of democracy to the Middle East. And let me read quickly, Mr. Speaker:

Sergeant Michael Hardegree from Villa Rica; Lance Corporal Samuel Large, Jr., also from Villa Rica; Specialist Joshua Dingler from Hiram, Georgia; Sergeant Paul Saylor from Bremen; Captain Hayes Clayton from Marietta, my home; Private First Class Jesus Fonseca, Marietta; Lance Corporal Stephenen Johnson, Marietta; Airman First Class Antoine Holt, Georgia; Sergeant Brian Ardron, Acworth; Private First Class Marquis Whitaker from Columbus; Staff Sergeant John McGee, Columbus; Sergeant First Class David Salie from Columbus; Corporal Tyler Dickens, Columbus.

□ 2145

Staff Sergeant Rickey Scott, Columbus, Georgia; Corporal John Tanner, Columbus, Georgia; Sergeant Thomas Strickland, Douglasville, Georgia; Spec. Marvin Camposiles, Austell; Spec. Benjamin Bartlett, Jr., Manchester, Georgia; Lance Corporal Juan Lopez, Whitfield; Private John M. Henderson, Jr., from Columbus; First Lieutenant Michael Fasnacht, from Columbus; Lance Corporal Kristopher C. Warren, from Resaca; Specialist Justin Johnson, from Rome, Georgia; First Lieutenant Tyler Brown, president of the student body at Georgia Tech, died in Iraq, from Atlanta, Georgia; Jack Hensley, a civilian contractor from Marietta, Georgia was beheaded by the brutality known as al Qaeda.

Mr. Speaker, as I conclude my time, again, I thank you for allowing me to read those names.

And my colleagues, I hope that some of those families are listening because I pledge to you we will not turn our back on them. They have paid the ultimate sacrifice. You are continuing to pay the sacrifice, but God bless you for the support of this commander in chief and with your patience and our determination here in Congress, we will give victory a chance, and we will achieve victory.

And with that, Mr. Speaker, I yield back.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ABERCROMBIE (at the request of Mr. HOYER) for today and until 11 a.m. on Thursday, April 10.

Mr. BRALEY of Iowa (at the request of Mr. HOYER) for today on account of travel delays.

Mr. BUYER (at the request of Mr. BOEHNER) for today on account of a family illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. ROYBAL-ALLARD) to revise and extend their remarks and include extraneous material:)

Ms. ROYBAL-ALLARD, for 5 minutes, today.

Ms. RICHARDSON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, April 14 and 15.

Mr. BURTON of Indiana, for 5 minutes, today, April 9 and 10.

Mr. BURGESS, for 5 minutes, April 15.

Mr. TANCREDO, for 5 minutes, today, April 9 and 10.

Mr. JONES of North Carolina, for 5 minutes, April 14 and 15.

Mr. MORAN of Kansas, for 5 minutes, today and April 9.

Mr. CANNON, for 5 minutes, today.

SENATE CONCURRENT RESOLUTION REFERRED

A Concurrent Resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 73. Concurrent resolution expressing Congresional support for the goals and ideals of National Health Care Decisions Day; to the Committee on Energy and Commerce.

ADJOURNMENT

Mr. GINGREY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 9, 2008, 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:

5866. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Addition of Armenia to the List of Regions Where African Swine Fever Exists [Docket No. APHIS-2007-0142] received March 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5867. A letter from the Chief Financial Officer, Department of Agriculture, transmitting the Department's final rule — Debt Management — received February 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5868. A letter from the Administrator, Risk Management Agency, Department of Agriculture, transmitting the Corporation's final rule — Common Crop Insurance Regulations; Cultivated Wild Rice Crop Insurance Provisions (RIN: 0563-AC00) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5869. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket No. FEMA-B-7766] received March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5870. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations — received March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5871. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5872. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — HUD Office of Hearings and Appeals; Conforming Changes To Reflect Organization Regulations [Docket No. FR-5185-F-01] (RIN: 2501-AD35) received March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5873. A letter from the Regulatory Specialist Legislative and Regulatory Activities Division, Department of the Treasury, transmitting the Department's final rule — Lending Limits [Docket No. OCC-2008-0005] (RIN: 1557-AD08) received March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5874. A letter from the General Counsel, Corporation for National and Community Service, transmitting the Corporation's final rule — National Service Criminal History Checks (RIN: 3045-AA44) received March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

5875. A letter from the Under Secretary Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule — Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Implementation of Nondiscretionary WIC Certification and Nondiscretionary WIC Certification and General Administrative Provisions [FNS-2007-0009] (RIN: 0584-AD73) received March 19, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

5876. A letter from the Director, Department of Labor, transmitting the Department's final rule — Asbestos Exposure Limit (RIN: 1219-AB24) received March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

5877. A letter from the Deputy Assistant Administrator Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Exempt Anabolic Steroid Products [Docket No. DEA-289F] (RIN: 1117-AB04) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5878. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Elimination of FERC Form No. 423 [Docket No. RM07-18-000; Order No. 709] received March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5879. A letter from the Chief, Administrative Law Division, Central Intelligence Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5880. A letter from the Acting Chairman, Consumer Product Safety Commission, transmitting the Commission's annual report for FY 2007 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5881. A letter from the General Counsel, Corporation for National and Community Service, transmitting the Corporation's final rule — Corporation for National and Community Service Implementation of OMB Guidance on Nonprocurement Debarment and Suspension (RIN: 3045-AA48) received March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5882. A letter from the General Counsel, Corporation for National and Community Service, transmitting the Corporation's final rule — Program Fraud Civil Remedies Act (RIN: 3045-AA42) received March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5883. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5884. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5885. A letter from the Chief Human Capital Officer, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5886. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting the Department's annual report for FY 2007, summarizing data and analysis of complaints filed for the past five fiscal years and how the Department is working to fulfill the requirements of the Act, pursuant to Public Law 107-174, section 203 of Title II; to the Committee on Oversight and Government Reform.

5887. A letter from the Secretary, Department of Transportation, transmitting the Departments' Report on Management Decisions and Final Actions on Office of Inspector General Audit Recommendations for the period ending September 30, 2007, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

5888. A letter from the Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's annual report on the Government in the Sunshine Act for Calendar Year 2007, pursuant to 5 U.S.C. 552b(j); to the Committee on Oversight and Government Reform.

5889. A letter from the Senior Vice President and Chief Financial Officer, Export-Import Bank, transmitting the Bank's Annual Management Report for the fiscal year ended September 30, 2007, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

5890. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's annual report required by Section 203 of the Notification and Federal Antidiscrimination and Retaliation Act of 2002, Pub. L. 107-174, for Fiscal Year 2007; to the Committee on Oversight and Government Reform.

5891. A letter from the Chairman, Federal Labor Relations Authority, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5892. A letter from the Commissioner, International Boundry and Water Commission, transmitting the Commission's annual report for FY 2007 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5893. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's annual report for FY 2007 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

5894. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's annual report for FY 2007 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5895. A letter from the Director, Office of Personnel Management, transmitting the Office's Fiscal Year 2007 annual report on statistical data relating to Federal sector equal employment opportunity complaints filed with the Office, pursuant to Public Law 107-174, section 203; to the Committee on Oversight and Government Reform.

5896. A letter from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5897. A letter from the Acting Chief Administrative Office, Patent and Trademark Office, transmitting the Office's FY 2007 Annual Report required by Section 203 of the Notification and Federal Antidiscrimination and Retaliation Act of 2002, Pub. L. 107-174; to the Committee on Oversight and Government Reform.

5898. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's annual report for FY 2007 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

5899. A letter from the EEO Director, Securities and Exchange Commission, transmitting a report about the Commission's activities in FY 2007 to ensure accountability for antidiscrimination and whistleblower laws related to employment, pursuant to Public Law 107-174, section 203 of Title II; to the Committee on Oversight and Government Reform.

5900. A letter from the Administrator, Small Business Administration, transmitting a copy of the Administration's Fiscal Year 2007 Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act Annual Report; to the Committee on Oversight and Government Reform.

5901. A letter from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Reporting Amendments [Docket No. MMS-2008-MRM-0021] (RIN: 1010-AD20) received March 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5902. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Halibut Fisheries; Catch Sharing Plan [Docket No. 071218860-8246-02] (RIN: 0648-AW26) received March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5903. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Offshore Component in the Central Regulatory Area of the Gulf of Alaska [Docket No. 071106671-8010-02] (RIN: 0648-XG24) received March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5904. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska [Docket No. 071106671-8010-02] (RIN: 0648-XG00) received March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5905. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No. 070213033-7033-01] (RIN: 0648-XD68) received March 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5906. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska [Docket No. 070213032-7032-01] (RIN: 0648-XF57) received March 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5907. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Elephant Trunk Scallop Access Area to General Category Scallop Vessels [Docket No. 060314069-6138-002] (RIN: 0648-XG29) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5908. A letter from the Acting Chief, Regulatory Management Division, Department of Homeland Security, transmitting the Department's final rule — Petitions Filed on Behalf of H-1B Temporary Workers Subject to or Exempt From the Annual Numerical Limitation [CIS No. 2434-07; DHS Docket No. USCIS-2007-0060] (RIN: 1615-AB68) received

March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5909. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting the Department's final rule — Visas: Documentation of Immigrants and Nonimmigrants—Visa Classification Symbols [Public Notice: Docket No.] received March 26, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5910. A letter from the Regulations Officer, FHWA, Department of Transportation, transmitting the Department's final rule — Indian Reservation Road Bridge Program [FHWA Docket No. FHWA-2007-27536] (RIN: 2125-AF20) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5911. A letter from the Acting Director of Regulations, DOT/PHMSA, Department of Transportation, transmitting the Department's final rule — Pipeline Safety: Administrative Procedures, Address Updates, and Technical Amendments [Docket No. PHMSA-2007-0033] (RIN: 2137-AE29) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5912. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Enhanced Airworthiness Program for Airplane Systems/Fuel Tank Safety (EAPAS/FTS); Final Rule [Docket No.: FAA-2004-18379; Amendment Nos. 1-60, 21-90, 25-123, 26-0, 91-297, 121-336, 125-53, 129-43] (RIN: 2120-AI31) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5913. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Airworthiness Certification of New Aircraft [Docket No. FAA-2003-14825; Amendment No. 21-88] (RIN: 2120-AH90) received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5914. A letter from the Regulations Officer, FHWA, Department of Transportation, transmitting the Department's final rule — Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites [Docket No. FHWA-2005-22884] (RIN: 2125-AF14 and 2132-AA83) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5915. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Civil Penalties [Docket No. NHTSA-2007-28445; Notice 2] (RIN: 2127-AK07) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5916. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Puerto Rican Tobacco Products and Cigarette Papers and Tubes Shipped From Puerto Rico to the United States (2007R-368P) [T.D. TTB-68; Re: T.D. ATF-444 and Notice No. 912] (RIN: 1513-AB38) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5917. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Reissuance Standards for State and Local Bonds [Notice 2008-41] received March 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5918. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Amplification of Notice 2006-27 Certification of Energy Efficient Home Credit [Notice 2008-35] received March 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5919. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Amplification of Notice 2006-28 Energy Efficient Home Credit; Manufactured Homes [Notice 2008-36] received March 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5920. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Action on Decision SUBJECT: Herbert V. Kohler, Jr. et al. v. Commissioner; T.C. Memo. 2006-152; 92 T.C.M. (CCH) 48; T.C. Dkt. Nos. 4621-03, 4622-03, 4646-03, 4649-03 [IRB No.: 2008-9] received March 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5921. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 601.601: Rules and Regulations. (Also Part I, 25, 103, 143; 1.25-4T, 1.103-1, 6a.103A-2.) (Rev. Proc. 2008-19) received March 5, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5922. A letter from the Program Manager, CMS, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Modification to the Weighting Methodology Used to Calculate the Low-income Benchmark Amount [CMS-4133-F] (RIN: 0938-AP25) received April 1, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

5923. A letter from the Boards of Trustees, Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting the 2008 Annual Report of the Board of Trustees of the Federal Hospital Insurance Trust Fund And Federal Supplementary Medical Insurance Trust Fund, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. —102); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1198. A bill to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss; with an amendment (Rept. 110–565). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1237. A bill to amend the Public Health Service Act to provide revised standards for quality assurance in screening and evaluation of gynecologic cytology preparations, and for other purposes; with an amendment (Rept. 110–566). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1418. A bill to provide for the expansion and improvement of traumatic brain injury programs; with an amendment (Rept. 110–567). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2464. A bill to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children; with an amendment (Rept. 110–568). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 3701. A bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to intensify programs with respect to research and related activities concerning falls among older adults; with an amendment (Rept. 110–569). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 3825. A bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes; with an amendment (Rept. 110–570). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2063. A bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop a voluntary policy for managing the risk of food allergy and anaphylaxis in schools, to establish school-based food allergy management grants, and for other purposes; with amendments (Rept. 110–571 Pt. 1). Ordered to be printed.

Ms. MATSUI: Committee on Rules. House Resolution 1083. Resolution providing for consideration of the bill (H.R. 2537) to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes (Rept. 110–572). Referred to the House Calendar.

Mr. HASTINGS of Florida: Committee on Rules. House Resolution 1084. Resolution providing for consideration of the bill (H.R. 2016) to establish the National Landscape Conservation System, and for other purposes (Rept. 110–573). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Education and Labor discharged from further consideration. H.R. 2063 referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SKELTON (for himself, Mr. ORTIZ, Mr. TAYLOR, Mr. ABERCROMBIE, Mr. REYES, Mr. SMITH of Washington, Ms. LORETTA SANCHEZ of California, Mr. MCINTYRE, Mrs. TAUSCHER, Mr. BRADY of Pennsylvania, Mrs. DAVIS of California, Mr. MARSHALL, Ms. BORDALLO, Mr. BOREN, Mrs. BOYDA of Kansas, Mr. COURTNEY, Mr. LOEBSACK, Mr. SESTAK, Ms. CASTOR, Mr. HUNTER, Mr. SAXTON, Mr. MCHUGH, Mr. EVERETT, Mr. BARTLETT of Maryland, Mr. MCKEON, Mr. FORBES, Mr. MILLER of Florida, Mr. WILSON of South Carolina, Mr. GINGREY, Mr. DAVIS of Kentucky, Mr. LAMBORN, Mr. CLAY, Ms. TSONGAS, and Mr. LOBIONDO):

H.R. 5714. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the United States Army in 1775, to honor the American soldier of both today and yesterday, in wartime and in peace, and to commemorate the traditions, history, and heritage of the United States Army and its role in

American society, from the Colonial period to today; to the Committee on Financial Services.

By Mr. GEORGE MILLER of California (for himself, Mr. MCKEON, Mr. HINOJOSA, Mr. ALTMIRE, Ms. SHEA-PORTER, Mr. HARE, Mr. HOLT, Mr. COURTNEY, Mr. GRIJALVA, Mr. SARBANES, Mr. SCOTT of Virginia, Ms. WOOLSEY, Mr. BISHOP of New York, Ms. HIRONO, Mr. LOEBSACK, Mr. WU, and Mr. SESTAK):

H.R. 5715. A bill to ensure continued availability of access to the Federal student loan program for students and families; to the Committee on Education and Labor.

By Mr. BECERRA (for himself, Mr. DOGGETT, and Mr. PASCRELL):

H.R. 5716. A bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCOTTER (for himself, Mr. COHEN, and Mr. MEEKS of New York):

H.R. 5717. A bill to establish a reward system to provide monetary awards to individuals who provide information relating to violations of the CAN-SPAM Act; to the Committee on Energy and Commerce.

By Mrs. MALONEY of New York (for herself, Mr. DAVIS of Illinois, Mr. HOYER, Mr. GEORGE MILLER of California, Mr. TOM DAVIS of Virginia, Ms. WOOLSEY, Mr. BERMAN, Ms. DELAURO, Mr. ELLISON, Mr. FATTAH, Mr. FILNER, Mrs. GILLIBRAND, Mr. LEWIS of Georgia, Ms. MCCOLLUM of Minnesota, Mr. MORAN of Virginia, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. VAN HOLLEN, Mr. CUMMINGS, Mr. AL GREEN of Texas, and Mr. KUCINICH):

H.R. 5718. A bill to provide that 8 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on House Administration, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL (for himself, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. POMEROY, Mr. EMANUEL, Mr. BLUMENAUER, Mr. KIND, Ms. BERKLEY, Mr. CROWLEY, Mr. MEEK of Florida, Mr. ELLISON, Ms. GIFFORDS, Mr. HALL of New York, Mr. MAHONEY of Florida, Mr. WALZ of Minnesota, Mr. WELCH of Vermont, and Mrs. JONES of Ohio):

H.R. 5719. A bill to amend the Internal Revenue Code of 1986 to conform return preparer penalty standards, delay implementation of withholding taxes on government contractors, enhance taxpayer protections, assist low-income taxpayers, and for other purposes; to the Committee on Ways and Means.

By Mr. RANGEL (for himself, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. POMEROY, Mr. THOMPSON of California, Mr. EMANUEL, Mr. BLUMENAUER, Ms. BERKLEY, Mr. CROWLEY, Mr. ELLISON, Ms. GIFFORDS, Mr. JOHNSON of Georgia, Mr. MAHONEY of Florida, Mr. RODRIGUEZ, Ms. SHEA-PORTER, Mr. SIRES, Mr. WELCH of Vermont, and Mrs. JONES of Ohio):

H.R. 5720. A bill to amend the Internal Revenue Code of 1986 to provide assistance for housing; to the Committee on Ways and Means.

By Mr. SULLIVAN (for himself, Mr. BOREN, Mr. ROSS, Mr. LUCAS, Mr. COLE of Oklahoma, Mr. OBERSTAR, and Ms. FALLIN):

H.R. 5721. A bill to amend title XIX of the Social Security Act to provide for a DSH redistribution pool from unexpended Medicaid DSH allotments in order to increase Medicaid DSH allotments for low DSH States and to provide grants for health access networks serving the uninsured; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey (for himself, Mr. PAYNE, Mr. FORTENBERRY, Mr. PITTS, Mr. WOLF, Mrs. DRAKE, Ms. ROS-LEHTINEN, Mr. CHABOT, and Mr. WILSON of South Carolina):

H.R. 5722. A bill to mandate reporting requirements for convicted sex traffickers and other sex offenders intending to engage in international travel, to provide advance notice of convicted sex offenders who intend to travel outside the United States to the government of the country of destination, to prevent entry into the United States by any foreign sex offender, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KANJORSKI:

H.R. 5723. A bill to amend the Federal Home Loan Bank Act to allow Federal home loan banks to invest surplus funds in student loan securities and make advances for student loan financing, and for other purposes; to the Committee on Financial Services.

By Mr. HOYER (for himself and Mr. BOEHNER) (both by request):

H.R. 5724. A bill to implement the United States-Colombia Trade Promotion Agreement; to the Committee on Ways and Means.

By Mr. ALEXANDER:

H.R. 5725. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employing members of the Ready Reserve or National Guard; to the Committee on Ways and Means.

By Mr. BAIRD:

H.R. 5726. A bill to amend the Immigration and Nationality Act to require prospective employers of H-1B nonimmigrants to participate in an educational, training, or mentorship program for United States workers; to the Committee on the Judiciary.

By Mrs. CAPITO:

H.R. 5727. A bill to authorize the Secretary of Labor to make grants for the establishment of information technology centers in rural areas; to the Committee on Education and Labor.

By Mrs. CAPITO (for herself, Mr. TANCREDO, Mr. BILBRAY, Mr. MARCHANT, Mr. POE, and Mr. MILLER of Florida):

H.R. 5728. A bill to amend the Internal Revenue Code of 1986 to allow individual taxpayers to designate a portion of income taxes to fund the improvement of barriers at the United States border, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLSWORTH:

H.R. 5729. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide comprehensive health care to children of Vietnam veterans born with Spina Bifida, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FILNER:

H.R. 5730. A bill to direct the Secretary of Veterans Affairs to display in each prosthetic and orthotic clinic of the Department of Veterans Affairs an Injured and Amputee Veterans Bill of Rights; to the Committee on Veterans' Affairs.

By Mr. GALLEGLY (for himself and Mr. SMITH of Texas):

H.R. 5731. A bill to prohibit offices of the legislative branch from entering into a contract for the provision of goods or services within the Capitol Complex with any contractor who does not participate in the basic pilot program for employment eligibility verification, and for other purposes; to the Committee on House Administration.

By Mrs. MYRICK:

H.R. 5732. A bill to establish procedures for the issuance by the Commissioner of Social Security of ''no match'' letters to employers, and for the notification of the Secretary of Homeland Security regarding such letters; to the Committee on Ways and Means.

By Mr. REHBERG:

H.R. 5733. A bill to require the Secretary of the Treasury to mint and issue coins commemorating the 100th anniversary of the establishment of Glacier National Park, and for other purposes; to the Committee on Financial Services.

By Mr. GINGREY (for himself, Mr. BOUSTANY, Mr. BROUN of Georgia, Mr. BURGESS, Mr. MILLER of Florida, Mr. BOOZMAN, Mr. PRICE of Georgia, Mr. WELDON of Florida, Mr. PAUL, and Mr. SIMPSON):

H. Con. Res. 323. Concurrent resolution expressing Congressional support for the goals and ideals of National Health Care Decisions Day; to the Committee on Energy and Commerce.

By Ms. KAPTUR (for herself and Mr. KILDEE):

H. Con. Res. 324. Concurrent resolution expressing the sense of Congress relating to the trade promotion agreement between the United States and Colombia; to the Committee on Ways and Means.

By Ms. VELÁZQUEZ (for herself and Mr. CHABOT):

H. Res. 1082. A resolution recognizing the plumbing industry and supporting the goals and ideals of ''National Plumbing Industry Week''; to the Committee on Small Business.

By Ms. CORRINE BROWN of Florida (for herself and Mr. CASTLE):

H. Res. 1085. A resolution supporting the goals and ideals of National Train Day; to the Committee on Oversight and Government Reform.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mrs. CAPPS, and Mrs. MCCARTHY of New York):

H. Res. 1086. A resolution recognizing National Nurses Week on May 6 through May 12, 2008; to the Committee on Energy and Commerce.

By Ms. KAPTUR:

H. Res. 1087. A resolution expressing the sense of the House of Representatives that the North American Free Trade Agreement must be renegotiated to foster fair trade that truly benefits all the people of Canada, the United States and Mexico; to the Committee on Ways and Means.

By Mr. NADLER (for himself, Mr. RANGEL, Ms. CLARKE, Mr. SERRANO, Mr. TOWNS, and Mrs. MALONEY of New York):

H. Res. 1088. A resolution recognizing and commending the Alvin Ailey American Dance Theater for 50 years of service as a vital American cultural ambassador to the world; to the Committee on Education and Labor.

By Ms. LORETTA SANCHEZ of California (for herself and Ms. ZOE LOFGREN of California):

H. Res. 1089. A resolution calling on the government of Vietnam to release from prison, end the detention without trial, and cease the harassment and house arrest of the people who signed the Manifesto on Freedom and Democracy for Vietnam, and expressing the sense of Congress that the President should encourage Vietnam to release such people from prison and to direct the Secretary of State to establish a Countries of Particular Concern list to condemn countries like Vietnam, which engage in ''particularly severe violations'' of human rights; to the Committee on Foreign Affairs.

By Mr. JEFFERSON (for himself and Mr. PAYNE):

H. Res. 1090. A resolution honoring the esteemed former President Nelson Rolihlahla Mandela on the occasion of his 90th birthday; to the Committee on Foreign Affairs.

By Mr. YOUNG of Alaska (for himself, Mr. FEENEY, Mr. DREIER, Mr. JONES of North Carolina, Mr. ADERHOLT, Mr. BURTON of Indiana, Mr. WILSON of South Carolina, Mr. EVERETT, Mr. LATTA, Mr. RAHALL, Mr. PAUL, Mr. BOREN, Mr. ISSA, and Mr. SIMPSON):

H. Res. 1091. A resolution honoring the life, achievements, and contributions of Charlton Heston and extending its deepest sympathies to the family of Charlton Heston for the loss of such a great generous man, husband, and father; to the Committee on Oversight and Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 245: Mr. MORAN of Kansas.

H.R. 281: Mr. PETERSON of Minnesota, Mr. BOSWELL, Ms. WATSON, Mr. INSLEE, and Mr. CARDOZA.

H.R. 303: Mr. ETHERIDGE and Mr. GOODLATTE.

H.R. 351: Mr. JACKSON of Illinois, Mr. HONDA, and Mr. PAYNE.

H.R. 368: Mr. JEFFERSON, Mr. KILDEE, and Mr. MURPHY of Connecticut.

H.R. 406: Mr. PEARCE, Mr. PASCRELL, Mr. ALEXANDER, Mr. COLE of Oklahoma, Mr. DREIER, Mr. HOEKSTRA, Mr. LOBIONDO, Mr. LUCAS, Mr. MCCRERY, Mr. REHBERG, Mr. SAXTON, Mr. SIMPSON, Mr. WALSH of New York, Mr. MCKEON, Mr. MELANCON, Mr. ALLEN, and Mr. GALLEGLY.

H.R. 471: Mr. DUNCAN, Mr. SHUSTER, Mrs. MCCARTHY of New York, and Mr. WITTMAN of Virginia.

H.R. 594: Mr. ALTMIRE.

H.R. 643: Mr. CULBERSON.

H.R. 728: Mr. VAN HOLLEN and Mr. MICA.

H.R. 741: Mr. MARKEY and Mr. KELLER.

H.R. 882: Mr. MILLER of Florida and Mr. SHUSTER.

H.R. 998: Mr. FILNER, Mr. HASTINGS of Florida, Mr. HARE, and Mr. DAVIS of Illinois.

H.R. 1017: Ms. MOORE of Wisconsin.

H.R. 1043: Mr. HONDA and Mr. KILDEE.

H.R. 1050: Mr. JACKSON of Illinois, Mr. KUCINICH, and Mr. CLAY.

H.R. 1076: Mr. LATOURETTE, Mr. CULBERSON, Mr. JOHNSON of Georgia, and Mr. LAHOOD.

H.R. 1078: Mr. PASTOR.

H.R. 1102: Mr. STARK.

H.R. 1110: Ms. SHEA-PORTER.

H.R. 1222: Mr. HONDA.

H.R. 1223: Mr. CLAY and Mr. HONDA.

H.R. 1228: Mr. JACKSON of Illinois.

H.R. 1264: Mr. PASTOR.

H.R. 1279: Mr. LYNCH.

H.R. 1280: Mr. WITTMAN of Virginia.

H.R. 1293: Mr. GARRETT of New Jersey.

H.R. 1295: Mrs. CUBIN.

H.R. 1306: Mr. PLATTS.

H.R. 1343: Mr. FOSSELLA and Mr. SPACE.

H.R. 1373: Mr. COHEN.

H.R. 1381: Mr. MCGOVERN.

H.R. 1418: Mr. GRIJALVA.

H.R. 1431: Mr. PITTS.

H.R. 1435: Mr. AL GREEN of Texas.

H.R. 1440: Mr. BUTTERFIELD and Mr. ROSS.

H.R. 1514: Mr. JOHNSON of Georgia and Mr. MILLER of Florida.

H.R. 1590: Ms. SLAUGHTER.

H.R. 1609: Mr. REGULA, Mr. BARROW, Mr. EHLERS, Mr. MCHUGH, Mr. BILBRAY, Mr. ETHERIDGE, Mr. STARK, Mr. PETRI, Mr. PUTNAM, Mr. BRADY of Texas, Mr. NEAL of Massachusetts, Mr. FALEOMAVAEGA, Mr. WELCH of Vermont, and Mr. POMEROY.

H.R. 1619: Mrs. EMERSON, Mr. LINCOLN DAVIS of Tennessee, and Mr. TERRY.

H.R. 1641: Mr. COHEN.

H.R. 1646: Ms. JACKSON-LEE of Texas, Ms. WATSON, and Mr. INSLEE.

H.R. 1667: Mr. BISHOP of New York and Ms. WATSON.

H.R. 1738: Mr. SPACE.

H.R. 1767: Mr. SMITH of Texas and Mr. LEWIS of Kentucky.

H.R. 1776: Mr. SHULER, Mr. FILNER, and Ms. SUTTON.

H.R. 1783: Ms. LEE.

H.R. 1884: Mr. JACKSON of Illinois, Mr. REGULA, Mr. MARKEY, Mr. BISHOP of Georgia, and Mr. WHITFIELD of Kentucky.

H.R. 1998: Mr. MCCOTTER.

H.R. 2014: Mr. PASTOR.

H.R. 2091: Ms. GINNY BROWN-WAITE of Florida, Mr. KIND, Mr. DONNELLY, Mr. KUHL of New York, and Mr. TIBERI.

H.R. 2111: Ms. ESHOO.

H.R. 2138: Ms. TSONGAS, Mr. GONZALEZ, and Mrs. BONO MACK.

H.R. 2140: Mr. ENGEL and Mr. PERLMUTTER.

H.R. 2160: Mr. WHITFIELD of Kentucky.

H.R. 2188: Ms. DELAURO.

H.R. 2312: Mr. FOSSELLA.

H.R. 2332: Ms. GIFFORDS.

H.R. 2343: Mr. PAYNE.

H.R. 2377: Mr. MARIO DIAZ-BALART of Florida.

H.R. 2564: Mr. ALEXANDER.

H.R. 2567: Mr. ELLISON.

H.R. 2578: Mr. DICKS.

H.R. 2580: Mr. GALLEGLY.

H.R. 2593: Mr. FATTAH, Ms. NORTON, Mrs. NAPOLITANO, Mr. OLVER, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 2634: Mr. SHERMAN and Mr. ROTHMAN.

H.R. 2676: Mr. PAYNE, Mr. CULBERSON, and Mr. HILL.

H.R. 2694: Ms. SHEA-PORTER, Mr. SKELTON, and Mr. NEAL of Massachusetts.

H.R. 2702: Mr. CARDOZA, Mr. BOSWELL, Mr. THOMPSON of California, and Mr. COSTA.

H.R. 2708: Mr. BERMAN and Mr. BOREN.

H.R. 2711: Ms. ESHOO.

H.R. 2744: Mr. MURPHY of Connecticut, Mr. ELLSWORTH, Mrs. LOWEY, Mr. RUSH, Mr. BARROW, Mr. CUMMINGS, Mr. FURTUÑO, Mr. FOSTER, Ms. SCHWARTZ, and Mr. CLAY.

H.R. 2851: Ms. MOORE of Wisconsin, Mr. GRIJALVA, Mr. COURTNEY, Mr. SHULER, Mr. KILDEE, Mr. HALL of New York, Mr. TOWNS, Mr. KUCINICH, Mr. MELANCON, and Mr. LOEBSACK.

H.R. 2914: Mr. PASTOR.

H.R. 2994: Mr. LATOURETTE.

H.R. 3001: Ms. DELAURO and Mr. GENE GREEN of Texas.

H.R. 3042: Mr. EMANUEL.

H.R. 3053: Mr. MCCOTTER.

H.R. 3109: Mr. ROGERS of Michigan.

H.R. 3195: Mrs. DRAKE.

H.R. 3212: Mr. STARK.

H.R. 3282: Mr. CAPUANO.

H.R. 3289: Mr. GRIJALVA, Ms. LINDA T. SÁNCHEZ of California, Mr. PALLONE, and Mr. MOORE of Kansas.

H.R. 3314: Mr. MOORE of Kansas.

H.R. 3339: Mr. FILNER.

H.R. 3369: Mr. MCCOTTER.

H.R. 3453: Mr. KENNEDY, Mr. TIERNEY, and Ms. BERKLEY.

H.R. 3457: Mr. PITTS.

H.R. 3463: Ms. SUTTON.

H.R. 3543: Mr. CONYERS.

H.R. 3618: Mr. ETHERIDGE and Mr. SPACE.

H.R. 3622: Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 3634: Mr. MOORE of Kansas.

H.R. 3650: Mr. CARTER and Mr. GONZALEZ.

H.R. 3652: Mr. JACKSON of Illinois.

H.R. 3658: Mr. COHEN.

H.R. 3663: Ms. DEGETTE and Mr. TOWNS.

H.R. 3692: Mr. LEWIS of Georgia.

H.R. 3717: Mr. ELLISON and Mr. MCGOVERN.

H.R. 3797: Mr. LYNCH.

H.R. 3819: Mr. SHIMKUS.

H.R. 3844: Mr. MCCOTTER.

H.R. 3934: Mrs. SCHMIDT, Ms. MATSUI, Ms. KILPATRICK, Mr. WEXLER, and Mr. HONDA.

H.R. 3968: Mr. GRIJALVA, Mr. LEWIS of Georgia, and Mr. CAPUANO.

H.R. 3981: Mrs. MCMORRIS RODGERS, Mr. ROSS, Mr. RYAN of Ohio, and Mr. GORDON.

H.R. 4044: Ms. BORDALLO.

H.R. 4088: Mr. JOHNSON of Illinois and Mr. ROGERS of Alabama.

H.R. 4089: Mr. ALLEN, Ms. BERKLEY, and Mr. HOLDEN.

H.R. 4105: Mr. CLEAVER, Mr. VISCLOSKY, Mr. OLVER, Mr. ALEXANDER, and Mr. WAMP.

H.R. 4138: Mr. GENE GREEN of Texas.

H.R. 4206: Mr. LEWIS of Georgia, Mr. WAMP, and Mr. BACA.

H.R. 4246: Mr. MEEKS of New York and Mr. WELCH of Vermont.

H.R. 4304: Mr. GINGREY.

H.R. 4310: Mr. DELAHUNT.

H.R. 4318: Mr. MURPHY of Connecticut.

H.R. 4453: Mrs. CHRISTENSEN.

H.R. 4458: Mr. LOBIONDO.

H.R. 4544: Mr. RAHALL.

H.R. 4545: Mr. JACKSON of Illinois and Mr. HONDA.

H.R. 4574: Mr. GARRETT of New Jersey.

H.R. 4627: Mr. MCHUGH.

H.R. 4836: Mr. PAYNE and Mr. NEAL of Massachusetts.

H.R. 4838: Mr. TIERNEY.

H.R. 4883: Ms. BORDALLO, Mr. BRADY of Pennsylvania, Ms. SHEA-PORTER, Mr. GRIJALVA, Mr. REYES, Mr. ORTIZ, and Ms. SCHAKOWSKY.

H.R. 4884: Ms. BORDALLO, Mr. BRADY of Pennsylvania, Ms. SHEA-PORTER, Mr. GRIJALVA, Mr. REYES, Mr. WELCH of Vermont, Mr. ORTIZ, and Ms. SCHAKOWSKY.

H.R. 4915: Mr. CHABOT and Mrs. LOWEY.

H.R. 4930: Mr. DAVID DAVIS of Tennessee.

H.R. 4995: Mr. MCCAUL of Texas.

H.R. 5031: Mr. ADERHOLT.

H.R. 5058: Mr. ANDREWS and Mr. JACKSON of Illinois.

H.R. 5069: Mr. HILL.

H.R. 5106: Mr. HONDA and Mr. FORTUÑO.

H.R. 5110: Mr. HARE and Mr. PALLONE.

H.R. 5131: Mr. KUHL of New York, Mr. HENSARLING, Mr. LAMPSON, and Mr. NUNES.

H.R. 5143: Mr. BARRETT of South Carolina.

H.R. 5152: Mr. FOSSELLA.

H.R. 5160: Mr. BURTON of Indiana.

H.R. 5161: Mr. MATHESON.

H.R. 5175: Mrs. MUSGRAVE.

H.R. 5233: Mr. BOUSTANY.

H.R. 5244: Mr. ROTHMAN, Mr. KILDEE, Ms. LORETTA SANCHEZ of California, and Mr. ISRAEL.

H.R. 5265: Mr. KIRK, Mr. DELAHUNT, Mr. ROTHMAN, and Ms. WATSON.

H.R. 5268: Mr. BLUMENAUER, Mr. PASCRELL, Mr. JOHNSON of Georgia, Mr. HIGGINS, Mr. NADLER, Ms. CLARKE, Mr. WEXLER, Ms. MOORE of Wisconsin, and Ms. SLAUGHTER.

H.R. 5315: Ms. HOOLEY, Mr. GRIJALVA, Mr. UDALL of Colorado, Ms. GIFFORDS, Mr. HONDA, Ms. BORDALLO, Mr. PEARCE, and Mr. COHEN.

H.R. 5443: Ms. GIFFORDS, Mr. FALEOMAVAEGA, and Mr. ROHRABACHER.

H.R. 5446: Mr. ELLISON, Ms. BORDALLO, Ms. JACKSON-LEE of Texas, Mr. PAYNE, Mr. MCNULTY, Mr. BURTON of Indiana, and Mr. WEXLER.

H.R. 5447: Mr. RUPPERSBERGER, Ms. KILPATRICK, and Ms. BORDALLO.

H.R. 5469: Ms. SCHAKOWSKY.

H.R. 5474: Mr. SPACE.

H.R. 5481: Mr. BURTON of Indiana and Mr. CARNEY.

H.R. 5490: Mrs. BLACKBURN.

H.R. 5505: Mr. JACKSON of Illinois.

H.R. 5522: Mr. GRIJALVA, Ms. ESHOO, Mr. SCOTT of Virginia, Mr. ANDREWS, Ms. HIRONO, Mr. ROTHMAN, Mr. DAVIS of Illinois, Ms. CLARKE, and Mr. YARMUTH.

H.R. 5532: Mr. WAMP and Mr. PETRI.

H.R. 5534: Ms. LEE, Mr. WHITFIELD of Kentucky, and Mr. SMITH of New Jersey.

H.R. 5541: Mr. DINGELL, Mr. THOMPSON of California, Mrs. CAPPS, Ms. BORDALLO, Mrs. CHRISTENSEN, Mr. DEFAZIO, Mr. MORAN of Virginia, Mr. HOLT, Mr. GILCHREST, Mrs. LOWEY, Mrs. BONO MACK, Mr. JACKSON of Illinois, Mr. WAXMAN, Mr. FRANK of Massachusetts, Mr. GONZALEZ, Mr. MCGOVERN, Mr. LARSEN of Washington, Mr. MICHAUD, Mr. SAXTON, Mrs. MALONEY of New York, Mr. KILDEE, Mr. OLVER, Mr. LAHOOD, and Mr. GEORGE MILLER of California.

H.R. 5544: Mr. NEUGEBAUER.

H.R. 5545: Mr. SESSIONS.

H.R. 5546: Ms. MCCOLLUM of Minnesota.

H.R. 5561: Mr. CARNAHAN and Mrs. BONO MACK.

H.R. 5569: Mr. COSTA.

H.R. 5573: Ms. WATSON, Mr. VAN HOLLEN, Ms. JACKSON-LEE of Texas, Mr. WEXLER, Mr. FILNER, Ms. WOOLSEY, Mr. FRANK of Massachusetts, Mrs. JONES of Ohio, Mr. ALLEN, Mr. HINOJOSA, Mr. MCGOVERN, Mr. SIRES, Mr. BISHOP of New York, Mr. HARE, Ms. BALDWIN, Mr. ELLISON, and Mr. INSLEE.

H.R. 5586: Mrs. MCCARTHY of New York.

H.R. 5602: Mr. STARK, Ms. SLAUGHTER, Mr. NEAL of Massachusetts, Ms. DELAURO, Ms. GIFFORDS, Mr. BOYD of Florida, and Mr. PATRICK MURPHY of Pennsylvania.

H.R. 5606: Mr. GORDON, Mr. YOUNG of Alaska, Mr. TOWNS, Mr. MCCAUL of Texas, Mr. BURTON of Indiana, Mr. PASTOR, Ms. WASSERMAN SCHULTZ, and Mr. CARNAHAN.

H.R. 5611: Mr. ROSKAM, Mrs. MYRICK, Ms. ROS-LEHTINEN, Mr. PERLMUTTER, and Mr. LAHOOD.

H.R. 5613: Mr. NEAL of Massachusetts, Ms. ROYBAL-ALLARD, Ms. BALDWIN, Ms. MCCOLLUM of Minnesota, Ms. CLARKE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. OLVER, Mr. MCGOVERN, Mr. SPRATT, Mr. DAVIS of Alabama, Mr. MCCOTTER, Mr. PRICE of North Carolina, Mr. ISRAEL, Mr. MILLER of North Carolina, Mr. FATTAH, Ms. MOORE of Wisconsin, Mr. PASCRELL, Ms. KAPTUR, Mr. SAM JOHNSON of Texas, Mr. MEEKS of New York, Mrs. WILSON of New Mexico, Ms. WOOLSEY, Ms. DELAURO, Mrs. MCCARTHY of New York, Mr. SCOTT of Virginia, Ms. RICHARDSON, Mr. HALL of New York, Mr. BISHOP of Georgia, Mr. WEXLER, Mr. LANGEVIN, Mr. PASTOR, Mr. MORAN of Kansas, Mr. HONDA, Mr. LEWIS of Georgia, Mr. GEORGE MILLER of California, Mr. RANGEL, Mr. GONZALEZ, Mr. PERLMUTTER, Mr. GRIJALVA, Mr. BECERRA, Ms. LEE, Mr. UDALL of New Mexico, Mr. WALSH of New York, Mr. WALZ of Minnesota, Mr. LYNCH, Mr. LOEBSACK, Ms. VELÁZQUEZ, Ms. LINDA T. SÁNCHEZ of California, Mr. HINCHEY, Mr. ELLISON, Mr. CLAY, Mr. THOMPSON of California, Mr. KENNEDY, Mr. NADLER, Mr. FILNER, Mrs. LOWEY, Mr. ACKERMAN, Mr. PLATTS, Mr. OBERSTAR, Ms. NORTON, Mr. CROWLEY, Mrs. GILLIBRAND, Mr. MICHAUD, Ms. HOOLEY, Mr. HIGGINS, Mr. SERRANO, Mr. BERMAN, Mrs. DAVIS of California, Mr. HAYES, Mr. GERLACH, Mrs. TAUSCHER, Mr. RAMSTAD, and Ms. GIFFORDS.

H.R. 5624: Mr. HOLT.

H.R. 5629: Mr. BOUCHER and Mr. MCCARTHY of California.

H.R. 5635: Mr. CHABOT, Mr. PETRI, Mrs. TAUSCHER, and Mr. CROWLEY.

H.R. 5638: Mr. BOUCHER and Mr. WILSON of Ohio.

H.R. 5641: Mr. MILLER of Florida.

H.R. 5654: Mr. ABERCROMBIE and Mr. JACKSON of Illinois.

H.R. 5666: Mr. TOWNS.

H.R. 5668: Mr. SMITH of New Jersey, Mr. TANCREDO, and Mr. CAPUANO.

H.R. 5670: Mr. PAUL and Mr. MCHUGH.

H.R. 5672: Ms. BORDALLO, Mr. TOWNS, Mr. BRADY of Pennsylvania, Mr. FILNER, and Ms. CLARKE.

H.R. 5674: Mr. MCCAUL of Texas.

H.R. 5678: Ms. VELÁZQUEZ.

H.R. 5681: Mrs. GILLIBRAND.

H.R. 5684: Mr. RODRIGUEZ, Ms. BORDALLO, Mrs. BOYDA of Kansas, and Mr. GRIJALVA.

H.R. 5690: Mr. CONYERS.

H.R. 5713: Mr. BUYER.

H. Con. Res. 194: Mr. CROWLEY.

H. Con. Res. 257: Mrs. MYRICK, Mr. KIRK, Mr. LAMBORN, Mr. LOBIONDO, Mr. MCCAUL of Texas, and Mr. BISHOP of Utah.

H. Con. Res. 295: Mr. HENSARLING.

H. Con. Res. 315: Mr. SENSENBRENNER, Mr. JORDAN, Mr. HULSHOF, Mr. SIMPSON, Mr. GARY G. MILLER of California, Mr. TURNER, Mr. ADERHOLT, Ms. GINNY BROWN-WAITE of Florida, Mr. LINDER, Mr. SHIMKUS, and Mr. BOOZMAN.

H. Con. Res. 317: Mr. ACKERMAN, Mr. BURTON of Indiana, Mr. CROWLEY, Mr. ROHRABACHER, Ms. JACKSON-LEE of Texas, Mr. OLVER, and Mr. ROTHMAN.

H. Con. Res. 318: Ms. LEE, Mr. SERRANO, Mr. LEWIS of Georgia, Mr. RANGEL, Mr. FATTAH, and Mr. ROTHMAN.

H. Con. Res. 320: Mrs. DAVIS of California, Mr. PAYNE, Mr. TOWNS, Mr. BURTON of Indiana, and Mr. DOGGETT.

H. Con. Res. 321: Mr. MORAN of Virginia.

H. Res. 265: Mrs. DAVIS of California.

H. Res. 652: Mr. MCCOTTER.

H. Res. 820: Mr. COSTA.

H. Res. 834: Mr. SMITH of Washington and Mrs. BOYDA of Kansas.

H. Res. 838: Mr. ARCURI, Mr. BARTON of Texas, Mr. BISHOP of Georgia, Mr. CLAY, Mr. COSTELLO, Mr. DAVIS of Illinois, Ms. DELAURO, Mr. DOYLE, Mr. FERGUSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. KILDEE, Mr. LATTA, Mrs. MCCARTHY of New York, Mr. MCHENRY, Mrs. MILLER of Michigan, Mrs. SCHMIDT, Mr. SESSIONS, Ms. SHEA-PORTER, Mr. TOWNS, and Mr. STUPAK.

H. Res. 865: Ms. WASSERMAN SCHULTZ.

H. Res. 888: Mr. TIM MURPHY of Pennsylvania.

H. Res. 925: Mr. WILSON of South Carolina, Ms. GIFFORDS, Mr. PENCE, and Mr. ENGLISH of Pennsylvania.

H. Res. 977: Mr. ELLSWORTH.

H. Res. 981: Mr. LEWIS of Kentucky, Mr. HONDA, Mr. ALEXANDER, Mr. HOLDEN, Mr. LEWIS of Georgia, Mr. SAM JOHNSON of Texas, Mr. CONAWAY, Mr. DAVID DAVIS of Tennessee, Mr. HAYES, Mr. CLAY, Mr. HIGGINS, Ms. DEGETTE, Mr. LATHAM, Ms. BORDALLO, Mr. FILNER, Mr. CRENSHAW, Mr. KENNEDY, Mr. CANTOR, Mr. MCGOVERN, and Ms. HOOLEY.

H. Res. 987: Mr. SESTAK, Mr. HODES, and Mr. PRICE of North Carolina.

H. Res. 1008: Mrs. TAUSCHER.

H. Res. 1019: Ms. BALDWIN, Mr. PAYNE, Mr. RUSH, Ms. JACKSON-LEE of Texas, and Ms. WATSON.

H. Res. 1020: Mr. PASTOR and Mr. POE.

H. Res. 1022: Mr. MOORE of Kansas, Mr. WYNN, Ms. HIRONO, Mr. DAVIS of Illinois, Ms. LEE, and Mr. COHEN.

H. Res. 1026: Mr. MCGOVERN, Mr. TANCREDO, Mr. BACHUS, and Mr. MICA.

H. Res. 1029: Mr. PETERSON of Minnesota, Mr. CLAY, Mr. YOUNG of Florida, Mr. FILNER, and Mr. GONZALEZ.

H. Res. 1030: Mr. POE, Mr. BURGESS, Mr. SMITH of Texas, Mr. WILSON of South Carolina, Mr. CONAWAY, Mr. HENSARLING, Mr. PENCE, Mr. REGULA, and Mr. BUYER.

H. Res. 1048: Mr. TOM DAVIS of Virginia.

H. Res. 1053: Mr. MARCHANT and Mr. RUPPERSBERGER.

H. Res. 1063: Mr. BOUSTANY, Mr. INGLIS of South Carolina, Mr. GENE GREEN of Texas, Mr. BISHOP of New York, Mr. SKELTON, Mr. PAYNE, Mr. ETHERIDGE, and Mr. COHEN.

H. Res. 1069: Ms. SCHAKOWSKY, Mr. BURTON of Indiana, Mr. ENGEL, Mr. KLEIN of Florida, Mr. POE, Mr. PENCE, and Mr. FORTUÑO.

H. Res. 1070: Mr. CHABOT, Mr. FORTUÑO, and Mr. WELCH of Vermont.

H. Res. 1072: Ms. GIFFORDS.

H. Res. 1075: Mr. BURTON of Indiana, Mr. PAYNE, Mr. HINCHEY, Ms. GIFFORDS, Mr. MCCOTTER, and Mr. KING of New York.

H. Res. 1077: Mr. MCCOTTER, Mr. CHABOT, Ms. JACKSON-LEE of Texas, Ms. ROS-LEHTINEN, Mr. BERMAN, Ms. MCCOLLUM of Minnesota, Ms. LEE, Mr. FRANK of Massachusetts, and Mr. SMITH of New Jersey.

H. Res. 1080: Mr. WOLF, Mr. SPRATT, Mr. FILNER, and Mr. BOOZMAN.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

The amendment to be offered by Ms. Johnson of Texas, or her designee, to H.R. 2537 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

OFFERED BY RAÚL M. GRIJALVA

The amendment to be offered by Representative Grijalva or a designee to H.R. 2016 the National Landscape Conservation System, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2537

OFFERED BY: MR. BILBRAY

AMENDMENT NO. 1: At the end of the bill, add the following:

SEC. 11. USE OF MOLECULAR DIAGNOSTICS FOR MONITORING AND ASSESSING COASTAL RECREATION WATERS.

(a) STUDY.—The Administrator of the Environmental Protection Agency shall conduct a study to assess the benefits of using molecular diagnostics for monitoring and assessing the quality of coastal recreation waters adjacent to beaches and similar points of access that are used by the public.

(b) CONTENTS.—In conducting the study, the Administrator shall—

(1) to the extent practicable, evaluate the full range of available rapid indicator technologies and methods that meet prescribed performance standards, including—

(A) the amplified nucleic acid assay method; and

(B) the indicator organism enterococci; and

(2) compare the use of molecular diagnostics to culture testing of same source

water, including the time for obtaining results, accuracy of results, and future applicability.

(c) PARTNERSHIPS.—Notwithstanding chapter 63 of title 31, United States Code, the Administrator may award a grant or cooperative agreement to a public or private organization to assist the Administrator in carrying out the study.

(d) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Administrator shall transmit to Congress a report on the results of the study.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

H.R. 2537

OFFERED BY: MS. EDDIE BERNICE JOHNSON OF TEXAS

AMENDMENT NO. 2: Page 2, line 5, strike ''2007'' and insert ''2008''.

Page 2, line 8, strike ''1346'' and insert ''1346(b)''.

Page 4, line 1, strike ''304(a)(9)'' and insert ''304(a)(9)(A)''.

Page 4, line 2, strike ''1314(a)(9)'' and insert ''1314(a)(9)(A)''.

Page 4, strike lines 4 through 16 and insert the following:

(c) VALIDATION AND USE OF RAPID TESTING METHODS.—

(1) VALIDATION OF RAPID TESTING METHODS.—Not later than October 1, 2010, the Administrator of the Environmental Protection Agency shall complete an evaluation and validation of a rapid testing method for the water quality criteria and standards for pathogens and pathogen indicators described in section 303(i)(1)(A).

(2) GUIDANCE FOR USE OF RAPID TESTING METHODS.—

(A) IN GENERAL.—Not later than 180 days after completion of the validation under paragraph (1), and after providing notice and an opportunity for public comment, the Administrator shall publish guidance for the use at coastal recreation waters adjacent to beaches or similar points of access that are used by the public of rapid testing methods that will enhance the protection of public health and safety through rapid public notification of any exceeding of applicable water quality standards for pathogens and pathogen indicators.

(B) PRIORITIZATION.—In developing such guidance, the Administrator shall prioritize the use of rapid testing methods at those beaches or similar points of access that are the most used by the public.

Page 6, strike lines 13 through 19 and insert the following:

''(9) the availability of a geographic information system database that such State or local government program shall use to inform the public about coastal recreation waters and that—

''(A) is publicly accessible and searchable on the Internet;

''(B) is organized by beach or similar point of access;

''(C) identifies applicable water quality standards, monitoring protocols, sampling plans and results, and the number and cause of coastal recreation water closures and advisory days; and

''(D) is updated within 24 hours of the availability of revised information;

Page 7, line 6, strike ''meeting'' and insert ''meeting or are not expected to meet''.

Page 8, line 8, strike ''on'' and insert ''on the Internet on''.

Page 8, strike lines 10 through 24 and insert the following:

''(3) CORRECTIVE ACTION.—If a State or local government that the Administrator notifies under paragraph (2) is not in compliance with any requirement or grant condition described in paragraph (2) fails to take such action as may be necessary to comply with such requirement or condition within one year of the date of notification, any grants made under subsection (b) to the State or local government, after the last day of such one-year period and while the State or local government is not in compliance with all requirements and grant conditions described in paragraph (2), shall have a Federal share of not to exceed 50 percent.''

At the end of the bill, add the following:

SEC. 11. ADOPTION OF NEW OR REVISED CRITERIA AND STANDARDS.

Section 303(i)(2)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1313(i)(2)(A)) is amended by striking ''paragraph (1)(A)'' each place it appears and inserting ''paragraph (1)''.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, TUESDAY, APRIL 8, 2008 No. 55

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, unite us. Help the Members of this body to work together, finding common ground and resolving differences. Match their fervency with compassion, their zeal with civility. Erase from their spirits all feelings of arrogance or contempt. May they strive to understand and respect each other with a spirit of humility. Lord, make our Senators an example to the Nation of how to strive together for the common good. Give them a fresh burst of enthusiasm for the next chapter in the unfolding drama of the American dream. Energize their efforts with the power of Your spirit. We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 8, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, we will be in a period of morning business, following my statement and that of the Republican leader, with Senators allowed to speak for up to 10 minutes each, with the times equally divided and controlled between the two leaders. The majority will control the first half, the Republicans the final half.

Then we will begin again the consideration of H.R. 3221, the housing legislation. The first vote today will be at 2:15 this afternoon on a motion to invoke cloture on the substitute amendment to H.R. 3221.

IRAQ HEARINGS

Mr. REID. Mr. President, as we speak, there are extremely important hearings taking place on Capitol Hill. General Petraeus and Ambassador Crocker are here. The hearings started 35 minutes ago. Clearly, the eyes of the world will look upon the Senate as General Petraeus and Ambassador Crocker testify today before the Armed Services Committee and the Foreign Relations Committee. These two committees are chaired by two of our most senior Senators and two of our most able Senators, Senator LEVIN and Senator BIDEN.

The appearances of these good and honorable men, General Petraeus and Ambassador Crocker, are meant to create an open, honest, and productive dialogue with Congress on the state of the war in Iraq and the future of military operations in Iraq. I hope it does occur in that manner, that there will be an open and honest and productive dialogue with us. As the American people weigh the testimony and consider the best course of action in far-off Iraq, only two questions matter: First, has the troop surge brought us closer to the day when our troops can come home? Second, is the war in Iraq making America safer? Sadly, by all accounts, the answer to both questions is no.

The stated purpose of the surge, according to President Bush, was ''return on success,'' meaning that if the surge worked, the troops could come home. Now, the President claims success, but where is the return? It is clear to anyone that the violence has surged. Eleven Americans have been killed since Sunday in Iraq. Dozens and dozens more have been gravely wounded, including three dozen in one rocket attack. Attacks on the Green Zone have intensified. That is supposed to be the safest part of Iraq—the Green Zone. The conflict between al-Sadr and al-Maliki shows no signs of progress; in fact, there is deterioration. Has the surge brought us closer to the day when our troops come home? We have already heard General Petraeus has requested a freeze of troop levels and that President Bush is likely to accept that request.

Has the surge brought us closer to the day when our troops come home? Clearly, the answer is no. Has the war made us safer? No.

Military experts agree our Armed Forces are stretched thin beyond sustainable levels. We are taking in—13 percent of our recruits are young men and women who have committed crimes: felonies, violent crime—13 percent. One out of every eight of the people we are bringing into the military

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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today are people who have criminal records.

Because our manpower and equipment is in Iraq, we are not committing the resources to hunt down our No. 1 enemy: bin Laden and his al-Qaida network. Because we are bogged down in Iraq, we are not fully engaged in the global challenge of Afghanistan, Pakistan, Iran, and the Middle East, among others.

The moral authority of our great Nation has suffered grave damage, with our former allies refusing to stand with us in even greater numbers.

Has the war in Iraq made America safer? There is no question it has not.

The surge may have provided a temporary window for the Iraq Government to make progress, but it is becoming increasingly clear every day the Iraq Government has squandered that opportunity. Even now, with the war in its sixth year, President Bush has failed to articulate an exit strategy.

A person running for President, Senator MCCAIN, has said we should be there another 50 or 100 years.

President Bush likes to say we will only leave Iraq once victory has been achieved. It is time for the President to be honest with the American people. What does victory look like to President Bush? How does all this end?

We must not commit our courageous troops to the endless task of policing another Nation's bloody civil war. The job of America's Armed Forces—a job to which they risk and often give their lives and limbs—is to protect our country and its interests. It is time to recommit to that crucial purpose and begin a responsible end to this war.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

CELEBRATING THE VICTORY OF THE KANSAS JAYHAWKS

Mr. MCCONNELL. Mr. President, I note the presence of the Senator from Kansas in the well of the Senate. He must be coming over to celebrate the victory of the Kansas Jayhawks last night. I assume that is the reason for his presence. I will let him address that and whatever other matter he may have in morning business. But in noting his presence, even though I know he has some K State leanings, he nevertheless must be incredibly proud of the Kansas Jayhawks, as they won the national championship last night.

EXTENDING SYMPATHY TO THE DOLE FAMILY

Mr. MCCONNELL. Mr. President, on another matter and a sad matter, I wish to start with news of the passing of John Hanford. John was a World War II vet, a great patriot, and the dear brother of our colleague, Senator DOLE, who I know is very close to him and will miss him terribly.

This is a sad day for the Dole family, and I wish to extend our deepest sympathies to Senator DOLE and all her relatives and friends.

HOUSING CRISIS

Mr. MCCONNELL. Mr. President, I know the main event isn't housing, but I would like to start by thanking the majority leader once again for realizing the only way to address the housing crisis was to do so on a bipartisan basis, and we are on the verge of doing that. We have now made significant progress, and I am confident that before the week is out, we will be able to stand together to announce completion of a good and responsible bill.

Most homeowners will be relieved to know one of the earlier proposals we heard from the other side—a proposal to let bankruptcy judges rewrite the terms of existing mortgages—will not be a part of the Senate's final product. Although well intentioned, this proposal would have led to a sharp increase in mortgage rates for millions of homeowners, and Republicans weren't going to allow that at a time when families are already stretched quite thin.

The final bill will help neighborhoods that have been hit hard by foreclosure with provisions that limit the amount of time empty homes sit on the market—a proposal by Senator ISAKSON. This, along with the economic growth package we passed earlier this year, will put more money in the pockets of homeowners, and it will help homebuilders climb back from the slowdown.

Americans don't want to bail out the speculators and those who tried to game the system at everyone else's expense, so this is a targeted bill that will help homeowners in the short term without jeopardizing the long-term economy. Its likely passage later this week is something we can be proud of on both sides of the aisle.

IRAQ WAR TESTIMONY

Mr. MCCONNELL. Now, to the testimony on the Iraq war in committees today. General Petraeus and Ambassador Crocker will be here, as we all know. This is an eagerly anticipated update on political and military progress being made in Iraq.

Less than a year after our counterinsurgency plan went into full effect, we have been getting a steady flow of positive reports on the security situation in Iraq. Overall violence in Iraq is down. Civilian deaths are down. Sectarian killing is down. Attacks on American forces are down. As a result, thousands of U.S. troops have already begun to come back home.

Another measure of the Petraeus plan's success is the dramatic increase in Iraqi security forces since the full implementation of the counterinsurgency strategy last June. Between December 2007 and last month, Iraqi security forces have increased by more than 40,000, bringing the total number to more than 530,000. This includes 141,000 assigned soldiers and officers and a police force of 347,000 strong. Over the last year, the so-called surge of Iraqi security forces has been three or four times larger than our own surge. As we stand here, the Iraqi security forces continue to expand, with young Iraqis signing up for local police forces to protect the border and for special operations.

As the Iraqis take over more of their own security needs, Congress can help by passing a supplemental appropriations bill that has been on request for more than a year. These funds are also needed to ensure the combat readiness of the force and our forces over in Afghanistan as well.

Increased security in Iraq has led to political progress in Iraq. Although significant benchmarks remain unmet, progress on other significant benchmarks that seemed far off a few months ago is now underway. These include such things as passage and approval of debaathification legislation, an amnesty law, and measures leading to greater centralization of the Iraqi security forces. It is also worth noting the Iraq Government has started to meet more of its own expenses, including three-fourths of the costs of its security forces and a new jobs program.

The success of General Petraeus's strategy is the best reason we have for listening closely to his advice as we move forward. Last August, he said security and local political progress will enable us to reduce the number of U.S. troops to presurge levels, and we have reason to hope the progress that has been made, both politically and in security, will, in fact, lead to a reduction in troop levels.

But General Petraeus has a better grasp than most on whether the gains we have seen are secure enough for a full reduction to begin. For the sake of our long-term security, we should listen very closely to what he has to say.

When Democrats on the campaign trail tout their plans for Iraq and Afghanistan, they often cite the need to listen to the generals. The junior Senator from New York likes to say one of her first actions as President would be to convene the Joint Chiefs of Staff to help her draw up a plan for withdrawal of U.S. troops from Iraq. If military advice is needed to draw up plans for withdrawal, shouldn't it be important to draw up plans for success?

Our friends on the other side are rightly concerned about military readiness. I share their concern. But the best way to ensure the military's readiness is not to scrap a plan that has been working in Iraq. The best way to improve readiness is to approve the Defense supplemental without arbitrary dates for withdrawal and to fully fund the 2009 Defense appropriations bill.

As most Americans, I am eager to hear what General Petraeus and Ambassador Crocker have to say about the military and political progress in Iraq. These men have spent literally decades mastering their respective professional fields. They deserve our respect, and over the last year they have earned our admiration. I know we will all welcome them and give them the fair hearing they have earned and that this all-important mission certainly deserves.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

CONGRATULATING KANSAS JAYHAWKS

Mr. REID. Mr. President, I, too, recognize that the Senator from Kansas is on the floor today. I have to admit I was pulling for Kansas because they were very lucky in beating UNLV to get where they are. As a result of their good fortune the night they beat UNLV, I have been pulling for them since. Had it not been for the bad night UNLV had, they may not have made it. All the men on Kansas are 6 feet 5 inches; they are virtual giants. They won and it is a good day for Kansas. I acknowledge it is the first time Kansas has won in 20 years. They have a great basketball legacy and I wish them many years of good fortune in the future and congratulate Senator ROBERTS and the Kansas Jayhawks for their great victory last night.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is received.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will not be a period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, the time equally divided between the two leaders or their designees, with the majority controlling the first half of the time and Republicans controlling the second half.

The Senator from Oklahoma is recognized.

IRAQ

Mr. INHOFE. Mr. President, first, I associate myself much with the remarks of Senator MCCONNELL. Serving on the Senate Armed Services Committee and having been in that theater more than any other Member from the very beginning, it is so obvious to see what the cost of defeat would be. When you look at Iran and Ahmadinejad saying that if the Americans cut and run, ''there will be a void and we will fill that void,'' it would be a disaster for freedom and that would bring the fight from over there over to our soil. We cannot let that happen.

HONORING OUR ARMED FORCES

STAFF SERGEANT CHRISTOPHER M. HAKE

Mr. INHOFE. Mr. President, having returned a few days ago from my 14th trip in the area, I think it is particularly meaningful to remember the life and sacrifice of a remarkable young man, Army Staff Sergeant Christopher Hake. Chris died on the 23rd of March, 2008, of injuries he sustained when an IED detonated near his Bradley fighting vehicle in Baghdad, Iraq.

Chris grew up in Enid, OK, with two sisters, Shannon and Keri, and two brothers, Zachary and Skylar. I was in Enid yesterday. I looked around and I could see the area, the type of place where Chris grew up. He spent his time, as most Oklahoma boys did, attending school, playing ball, driving his car, spending time with family and friends, and going to church. His strong faith in Jesus matured during his time at Oklahoma Bible Academy. While there, he became very involved in his youth group and traveled to Mexico on a mission trip. Unsure of what he wanted to do after graduating from Oklahoma Bible Academy, Chris enlisted in the Army in 2000.

Chris excelled during basic training in Fort Benning and was selected to serve as a member of the ''Old Guard''—one of the oldest and most respected infantry regiments in the U.S. Army. As a member of the Old Guard, Chris was responsible for guarding the Tomb of the Unknowns at Arlington National Cemetery and escorting deceased Army servicemembers to their final rest in the ''Garden of Stone,'' as Arlington is sometimes called. While serving in the Old Guard unit, the Pentagon was attacked on September 11. Chris was immediately called upon to clear the Pentagon after the attack. This solidified Chris's commitment to the fight for freedom in the world and to protect the people of America. He saw that opportunity in Iraq.

In 2004, Chris transferred to the 4th Battalion, 64th Armor Regiment, 4th Brigade Combat Team, 3rd Infantry Division at Fort Stewart, GA. While home during the summer of 2004, he met Kelli Short and it was love at first sight. They married on 21 December 2004, and Chris deployed on his first Iraq tour in January.

Chris was disillusioned after his first tour, feeling many of the decisions being made back in DC were negatively impacting their ability to accomplish the mission. I know this is true because I talked to the troops when I was over there on the 14 trips I have made. As we speak, in the Senate Armed Services Committee, General Petraeus is telling us the truth about what is happening over there.

Chris returned to Fort Stewart after his year in Iraq, and on October 14, 2006, Kelli gave birth to Gage Christopher Michael Hake.

Chris was both a loving husband and a proud father. His focus and love was his family—spending time with them, playing games with them, sitting for hours just to be with them, working on their house together.

Chris returned to Iraq on his second tour in October of 2007. He fought back his emotions as he said goodbye to his 1-year-old son, but he knew what he had to do and why. He loved serving his country. Once in Iraq again, Chris saw a difference in the mission and what was happening with the Iraqi people.

During his second tour, Chris said he knew he should be there and talked of the love of the Iraqi people for him and the troops. Pete Hake, Chris's father, remembered him saying: ''You couldn't pay me to come home early.'' That is the kind of dedication Chris and so many others have.

On Easter Sunday, March 23, 2008, Chris Hake tragically died of injuries he sustained when an IED detonated near his vehicle in Baghdad. Three other soldiers of his battalion and under his command were killed alongside Chris. Chris's father recounted that Chris had said, ''They would die for each other,'' and they did. They gave the ultimate sacrifice in serving their country.

In a recent e-mail to his mom and dad, he said he wanted to dedicate his second tour in Iraq to becoming a closer follower of Jesus. Chris wrote:

> If anything were to happen to me, Gage would always be able to know that his father died so he could live in peace. I know Jesus did the same for me, so it is comforting. I don't have a nervous bone in my body this time. I am more at peace than I have been my whole life.

On March 31, Chris returned to Oklahoma and was greeted by an honor guard from Fort Sill, members of the Patriot Guard Riders motorcycle group, Airmen from Vance Air Force Base, and a mass of fellow Oklahomans to honor this American hero. It was obvious he held the respect of so many, and he was a beloved son, father, and husband.

I read through some of the comments written in Chris's online guest book, and I would like to share a few of these with you:

> Thank you for your sacrifice—my children will know what men like you have done for them.
>
> I am the mom of a soldier serving in Iraq and just wanted to tell you how proud I am of your son, husband, and daddy.
>
> Know that 1st Squad will always maintain and exceed the standards you have set. We miss you.
>
> I read through all of the entries and cried. I hope it is comforting to know that there are so many of us praying for you.
>
> John 15:13—Greater love has no one than this, that he lay down his life for his friends.
>
> The ''Spartans'' will keep you close to our hearts forever in time.
>
> Thank you for being my son. Thank you for Gage, a little copy of you. Thank you for fighting and making a stand. Goodbye, my son, my baby boy, my U.S. soldier, my pride and joy.

Today, we remember Staff Sergeant Chris Hake, a young man who loved his

family and loved his country. Chris was doing the Lord's work, and the Lord is richly blessing him now.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas is recognized.

Mr. ROBERTS. Mr. President, first, I wish to associate myself with the thoughtful and special remarks of Senator INHOFE, a member of the Armed Services Committee. He is a champion of our young men and women in uniform. I thank him for his comments on behalf of another brave patriot who paid the ultimate sacrifice and his tribute to one of America's heroes from Oklahoma. Thank you, Senator, for the job you do, thank you for your tribute to this young man's life and sacrifice.

(The remarks of Mr. ROBERTS are printed in today's RECORD under ''Morning Business.'')

Mr. ROBERTS. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington is recognized.

TRIBUTE TO BILL KAMELA

Mrs. MURRAY. Mr. President, I come to the floor this morning to talk about a very special person on my staff. Bill Kamela came on to head my HELP Subcommittee on Employment and Workforce Safety about 5 years ago. Ever since then, he has been a critical part of my staff.

Bill is a trusted adviser, and I think what impresses all of us the most is he truly is a visionary when it comes to making the Federal Government a strong partner in worker training and safety.

Thanks to the work of Bill Kamela, across the country today, fewer employees have to worry about the danger of hazards or unsafe working conditions that they go to work every day and see. Because of his good work and insistence, more workers today get access to good-paying jobs, training, and advancement.

I come to the floor today because Bill is now preparing to move on to the next phase of his career. While we are all in my office very happy for him, we are all extremely sad to see him go. I wanted to come to the floor today to take just a couple minutes to recognize Bill's tremendous contribution on behalf of working families throughout the entire country.

Bill grew up in Buffalo, NY, where he learned the value of hard work and public service. Although he left Buffalo for Washington, DC, many years ago, anyone who has spent time with him knows that his passions are all things Buffalo, especially his beloved Buffalo Bills. We know when it comes to them, they take precedence over anything else that is going on.

Anyone who has worked with Bill also knows that he took to heart those lessons he learned growing up there about the importance of public service. Bill has dedicated his life and his career to helping kids and young people and families everywhere find success. He has worked with the National Urban Coalition, in the office of Congressman Gus Hawkins, at the National Safe Kids Campaign, and with a number of nonprofits. In every one of those positions, he has worked behind the scenes for policies that keep our working families strong.

Before he came to my staff, Bill spent 6 years at the Department of Labor under President Clinton where he served as chief of staff for the Employment and Training Administration. When he worked at the Labor Department, one of his responsibilities was to implement the Workforce Investment Act, which is, as we all know, the cornerstone of our national job training system.

Since coming to my staff, he has worked diligently on WIA, and thanks to him workers today have access to the training they need so they can still be successful in life no matter what happens to them.

Bill has been the staff director for my Employment and Workforce Safety Subcommittee. His dedication to those working families, as well as his passion for public service, has made it possible for us to make progress on the key piece of legislation to which he has devoted so many years, the Workforce Investment Act.

What impresses many of us in the Senate is that he works across the aisle, and he brings people of all kinds to the table to get things done. He has worked tirelessly, as I said, to fund and strengthen WIA and other job training programs to help workers find and keep good-paying jobs.

He also worked extremely hard and impressively on the Miner Act, which improved safety and ensured coal miners have better access to lifesaving equipment, air, and water in case of an accident.

But I think one of the things I will remember Bill the most for is his work on helping us to pass in the Senate the Ban Asbestos in America Act. He sat with me in countless meetings. He talked to so many families. He held the hands of widows whose spouses had died as a result of their exposure to asbestos. And he brought so many people to the table and diligently worked detail after detail after detail until we could bring up this bill in the Senate and, after many years, finally pass it. I owe him a debt of gratitude for that, and I want him to know as he leaves my office we are going to keep working under his name to get that bill done and to the President so those people he has worked with can finally see this bill become law.

I have to say again he has been instrumental in our efforts to make the Federal Government a strong partner. He brings together educators, workforce folks, labor, and employers because he knows everyone needs a seat at the table so our workforce can compete in this global economy.

But his contributions go far beyond legislation. Outside of my office, his attention to building personal relationships has earned him tremendous respect and admiration of workforce leaders across my State. Inside my office, he has earned all of our respect. He is a mentor to all of his coworkers. He has never been one to close the door behind him. He is always generous with his time, and he has helped bring up the next generation of staffers who rely on him so much for his sound advice or a good pep talk, whichever they need.

Bill has an uncanny knack for keeping everything balanced on staff. He sets realistic expectations, but he does not ever let anyone get discouraged. I know that will carry him far in this world.

So I come to the floor today to thank Bill for his work and for his dedication to our country, and I thank him for his personal advice so many times, his enthusiasm, and his passion for working families in my State and across the country. I wish him the best as he moves on. He will be dearly missed.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

COLOMBIAN FREE TRADE AGREEMENT

Mr. BROWN. Mr. President, at the conclusion of my remarks, I will yield to Senator STABENOW of Michigan who will also talk about trade adjustment assistance in Michigan and Ohio and all that our States are going through in large part because of misdirected trade policies.

Yesterday, President Bush announced he would send a proposed Colombian Free Trade Agreement to Congress for a vote. He does this over the opposition of the Democratic leadership in the House and in the Senate, in defiance of our desire to work on a bipartisan basis, and in direct opposition to the desires of a growing number of Ohioans and Michiganders and Americans all over this country. In doing so, President Bush has nailed shut the fast-track coffin.

As my colleagues know, this agreement was negotiated under the so-called fast-track provisions. It is an extraordinary procedure provided only for trade agreements, not for any other kind of legislation. Trade is that special and that important to a very narrow but very powerful, very influential group of people in this country. Congress decided years ago to delegate an enormous amount of power to the executive branch to negotiate trade agreements. In nothing else does this body, charged under the Constitution with specific duties and responsibilities, give that much power to the executive branch as it does with these trade agreements.

Under the fast-track provisions, once presented to Congress, a so-called free-trade agreement triggers a 90-day clock for consideration of the agreement. No

amendments can be offered to improve it, unlike anything else here. Congress is given a take-it-or-leave-it decision.

Much of the talk about this agreement centers around the violence and impunity in Colombia, especially as it relates to trade unionists, and for good reason.

International organizations and human rights groups look at Colombia's record with urgency and alarm. Human rights defenders, trade unionists, and community leaders in Colombia are today receiving death threats from the rearmed paramilitary group, known as the Black Eagles, and are reeling from a new wave of violence.

This leaflet blown up, of course, was distributed at a March 6 rally in Colombia. The beginning says: Death to the leaders who march for peace and justice. This was a peace and justice rally. The Black Eagles handed out this leaflet to state their point of view, if you will. Before, during, and after this countrywide rally on March 6 against paramilitary and all forms of violence, at least two march organizers were killed.

Union leaders Carlos Burbano and Carmen Cecilia Carvajal were killed for trying to voice their views. At least three other leaders were killed in events also associated with the march. March organizers all over the country received death threats such as these. One organizer's house was attacked with gunfire a week before the rally on February 29.

These human rights issues are exceedingly serious. Yet the administration cavalierly casts them aside, barely acknowledging the culture of violence and impunity.

Just the merits of the Colombian Free Trade Agreement is another fundamentally flawed trade pact in the long line of trade agreements such as NAFTA and CAFTA, in the long line of bad trade policies such as PNTR with China. If these are really ''free'' trade agreements, if it did what its supporters tell us, simply knocking down trade agreements, it would be a smaller document. It would be a couple of pages, just getting rid of tariffs. Instead, it is many more pages, such as NAFTA. NAFTA was 900 pages of rules and regulations, having little to do with trade because instead of simply eliminating tariffs, which we would like to do, these agreements are packed with rules on investment, services, procurement, telecommunications, drug patents, and more.

So why do we get thousands of pages of seemingly nontrade issues in a trade agreement? Because these trade agreements are rules to protect corporations, not rules to protect workers. These trade agreements are rules to protect the drug companies, not to protect the environment; rules to protect hedge funds, not rules to protect consumers; rules to protect Wall Street, not rules to protect Main Street.

Notice the word ''protect.'' They—the editorial writers, the Harvard economists, the CEOs, the Wall Street bankers, the corporate lobbyists, the big-time lawyers, the hedge fund managers—try to label people such as us ''protectionists.'' I guess it depends on whom, Mr. President, you want to protect.

NAFTA, CAFTA, and Colombia protect the drug companies and the investment banks. They protect the corporate interests. Theirs is sort of a high-class protectionism. But protecting labor, protecting consumers, that is not protectionist. That is the duty of Government.

Many in this Chamber will recall the debate on the Central American Free Trade Agreement. We had a coalition of religious people, consumer advocates, environmentalists, small business, medium-size manufacturers, and organized labor in opposition to CAFTA. CAFTA's proponents said if it did not pass, poverty would get worse in Central America. CAFTA, they promised, would promote economic growth and curb the violence in Central America and would serve as a model for strengthening democracy.

The U.S. Trade Representative, Mr. Zoellick, said ''if CAFTA stumbles, labor rights in Central America will not be strengthened,'' as if anybody in this administration really wanted to strengthen labor rights. The reality is that there have been disturbing developments in the region, including the recent passage by the Honduran Government of a law to create exception zones that will allow foreign factories to pay less than the national minimum wage.

How does that help Honduran workers that there is a zone in which they pay a subminimum wage?

Labor ministries in Central American countries still lack the staffing and the resources to implement their programs. In many cases, budgets have actually been reduced since the passage of the Central American Free Trade Agreement.

Consistent with its history of repeating the same act and expecting different results, the administration now wants Congress to approve a deal with Colombia, a country where there are increased and continued death threats against labor activists, followed by assassinations of labor activists, followed by nothing, followed by no prosecution, no attempts to find the killers, continued excuses from President Uribe, and continued excuses from the U.S. Chamber of Commerce, the U.S. Trade Representative and, frankly, yesterday, President Bush himself.

The administration has shown no willingness to enforce labor and environmental rules at home, so it is hardly surprising it would ignore violations among our trading partners.

There have been well-documented abuses of sweatshops in Jordan, despite the supposedly better labor standards in that agreement. Jordan, to its credit, has taken steps to crack down on these companies and work with nongovernmental organizations and others in promoting the standards intended in that agreement.

It is important to note that the Bush administration, however, did not use the enforcement tools available to it in that trade agreement to require labor compliance. So why do we think they will use the provisions in this trade agreement, the Colombian Free Trade Agreement, to require labor compliance? Of course, they won't. But when there is a commercial dispute or a drug patent dispute, the administration comes down on a country with all the fury it can muster. Protect the drug companies? The administration says yes. Protect workers? No thanks. Protect oil interests? The administration says, of course. Protect the environment? The administration says, no thanks. Protect the banks and the financial institutions? The administration says: Where do I sign up? Protect food safety for our children, protect toys for our children, food safety for our families? The administration is not particularly interested.

Why then should we consider a trade agreement with a country such as Colombia which is known as the most dangerous country in the world to be a union activist? In fact, Colombia has an unbroken record in recent decades of leading the world in trade unionist killings. Violence against unionists continues at extremely high levels. The vast majority of trade union assassinations remains unsolved.

Preliminary figures show that between 12 and 17 trade unionists were killed in the first 3 months of 2008. Among those murdered was Carmen Ramirez, a teacher and member of the teachers union. She was killed on her way to work on March 4.

Gomez Rozo Leonidas, the director of the National Union of Bank Workers, disappeared on March 5 and was found dead 3 days later.

A subunit of the attorney general's office was established in 2006 in Bogota to accelerate resolutions of assassinations of trade unionists. Despite more resources for these cases, convictions have lagged behind murders, leaving the unsolved murder/conviction rate at 98 percent. Of the 2,283 murders between 1991 and 2007—2,283 murders of union activists in that 17-year period—there have been 50 convictions. There have been 50 convictions out of 2,283. Does that sound like the Government really is interested in going after hate groups like this?

We need to craft trade policies that deliver the long-term results we need, not just the short-term profits a few multinational companies crave. When it comes to trade and the Bush administration, idealogy trumps outcomes. Special interests always—always—trump U.S. interests.

Congress needs to reject this agreement. The Senate needs to make a clear statement that we stand for a better approach to trade, one based on using our market as leverage to raise

living standards in Latin America, in Michigan, in Montana, in Ohio, and our whole country.

Mr. President, joining me today is Senator STABENOW of Michigan, who, during her almost 7½ years in the Senate and time in the House, has been a stalwart advocate for workers in Michigan and across this country, and she is particularly interested in this trade adjustment work, with the problems in Michigan. She has stood strong, and we are joining together today.

I yield to Senator STABENOW.

Ms. STABENOW. First of all, I thank Senator BROWN for his eloquence and his comments and his conviction. I know he would agree with me that we want trade; we just want to export our products, not our jobs. That is what we want to export.

It seems to me, Mr. President, that the administration, one more time, is getting the cart before the horse. We hear all the time about the interest in beefing up trade enforcement and passing Trade Adjustment Assistance or dealing with currency manipulation and so on. Yet those things are not happening, and the administration comes forward one more time with another trade agreement without those things in place.

Now, I first wish to thank the chairman of the Finance Committee for speaking out very strongly about this and for introducing the bipartisan Trade Adjustment Assistance bill that he has indicated must be passed before this trade agreement is even considered. I appreciate that very much and his willingness to report from the Finance Committee, on which I am honored to serve, a bill dealing with currency manipulation. We have a trade enforcement bill as well.

But the reality is that we have not received support from the administration, and we have not seen the willingness to make this the priority it needs to be in terms of our families. I know it is a priority for our leader. I know it is a priority for the chairman of the Finance Committee and the majority of us on that committee. Yet still today we are here one more time with an administration that, rather than listening to the leadership, the Speaker, rather than listening to our leadership and being willing to address the needs of workers who have lost their jobs because of trade, sends up another trade agreement. And as my friend from Ohio has indicated, it is not one that focuses on what is right in terms of workers—either the workers in Colombia or the workers in Michigan or Ohio or Montana or across the country. From my perspective, it is hard to imagine that since the beginning of this administration, almost 8 years ago, we have lost 3.6 million manufacturing jobs—million. That means 3.6 million families who had great middle-class jobs with health benefits and pensions now find themselves either unemployed or underemployed in many situations. In my home State of Michigan, we have lost 425,000 jobs. I don't know how many folks are in Montana for sure, but my guess is that would be a pretty big percentage of the folks who live in a State you love dearly and advocate for every day—425,000 people in the last 7½ years.

Again, we know the economy is changing, and we are focused on advanced manufacturing. We are focused on new technology. Michigan is becoming a leader in alternative energy and will be a leader in alternative energy, but we have to continue to make things in this country. That is what manufacturing is about. I happen to believe that an economy doesn't grow unless you make things and grow things and then you add leverage to it and you add value to it. That is how you have an economy. That is how we have had an economy and a middle class that has been the envy of the world.

Frankly, when we look at creating a level playing field, we ought to be talking about bringing other countries up to us, not racing to the bottom. Americans have been told: If you only work for less, lose your health care benefits, lose your pension, we can be competitive. Senator BROWN talks about Colombia setting up zones, or other countries, where companies don't have to even pay minimum wage in those countries. If they come in as an American company or a company from another part of the world, they can come in and pay workers less. That is a race to the bottom. That is not a race we can win, and I don't want to win it because if we win that race, we have lost the American dream. We have lost the middle class of this country. What we want is a race up, and that means education, innovation, changing the way we fund health care, and, yes, it means a level playing field on trade.

I believe that before we can go further with trade agreements, there are four things we have to make clear we are going to get done on behalf of American workers and American families:

Trade Adjustment Assistance. There is an excellent bipartisan bill which has been introduced in the Senate which is a bill that would extend and improve upon trade adjustment assistance. This was set up so that if somebody loses their job because of trade, they are going to be able to go back to school and they are going to have their health care benefits continued for a couple of years while they get retraining to be able to go into that new economy we all talk about.

Secondly, we have to have a stronger trade enforcement operation in this country. Mr. President, we have some 230 different trade agreements. According to former Secretary of Commerce Mickey Kantor, who came before the Finance Committee, we have the smallest trade enforcement office of anyplace in the industrialized world—the smallest trade enforcement office. So we need to beef that up. Again, we have legislation to do that. We just need to pass it and get it signed into law and hear the President will support it. It includes a provision that Senator LINDSEY GRAHAM and I have been working on, a bipartisan agreement we have worked on for years, to create what we call a U.S. Trade Prosecutor but basically is a chief enforcement officer—a place for business to go when their patent is stolen or there is an unfair trade practice against them so we have somebody fighting for American businesses and American workers. That needs to get done.

We need the strongest possible currency bill to address what is, in fact, against the law and creating an unfair advantage—particularly as regards China but in the case of the auto industry, Japan as well—where they are manipulating their currency and selling products to us that get anywhere from a 5-percent up to a 40-percent discount right off the top because of the valuation of their currency. That needs to change. That is called a level playing field.

Finally, Mr. President, we need to make sure we extend unemployment benefits for folks who have been unemployed due to our inaction on trade or through other parts of the economic upheaval we have been in, in so many parts of the country, and which, unfortunately, is growing across the country. I think Michigan was the canary in the coal mine, in many ways. We were hit hardest first—the epicenter of manufacturing—but this is now spreading across the country. We need to make sure the middle-class person who has lost their job has the opportunity to at least put food on the table and pay the mortgage while they are continuing to look for work.

I believe those things need to be put in place before we send any more trade agreements forward—a trade agreement that we don't have the capacity to enforce, where we are not helping the workers who have lost or will lose their jobs, and where we are not addressing the broader issues that have cost us jobs every single day.

I am stunned. We got the new numbers on Friday for what has happened. Last week's dismal jobs report was released. It was reported that our Nation lost 83,000 jobs last month—83,000 jobs last month. We know what is happening. We know we are in a recession. We have known it in Michigan for a long time. Yet President Bush's Chief Economist, Edward Lazear, said:

> I don't focus too much on the monthly unemployment rate because it has been a bit volatile.

A bit volatile? Three weeks, 4 weeks ago, we were hearing: Well, the underlying fundamentals of the country are good. We have a little housing problem, but the underlying fundamentals are good.

With all due respect, I don't know what planet these folks are on, but the reality is that we have seen a convergence of issues, from the housing situation, to the broader financial markets,

to trade imbalance, trade deficits, huge deficits in our budget; we have seen a lack of enforcement on trade agreements; jobs lost, 3.6 million manufacturing jobs alone; and I think this is more than just a little bit of volatility in the economy.

So, Mr. President, I am extremely hopeful that we will say no to this Colombian Free Trade Agreement and that we will stand up for Americans, that we will stand up for Americans who have lived their lives working hard, trying to play by the rules, and who expect us to stand up for them, and American businesses that have done the same thing. Let's pass Trade Adjustment Assistance the right kind of way. Let's make sure we have a strong policy on currency manipulation. Let's make sure we toughen our trade enforcement laws. And let's most certainly recognize the tens of thousands—millions at this point—of those who are on unemployment insurance and who are asking us to extend those benefits, as has been done in every other time of recession, so that they have the ability to be able to care for their families while they are looking for a job.

Mr. President, I hope we will value the dignity of work and what millions of Americans are going through every day now and understand it is our job, first and foremost, to fight for them.

I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

IRAQ

Mr. BOND. Mr. President, I know many people have been watching General Petraeus and Ambassador Crocker reporting on what is going on in Iraq. Obviously, it is very important information, and I would hope we would heed what they are saying.

Regrettably, I must say that too many in the Democratic Party remain in denial over the progress being made in Iraq and still remain politically vested in defeat. We have heard the leaders of the party say: Oh, we have already lost. They believe that might give them an advantage in the November elections. That is certainly a bad way to decide what our strategy should be to defend the security of the United States.

We have made great progress in our fight against terrorism. The war is far from won, but today there is no question that the central battleground in the global war on terror is Iraq. Our men and women in the military are fighting the al-Qaida terrorists there in Iraq, where Osama bin Laden and Ayman Zawahiri say they are going to establish their caliphate. We are fighting that war so that future generations will not have to fight them on our own soil.

For my colleagues who argue we should not be fighting them in Iraq but in Afghanistan, let me get you a little bit of intelligence news. Al-Qaida is not in Afghanistan. Al-Qaida left Afghanistan after we deposed Saddam Hussein. What we are fighting there are the indigenous Taliban insurgents, not al-Qaida.

More than anyone else, our brave veterans who are fighting in Iraq against the al-Qaida know the dangers of defeat. They know what they and others like them have done. Their word to us is: We as a nation, but more specifically we as your military, have made too many contributions and too many sacrifices to walk away from this essential battle for our freedom and declare defeat.

My own son, a marine, returned last fall from his second tour of Iraq with his scout snipers. He returned on success because they cleaned al-Qaida out of Falluja and Al Anbar, and they turned the job of keeping security over to the Iraqi Sunni Citizens Watch and the police.

If my colleagues will listen today to the voices of veterans who are on the Hill in their tan golf shirts, they are the voice of people who have been in the field—the Vets for Freedom, with whom I have had the honor of being this morning, and to General Petraeus and Admiral Crocker—these are the people we need to listen to, not the voices of moveon.org and the Code Pink extremists. We need to bring our troops home, but we need to bring them home on success. That is what they fought for; that is what they are there for.

As one man in the field reported today: You can't be for us, for the troops, and against the war because we are the war.

Despite the evidence of progress in Iraq, the media seems trigger happy to report bad news. Less than 48 hours after Iraqi security forces began their campaign against the militant Shia factions in Basra, the media already was declaring the operation a failure. The operation initiated on March 25 was designed to quell rogue factions of Muqtada al-Sadr's Mahdi army. In covering the fighting, the press displayed its previously seen penchant for quickly throwing in the towel when the military operation does not instantaneously achieve its goals. If the operation were a failure and didn't meet its goals, then why did Muqtada al-Sadr order a cease-fire? I don't know of any commander who has declared a cease-fire when he is winning.

Right now, General David Petraeus and Ambassador Ryan Crocker are testifying before the Senate on the progress being made in Iraq. I expect that testimony will show that the new counterinsurgency, or COIN strategy, backed up by the surge, has been working and has brought Iraqi citizens to our side in the fight against al-Qaida.

Since the surge forces began operating under this new policy in mid-2007 and the adoption of the COIN strategy, there is some important security progress to point to. Overall violence in Iraq, civilian deaths, sectarian killings, and attacks on American forces are all down. Coalition forces have captured or killed thousands of extremists in Iraq, including hundreds of key al-Qaida leaders and operatives. American troops are beginning to return home on success.

In addition to security progress, the Iraqis are also making critical political progress. While this front has been the slowest—and we must continue to demand that the Iraqis assume greater control—the Government has taken several important steps. The Iraqi Government has enacted a pension law that keeps the promises made to Sunnis. It has enacted a debaathification law that allows midlevel Baath Party members to reenter political and civic life. It has passed a budget that focuses spending on security reconstruction projects and provincial governments. It has enacted an amnesty law, and it has reached agreement on a provincial powers law that will ensure the Iraqis the right to be heard in upcoming elections.

Democrats are in denial of the progress in Iraq despite this evidence of both security and political gain. Their rejection of the reality in Iraq does not extend just to the current Petraeus and Crocker testimony, however. Some who favor retreat and defeat in Iraq have also taken issue with the classified Iraq National Intelligence Estimate, or NIE, distributed to lawmakers last week.

Always quick to tout and cherry-pick information from a NIE that can be twisted to support their motives, the retreat-and-defeat gang has outright rejected the latest Iraqi intelligence report. They claim it is ''too rosy.''

Unfortunately, this denial is no more than rhetoric and fodder for the mainstream media because we know that defeat in Iraq would have serious national security implications and do great harm to our image around the world, an image that so many of our colleagues on the other side say they wish to repair. Iraq is the central battleground in the war on terror. In addition to giving al-Qaida safe haven, defeat in Iraq would embolden a possibly nuclear-armed Iraq. The intelligence community has stated in an open hearing before the Intelligence Committee earlier this year that if we withdraw from Iraq before their army and police can maintain security, violence and chaos will spread across the region.

This has been a tough fight. We have lost over 4,000 of our bravest and finest men and women. The surest and most fitting way to honor their memory and their service is to ensure victory, not defeat.

Mr. President, I have several Members on my side who have been waiting for time in morning business. What is the situation?

The ACTING PRESIDENT pro tempore. The Republicans control 9 minutes.

Mr. BOND. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, the Senator from Georgia is also waiting to speak, so I would like to be notified at 4½ minutes, and I will split it down the middle with the Senator from Georgia.

Mr. President, I rise today to speak about General Petraeus' testimony. I was able to watch a little bit of it before I came over here. I was beginning to see, of course, the questioning from the Armed Services Committee. I think it is so important that we look at the big picture and what General Petraeus is saying. Also, of course, we have Ambassador Crocker who is doing a terrific job over there.

I was there at the end of February, just 6 weeks ago. I met with both of them. But what I saw was an incredible change from the other time I had been in Iraq. As General Petraeus said himself, from June 2007 through February 2008 deaths from ethno-sectarian violence in Bagdad have fallen 90 percent. American casualties have fallen sharply, down by 70 percent. In the last year, the number of high-profile attacks have fallen by 50 percent.

All of us believe one American death is not worth the price we would pay if we had a choice. But every one of those who are there understand our mission and how important it is. Every one of those with whom I have met, both the people who have returned from Iraq and Afghanistan and the families of those who have lost loved ones, say: Do not leave. Do not leave without a victory, without seeing through the successes that we have gained.

They understand this mission. Unfortunately, it does not seem that the majority in the Congress see it as those who are on the ground and who have suffered the most do. As recently as February, the Senate leadership was trying to stop the surge by requiring an immediate and arbitrary withdrawal of U.S. forces from Iraq when we didn't even have the results. Yet those of us who have been there recently have seen the results.

I went to a police station with our embedded forces and to a security regional center with embedded forces. I did that because I was very concerned. I wanted to see it myself. I was very pleased with the fact that our troops embedded there were causing the Iraqis to come forward and do more and help us.

The Sons of Iraq, which are now 91,000 strong, are serving as neighborhood watches. They are manning the checkpoints. They are taking us to the weapons caches. Do you know that, since the beginning of this year, we have found, because of the Sons of Iraq's cooperation, more weapons than we discovered in all of 2006? We are making progress. Mr. President, 21,000 of the Sons of Iraq have now been accepted into security forces or government work. It is amazing that we are seeing military gains, and we are seeing political gains. It is not as fast as we would like to see it, of course, but it is progress. It is in the right direction.

The consequences of leaving precipitously are consequences that would be unthinkable. People talk about the cost of Iraq, the cost of the war on terror, as if the costs are prohibitive. The costs are high. But the cost of leaving and letting al-Qaida have a base in Iraq are much more expensive. We are talking about 9/11 costing over $1 trillion, if you put it in monetary terms, which I don't think we should—this is not the thing that we should even be considering. We should be supporting our troops, and we should be supporting the effort that would require complete success for our country. This is the United States of America.

I met with the Vets for Freedom who just met by Senator BOND as well. They are the patriots who have been there, who know what it is like, and who are saying stay and fight and win. It is the right thing for the United States of America to do.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. ISAKSON. I thank the distinguished Senator from Texas for allowing me part of the time. I ask unanimous consent to be recognized for 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ISAKSON. I associate myself with the remarks of the distinguished Senators from Texas and Missouri. I am grateful for great Americans such as David Petraeus, and I am particularly grateful for the young men and women, Americans who volunteer day and night, who go to defend liberty, peace, and freedom around the world. I come to the floor now for just a few minutes to speak on the housing bill pending, coming back, and the stimulus bill coming to the floor, and a cloture vote that is going to take place at 2:15.

HOUSING CRISIS

Mr. ISAKSON. Mr. President, I come to the well specifically today to talk for a few minutes about the tax credit proposal that is included in the base bill as introduced by Senators DODD and SHELBY and approved by the Finance Committee, Senator GRASSLEY, and Senator BAUCUS. To that end I want to pay particular thanks to the staff of the Finance Committee for the tremendous work they did with respect to the housing tax credit amendment which is now part of the base bill.

I come here today, though, to correct some misinformation that has been appearing in the media particularly over the past weekend and in a couple of national publications and Washington newspapers with regard to the housing stimulus and tax credit being inappropriate or wrong. The presumptions of those who have written are absolutely inappropriate and wrong. Although they are attempting, I am sure, to contribute to the debate, they are in fact contributing to a tremendous misunderstanding about the reality of what the tax credits will do.

For the sake of discussion, the tax credit is a $7,000, $3,500-a-year tax credit that goes to any family who buys and occupies as their residence any home that has been foreclosed upon or is owned by a bank or lender, new or resale, and any resale owned by an owner occupant who is fending foreclosure.

There have been two comments made about what is wrong with this proposal that are exactly the opposite of what is really right about this proposal. No. 1, in one editorial it said it is rewarding people who did not pay their payments and punishing people who are making their payments. It is not rewarding anybody. If you are purchasing a foreclosed-upon house, the damage has already been done to the borrower. The family who didn't perform is not rewarded. In fact, they have already suffered their punishment. But everybody else in the neighborhood is suffering punishment because that vacant house sits there deteriorating and causing declining house values.

Secondly, it does not punish the homeowner who is in their house making their payments because the truth is, that home owner is hurt more when a foreclosure sits vacant and unsold than it is when that property is taken, bought by a homeowner, reestablished, the lawn is kept, the values are stabilized.

The fact is, we have an obligation at this critical time in our economy to do what we can to stimulate the market to solve our problems, not have a plethora of government solutions to problems. Stimulating the market to go back, absorb these houses, get them back in owner-occupied hands, get them out of REO inventory is precisely what we need to do.

Now, I do not come to this opinion as someone who has no experience; I come to it based on experience 33 years ago, in 1975. I was in the business. The United States had gone through a serious decline in housing. We had a problem. We had a 3-year supply of new houses standing unoccupied on the market. Buyers retreated because they did not know where the bottom was. The economy went down. Everything was in a mess.

Gerald Ford, a Republican President, and a Democratic Congress came to this very floor and introduced a $2,000-a-year tax credit to any family who went and bought one of those standing vacant new houses only—not any house, the standing vacant new houses that were there, the problem houses. They passed the $2,000 tax credit. The market immediately responded. Within the 1-year window of opportunity for that credit, two-thirds of the standing inventory was absorbed, home values stabilized and began to go up, and the economy returned to vitality.

So I ask those who are writing in criticism about a bill rewarding people

who did bad things and punishing people who did it right, they are exactly the opposite; the damage has already been done when the foreclosure has taken place, and the reward is to stabilize neighborhoods for those who are in their homes and paying.

I think the wisdom of the Finance Committee and the Banking Committee to incorporate this provision is an insurance policy that we in Congress can do good things to drive the market, to help solve problems. You hear all those problems about us making payments for people and doing things to take money from one American and give it to another in a time of trouble. That only postpones the inevitable. It does not solve the problem. But stimulating buyers back to the marketplace to absorb those houses that have been foreclosed upon or are pending foreclosure addresses specifically the housing crisis in this country, absorbs specifically the houses that are causing us problems, reestablishes values in our neighborhoods, and stabilizes the values of those people who are in their homes making their payments, doing what is right.

So with all due respect to those who have opined over the weekend, they are absolutely incorrect and wrong in terms of the applications of this credit. It will, in fact, be a boost to the economy, a boost to the housing market, and a stabilizing factor on home values and equities in the United States of America.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Will the Senator yield for a question?

Mr. ISAKSON. I will.

Ms. MIKULSKI. I have a question exactly about not only those headlines but what people have asked me over the weekend. I want the Senator to know, first of all, we value his extensive experience in the real estate field—he was a well-known realtor in his own community—and, of course, his ongoing method of civility in this body.

Here is my question: This is a $7,000 tax credit if you buy a foreclosed home in a neighborhood; is that correct?

Mr. ISAKSON. That is right, $3,500 a year for each of the first 2 years you occupy it as a resident.

Ms. MIKULSKI. Here is the question: There are two houses for sale. One is a foreclosed property and one is a regular homeowner ready to sell. The question I get from non-profits and people is: Is the tax credit going to depress by $7,000 the house that is not in foreclosure? In other words, that it acts as a damper on price, and if you are in good standing, you have a good mortgage but you are ready to sell for whatever reasons, you are putting your house on the market, and next to you is a foreclosed house and that is going to get a $7,000 tax break, they are saying: I am going to have to eat $7,000 to sell my house.

Can the Senator answer that question for me and for all who I think are puzzled about the possible unintended consequences of this tax break?

Mr. ISAKSON. The Senator's question is right on target. My answer to you is not an opinion, it is a statement of what actually happened in 1975. In 1975, there was no demand for housing because the plethora of houses that were on the market that had been foreclosed on that were built new were not being sold. Nobody was in the market. When the $2,000 tax credit was established and those houses began to be absorbed, the housing values stabilized. So there was not a disadvantage to the person who was trying to sell who was in the house, it was actually an advantage.

The disadvantage you have right now is nobody knows where the bottom is. Because foreclosures are taking place, the values are going down. Those values, because of the cost-to-replace method of appraising, which is used by all lenders, decline the value of appraisals of houses that are pending on the market. It is a domino effect that affects everybody. The tax credit, by absorbing those houses that have been foreclosed upon and are vacant and are bringing down values, undergirds the market and raises those values for everyone.

Ms. MIKULSKI. Stick with me.

Mr. ISAKSON. I am here.

Ms. MIKULSKI. Real-world situation. This house is foreclosed, which means it already is going on the market at a depressed value, OK? The consequence of a foreclosure is a melancholy event, not only for the person who is losing their home, but the community feels it could lose a neighborhood. I believe that is the gentleman's point, and it is also a great concern to me. But because the foreclosed house is already depressed, then a $7,000 tax credit comes in. The question is, for the non-foreclosed, I do not understand how the price of the non-foreclosed home is not dampened, and we, ourselves, are helping create a new bottom.

Mr. ISAKSON. Well, two or three points. The first one I made is still the valid point; that is, as those foreclosures are absorbed, values stabilize and go back up, and that supports the values that were there in the neighborhood for the people who are making their payments, not in foreclosure. That is No. 1.

Forget about the tax credit. You ride through any neighborhood where somebody is in a house that is in trouble and look at the sign. It will say ''Drastic Reduction.'' ''Reduced.'' ''Foreclosed Property.'' ''Fire Sale.'' ''Thirty Percent Discount.'' All you have to do is open any newspaper in any urban area in American, and you can read the classifieds and see that today. That is what is doing the terrible damage. That is because those numbers are growing. So if the incentive is to absorb those that have been foreclosed on, then you lessen that downward pressure, you underwrite the house values, and the neighborhoods begin to restore.

Remember this: The tax credit is only good for a year. It is only a finite period of time to drive people to the market in hopes that they will absorb those houses because if they do not, the only way they get absorbed is through deeper discounts because regulators are going to force those lenders to dump them. The deeper the discount, the more depressed values are, and the more difficult it is for anybody to sell their house at a reasonable value.

Ms. MIKULSKI. Well, first of all, I thank the Senator for explaining this. You can understand the origin of these questions. It is not only what I feel, but those working in our communities, those trying to sell homes, they all feel pretty much the same way. But I thank the Senator for answering that question, and we thank him for the expertise he brings to this debate.

Mr. President, what is the parliamentary situation?

The ACTING PRESIDENT pro tempore. The time for morning business is about to expire.

Ms. MIKULSKI. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MIKULSKI. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that morning business be extended for 10 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HOUSING

Ms. MIKULSKI. Mr. President, let me state that we are waiting for Senator DODD to come from the Foreign Relations Committee so that we can report the bill and continue moving on the housing bill.

I have an amendment I wish to offer. I know the Senator from Vermont has a modification. I know the Senator from California also has some things she wants to do on this bill. But while we are waiting for Senator DODD I wanted to say a few things about housing. I want to say a few things about this bill. I have an amendment I wish to offer, but I have a lot on my mind about this housing bill. First of all, I have very serious questions about the bill itself. The original bill that has been brought to the floor takes care of the sharks and the whales, but it does not take care of the little people, the minnows. The Maryland General Assembly did more in their 90 day session that just adjourned than this body has been able to accomplish all year.

When you look at that which will actually help ordinary people work their way out of the foreclosure mess, the legislation is quite Spartan. We lost the bankruptcy provision that would have allowed families to put the pieces back together. The original housing bill had $200 million going to the nonprofit agencies that are working every day with people in those communities to be able to work out their problems. Now, this bill is being held hostage by the other party for more tax cuts we do not need, bigger bailouts for those who do not need them, and it does not help the 8,000 people a day who face foreclosure. We need to improve this bill.

Now, I am so disappointed that Senator DURBIN's amendment to amend the Bankruptcy Code to allow workouts did not occur. I know Senator MURRAY has an amendment to add more money to the front-line groups working with families. I want to thank Senator MURRAY for offering this amendment and I will have a second-degree adding legal help for the already overburdened nonprofit counselors.

I have seen what this housing crisis means, not by reading the Wall Street Journal but by getting out there and talking to my own constituents, holding roundtables on this subject. What we see is that the subprime housing crisis is a code red emergency. Thousands in my State got caught up in schemes and scams. They were not Wall Street speculators we give a bailout to, they are Main Street Americans who need a workout plan.

My State was hit hard, so at these roundtables we talk to the people who were most affected, the people who actually are facing bankruptcy, to get their stories, get a picture book of what is going on, talk to the nonprofits. But we also talked to the brokers and the Realtors and others in their community. I listened and I learned.

So while everybody here wants to talk about the big macropicture, I want to talk about the macaroni-and-cheese issues. I am on the side of the little people. I talked to a police officer who works every day, putting himself in the line of fire. Because he got into a home equity scam and scheme, he is about to lose his home. I talked to a mother, a single mother who thought she was part of the American dream, and now she is part of the American nightmare.

If you listen to the nonprofits, housing people, like St. Ambrose Housing in my own State, they are trying every day to help people work this problem out. What is it that they need? They need a plan to be able to do a workout. That is why the bankruptcy amendment was a big help. It would have enabled people to responsibly work out their problems. But at the same time, those nonprofits are being overwhelmed by the sheer magnitude of the caseload.

When you look in my own State, there are thousands and thousands of bankruptcies. In 2006, there were 3,000 foreclosures in Maryland. But guess what. In 2007, there were 23,000—23,000 Marylanders are in the foreclosure line. The sheer magnitude of the problem these nonprofit organizations—many of whom are faith-based—have to come to grips with to help these families with advice and counseling shows that we are in great difficulty.

This is why I so support Senator MURRAY's amendment to add more financial resources to these nonprofits to bring on the staff. I salute Senator MURRAY because she brings expertise in housing. But where she is a real expert is on people and the suffering people have.

We believe in working with nonprofit organizations that are out there closest to the people to do this. Now, in listening to them, so many of my constituents were steamed and scammed. They faced predatory—predatory—lending procedures. Some people get mugged when they walk down a back alley. Here, they got mugged when they sat down to sign up for their mortgage or their home equity loan. They were mugged big time.

If you are mugged, you get a lawyer. But if you are in foreclosure, you cannot get one. Legal Services barely can help anybody because the means testing means that that for a family of four, if you have an income over $26,500, you cannot get a legal aid lawyer. Well, if you have that kind of income, you were unlikely to be own housing at least in many areas of the country.

But NeighborWorks can offer help. I will offer an amendment later on this morning that will add $37.5 million as a second-degree amendment—$37.5 million to the NeighborWorks effort.

This NeighborWorks will do three things.

First of all, they are going to hire more lawyers and more paralegals to help the counseling groups help people work out of these predatory schemes. Why paralegals? They will maximize the lawyers we already have. They will hire more lawyers, particularly those who are semiretired or those young lawyers eager to build their skills, and so on. NeighborWorks and the experienced lawyers will train them.

It will provide money to legal organizations to train more attorneys in foreclosure law. We have lawyers who want to come forth, but they need their training expenses taken care of.

There are paralegals who are looking to not only work for a law firm but to also work for these nonprofits.

Then for the lawyers in foreclosure law, this would allow them to train counselors in some of the basic foreclosure law.

My amendment, I will offer at a later time, is very simple and very straightforward, but wow is it needed. We need to give help to those who are trying to practice self-help to the people who are in foreclosure, to the nonprofits that are trying to help them, and to the lawyers who are trying to advise them.

Remember, if you were mugged in a back alley, you could have access to a lawyer. But if you were mugged when you sat down for a settlement on buying a home, you are going to be on your own. You know what. We cannot have that. I want to have people feel that we are on their side.

Again, we do not seek bailouts. We seek workouts. We want to be able to help those families be able to restore their financial credit, to be able to work out and stay in their home.

When you have foreclosure on a home, it is a terrible tragedy for the family. But it is also a terrible tragedy for the community. So let's all work together. Let's pass a housing bill that helps those who are in need, those who are losing their home.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Will the Senator withhold the suggestion of an absence of a quorum?

Ms. MIKULSKI. I withdraw my suggestion.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I have sought recognition to comment about an amendment which I have to the housing bill. It is amendment No. 4392. It was discussed last week.

The essence of the amendment would provide authority to the bankruptcy court to deal with variable interest rate mortgages, where we find people have been surprised by the acceleration of obligation. It is illustrated by a mortgage where the monthly payments were $1,079 and then raised to $1,444—an increase which was not expected by the borrower. Another illustration of a variable interest rate mortgage is where the monthly payments were $1,400, which were raised to $1,900 a month.

This would give the bankruptcy courts authority to deal with these changes. Under these circumstances, the borrowers did not know how much the payment would be increased. Frequently, there is misrepresentation, and on some occasions there is even fraud.

This amendment was distinguished from the amendment offered by Senator DURBIN, which would have provided for bankruptcy courts to have authority to modify the principal. That was defeated largely because it would have created a problem for lending in the future when prospective lenders would not have confidence their contracts would be fulfilled.

I was looking for an opportunity to vote on this matter on Thursday afternoon but was called away in my capacity as ranking member on Judiciary because of the absence of any other Republican to preside at that time.

I have talked earlier today with the distinguished chairman of the committee with a request I have an opportunity to vote on this before cloture is imposed, before the cloture vote is taken. I note there are a number of

Senators who have amendments which they wish to offer, and it would be my hope and projection that these amendments would not be foreclosed. Frequently, on this side of the aisle, the point is raised that we will not agree to have cloture to cut off further amendments when our Members have not had an opportunity to present their amendments.

This is a very important bill. The bill is lopsided in favor of Wall Street over Main Street. We have seen the situation with the bailout of Bear Stearns. This bill contains provisions which will help the big guy, so to speak, with the credit for purchases of homes, with the tax credit for those who buy homes in foreclosure, and with the provisions carrying losses forward.

This bill, as noted by Senator DODD, does not adequately take care of the so-called little guy. The amendment which I wish to have voted upon would be a significant move in that direction. So I hope we will have an opportunity to vote on my amendment and to give other Senators an opportunity to present amendments to give better balance to this bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask to speak as in morning business. I might ask the Chair, is the Senate in morning business?

The ACTING PRESIDENT pro tempore. The time in morning business has expired, and the Senator can speak in morning business by unanimous consent.

Mr. BAUCUS. I might ask, Mr. President, if we are not in morning business, then what is the parliamentary situation?

The ACTING PRESIDENT pro tempore. To make a unanimous consent request, that you can.

Mr. BAUCUS. The Chair is assuming my intention, which I will ignore at this moment.

Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HOUSING

Mr. BAUCUS. Mr. President, a Chinese proverb asks: How can one beam alone support a house?

The same can be asked about the housing market. The housing market includes homeowners, home buyers, and homebuilders alike. To support the entire housing market, one does best to support each of its several parts.

That is why I worked with my colleague, Senator CHUCK GRASSLEY, and other members of the Finance Committee to craft the housing tax provisions in the pending substitute amendment. These provisions address the several parts of the housing market. Our legislation would help homeowners, home buyers, and homebuilders. In so doing, our legislation would provide sounder support for the market as a whole. In today's economy, many homeowners are having difficulty paying the mortgage. About 4 percent of first-mortgage debt is delinquent. Another 1 percent is in default.

Last year, nearly 1.5 million homeowners defaulted on their first mortgages. That is up from 900,000 in the year before and 800,000 in the year before that. Defaults and foreclosures have contributed to the decline in housing prices. They have destroyed more than $2.5 trillion in household net worth in the space of a year.

Our legislation would help homeowners with a property tax deduction available for people who do not itemize their tax deductions. This new deduction would alleviate some of the burden of local property taxes, at a time when homeowners are struggling to pay their mortgages.

This new property tax deduction would provide a standard deduction for up to $500 for single filers and $1,000 for joint filers. It would be available to the more than 28 million families who pay property taxes but who do not itemize their deductions. These are middle- and low-income households. These are some of the same families in the housing market who most need relief.

For home buyers, our legislation includes a home buyer credit and mortgage revenue bonds. The home buyer tax credit provides a $7,000 tax credit for the purchase of a home upon which foreclosure has been filed. The tax credit rightfully excludes second-home purchases and rental investments. It focuses on the principal residences of struggling families.

By targeting foreclosed properties, our provision would get families into vacant homes. By targeting homes that are near foreclosure, our credit may steer home buyers to those homes. That may make enough difference to help some families to get out of foreclosure and out of harsh eviction proceedings.

Our legislation also includes mortgage revenue bonds. We would provide an additional $10 billion of tax-exempt private activity bond authority. States could use these bonds to refinance subprime loans, to provide mortgages for first-time home buyers, and to provide multifamily rental housing.

This substantial increase for the States comes at a critical time. States are directly experiencing the effects of the economic downturn. With the financial crisis tightening up lending, this cash can provide much needed financing. That financing will once again help low- to middle-income households.

The subprime mortgage crisis and declining housing sales have forced many homebuilders to lose money. According to the most recent Labor Department report, construction and manufacturing are the hardest hit sectors of the economy. Construction shed 51,000 jobs so far this year, and manufacturing shed 48,000 jobs so far this year.

Construction employment alone is down 182,000 jobs since November. It is down by 356,000 jobs over last year. Overall, the private sector has lost 296,000 jobs over the last 3 months. That is a loss of 97,000 jobs a month.

For homebuilders, our package would allow businesses to carry back losses to profitable tax years. That would help the homebuilders hit the hardest by the housing market crisis. The pending amendment would allow troubled businesses to carry back net operating losses for 4 years, for tax years 2008 and 2009. That would allow them to receive quick tax refunds.

This tax relief would slow losses. These businesses would then have a quick cash infusion to meet payroll and other current expense obligations. We hope this relief would encourage these businesses to rehire some of those workers who have lost their jobs. This provision benefits both employers and employees.

As well, the net operating loss provisions in the pending amendment would allow homebuilders and other distressed businesses to take the book benefit of a net operating loss before claiming the amount on their tax return. This would help distressed businesses to obtain additional financing.

Now, these provisions alone would clearly not solve the housing market woes facing this Nation, but by helping homeowners, home buyers and homebuilders, we would take a significant step in the right direction. No one piece of legislation can solve all of our problems but inaction most certainly will solve none of our problems. That is why we must act. We should bring debate to a close. We should invoke cloture this afternoon. We should pass this much needed tax relief.

Let's not rely on one beam alone to support an entire structure. Let's pass this help for home buyers, homebuilders, and homeowners, and let's provide this much needed support for the housing market.

UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT

Mr. BAUCUS. Mr. President, John F. Kennedy once said: ''Let us not seek the Republican answer or the Democratic answer, but the right answer.''

President Bush has said that he intends to submit the implementing legislation for the United States-Colombia Trade Promotion Agreement. He did so against the will of Congress, and he thus did not seek the right answer. He did not even bother with the Republican or the Democratic answer. The administration simply chose the easy answer. The administration's easy answer is also the wrong answer. It is the wrong answer for American workers. It is the wrong answer for the administration's relationship with Congress. It is the wrong answer for Colombian workers.

The Colombia Trade Promotion Agreement is a good trade agreement

that will level the playing field for America's exporters. It will open the new export market for American products, including Montana beef, wheat, and barley, and it will bolster a close ally in a troubled region.

Expanding trade and supporting Colombia are important priorities. That is why the administration should have handled this agreement the right way. Had the administration sought the right answer, it would have worked harder to support my top priority: American workers. Had the administration not rushed forward with the easy answer, we could have had trade adjustment assistance in place before considering this agreement. We need expanded and effective trade adjustment assistance for America's workers. That is clear. That means ensuring that America's service workers—not just its manufacturers and its farmers—receive the help they need.

Service workers make up 80 percent of our workforce. They have helped to build and support the knowledge-based economy that is the engine of America's growth. They work hard. They deserve our support in return.

Expanded and effective trade adjustment assistance must also cover workers whose jobs have been shipped offshore, not just as a result of trade agreements but others as well. It must raise the health care tax credit to make it affordable and accessible, and expanded and effective TAA—trade adjustment assistance—must double the training funds available to our workers.

Were the administration serious about this agreement, it would not have resorted to the easy procedural answers either. In high school civics class, they teach that the Constitution grants Congress the power to regulate foreign commerce. Congress entrusted this power temporarily—and, I might add, importantly, conditionally—to the administration under something called trade promotion authority; that is, Congress did not write a blank check. By submitting the agreement now and against Congress's will, the administration abuses the power Congress granted it. By forcing Congress to consider this agreement now, the administration offends the trust of Congress and violates the compact that is the essence of fast track; that is, trade promotion authority.

When Congress extended trade promotion authority—or, as people call it, fast track—they did so on the condition that the administration would consult with Congress about the text of proposed agreements before it sent them up. Congress set up an informal markup process to apply before the administration formally sent up the legislation. That informal procedure is very important. It was to be conducted, again, before the administration formally sent up its legislative language. The administration has now completely bypassed that process. Now Congress has no opportunity to affect the language of the proposed agreement. This administration has said: It is my way or the highway.

Procedural checks and balances are the cornerstone of the congressional-executive relationship. It is the cornerstone of trade promotion authority. Democratic and Republican administrations have both respected this cornerstone. But today, this administration shattered this cornerstone. By so doing, they further diminish our trust.

By sending up the implementing bill today; that is, before consultation in the right way, the administration has failed to deliver the right answer for Colombia's workers. Colombia's workers must know that they can safely pursue equality and justice in the workplace, free from the violence that has plagued Colombia in the past.

The Colombian Government has made great strides in this area. The enforceable labor provisions in the United States-Colombia trade agreement are a critical step to ensuring further progress. We must make sure the Colombian Government takes these obligations seriously. They must show that these obligations are not just paper promises.

The normal congressional fast-track process of hearings and formal markups—which the administration has short-circuited—is an important time for Congress to air concerns, exercise its leverage. It allows Congress to ensure that the Colombian Government is committed to prosecuting labor violence. These hearings are important to accomplish that objective. It gives us real leverage to seek commitments from the Colombian Government and the administration to create a work environment in Colombia grounded in law and backed by action. It also allows Congress the chance to help the Colombian Government, through funding provisions included in the implementing bill, to create an environment where those who seek a better life through employment can flourish. Short-circuiting the process and forcing a premature vote on a trade agreement does nothing to help Congress accomplish these goals.

The President's unprecedented handling of the United States-Colombia Free Trade Agreement raises extraordinary questions about how we can move this agreement forward. For America's workers, for the relationship between Congress and the President, for the Colombian people, Congress must now find answers. Finding the right answer has never been easy. By submitting this agreement as it did and when it did, the administration has sought the easy answer, but in the end, the administration has simply made it harder to find the right answer.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, last week, I tried and failed to introduce an amendment which essentially would set minimum standards, minimum Federal standards for—I see the chairman of the committee has just come in, so if I might wait for a moment and see what he wishes to do. May I note the absence of a quorum for a moment, please.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak as in morning business until the managers of the legislation wish to proceed.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEMPHIS TIGERS

Mr. ALEXANDER. Mr. President, I thank the Senator from Montana especially.

There is sorrow in our Bluff City on the Mississippi River and across Tennessee today because the noble University of Memphis Tigers lost last night to Kansas in the finals of the NCAA National Championship basketball tournament. But there is also reason for great pride. The ebullient John Calapiari and his team gave Memphis a new source of pride and the sport a season to remember, winning more games than any college basketball team ever has. Years from now, fans will be talking about the magical Douglas-Roberts, the indomitable Dorsey, the ubiquitous Anderson, the reliable Dozier, the explosive Rose, and the super sub Taggart. They have given fans a great year. They have helped unify Tennessee's largest city. They should hold their heads high as we look toward next year.

HOUSING

Mr. ALEXANDER. Mr. President, yesterday I made a few remarks about an amendment Senator KYL and I have offered to an Ensign-Cantwell amendment, and today I wish to place in the

CONGRESSIONAL RECORD a couple of documents.

In May 2007, I requested that the Energy Information Administration conduct a study of Federal subsidies of electricity, including a comparison of subsidies for different fuel types. Last week, I received a 250-page study in response to my request.

I ask unanimous consent to have printed in the RECORD the following: a copy of my May 17, 2007, letter to the EIA Administrator, Guy Caruso; a copy of the April 2, 2008, cover letter from Mr. Caruso that arrived with the EIA's 250-page study; and finally, a table titled ''Federal Subsidies of Electric Power'' that is based on information that was included in the executive summary of EIA's study.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, May 17, 2007.

Hon. GUY CARUSO,
Administrator, U.S. Energy Information Administration, Washington, DC.

DEAR MR. CARUSO: I am writing to request that the Energy Information Administration (ETA) conduct an analysis of federal subsidies of the electricity industry, including a comparison of subsidies for the different fuel types (e.g., coal, natural gas, petroleum, nuclear, wind, solar, etc.). I am interested in learning—for each fuel type—both (1) the overall annual cost of those subsidies, and (2) the annual cost per unit electricity generated (e.g., cost per kilowatt-hour). My staff is familiar with the EIA report Federal Financial Interventions and Subsidies in Energy Markets 1999: Energy Transformation and End Use and understands that this new analysis will serve as an update of significant portions of this prior analysis with a focus on subsidies available to electricity and primary fuels used in electricity generation.

To expedite its completion, the analysis should be limited to subsidies provided by the federal government, those that are energy-specific, and those that provide a financial benefit with an identifiable federal budget impact. Broad policies or programs that are applicable throughout the economy need not be considered. The analysis should include the following types of subsidies: tax expenditures (such as deductions, credits, and loan guarantees); direct expenditures (such as direct grant programs and the Low Income Home Energy Assistance Program); federal research and development programs targeting electricity and its fuel inputs; and federal electricity programs (such as support for the Bonneville Power Administration).

The report should include an estimate on the size of each subsidy over a recent, representative year. Where there has been a significant change in the amount or scope of a particular subsidy since the 2000 report, it would be useful for the report to provide an explanation for the change. If a valid methodology can be developed, a forecast of subsidy impacts would be very informative as well. To be most helpful, I would appreciate it if the report could be completed by November 30, 2007.

Thank you for your assistance with this matter. If you have any questions, please contact Mr. Jack Wells of my staff.

Sincerely,

LAMAR ALEXANDER.

DEPARTMENT OF ENERGY,
Washington, DC, April 2, 2008.

Hon. LAMAR ALEXANDER,
U.S. Senate,
Washington, DC.

DEAR SENATOR ALEXANDER: In response to your letter of May 17, 2007, I am providing the enclosed analysis of Federal subsidies and support for energy markets, with emphasis on the electricity industry. The analysis includes a comparison of per unit subsidies for the different fuel types used to generate electricity. I hope you will find this analysis to be of assistance.

Should you have any questions, please contact me, or your staff may contact Scott Sitzer, Director of the Office of Coal, Nuclear, Electric and Alternate Fuels.

Sincerely,

GUY F. CARUSO,
Administrator,
Energy Information Administration.

FEDERAL SUBSIDIES OF ELECTRIC POWER

	($/Megawatt-Hour)
Coal	0.44
Refined Coal	29.81
Natural Gas & Petroleum Liquids	0.25
Nuclear	1.59
Biomass (and biofuels)	0.89
Geothermal	0.92
Hydroelectric	0.67
Solar	24.34
Wind	23.37
Landfill Gas	1.37
Municipal Solid Waste	0.13
All Renewables (subtotal)	2.80
All Sources	1.65

Mr. ALEXANDER. Mr. President, I ask through the Chair whether there is more time or whether the Chair would like to reclaim the time.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Mr. President, I am not managing this part of the bill. I think Senator DODD is talking to Senators. They are working out some provisions, so if he wants to proceed until they work it out.

The ACTING PRESIDENT pro tempore. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, perhaps I will proceed with my statement on morning business, and then, when we return to the bill, I wish to call up the amendment.

Is that agreeable to the Senator from Tennessee?

Mr. BAUCUS. Mr. President, I ask how much time the Senator from Tennessee would like to speak. If it is a short amount of time——

Mr. ALEXANDER. Mr. President, if it is agreeable with the other Senators, I ask unanimous consent for 4 minutes, to be followed by the Senator from California.

Mrs. FEINSTEIN. Reserving the right to object.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DODD. Reserving the right to object, Mr. President.

Ms. MIKULSKI. Everybody is trying to extend morning business while we are waiting.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee has requested unanimous consent to speak for up to 4 minutes as in morning business.

Mr. DODD. I have no objection.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

IRAQ WAR UPDATE

Mr. ALEXANDER. Mr. President, today General Petraeus comes to the Senate. I suggest that we listen to the General. When he reported to the Senate last September, some Senators were unwilling to listen. One even said that she thought that in order to believe the reports from Iraq it required a willing suspension of disbelief.

Let us remember what has happened since then. I can remember last August visiting with General Petraeus in Baghdad. I handed him a paper that said: It is time for a new strategy in Iraq. I had been urging President Bush and the Senate to adopt the Iraq Study Group recommendations. In my view, what General Petraeus has done since that time has been to adopt the Iraq Study Group recommendations with some amendments.

We are acknowledging that it is time to shift the mission from combat to support, province by province. We are acknowledging that there will be a long-term presence of the United States in Iraq, but as General Petraeus said, it is steadily diminishing. We are acknowledging that this is an important step-up in diplomatic and political efforts.

As General Petraeus and Ambassador Crocker speak today, the questions we should ask are: What progress are we making down this new path to bring this war to a successful conclusion? Second, now that there is widespread agreement that there has been success since last summer with an American-led military surge, what are the prospects for an Iraqi-led political and diplomatic surge, letting the Iraqis invite their neighbors to embassies in Baghdad, reconciling their differences among themselves, and paying for more of their own bills?

So instead of suspending our disbelief, let's listen to the General and to Ambassador Crocker, acknowledge the progress they are making and make it easier for them to progress on the diplomatic and political fronts.

I thank the managers of the bill for their courtesy.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DODD. Mr. President, what is the pending business?

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

NEW DIRECTION FOR ENERGY INDEPENDENCE, NATIONAL SECURITY, AND CONSUMER PROTECTION ACT AND THE RENEWABLE ENERGY AND ENERGY CONSERVATION TAX ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 3221, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3221) moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

Pending:

Dodd/Shelby amendment No. 4387, in the nature of a substitute.

Sanders amendment No. 4401 (to amendment No. 4387), to establish a national consumer credit usury rate.

Cardin/Ensign amendment No. 4421 (to amendment No. 4387), to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of a principal residence by a first-time homebuyer.

Ensign amendment No. 4419 (to amendment No. 4387), to amend the Internal Revenue Code of 1986 to provide for the limited continuation of clean energy production incentives and incentives to improve energy efficiency in order to prevent a downturn in these sectors that would result from a lapse in the tax law.

Alexander amendment No. 4429 (to amendment No. 4419), to provide a longer extension of the renewable energy production tax credit and to encourage all emerging renewable sources of electricity.

Nelson (FL)/Coleman amendment No. 4423 (to amendment No. 4387), to provide for the penalty-free use of retirement funds to provide foreclosure recovery relief for individuals with mortgages on their principal residences.

Lincoln amendment No. 4382 (to amendment No. 4387), to provide an incentive to employers to offer group legal plans that provide a benefit for real estate and foreclosure review.

Lincoln (for Snowe) amendment No. 4433 (to amendment No. 4387), to modify the increase in volume cap for housing bonds in 2008.

Landrieu amendment No. 4404 (to amendment No. 4387), to amend the provisions relating to qualified mortgage bonds to include relief for persons in areas affected by Hurricane Katrina, Rita, and Wilma.

Sanders amendment No. 4384 (to amendment No. 4387), to provide an increase in specially adapted housing benefits for disabled veterans.

Murray amendment No. 4478 (to amendment No. 4387), to increase funding for housing counseling with an offset.

Mr. DODD. What is the pending amendment, Mr. President?

The ACTING PRESIDENT pro tempore. The Murray amendment.

Mr. DODD. The Senator from Maryland wishes to speak.

The ACTING PRESIDENT pro tempore. The Senator from Maryland is recognized.

AMENDMENT NO. 4494 TO AMENDMENT NO. 4478

Ms. MIKULSKI. Mr. President, I call up amendment No. 4494.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI] proposes an amendment numbered 4494 to amendment No. 4478.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To make additional funds available to the Neighborhood Reinvestment Corporation to increase legal assistance available to homeowners at risk of foreclosure and assistance to community organizations working to preserve homeownership and prevent foreclosure, with an offset)

In lieu of the matter proposed to be inserted, insert the following:

SEC. _____.

Notwithstanding any other provision of this Act, the amount appropriated under section 301(a) of this Act shall be $3,862,500,000 and the amount appropriated under section 401 of this Act shall be $237,500,00: Provided, That, of amounts appropriated under such section 401 $37,500,000 shall be used by the Neighborhood Reinvestment Corporation (referred to in this section as the ''NRC'') to (1) make grants to counseling intermediaries approved by the Department of Housing and Urban Development or the NRC to hire attorneys trained and capable of assisting homeowners of owner-occupied homes with mortgages in default, in danger of default, or subject to or at risk of foreclosure who have legal issues that cannot be handled by counselors already employed by such intermediaries, and (2) support NRC partnerships with State and local legal organizations and organizations described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of that Code with demonstrated relevant legal experience in home foreclosure law, as such experience is determined by the Chief Executive Officer of NRC: Provided further, That for the purpose of the prior proviso the term ''relevant experience'' means experience representing homeowners in negotiations and or legal proceedings aimed at preventing or mitigating foreclosure or providing legal research and technical legal expertise to community based organizations whose goal is to reduce, prevent, or mitigate foreclosure: Provided further, That of the amounts provided for in the prior provisos the NRC shall give priority consideration to counseling intermediaries and legal organizations that (1) provide legal assistance in the 100 metropolitan statistical areas (as defined by the Director of the Office of Management and Budget) with the highest home foreclosure rates, and (2) have the capacity to begin using the financial assistance within 90 days after receipt of the assistance.

Ms. MIKULSKI. Mr. President, I spoke earlier about the compelling need for this amendment. It would add money to NeighborWorks to be able to help them add more legal staff to help people workout a plan to stay in their homes. This amendment adds $37.5 million to the bill for the NeighborWorks Program to do three things: Help counseling groups hire more attorneys and paralegals to help with the foreclosure crisis, it would also provide money to legal organizations to train more attorneys and paralegals in foreclosure law, and also hire the people to train counselors and nonprofit groups in basic foreclosure law to help people do their workouts.

Many of my constituents and also constituents nationwide were victims of predatory lending practices, schemes, and scams. It is because of the complexity of dealing with these foreclosure increases that nonprofit counseling organizations need more legal help. That is why I am offering this amendment. It is to help those trying to have workouts to their foreclosure problems, while we are giving considerable bailouts to the people who caused the problem.

This is a second-degree amendment to the Murray amendment. I know it will be considered at the appropriate time.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont is recognized.

AMENDMENT NO. 4401, AS MODIFIED

Mr. SANDERS. Mr. President, I seek recognition to modify Sanders-Durbin amendment No. 4401, and I send the modification to the desk.

The original amendment I offered would cap all interest rates on consumer loans using a similar formula that Senator D'Amato used when he offered an amendment to cap interest rates on credit cards in 1991.

Mr. President, I call for the regular order with respect to the amendment.

The ACTING PRESIDENT pro tempore. The amendment is standing.

Mr. SANDERS. Mr. President, that amendment passed on the floor by a vote of 74 to 19. The modification I have sent to the desk would only cap interest rates on mortgages insured by the Federal Housing Administration. If this amendment were in law today, interest rates for mortgages insured by the FHA could be no higher than 14 percent, which is 8 percentage points above what the IRS charges to income tax deadbeats.

The reason I am modifying this amendment is because if cloture is invoked on this legislation, capping interest rates on all consumer loans would not be germane. But capping interest rates on mortgages insured by the FHA would be germane to the underlying bill. In the future I will have more to say about this amendment. That is where we are.

The ACTING PRESIDENT pro tempore. The amendment is so modified.

The amendment, as modified, is as follows:

(Purpose: To establish a maximum rate of interest for loans insured under title II of the National Housing Act, and for other purposes)

On page 6, between lines 13 and 14, insert the following:

(c) MAXIMUM INSURED MORTGAGE LOAN RATE.—Notwithstanding any other provision of law, the annual percentage rate applicable to any loan that is insured under title II of the National Housing Act may not exceed by more than 8 percentage points the rate established under section 6621(a)(2) of the Internal Revenue Code of 1986.

AMENDMENT NO. 4485

Mr. SANDERS. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up Sanders amendment No. 4485.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. SHELBY. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. SANDERS. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from Pennsylvania.

AMENDMENT NO. 4392

Mr. SPECTER. Mr. President, I have sought recognition to discuss with the chairman of the committee the status of the bill and the pendency of my amendment No. 4392. This is a very important amendment which would give relief to homeowners with variable rate mortgages where there is foreclosure action, where they suddenly find the monthly payments increased unexpectedly from as much as $1,400 to $1,900, which they cannot afford and then their house goes into foreclosure. The borrowers do not understand that, and frequently there is misrepresentation, fraud.

This amendment differs markedly from the Durbin amendment, which was defeated, which would have had a serious impact on the availability of lenders to put up money if there is undue interference with the contractual rights.

This amendment protects the homeowners. It does little harm to the fluidity of the availability to get loans.

We are moving toward a cloture vote at 2:30 p.m. By all indications, cloture is going to be invoked, although I intend to fight it, to talk about it in the caucus which will be held in a few minutes.

On the Republican side, we talked about denying cloture in order to give Members an opportunity to have their amendments heard and voted on, and I intend to press that issue. I was prepared to vote on this amendment last Thursday, when I was taken from the floor to go to a Judiciary Committee hearing because the expectation of another Republican covering it was not fulfilled. So I had to go over to the hearing as ranking member because we had a number of nominees in the Judiciary Committee hearing. Now I find we are moving to cloture, and there is no opportunity for a vote.

In my judgment, that is not the way this place ought to operate. I know the chairman of the committee is bound by leadership decisions, but I hope we can find a way to get a vote on this amendment. I know there are other Members who have amendments who want votes.

May I ask the chairman for a response?

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. DODD. Mr. President, let me say to my colleague from Pennsylvania, I appreciate the substance of the idea he has offered and, of course, the amendment by Senator DURBIN as well. I will not belabor my colleagues with the history of why it is that provision exists.

There were about 10 or 12 of us who strenuously objected to the bankruptcy reform bill. So I had problems with that bill across the board. I will not go into all that here. Let me try and frame this again.

The majority leader, back about a week or so ago, talked with the Republican leader about the possibility of us breaking this logjam that existed, where nothing could even be debated on the housing issue. So the idea was Senator SHELBY and myself were designated by our respective leaders to try to come up with a consensus package of ideas, one Republicans and Democrats, by and large, could support to come out with as a core, and from that other amendments would be offered and added along the way, and if there was consensus, we would try to add those.

It is a complicated process, but it was the only way we were going to move beyond the gridlock that was allowing no debate whatsoever.

I am in the position, obviously, of trying to accomplish what our leader is trying to achieve—and he should and I applaud him for it—of trying to get us moving on this issue. We are losing 8,000 people a day in foreclosure and the country and the economy is suffering terribly and we were in gridlock on this issue.

There are some very meritorious ideas. Those who have been in this position of managing legislation, of trying to get it through, know from time to time you are confronted with substantively agreeing with what a colleague is offering but find yourself in the position of where, to move the product along, you do not agree at that particular time to deal with the issue for a variety of reasons.

Mr. SPECTER. Mr. President, will the Senator yield for a question?

Mr. DODD. Let me finish the thought. The idea is we are watching the legislation, quite candidly, because it is a tax bill, with which Senator GRASSLEY and Senator BAUCUS are dealing. All of a sudden, we found ourselves dealing with other issues. That is not to say this is one. This is one that could clearly relate to the subject matter. There are others dealing with energy policy and the like. It is one of the few vehicles that may move. So I understand the frustrations people may have about putting something on this bill.

The fact is, we could be here endlessly and fail to get a housing bill—albeit short of what I would like or others would like—to get us to a conference with the House to do something about this issue. We can stay the rest of this week or next week and debate a variety of amendments or try to get moving to get something accomplished.

That, I believe, is the motivation behind the majority leader, and I will let Senator SHELBY talk for the minority leader. That is the general thought. That is not to suggest these other ideas do not have merit or do not have value, including the idea promoted by the Senator from Pennsylvania. There is a reason why the leadership is responsible for trying to move product through here that may not include every idea everyone has that they would like to see added to legislation.

My hope is cloture will be invoked, that we can go forward, and there can be amendments in postcloture, and if they are germane and deal with the issues at hand, then we will try to accommodate them and, where we have consensus, add them and come to some closure and move forward.

This is not the end of the debate. This is not the end of ideas. We will have hearings this week in the committee. We have proposals we are going to bring up in our committee in markup in the next couple weeks, and we will be back on the floor with other ideas directly related to this subject matter. We are merely trying to move this subject along to achieve some of the results involved.

I admire what the Senator is trying to do. He and I have worked on a lot of issues over the years and certainly this idea. As my colleague from Alabama knows, when Senator DURBIN's amendment was offered, I told my colleagues this is one area where I am going to be supportive of that effort to deal with primary residences.

I agree with what my colleague wants to achieve, but there are other considerations we are trying to accomplish with this legislation.

I will be happy to respond to a question.

Mr. SPECTER. Mr. President, the problem with the argument by the chairman is that looking to the future, the reality is that nothing will happen. It is a long way from the representation, which I know the chairman makes in very good faith, to have a bill come out of committee and come back to the floor, in light of what has happened on the calendar. It is just that the chances are so small, it cannot remotely be relied upon.

When the chairman makes the comment about postcloture germaneness, the Senate rules on what is germane are so arcane as to be un-understandable, just un-understandable. Here we have a housing bill. What could be more material to a housing bill when foreclosures are happening across the country as we speak? The Senator from Connecticut comments about the high rate of foreclosures, and this is an amendment which seeks to stop the foreclosures, and it seeks to stop the foreclosures where the lender has provided an instrument, which is a variable rate mortgage, that the borrower does not understand; it has not been explained; there are probably misrepresentations in many cases and probably fraud in many cases. That is why this amendment opens up the court to make a determination of that.

It does not impede upon the fluidity of the market and the availability of capital, such as the Durbin amendment did, which changed the principal sum.

The legislation which is coming out of the Congress and what is happening on the administration is very heavily tilted to Wall Street and not to Main Street. Those are the expressions. It is the little guy who is not being taken care of.

I have admired what the Senator from Connecticut has had to say about that. This bill is imbalanced—a bailout of Bear Stearns but you cannot protect the borrower who has a variable rate mortgage which he did not understand, where the rates have ballooned and he is being foreclosed. That is not fair, and that is not right.

This bill is not balanced. It has a loss carried forward, which I think is a good provision, but that does not help the little guy. It has a tax credit for somebody who buys a house where the mortgage is in foreclosure, but that does not keep the homeowner in the house. I don't think the Senate ought to move ahead. This is not half a loaf, this is a crumb. This bill is a crumb.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. DODD. Mr. President, I have been notified that at least one Member, on the side of my good friend from Pennsylvania, will object to any process going forward. So maybe he can spend some time in his conference lunch to convince some of his colleagues to be more supportive of some of these ideas.

This is not a crumb, let me say to my colleague from Pennsylvania. The idea we are modernizing the FHA is critically important. The fact we have money in here for disclosure, we have resources for counseling, the fact we are getting resources back to the States, $4 billion to assist them as they try to deal with the problems in their local communities, the fact we are providing some tax support for people to move into foreclosed property so we don't add to the supply is critically important as well. These are some very solid ideas.

There are some provisions in the bill, I will be the first to admit, frankly, had I written this all by myself without having to deal with other people who care about some of these issues, I would not have included.

This is far more than a crumb in terms of trying to deal with this issue. More needs to be done, but the suggestion somehow that the community development block grants, counseling, disclosure, and modernization of the FHA and raising loan limits and the like are insignificant is to fail to understand what is in this bill.

More can be done, I do not disagree. But the suggestion that what we have done falls into that category is a vast exaggeration in terms of what we have been trying to accomplish, and more will be done with this issue as well.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, metaphors are meant to be extreme. We cannot quantify a crumb as opposed to a loaf of bread. But no one would say this is half a loaf. The criticism of this bill has largely come from the chairman of the committee who has said it does not go far enough.

Mr. DODD. Agreed.

Mr. SPECTER. When we have foreclosures across the country on variable rate mortgages and no action is being taken to deal with them—let me ask the Senator from Connecticut: If we consider the action which has been taken by the Fed on Bear Stearns and otherwise and we consider what this legislation is, isn't it significantly out of balance between Main Street and Wall Street?

Mr. DODD. Mr. President, I say to my colleague from Pennsylvania, what was done in the Bear Stearns-JPMorgan Chase issue, I would argue alternatives may have been available. In the final analysis, what was done that Sunday night to allow the merger of Bear Stearns with JPMorgan Chase—and this is the conclusion, I think, unanimously of our committee, having had a hearing on it—was probably the right decision, given the alternative of bankruptcy of Bear Stearns and what could have happened on that Monday had the action not been taken by the Fed, the Treasury, and the New York Fed. That is one separate issue. It is a legitimate point to say, shouldn't we do something where we can help out communities and individuals and to get this economy moving in the right direction.

I made that case for a year now, not just in the wake of Bear Stearns. We had our first meetings on this matter in March of last year trying to get something done. I am not going to take a backseat to anyone who discovered this issue in the last couple days and how much they care about it. I have been at it for 13 months, trying to get things moving in this area.

We are doing some things here. My colleagues know very well what objections there have been to doing anything in this area: Let the market take care of it; the problem has been contained; no further problems. Quite the contrary. We are now down to the business of doing something about it, and I regret we are not accommodating everyone on every idea they have the moment they want it considered.

We are doing our best, Senator SHELBY and I and members of the committee, to come out with something. Four weeks ago, we couldn't do what we are doing now. We couldn't even debate the issue, I say to my colleague from Pennsylvania.

I am suggesting to the Senator from Pennsylvania this bill does a lot more than provide crumbs. It goes to the heart of very significant issues that need to be dealt with. There are other matters that need to be dealt with.

As my colleague knows, I agree with him about what bankruptcy courts can do with primary residences. I also understand the history of the seventies, why that provision was included, but I believe the times have changed, and under this fact situation, we ought to allow a bankruptcy judge to be able to modify that agreement to allow that individual to stay in their home.

I thought Senator DURBIN was right with his idea. The Senator from Pennsylvania has a more modest idea in this area and may attract a few more votes than the 36 we got with Senator DURBIN's amendment. So I am willing to support that, but the idea of trying to come to some closure is also important so we can move on, get with the House, resolve some of these matters, and come back. That is what this chairman is trying to accomplish. That is what we were doing last week when we were directed to do so by the leaders of our respective parties.

Mr. SPECTER. Mr. President, a final word. I don't disagree with what the chairman has had to say about what was done with Bear Stearns. I think we are all opposed—I certainly am opposed—to bailouts when highly sophisticated Wall Street operators are looking for big profits and their judgment is bad and they lose money. They ought not come to the taxpayers for a bailout. I do recognize the situation with Bear Stearns could have had a domino effect, which could have been devastating. So I don't disagree with that action.

I am not going to retreat from my crumb metaphor, but let the record show that on the question to the chairman as to whether there was not substantial imbalance between what has happened with the Fed and what is happening with proposals in the Congress, substantial imbalance between Wall Street and the Main Street, the chairman did not deny that, did not deal with it.

Let me close with a question, if the chairman would give favorable consideration to my amendment when he reconvenes the Banking Committee and take up this issue in the future.

Mr. DODD. Mr. President, we will be happy to consider it. It is a matter

under the proper jurisdiction of the Judiciary Committee, of which the Senator is a member, and it is not in the jurisdiction of the Banking Committee. That is one of the other issues we face. If he is unable, as a leading member of that committee, as a former chairman of that committee, to have that adopted by his committee and come forward, we certainly would consider it.

I point out we only had 36 votes for the Durbin amendment. I regret that. We only had 12 of us who opposed the bankruptcy reform bill for 6 years around here. Those matters we widely endorsed and supported, including the efforts, as my colleagues may recall, that I tried to do with credit card companies that are gouging the public on a daily basis. So I will take a back seat to no one in my determination to get far better reforms out of the bankruptcy proceedings in the country, and we will certainly do our best. But I want to be realistic with my colleague as well. Unfortunately, the Senator from Pennsylvania and I don't represent a majority in this body when it comes to that issue. The realities are that we only have about half of us who seem to agree with the two of us on this matter.

Mr. SPECTER. Mr. President, if the Judiciary Committee did report out the Durbin amendment favorably, and my amendment on a second degree was defeated along party lines, it is true there is primary jurisdiction in the Judiciary Committee. But when this matter comes up before the Banking, Housing and Urban Development Committee, these ideas could be incorporated, and I would urge my colleague to do just that.

Mr. DODD. I thank my colleague. I know there have been a number of other amendments, Mr. President, and I have just been informed that objection will be expressed on every amendment, I guess, that is being offered by a Member of the other side on this matter. So I would inform my colleagues where we stand procedurally.

We are going to have our caucus luncheons where, I am sure, this will be the subject of some discussion as we try to move forward, but, again, I thank Senator REID, the majority leader. He has a thankless job when it comes to these issues, and he asked Senator SHELBY and I to try to do our best to come up with a consensus package. Granted, now the subject matter has become of great interest to everyone, and it should, and we have tried to do just that, to put together a consensus package—not an easy thing to accomplish in this body, but we tried to do that. Again, we will try to move forward with other ideas that we can incorporate through our committee and others.

Mr. President, the Senator from Arkansas wants to be heard on this matter as well, and I thank her for her patience.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mrs. LINCOLN. Mr. President, do I need to ask unanimous consent for more time?

I ask unanimous consent to extend the time for an additional 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. LINCOLN. Mr. President, I apologize to my colleagues. I know I am taking up time now when folks are ready to leave and do other things and then come back, but I do feel strongly about this amendment and I just wanted to voice my concerns.

This is an amendment that Senator SMITH and I are offering, along with Senator SNOWE and many others—Senators KERRY, STABENOW, LEVIN, SCHUMER, KENNEDY. It is a good amendment, and it will encourage our employers to provide group legal service benefits with an emphasis on real estate counseling for their employees. This is something which group legal service plans—which have been around since the 1970s—were intended to do and exactly what the Center for Responsible Lending said should be one of our top priorities in this effort in dealing with the housing crisis. We should be encouraging and incentivizing preventive legal services.

What the center had cited increasing are those incentives for mortgage counseling legal services. It is a key policy recommendation for dealing with what we find ourselves in now—the crisis situation we are in. Borrowers need affordable and available legal review of mortgages, mortgage-related documents, and financing and loan modifications. These are complex transactions and sometimes, oftentimes, folks in States such as Arkansas and Montana have nowhere else to go. Legal services provide them that kind of proactive involvement in making sure they are making the right decisions.

We should be giving the average American homeowner access to that legal advice so he or she can feel confident in the mortgages they are getting into, so that when, if, unfortunately, God forbid, things do go wrong, they can receive advice about their rights and responsibilities and what they are dealing with in foreclosure, what options are available to them in dealing with these crises.

This is a good addition to this bill. It is positive. It is all of what we have been talking about that we need. It is consumer friendly. It is something we have used in this country. Unfortunately, section 120 of the Internal Revenue Code has lapsed. That section of the code was intended to provide the tax incentives so that our employers could set up and offer group legal service plans. Since it has lapsed, virtually no new group legal benefit plans have been created, and many employers are dropping those that do exist.

So I would encourage us all to look at what we are trying to accomplish in this bill; not to just throw things overboard because somebody else didn't get what they wanted, but that we look at what we are trying to do for the American people. We should encourage these plans that provide our working Americans with access to legal advice. They review those mortgage documents, they assist those individuals in working with the lender to modify those loans, creating forbearance agreements and assistance in the restructuring of loans, and it provides that much needed counseling in foreclosure litigation when it is needed.

I thank Chairman DODD and the ranking member, Senator SHELBY, for their patience because I know they see all of us in these frantic modes of wanting to improve the bill and wanting to provide something that we know has been beneficial to the people we represent, and we know it can be beneficial again, and this is the appropriate place to put it.

So I just encourage that working through legal services, particularly in rural States such as mine, it is one of those places where people have to go. They do have the confidence of going to their neighbor, their country lawyer, and being able to get those services. They may not have a big, huge housing agency they can go to for the kinds of counsel they need, and these are good services that have proven themselves in years passed. Yet we find that employers cannot afford to provide them because we have lost that section in the Internal Revenue Code.

So I do thank all my colleagues who have cosponsored this amendment. We have worked on this for quite some time. I say a big thanks also to the groups that have endorsed our amendment—the American Bar Association, the American Prepaid Legal Services Institute, the International Union, UAW, AFSCME, and the laborers. So many different groups realize hard-working Americans who get caught in these circumstances need this kind of assistance.

I thank the Chair for his indulgence, and certainly my colleagues, the chairman, and the ranking member for trying to work with us. And I guess, Mr. President, and Mr. Chairman, my only option is to ask for a unanimous consent; is that correct? Is there something we can work through? Can I ask unanimous consent for regular order with respect to my amendment?

The ACTING PRESIDENT pro tempore. The amendment is not in regular order.

Mrs. LINCOLN. Mr. President, I ask my colleagues to take every consideration as they move forward in putting together this bill; that if there is any possible way we can work through making sure these individuals who really have nowhere else to go will be able to have the types of services they are used to having in years passed, and providing the incentives the employers need in order to be able to provide those services because they are clearly not providing them now. It is not something small businesses can do.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. DODD. Mr. President, I will ask for 2 additional minutes, if I can, to respond to my colleague from Arkansas.

First of all, I agree with her totally about the value. Over the many years I have been a long-time supporter of these legal services offices and the job they do on behalf of people all across the country, particularly in rural America, and the difference they make. So I am in complete agreement with her about the value of this approach.

I would inform her that the regular order would be asking consent, after cloture has been invoked, to bring up the matter she wants to bring up. It is a tax matter and one that would require the consent of the chairman of the Finance Committee and the ranking member. So it is a matter where we are leaving it up to that jurisdiction to respond. So I want to be careful. I don't know how Senator BAUCUS feels about that. I don't want to put words in his mouth at all. I suspect he has the same sort of reaction as I do, and it is a positive one.

I am grateful for my colleague's understanding the situation we are in, trying to accommodate as many ideas as we can and to move from here to the next stage and deal with other aspects of the legislation. We couldn't have gotten here without the majority leader insisting, and really with the minority leader, to come together and allow us to bring up this package. So there are a lot of very good ideas and ones I applaud and welcome, but in the interest of trying to move forward, we are not going to be able to accommodate all of them.

I am not suggesting that will happen in this case, but I again appreciate her recognition that what we are trying to accomplish and deal with here is difficult. It is serious. As she points out, we have a lot of people suffering every single day—I have been making that case for 12 months—and we haven't been able to have a debate about this subject until last week. So to the extent that we have gotten that far along, that is some achievement.

I hope now that we are in the debate we can do some valuable and worthwhile works that will make a difference, and her suggestion contributes to that. So my hope is we will be able to accommodate this in the package as well.

Mrs. LINCOLN. I thank the chairman for his comments, and I certainly want to express this is a time-appropriate solution to the problems that exist, and I hope we will give every consideration to it.

I thank the Chair.

RECESS

There being no objection, the Senate, at 12:42 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

Mrs. FEINSTEIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NEW DIRECTION FOR ENERGY INDEPENDENCE, NATIONAL SECURITY, AND CONSUMER PROTECTION ACT AND THE RENEWABLE ENERGY AND ENERGY CONSERVATION TAX ACT OF 2007—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the substitute amendment No. 4387 to H.R. 3221.

Christopher J. Dodd, Harry Reid, Mark L. Pryor, Max Baucus, Charles E. Schumer, Patty Murray, Claire McCaskill, Patrick J. Leahy, Daniel K. Akaka, Ken Salazar, Sherrod Brown, Bryon L. Dorgan, Evan Bayh, Edward M. Kennedy, Jon Tester, John F. Kerry, Bill Nelson.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on amendment No. 4387, offered by the Senator from Connecticut, Mr. DODD, to H.R. 3221, shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Colorado (Mr. ALLARD) and the Senator from North Carolina (Mrs. DOLE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 92, nays 6, as follows:

[Rollcall Vote No. 93 Leg.]

YEAS—92

Akaka	Coleman	Hutchison
Alexander	Collins	Inouye
Barrasso	Conrad	Isakson
Baucus	Corker	Johnson
Bayh	Cornyn	Kennedy
Bennett	Craig	Kerry
Biden	Crapo	Klobuchar
Bingaman	Dodd	Kohl
Bond	Domenici	Landrieu
Boxer	Dorgan	Lautenberg
Brown	Durbin	Leahy
Brownback	Ensign	Levin
Burr	Enzi	Lieberman
Byrd	Feingold	Lincoln
Cantwell	Feinstein	Lugar
Cardin	Graham	Martinez
Carper	Grassley	McCain
Casey	Gregg	McCaskill
Chambliss	Hagel	McConnell
Clinton	Harkin	Menendez
Cochran	Hatch	Mikulski
Murkowski	Salazar	Tester
Murray	Sanders	Thune
Nelson (FL)	Schumer	Vitter
Nelson (NE)	Sessions	Voinovich
Obama	Shelby	Warner
Pryor	Smith	Webb
Reed	Snowe	Whitehouse
Reid	Stabenow	Wicker
Roberts	Stevens	Wyden
Rockefeller	Sununu	

NAYS—6

Bunning	DeMint	Kyl
Coburn	Inhofe	Specter

NOT VOTING—2

Allard	Dole

The PRESIDING OFFICER. On this vote, the yeas are 92, the nays are 6. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Who seeks recognition?

Mr. DODD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GREGG. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. I ask unanimous consent to set aside the pending amendment so I may offer an amendment.

Mrs. LINCOLN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GREGG. Mr. President, I am most surprised to hear my colleagues on the other side object to my request to call up an amendment, to have it called up and be heard. I thought the Senate was here to do business. I think it is reasonable as part of doing that business that we should address the largest item in this bill that involves passing a cost on to our children, which is the net operating loss proposal.

Now, the way this net operating loss works is that homebuilders—that is who it is directed toward, although anybody can take advantage of it; I do not think it is limited to the homebuilders who built all of those homes and made these massive amounts of money by offering people subprime mortgages which they then took the proceeds from over the last 4 or 5 years, which subprime mortgages have now caused this Nation to go through a massive contraction and which have created one of the largest bubbles in the history of Government, in the history of commerce. Those folks, having made a huge amount of money—I mean massive amounts of money, and, in fact, in the last quarter, they were the largest earning sector in our economy—those folks are now asking that they get an additional $20 billion bailout, $20 billion bailout by allowing them, now that they are losing money, to go back and take a tax deduction of their losses against the gains which they had in prior years.

This is as if you said to someone in business, say somebody running a

small grocery store: OK, if you make money for 4 years, make a lot of money, and then you find you cannot compete or you have made some business error in your judgment and you lose money for a couple of years, we, the Government, are going to come in and give you insurance so you never lose money. You are able to go back during the years when you made money to recover the taxes you paid and use it today to give you profits.

My goodness, I think Adam Smith would be rolling over in his grave to hear this concept of economics. This is Komisar economics where nobody can lose, except for the taxpayer in the next generation who has to pay this bill. Remember, this $20 billion is going to be paid by somebody because it is being spent around here in the operation of the Government. And who is going to pay it? Well, it is obviously not going to be the homebuilder, the large corporations which ran up these huge profits. They are actually going to take that money in, take it in as income. No, that is going to be paid for by John and Mary Smith, John and Mary Smith working for a living today, or their children because it will go on the Federal debt—$20 billion on the Federal debt as a result of this little piece of chicanery.

It is unbelievable that we would claim this was a stimulus to begin with. In fact, if we are in an economic slowdown and if that economic slowdown is tied to the housing industry, none of these revenues will benefit that economic slowdown because they do not come in this year. They will be claimed this year, and they will be reimbursed next year. I think the estimate is that almost all of these recovery costs, recovery of taxes owed and paid as a result of getting this extra loss carryback, will occur in the next budget year, 2009. So, as a practical matter, it is not going to help in the next 6 months, which is when all of the major economists who have discussed this issue say we need some stimulus in the economy. No, it is not. It is simply a bonus payment from one group of people, the American taxpayers and their children, hard-working Americans, to another group of people, the speculative housing industry that ran up these huge expansions in the housing inventory over the last 3 years and then sold them in the subprime market in a way which many people have said in many instances were not appropriate, that they took advantage of the borrowers and then took those proceeds in as income, paid taxes on them, and now they want their taxes back because they are suddenly losing money.

Well, if you made money for 3 or 4 years—and a lot of money—you should not have a bonus given to you during the years when you are not making money simply because you happen to be one sector of this economy called the housing industry. In fact, just the opposite should happen, quite honestly. The market should be allowed to work here relative to the large housing manufacturers.

There is some legitimacy for doing something about homeowners who got hit with a subprime mortgage which is resetting at a rate that is astronomical on them today and they are willing to pay and could pay for and maintain their home if they had a reasonable mortgage rate. There is some reason for arguing those folks might and should get some support, or at least some assistance so they can stay in their homes, they can continue to pay their mortgages.

But there is no practical commercial argument which justifies taking tax dollars from working Americans and paying them to homebuilders because homebuilders suddenly start to lose money—after they had great years. It is not like this has been a distressed industry over a long period of time. This is an industry which has always been cyclical.

This cycle was a creation of their excess, nothing else. They were greedy. They built a lot of homes the market did not need. They sold them to people who could not afford them. They sold them with instruments which were totally inappropriately structured: the subprime mortgages. Then they took all that profit, and they used it. But, unfortunately, they had to pay taxes on that profit. So now they want their taxes back, and they want the American people to subsidize them on it.

Well, under no color of an open market, of a capitalist system—of even a marginally capitalist system; I do not think even France would accept this as a concept—should somebody who made a huge amount of money, created a speculative bubble, benefit from the taxpayers when that bubble bursts.

Yes, the people who were harmed inappropriately, the folks who bought those subprimes and did not understand the nature of them and maybe were misled relative to the nature of them, they justifiably could have some support, as long as they are the primary owners of that home and it was not bought for speculation and they are able to support a reasonable mortgage rate. Maybe there is some way to adjust that.

But this bill does not do that in this area. This net loss carry-back is simply a gift—pure and simply a gift—to one segment of our industrial community which participated in a very lucrative few years and now is having a hard time, created the problem which we now confront, and now wants to be given a gift. Unfortunately, this gift has to be paid for, as I said before.

We are going to run, this year, it looks like, a deficit somewhere of around $400 billion to $420 billion. That is the deficit we are going to run. That is up from a deficit which was under $200 billion last year. That is a huge increase in our deficit.

Now, who pays a deficit? Who pays for a deficit? Well, our children pay for it. All this goes on to our children's backs. They are the ones who pay the cost of paying off the debt, which is borrowed in order to finance a deficit.

So why would we want to say to them: OK, future Americans—young people coming through school today, going to college, thinking about starting a family, thinking about maybe having children and sending their kids to college—why would we want to say to them: We are going to stick you with a $20 billion bill so we can take care of the large housing manufacturers in this country who basically created a major disruption in our economy by putting on the market a massive inventory of homes we did not need and then using practices which were at the margin to draw people into buying those homes through subprime mortgage lending?

Why would we say that to them? How can we possibly, as a government, justify doing that to the next generation? But that is what we are going to do with this bill. We are putting $20 billion on their backs. Where is the money going? It goes into the pocket, primarily—at least that is the game plan; it is not specifically written so—it will be taken advantage of solely by manufacturers of homes. And I suspect there are going to be some other industries which will suffer losses in this economy that may take advantage of it. But it was written primarily to take advantage of the homebuilder industry, which is obviously an honorable industry, but it is also an industry which goes through cycles.

In this cycle, there is no reason we should be stepping up with this special gift to that part of our economy when we do not have any money to make the gift with, when we have to borrow the money to pay for the gift.

So that is why I have offered this amendment—or tried to offer this amendment. Now, it seems to me if everybody is so comfortable with this legislation and this idea of a net loss carry-back being extended and expanded, they should be willing to vote on this amendment. Is there no courage on the other side of the aisle? Are the sponsors of this concept afraid to vote and stand up for this bill with this proposal? It appears so.

I am not offering an alternative. I am just saying let's have an up-or-down vote on whether we should give a $20 billion gift to one segment of our commercial society at the expense of the next generation that has to pay the debt for this bill. I am just saying, stand up and be counted, so to say, as to whether you are for or against this amendment.

So, again, I will renew my request. I ask unanimous consent that the pending amendment be set aside and that my amendment relating to net loss carry forward, which strikes the provisions of the net loss carry forward, be called up.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Hampshire.

Mr. GREGG. Well, I guess that makes the point. It is too bad. I would hope people would ask why. Why can't we have a vote? What is the fear out there? Are we so concerned about this segment of our industry that we are not willing to vote up or down on whether this type of a $20 billion event should occur? I hope not. It seems to me it is reasonable that the Congress should vote on that. The Senate should vote on that.

Mr. President, $20 billion is a lot of money. Do you know $20 billion would run the State of New Hampshire for 5 years? This is a lot of money. This is big-time dollars. Twenty billion dollars is going to cost our children a lot because it compounds with interest. You just do not borrow it. You borrow it and have to pay interest on it. Of course, the interest gets paid to the Chinese or the Indians or the Saudis because they are the ones who probably buy the debt.

So not only do we end up with a $20 billion bill we pass on to our kids, but we end up with our kids having to pay interest to the Saudis or the Chinese to support that debt. Also, that one segment of our society which participated in the robustness and the excitement of large economic expansion, and maybe inflated that expansion rather dramatically, does not have to bear the burden of their excesses.

Well, as I said, Adam Smith would be a little stunned to find this is the way the market has worked and the Government of the United States—which is allegedly the Government of a capitalist system—functions. So I will probably renew this request later on because it does seem to me, since this is by far the single biggest spending item in this bill, or tax item in this bill, it should have an up-or-down vote and an open debate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, just a couple comments about the points made by the Senator from New Hampshire.

No. 1, it is not a $20 billion bill. That is not accurate at all. It is, first of all, about $6 billion. It is over 10 years. So it is much less than what the Senator makes it sound like it is.

Second, we all know the housing problems that occurred in this country—the subprime mortgage problems, as well as other mortgages in distress and home buyers in distress. The figure I saw was that about 10 percent of American homes are underwater, meaning the value of the homes for 10 percent of Americans is much less than the mortgage on their homes.

This is a very complicated problem. It requires a complicated solution. Senator DODD is to be commended for the Banking Committee's provisions in this housing bill. We in the Finance Committee wrote the tax provisions in this bill, and they are designed to help lots of different areas, lots of different people, in lots of different ways.

One is the mortgage revenue bond provisions, which helps States finance new mortgages for people, homeowners. Another is the tax credit for distressed homes. That helps people. That helps home buyers. That is in this legislation.

Another is to help give a little break to people who do not itemize their income tax returns but have property taxes so they can get a break on their property taxes. So we provide in this bill that if you have property taxes, you get at least a $500 deduction against your income taxes if you are single, $1,000 if you are married, irrespective of whether you itemize or use the standard deduction. That helps people.

There is a business provision in here to give a break to homebuilders. Why? Because homebuilders are going out of business. This is not a typical homebuilders' housing cycle we are in now. This is atypical.

A lot of areas in our country are very distressed. A lot of homebuilders are distressed, laying off a lot of people. The number of construction jobs is down—in the hundreds of thousands. For homebuilders' jobs, it is of a similar magnitude. These are people with hammers and nails going out building houses who no longer are building any houses, and they are laid off.

So this bill—basically, in that one provision with respect to homebuilders—kind of evens things out a little bit so homebuilders do not have to lay quite so many people off and they can still keep building some homes, which helps prevent a further deterioration of the value of the homes in a certain area. This is nowhere close to solving the problem, but it helps a little bit. That is why this is in this legislation.

So we have several provisions we in the Finance Committee passed out to help individuals. This one helps businesses in the business of homebuilding and homebuilders employ people, and those are the people who have lost their jobs.

So we are trying to help that sector a little bit so those people who build homes—some of them—can get back to work and not be laid off and also so some homes that might otherwise not be built might now be built to help alleviate the problem.

Homebuilders are not the cause of the problem. The problem, frankly, is worldwide where cash was slushing around, which helped create this situation where lenders were very easily lending money. The terms were very easy. People were enticed into buying homes. Mortgage brokers, for example, were very aggressive in encouraging people to buy homes with no downpayments and whatnot.

But homebuilders—they are not the problem. They are building the homes. Now, they are feeling the pain, as a lot of other Americans are, and I believe—and I think the Finance Committee believes—this is one of several provisions which will help address the housing crisis a little bit. That is why I think it should be in this bill, and I very much hope the Senate approves the bill if not today, by tomorrow.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SANDERS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I ask unanimous consent to speak as in morning business for the utmost urgency of recognizing the University of Kansas basketball team's accomplishments last night.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE UNIVERSITY OF KANSAS BASKETBALL TEAM

Mr. BROWNBACK. Mr. President, I am delighted my colleagues granted me this special privilege to speak as in morning business on something so important. This is a bit personal if you are a Kansan. The sport of basketball was invented in Kansas by James Naismith in 1891, and last night it was perfected by the University of Kansas basketball team.

I don't know how many people got to watch it. What a fabulous game. I was able to be there, which was a great delight. It went into an overtime game with less than 3 seconds to play and a three-point shot by Mario Chalmers sent it into overtime. It was a classic of college basketball. The whole place was in pandemonium. There were great teams on both sides—Memphis and KU—playing this game. At the end of the day, Kansas came out with a victory. It was a fantastic night.

I congratulate the NCAA on the Final Four and the tournament. I think they do a spectacular job of bringing people together and having a great venue. This game was in San Antonio last night, a fantastic celebration of amateur athletics. These players are phenomenal in all they can do. It is certainly a great day to be a Kansan, a great day to be a Jayhawk.

My law school degree is from the University of Kansas. It is a great basketball school, with four national championships, one added last night. They have a great tradition of basketball at the school. I think we have one of the best mascots in the country, the jayhawk, which most people would recognize, being at the University of Kansas, but not knowing what it is. It has a civil war legacy in the fight over slavery, where Kansas was the State that started the fight on slavery, being settled by abolitionists. One of the

things the proslavery forces were calling Kansas was jayhawkers, in a derisive way, but that then became a symbol much for the State and for the University of Kansas. I like the heritage of that symbol as well.

Twenty years ago was the last time we won a basketball championship. That one was Danny Manning and ''the miracles.'' He was a guy who went on to play very well at the professional level. Danny Manning is now coach at the University of Kansas. I can't name anybody else on that team, but he was one who carried them forward.

Last night was a great team effort by a balanced team. I recognize as well coach Bill Self. This was his first Final Four, and he wins it. Along the way, he beat a rival school in basketball for Kansas. In North Carolina, there has been a long connection between North Carolina and Kansas. Dean Smith, a long-time coach at North Carolina, was from Kansas. Roy Williams, a long-time coach at Kansas, was from North Carolina. There were a number of people in Kansas, in my State, who were not particularly forgiving of Roy Williams going back to North Carolina even though he had given us a number of good years. I think on Saturday there was a lot of forgiveness. This was the first match between Kansas and North Carolina since he had left Kansas, and we were fortunate enough to be successful in that game. It was a great tournament overall.

As a wise sportsman famously said: ''It's never over until it's over,'' especially if Mario Chalmers has one more shot to take. Sometimes big games are disappointments, but last night was certainly not the case, as the Nation was treated to a classic in college basketball. From James Naismith, as I mentioned, who invented the game in 1891, to the Kansas Jayhawks of 2008 that perfected the game, our school has had a great history and a great legacy of basketball. Through players like Wilt Chamberlain and Danny Manning, KU now has 13 Final Four appearances and 3 national championships. It is fantastic what they have been able to accomplish.

Again, congratulations to the University of Kansas men's basketball team for a great season, for a thrilling championship game, for writing another amazing chapter in the storied history of Jayhawk basketball. And what goes along with that rich tradition is a number of different chants, but the one that has the most lasting memory with Jayhawkers is ''Rock Chalk, Jayhawk,'' which we don't get to say on the Senate floor very often. Congratulations to a fabulous team and a fabulous effort.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

Mr. CASEY. Madam President, I rise to speak about a housing matter. I have two amendments, but I am only speaking about them today, I will not be calling them up. I did want to speak very briefly and very generally about both of them.

There are two very important matters that come before us as parts of our debate on housing. The first involves appraisals. We know that one of the biggest concerns a lot of people have in attacking the problem of subprime mortgages and the aftermath of a lot of bad loans was that faulty and sometimes fraudulent appraisals were part of that. The first amendment I will speak of today deals with the question of how do we get a second independent appraisal for properties that are so-called flipped properties.

When you have a property that may go into foreclosure and then it is sold later, sometimes we have instances where property is sold at a grossly inflated price that does not reflect the true value, and then down the road another purchaser, a homeowner, would buy it, and then you have extraordinary inflation, often fraudulent inflation of the cost of a property. Our office has worked closely with Senator MARTINEZ on this as well. What this amendment does is to make it very clear that, in those instances where you have a house flipped within 180 days of the date of purchase, there will, in fact, be a second independent appraisal done.

Some of the work on this in the other body has been done by Representative PAUL KANJORSKI. He has worked on these issues for years. I commend him for his work in Congress on these and other matters that pertain to housing and to the financial questions that arise with regard to affordable housing.

First of all, we want to make sure, in those instances that a second independent appraisal is done, it would have to be by a qualified appraiser. That would mean the appraiser has to be certified in the State or somehow licensed in the State. And second, that the appraisal is performed in conformity with uniform standards of professional appraisal practice to make sure it is done the right way. We want to make sure consumers are given a copy of that appraisal, that it is done thoroughly, and that a statement is made by the creditor that any appraisal prepared for the mortgage is for the sole use of the creditor and that the consumers may choose to have a separate appraisal conducted at their own expense.

There will be heavy penalties imposed for those who violate this. It is one way to deal with one of the various problems we encounter when it comes to the difficulties so many families are confronting right now. The worst thing that can happen to a homeowner who saves money and borrows money to fulfill a dream of owning a home is to be presented with a situation where they buy a home that has been grossly and fraudulently inflated beyond its value and they don't find out about that until those who perpetrated the fraud are far away and have already made their money. This will hold people in the market accountable, as they should be held accountable.

We will have more time to talk about it later.

I want to make another point about a separate amendment. In the city of Philadelphia, as in many of our major urban areas, housing is a terribly difficult challenge for so many people. In the city of Philadelphia, we have more than 80,000—as HUD, Housing and Urban Development, officials would call them, clients—more than 80,000 clients in the city of Philadelphia who rely on HUD and the housing authority there to provide affordable housing in that city.

A dispute has arisen about a number of things. We don't have to go into the reasons for those disputes, but because of that dispute, now there is an agreement that was worked out between HUD and the housing authority called the Moving to Work Agreement which has allowed people not just to have the benefit of an agreement that provides them with the opportunity to live in housing that is safe and affordable, but also this agreement has allowed the Philadelphia Housing Authority to use the leverage of this agreement to borrow money and to finance other housing priorities in the city of Philadelphia.

Because of that, because of the importance of that agreement, we want to make sure the agreement stays in place at least for a year. That is what the amendment Senator SPECTER and I have been working on does. That is the reason for it, to give a 1-year extension so that the Moving to Work Agreement in the city of Philadelphia, with the U.S. Housing and Urban Development agency, stays in place for 1 year so we can continue to work out an arrangement between the housing authority and HUD.

Unfortunately, we have not been successful in working for many months on this. But I think it is critically important not to allow a bureaucratic fight between a housing authority and a Federal agency to interfere with important services that are provided to Philadelphians who benefit from this; some more than 80,000 Philadelphians.

Those are the two amendments I wish to speak about. We will have time later as we proceed to deal with them more directly. I wished to make sure we make both thorough and accurate and independent appraisals a priority as well as to make sure that when we are dealing with a local housing authority, we do not let a dispute prevent Philadelphians from getting the benefit of the services provided in this case by the Moving to Work Agreement.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Without objection, it is so ordered.

Mr. MCCONNELL. I ask unanimous consent that I be allowed to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COLOMBIA FREE TRADE AGREEMENT

Mr. MCCONNELL. Mr. President, today the administration sought to strengthen America's ties with an already close ally by moving forward with the Colombia Free Trade Agreement. Now it is up to Congress to pass this very important piece of legislation.

The Colombia Free Trade Agreement is more than an act of friendship between allies. It would strengthen our security and strengthen our economy. It would send a strong and unmistakable signal to our other allies in Latin America that the United States stands with those who support strong markets and free societies, especially in the face of threats.

Colombia's support for free markets and Democratic reform under President Uribe has made it an even stronger ally of the United States in recent years, a very sharp contrast to its next-door neighbor, Venezuela. We cannot allow election-year politics in the United States to make a resurgent Colombia more vulnerable to its anti-America neighbor.

America got a closeup of Venezuela's dictator at the U.N., when he likened an American President to the devil and predicted America's demise. His anti-Americanism has not softened since that speech, nor has the threat Hugo Chavez poses to regional stability. Chavez is a corrosive influence in South America. He embraces state sponsors of terrorism such as Iran, for example, and he is aggressively courting like-minded leaders of other Latin American countries in order to draw a line in the sand between himself and his allies and America and its allies.

Now, most Latin American leaders such as President Uribe know allying themselves with Chavez is harmful in the long run. Unfortunately, Uribe's government has been severely tested by Chavez and his allies. Ecuador supports, for example, terrorist proxies in Colombia. Chavez has made it quite clear he supports Ecuador's efforts when he recently sent troops to the Colombian border.

Colombia has made tremendous progress. Not long ago, it appeared on the verge of collapse. Entire regions of the country were essentially ungoverned. Yet President Uribe, to his great credit, has pulled the country back from the brink.

The Colombia Free Trade Agreement is an important acknowledgment of the strides Colombia has made. And its passage would send a strong signal America is committed to Colombia's continued success and the success of our other allies in the region.

Now, as important, the Colombia Free Trade Agreement would strengthen the U.S. economy, our economy, at a time when Americans are searching for some economic good news. Some seem to think our economy can somehow grow without the trading partners. These people who are arguing that nonsense also say we are best served if we trade only with ourselves. How absurd is that? In fact, the opposite is true. America needs trading partners to buy the goods we are making in our country. This is especially true when there is an imbalance in market access. The imbalance between the United States and Colombia is startling indeed.

Today, more than 90 percent of Colombian exports to the United States enter our country duty free. So they are getting 90 percent of their imports into our country duty free, even as American exporters face steep barriers to selling American-made goods to Colombia.

Democrats and Republicans agree it was important for Colombian exporters to enjoy the benefits of increased access to our markets. Why would we not want to give American products made by American workers the same opportunity we are giving Colombians already in our market?

The current situation is totally unfair. Virtually all U.S. farm goods are slammed with tariffs on their way down to Colombia, while virtually all Colombian farm goods coming here enter the United States without any tariffs at all.

The beneficiary of this arrangement is abundantly clear, and it is not U.S. workers or the economy they support. We hear a lot of rhetoric about the need for fair trade. Permitting equal access to Colombian markets is the very essence of fair trade. That is what this free-trade agreement would do.

Looking at my own State, for example, more than one-sixth of all manufacturing jobs in my State rely on exports. Kentucky exports about $15 billion in manufacturing goods every single year, including $67 million in exports to Colombia last year—a figure that is all but certain to go up after this free-trade agreement is ratified.

In these economic times, we should be expanding overseas markets for American-made products and American-grown goods. Now, some have argued labor conditions in Colombia are reason not to support the Colombian Free Trade Agreement. That is a total red herring. How does maintaining high tariffs on goods of the United States shipped to Colombia reduce violence against union jobs down there?

How does rejecting an ally that has helped reduce homicides against union members by 79 percent improve trade union safety? What nonsense these arguments are. I mean even the Washington Post, no bastion of conservatism, has called the issue completely bogus.

Today the L.A. Times, again not a bastion of conservatism, said the same thing, noting pressure from human rights groups and labor organizations has prompted Colombia to already do what the Democrats in Congress have urged, which is to improve the country's dismal labor record.

If Senators truly wish to help Colombia's union members, they need to vote for this agreement, reward Colombia for its improvements in this area, and encourage Colombia to draw even closer to the United States.

I would close by noting this free-trade agreement comes nearly a year, a year after an agreement was struck between the U.S. Trade Representative, the House Democratic leadership, and the House Ways and Means Committee on a plan to move forward with all the free-trade agreements this Congress.

The deal stated: In return for USTR negotiating unprecedented new labor and environmental standards, House Democrats would proceed with free-trade agreements for Peru, Panama, Korea, and Colombia. The USTR did its part. Yet the Democratic Congress has not lived up to its end of the bargain. So far only the Peru agreement has been passed.

We should reject an isolationism that limits economic growth and stunts job creation here at home. We should support this important Latin American ally. The time is long past for Congress to do what it promised and move forward on America's trade agenda.

Congress must reaffirm its commitment to an invigorated Colombia and, in the process, help our own economy at a difficult economic moment.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BUNNING. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

Mr. BUNNING. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER. The pending business is the Sanders amendment.

Mr. BUNNING. Mr. President, I ask unanimous consent that the amendment be set aside so I may speak on the bill itself for 15 minutes.

The PRESIDING OFFICER. The Senator may speak on the bill without setting aside the amendment.

Mr. BUNNING. I thank the Chair.

Mr. President, this is an unusually bad bill, and I have opposed it from the very start. The course it has followed almost guarantees that it will be filled

with the worst kind of gimmickry, and it is. The Senate may be the most deliberative body in the world, but this bill is anything but the product of deliberation. It is a jumble of disjointed ideas, unlikely to solve the crisis at hand, and it is unpopular. It turns out that the American people do not like the idea of bailing out banks and their neighbors who gambled on home prices. The voters understand what is going on in Washington better than we do.

What is more, several of the complicated tax provisions in this bill never benefited from a full review by the Senate Finance Committee. Normally, this is a critical part of the Senate's deliberation.

One example of a provision that could use more review is the new deduction for State property taxes. While it may be well intended, this new provision will complicate life for millions of American homeowners who will have to calculate their taxes twice to find out which method results in a lower tax. This complicates tax filings, and any Senator who has said the Tax Code is too complicated should be ashamed to vote for this provision.

Because the Senate has not had any serious review of this provision, colleagues also may not know that this provision also allocates more of the Nation's tax burdens to residents of States that impose an income tax, such as Kentucky.

The State with the highest income taxes faces the biggest relative tax increase, and this is illustrated in the chart that supporters of this provision hastily distributed to us. For example, the chart shows that 59 percent of Texan homeowners but only 23 percent of Maryland residents will benefit.

The chairman of the Senate Finance Committee, on which I serve, is not even managing this bill, even though tax provisions account for about two-thirds of its cost. That is kind of hard to explain to the average Senator on the Finance Committee.

Another provision that deserves far more scrutiny is the $4 billion in community development block grants that will be allocated to the States and local governments to buy foreclosed properties. To begin with, this current program is very poorly managed. The Wall Street Journal called it among the worst run programs in Washington, and there is a lot of competition for that title. The White House called the program ineffective just 2 months ago, and when the HUD inspector general testified before Congress in 2006, he explained that his agency had recently indicted 159 individuals and recovered $120 million of misappropriated funds. GAO also has criticized the targeting of grant recipients, which is a polite way of saying that the money is going to those with political connections and influence in local governments. Adding money to this program is risky at best.

Let's have no illusions. This extraordinarily unwise grant of taxpayers' money is really just a bailout for banks in disguise. It goes to States, but the ultimate beneficiary will be banks that made risky loans.

Instead of selling foreclosed properties on the open market, these banks will have the luxury of selling to local officials with whom they may already have a relationship. These officials will be buying properties not with their own funds but with OPM—OPM stands for ''other people's money''—and in this case, the OPM comes from you and me, the American taxpayers, and the millions of unborn Americans whom we are saddling with even more debt.

Another provision that could benefit from more thoughtful deliberation is the $100 million spending on counseling. Yes, counseling is a good idea before a homeowner signs a loan they can't afford. But afterward, the real problem is financial. It is too late for counseling.

We also don't know all that much about the nonprofit groups that will get the money. Are some of these groups funded mostly by credit card companies? Are they? If so, will they have a clear conflict of interest? Maybe they will actually advise people to abandon their home, to foreclose, in order to pay credit card debt. That would make the foreclosure situation worse, not better. One thing is certain: no amount of counseling is going to put money that they do not have into homeowners' pockets.

Now, I have an amendment that I have tried to get a vote on that would do so—put money into homeowners' pockets—and that is why I think it is appropriate to redirect these public funds toward helping homeowners with the cost of refinancing. If we are going to give away $4.1 billion—I will say it one more time—if we are going to give away $4.1 billion in this bill, let's give it back to the taxpayers and do so in a way that encourages homeowners to restructure their mortgages and keep them out of bankruptcy and foreclosure. My amendment would do this. It would use the $4 billion in funding this bill uses to bail out banks and give it back to taxpayers while simplifying the Tax Code as well.

The Joint Committee on Taxation says that this amendment would be revenue-neutral over 10 years. It is entirely paid for within the four corners of this legislation.

This change in the tax law that my amendment contains is strongly supported by the Mortgage Bankers Association because it would get to the heart of the housing crisis. Let me try to explain.

Often, when people are searching for a home, they are more concerned about qualifying for financing than getting the best possible terms on that loan. Millions of homeowners have taken out an adjustable rate mortgage that has a low interest rate for a short period of time, often 2 or 3 years. These loans adjust to a much higher rate after the initial period. The assumption of many homeowners has been that they can refinance later in a conventional fixed mortgage loan for 30 years. But the Tax Code creates an obstacle to this.

According to Bank of America research, published in the Wall Street Journal, more than $510 billion worth of adjustable mortgages, including prime and subprime loans, will reach the end of their fixed rate period before December of this year. For the holders of these loans, the options are stark: Refinance or default. It is unlikely that many of them can long afford the high interest rates on these mortgages after the fixed rate period expires.

Unfortunately, our tax law has this exactly backward. It encourages homeowners to spend lavishly on first-time financing, but it exacts a penalty when homeowners find they are living beyond their means and need to refinance. My amendment would have changed all this. It would allow homeowners to currently deduct the mortgage interest points that lenders typically charge in connection with a home mortgage refinance. For example, under my amendment, if a homeowner has a $200,000 adjustable rate mortgage and refinances into a 30-year fixed mortgage, paying 1 percent in points, the homeowner would have a $2,000 tax deduction for home mortgage interest paid. That is under my amendment. Under present law, the homeowner would only be allowed to deduct $66. There is no good reason to allow the deduction for home purchase mortgages and to deny it for those who need it to refinance.

My amendment would remove a significant financial obstacle to refinancing that would allow struggling borrowers to keep their homes. It would help Americans to get out of first mortgages that they have entered into without being able to shop for the best possible mortgage. Unlike some of the other provisions in this bill, it truly would help prevent foreclosures for many who are about to have their homes foreclosed.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAQ

Mr. DORGAN. Mr. President, today has been a fairly significant day here in the Congress. General Petraeus and Ambassador Crocker have flown back to the United States from the country of Iraq, and they have reported to both the Armed Services Committee and also the Foreign Affairs Committee. I have not had a chance to listen to their testimony—I don't serve on either of those committees—but I know the news will carry the testimony, and I

am sure I will see portions of it and will certainly read their testimony tomorrow morning, but I wanted to make this point.

While General Petraeus and Ambassador Crocker have come here today and I am sure have talked about the progress that results from the surge—although there has been a substantial amount of violence, and tragically, I believe 11 U.S. soldiers have lost their lives in Iraq just in the last few days—I think there is no question that the extra soldiers, the additional 30,000 or 40,000 soldiers they took to Baghdad and to the streets of Iraq, dampened down the violence some. Yet there is so much discussion about Iraq and so little discussion about something else that matters a great deal to our lives.

This is the 2,400th day since 9/11, and 2,400 days later, Osama bin Laden is still at large, the same Osama bin Laden who boasted the day after 9/11—a day when thousands of innocent Americans were killed—Osama bin Laden boasted about having engineered the murders of these Americans. Two thousand four hundred days later, he is not only at large, but he is reconstituting the leadership and the al-Qaida force, including building training camps to train additional terrorists.

Now, Mr. President, are some moments in history where I just remember where I was. I remember where I was as a very young boy when John F. Kennedy died. I remember the day. I remember the day astronauts walked on the moon. And I remember 9/11 very clearly. And it occurred to me on 9/11 that surely our country bring those who were responsible to account. When thousands of Americans were murdered and al-Qaida and its leader, Osama bin Laden, boasted about having engineered that murder, it occurred to me that Osama bin Laden is not long for this world, or at least Osama bin Laden will certainly be brought to justice and get his due rewards for murdering so many Americans. Yet, 2,400 days later, that has not happened. Now, one might ask the question: Why? And does it have to do with the detour into Iraq?

I want to point out that in July of last year, the last time a National Intelligence Estimate was given to us by all of the combined intelligence services in our Government, here is what they said:

> Al-Qaida is and will remain the most serious terrorist threat to the homeland.

Let me read that again. That is the assessment of our National Intelligence Estimate in our country, the official assessment.

> Al-Qaida is and will remain the most serious terrorist threat to the homeland. We assess the group has protected or regenerated key elements of its homeland attack capability, including a safe haven in the Pakistan Federally Administered Tribal Areas, operational lieutenants, and its top leadership.

Al-Qaida is the most serious threat to us, No. 1. No. 2, it has regrouped and regenerated key elements of its attack capability. No. 3, it is in a safe haven in Pakistan.

Now, who would have guessed that 2,400 days after our country was attacked, an attack that Osama bin Laden boasted about having engineered, that there would be 1 square inch of ground on this planet that would be called a safe haven for someone who murdered over 3,000 Americans? Who would have believed that to be the case? Not me. Almost certainly I would have thought he would have been brought to justice.

Here is an October 3 story from last year by Griff Witte of the Washington Post. It quotes top military officials in Pakistan talking about al-Qaida.

> ''They've had a chance to regroup and reorganize,'' said a Western military official in Pakistan. ''They're well equipped. They're clearly getting training from somewhere. And they're using more advanced tactics.''

This is from CIA Director Hayden, a week ago, on ''Meet the Press'':

> It is very clear to us that al-Qaida has been able, over the past 18 months or so, to establish a safe haven along the Afghanistan-Pakistan border area that they have not enjoyed before; that they are bringing operatives into that region for training.

Now, I have flown over that Afghan-Pakistan area. I have been in an airplane at 20,000 feet and looked down. I understand there is no boundary. You don't know where Afghan ends and Pakistan begins. I understand it is a tough area, tribally controlled areas. But what I don't understand is how, 2,400 days later, we are told by our top intelligence officials that the greatest threat to our homeland here in America is al-Qaida and its leadership—the greatest threat to our homeland is al-Qaida and its leadership—and they are in a safe haven, quote-unquote. There shouldn't be 1 acre of ground on this planet that is safe for those who murdered Americans on 9/11.

So what happened? What has caused this to happen? Well, this country took a detour. President Bush told the American people and Secretary of State Colin Powell in a presentation to the world and the United Nations told us about the alleged threat posed by the country of Iraq. He made the case for a military attack against the country of Iraq. They made the case that Saddam Hussein was a bad guy. They got no argument about that. Saddam Hussein was in many ways a brutal dictator. There were football-field-size graves that were unearthed in Iraq with thousands of people who had been murdered by Saddam Hussein. So there is no argument about Saddam Hussein.

The fact is, there are a number of bad leaders in this world. That doesn't mean we go invade their country.

After 9/11 the case was made that Iraq was a threat to the United States of America. They said Iraq was trying to get yellowcake from Niger and build a nuclear capabilities; Iraq was buying aluminum tubes for the purpose of reconstituting its nuclear capabilities; Iraq has mobile chemical weapons laboratories to produce weapons of mass destruction, which threatened this country.

That is all pretty ominous. Colin Powell, at the request of President Bush, showed all the evidence to the world. Then, of course, in the years since discovered that evidence was false. The yellowcake from Niger was from a forged document. Yet it purported to tell the world that Saddam Hussein was trying to reconstitute his nuclear capability by buying yellowcake from Niger—a forged document. No one has ever described to us where that forgery came from.

The aluminum tubes, Condoleezza Rice, Stephen Hadley, and others sat idly by while in their offices they received reports from other parts of our Government saying those aluminum tubes were not for a reconstitution of nuclear capability. That information was withheld from Congress and the American people.

Mobile chemical weapons laboratories? That came from a man named Curveball; a man named Curveball. Curveball was an informant who was being held by the Germans. Curveball used to be a taxicab driver in Baghdad, largely considered a drunk and a fabricator by the German authorities. This country, this administration, this President, and this Secretary of State used Curveball as an example and a source—a single source, mind you—to describe mobile chemical weapons laboratories that existed in Iraq and therefore threatened this country.

It turns out it was not true. It turns out that thin thread, one person held by German authorities—again, considered to be a drunk and a fabricator, a former taxicab driver from Baghdad—was cited as a source, just an unidentified source to the entire world, to support the contention that what Saddam Hussein was doing in Iraq threatened this country.

So the President, Condoleezza Rice, Colin Powell, Stephen Hadley, and especially, of course, the neocons—Vice President CHENEY, Douglas Feith—all of them. They all got what they wanted. This country went into a detour, and the detour was right into the middle of Iraq. It was going to be a very simple operation, last only a very short amount of time. The fact is, we have been there now fighting in Iraq longer than the Second World War lasted, and we have reports today by the top general in Iraq, General Petraeus, a U.S. general, and by the U.S. Ambassador, Ambassador Crocker—both good Americans—who come to us to describe progress, progress in Iraq.

I don't know how progress is being measured. I hope we have a lot of progress. I hope we have enough progress so we can begin withdrawing American troops from Iraq.

But the fact is, Saddam Hussein is dead. He was executed. The Iraqi people had the ability to write a new constitution and then vote for it. They had the ability to vote for a new government, which they have. And they had the ability to receive two-thirds of a trillion dollars from the American taxpayers, which we have spent in Iraq

and a smaller amount in Afghanistan. We have spent $16 billion of that training military and police capability for able-bodied Iraqis. Four hundred thousand able-bodied Iraqis have been trained for military and police work.

The question remains now, in my judgment, if 400,000 Iraqis who have been trained by using $16 billion of our money, and been trained by our people, if they don't have the will to provide the security in the country of Iraq that is their country, not ours, then we can't stay there 2 years or 4 years or 20 years or 100 years, as some have suggested. We must begin to bring troops home and say to the Iraqis: This is your country, not ours. This is your responsibility, not ours. You have a new government. We spent the money to train able-bodied Iraqis. Now you have to have the will to take back your country.

My point about Iraq, however, is that we will not only have been detoured in terms of two-thirds of a trillion dollars-plus, we have been detoured here and bogged down in a long-term civil strife in Iraq that has been deadly for this country and deadly for the Iraqis at a time in which the greatest threat to America and greatest continuing threat to our homeland comes from al-Qaida. Don't take that from me. Take that from the top military experts in our Government.

If that in fact is the top threat to our homeland, why, 2,400 days after 9/11, is Osama bin Laden in a safe haven? Why is there a safe haven anywhere on Earth for Osama bin Laden? That ought to be the question that is asked today. That ought to be the question that is answered for the American people.

I think all of us understand that the terrorist threat exists. It remains, and likely will remain for some time, but we didn't eliminate the terrorist threat and didn't address the terrorist threat by sending soldiers to Iraq. The purpose of sending soldiers to Iraq was to respond to what we now know to have been largely untrue, the threat that Iraq represented a threat to our country. But we do know now, as a result of our National Intelligence Estimate, that Osama bin Laden is a threat to our country. We knew that on 9/11. We knew that on the day he killed 3,000-plus innocent Americans. Everybody knows that. You don't need some intoxicated former taxicab driver from Baghdad to tell us that. We know Osama bin Laden is a threat. We now know that 6 years after he engineered the 9/11 attack that our intelligence estimate says he or his al-Qaida organization is the most serious terrorist threat to our homeland.

Were there any hearings today on Capitol Hill asking questions of the people who are supposed to be doing this, What kind of progress are you making? Are you really going after him? Is this job No. 1? Or is all the spotlight on the same spot, that is Iraq, while Osama bin Laden over here in northern Pakistan is rebuilding training camps, recruiting new terrorists, and reconstituting his al-Qaida leadership to once again remain the most serious threat to this country's homeland?

My only point is there is nothing Republican or Democrat or conservative or liberal about any of this. This is all about common sense. What is the greatest threat to this country? The National Intelligence Estimate says it is the al-Qaida leadership. So what are we doing about that? Is there any progress?

Were there any hearings today asking whether there is progress? Were there any hearings asking whether we are bringing Osama bin Laden to justice, calling in officials who ought to be working on this? It seems to me, after 2,400 days the American people have a right to expect some answers.

Again, I think it is good that we have hearings today. We will no doubt read about the hearings, the testimony of General Petraeus who, by all accounts, is a wonderful American soldier. I met Ambassador Crocker when he was Ambassador in Afghanistan. He is a good American diplomat. We will no doubt hear a lot of discussion about what they said today.

All the talk today is about Iraq. That is a very important subject. But I assume what will not be discussed today is anything about the most serious terrorist threat to our homeland, and that is the person and the leadership and the organization that engineered the attack that murdered thousands of innocent Americans on 9/11. I hope those hearings are held soon. I hope this administration gives us a report from time to time on what we can expect.

Will there be another 2,400 days? Another national intelligence report telling us that the person who engineered the 9/11 attack is in a safe or secure—by the way, that word has been used as well—safe haven or secure haven? There ought not be anyplace safe or secure on this Earth for those who engineered the 9/11 attack, but it certainly has been safe and secure for 2,400 days.

My hope is we will not be on the floor of this Senate talking about another 2,400 days. We should be focusing on bringing to justice those who perpetrated the 9/11 attack. That goal, in my judgment, has taken a back seat to the detour that took us to Iraq all these many years, and I hope that will change soon.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, in just another couple of minutes, there is an amendment I believe has been filed to the underlying housing bill. I want to make a comment on it. It is an amendment that would extend the renewable energy tax credits. It is a very important amendment. I wish we would extend the renewable energy tax credits for a lengthy period of time. I am not sure if that amendment will be considered germane. If it is, we need to pass it. But I want to make this point.

This country has a history now going back to 1992 with respect to renewable energy for wind energy through the production tax credit and things we put in place to encourage renewable energy. We have a history of kind of a pathetic and anemic response to all this.

Let me describe what we did with oil. Once we decided we wanted to encourage people to look for oil and gas, we were at it. In 1916, Congress put in place deep, aggressive tax credits and incentives for people to go drill for oil and gas. So for almost 100 years our country's policies have been for going out to drill for oil and gas. God bless you, we are going to give you some big tax breaks. We want you to do that. That has been America's policy: find more oil and gas.

In 1992, the Congress put in place a provision that said: Now we want to encourage renewable energy. With oil we put in place permanent, robust tax incentives that have lasted almost a century. What did we do with renewables? When it came to renewable energy, it was kind of a pathetic, lackluster response. It was temporary and short term. We would extend it a little bit here and then we let it expire. We have extended it five times, and let it expire three times. What a pathetic response.

What this country has an obligation to do with respect to wind and solar energy and the basic renewables is to say to this country and developers: Look, here is where America is headed. For the next decade, here is where we are going, and you can count on it because this is America's policy. We ought to do that.

We are doing 1 year, 2 years, or 3 years at a time, but the production tax credit ought to be extended for 10 years. We should say here is where we are headed, and you can count on it. We are not going to want to be 2 years, 5 years, or 10 years from now 70 percent dependent on the Saudis and Kuwaitis and Iraqis and Venezuelans for our oil. That makes no sense. Yet the only way we are going to get out of this box is to say we are going to begin providing renewable energy in a very aggressive way. But we don't do that with the incentives we put in place. We just start and stop, stutter-start, stop, and every time we stop for a year, the whole investment cycle blows off. It goes to zero. So you have all kinds of projects on the shelf that sit there and never get deployed.

In solar, for example, we are way behind in solar because you can't do solar and put a tax incentive in for 1 year. You can't do that. It takes a number of years to get a solar project up and running. You can, if you get a short-term

wind turbine up perhaps. You can have a shorter time line on that. But even with that, it seems to me that for wind or solar or any number of these renewable technologies, this country has a responsibility to get serious about becoming less dependent on Saudi Arabia and Kuwait and Iraq and all those countries.

The Lord did something really interesting: He put oil over there under the soil and put all the demand over here, with the blessings of a country that expanded and produced a great economy. You know we put little straws in this Earth every day and we suck oil out. We suck 84 to 85 million barrels of oil a day out of this Earth, and we use one-fourth of it here in the United States, 21 million barrels a day, and 60 percent of it comes from off our shores. If you don't think that is a dangerous dependency, then there is something wrong. I think that is dangerous and we have to fix it. How do you fix it? You make a commitment to renewable energy. My colleague from the State of Washington was on the floor, Senator CANTWELL, who has dedicated a lot of her time and effort to this subject, and I commend her for it.

You know, you have to focus around here on so many things. Senator CANTWELL has focused substantially on these issues. I wished to work with her. I want whatever she is proposing to succeed. We are working together in the Energy Committee. I am also the chairman of the Water and Energy Appropriations Subcommittee.

We need to do a lot. But, most importantly, we need to get this Congress on the side of policy that this country can be proud to say: We are going to make a commitment for the next decade, here is where we are headed in America. We are in support of renewable energy. You can count on us because we are going to put policies in place that will tell you we are in support of it.

We cannot keep doing what we have been doing. It is unfair, unfair to this country. So my hope is that when we consider this amendment, that we can approve it. But my hope is we will go much further this year. The minimum we should do on the production tax credit is a 5-year commitment—minimum.

I have a bill that says we ought to provide the PTC for 10 years. You know, it is one thing to talk about these things, it is another thing to be serious and enact public policies that demonstrate to the country and the world you are serious. We have not done that on renewable energy. It is time, long past time we do it. I hope perhaps we will support with the first step tomorrow.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak as in morning business for such time as I might consume but probably in the neighborhood of 8 or 9 minutes for anybody else who might be wanting to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

COLOMBIA FREE TRADE AGREEMENT

Mr. GRASSLEY. Today, President Bush submitted the Colombia Trade Promotion Trade Agreement Implementing Act to Congress. This bill, as the title implies, would implement our pending trade agreement with Colombia, which the administration and Colombia signed in November 2006.

This is an important agreement that deserves our support. Some of the economic reasons for supporting this trade agreement are that the economic rationale is obvious. In my view, the economic rationale is undeniable. That is because Colombia is a beneficiary of two of our unilateral trade preference programs: The Andean Trade Preference Act, and the Generalized System of Preferences.

Now, all this means is Colombia already gets duty-free access to U.S. markets for the vast majority of its goods. Now, meanwhile, less than 3 percent of our exports to Colombia, and not a single U.S. agricultural export, receives duty-free treatment from Colombia. Our exporters face Colombian tariffs as high as 35 percent for nonagricultural goods and even much higher tariffs for agricultural goods.

The Colombian trade agreement would thus eliminate this disparity or, as we like to say so often, level the playing field for American exporters, thus giving American workers the same access to Colombian markets that their workers get to the U.S. markets; in other words, being fair, leveling the playing field.

Now, the U.S. International Trade Commission has found that leveling the playing field will increase our exports to Colombia by $1.1 billion per year. That is as a result of eliminating the duty on goods. That means real benefits for American farmers, for American manufacturers, for American service suppliers.

One of the chief benefits is it will help keep good-paying jobs in the United States. So I would ask my colleagues and the American people to think about this whole proposition about the Colombian Free Trade Agreement this way: Either we maintain the status quo or we create new opportunities for American exporters.

At its heart, that is what this debate is all about. Last year, exports accounted for more than 40 percent of our total economic growth. We should be doing everything we can do to grow our exports even further. That is what we did last December when the Senate voted by this wide margin of 77 to 18 in favor of a free-trade agreement with Peru.

The Colombian trade agreement is very much like this Peru agreement, and the Colombian market is bigger than the Peru agreement. If it makes sense to approve the Peru agreement, it makes even more sense to approve the agreement with the country of Colombia.

Economic considerations are not the only reason to support the Colombian agreement. I say this because too often we measure trade entirely in economic terms. But there are a lot of ways to measure trade other than in dollars and cents. Because in this instance and in so many instances, trade agreements are about an important national security priority.

There is one very specific reason for doing this with Colombia. Because as my Senate colleagues know, Colombia is a strong Democratic ally in a very dangerous neighborhood. For many years, it has been under assault from the FARC, a group of narcoterrorists fighting to overthrow the democratically elected Government in Colombia. It is increasingly under pressure, as Colombia is, from Venezuela's President Hugo Chavez. You have seen a lot of this in the news in the last month.

President Chavez of Venezuela is using oil wealth to divide Latin America. He is trying to lure allies to his Socialist vision and, most importantly, to promote his anti-U.S. agenda. He is fiercely opposed in this process to anything that Colombia's President Uribe does in cooperating with the United States or even having a friendship with the United States.

There have been troubling reports that President Chavez may be working with the FARC. Last month, he tried to create a diplomatic crisis over a border incident that did not even involve Venezuela. He took the side of the FARC against the Colombian Government. At a challenging time such as this, the United States has a responsibility to provide strong, principled leadership. Our agreeing to the Colombian Free Trade Agreement is one way of showing strong, principled leadership in support of a friend in South America.

We must stand by our allies. We must help to promote economic stability, security and, most importantly, the rule of law, whether it is in trade or nontrade areas. President Uribe has made it clear that one of the most important steps we can take in this regard is then to help him, through our implementation of the Colombian Trade Agreement that levels the playing field for America, for America's manufacturers, service providers, so we can get our products into Colombia on the same basis as Colombian farmers or manufacturers or whatever have been able to get their products into this country without duty.

Our leaders in Latin America are watching us in this process. They see our approach to Colombia as a proxy for the overall attitude toward Latin America. If Congress rejects this trade

agreement, or if we were to refuse to vote on it, our allies in Latin America might well conclude that the word of the United States is no good. That will not help Latin America, and it surely is not good for our country.

I know some of my colleagues have concerns about this agreement. One of those concerns is the issue of violence by Colombia or within Colombia against labor leaders. Anti-union violence has been a serious problem in Colombia for years.

If the Colombian Government were ignoring this issue, that might be reason to oppose this agreement. But Colombia and President Uribe are not ignoring the issue. To the contrary, Colombia has made massive strides in its fight against anti-union violence. Moreover, I have yet to hear a convincing reason why voting down the Colombian agreement or refusing to vote on it will help to reduce violence against labor leaders.

If we want to help Colombia reduce violence, and if we want to assist in the demobilization process, we should be doing what we can to enhance economic growth and create new opportunities for a legitimate economy. One way we can advance that objective is to vote to implement the Colombian trade agreement.

Now, the one other concern I have heard is the administration should have waited to submit the agreement until it reached a procedural agreement with the congressional leadership. The fact is, we have been waiting for Congress to take up this issue for over 10 months. On May 10 of last year, there was a great, grand deal made about our bipartisan compromise on trade that would pave the way for the continuation of pending trade agreements, including the Colombian agreement, including Peru, which has been passed, and including Panama, which still is on the agenda.

Now, since May 10 of last year, there has been no action on Colombia. This inaction violates the compact between the legislative and executive branches of our Federal Government on trade. The administration negotiated the Colombian trade agreement under the Bipartisan Trade Promotion Authorization of 2002.

Under the trade promotion authority procedures, the administration has an obligation to consult with Congress during the course of the negotiation and to conclude an agreement that meets the negotiation objectives specified in that statute, the Bipartisan Trade Promotion Authority Act of 2002.

Now, the administration has done all those things required by that act. The administration even went further by reopening the agreement to implement the enhanced labor and environmental provisions that were demanded by the new Democratic majority after the elections of 2006, which was their right to do.

These agreements then on labor and the environment were part of the May 10 bipartisan trade deal. Colombia has agreed to accept those provisions. But the trade promotion authority places a firm responsibility on Congress as well, the responsibility to process a trade agreement for an up-or-down vote once it has been concluded.

Congress has had over 10 months to engage the administration and commence that process. In that time, we have not even had a hearing on the Colombian trade agreement. So the time for that process ran out.

Now, this is the position the administration is in. In order to preserve sufficient time under the trade promotion authority to assure a final vote this year, the President has now submitted the agreement and implementing legislation to this Congress. But that does not mean Congress must vote tomorrow.

Today's action by the President starts the 90-day legislative clock in the House and Senate under that Bipartisan Trade Promotion Authority Agreement of 2002.

So there remains plenty of time to work together on a bipartisan basis to reach consensus. For example, I am engaging in intense discussion with the chairman of the Finance Committee, Senator BAUCUS of Montana, on a consensus bill to reauthorize our trade adjustment assistance programs. We will certainly continue that effort. Trade adjustment assistance is the top priority of Senator BAUCUS on the trade agenda this year. I have agreed to work with him to advance his priority that I also have an interest in advancing. But my priority is implementation of the Colombian trade agreement. I expect to see a vote on that as well. I think Congress can address both priorities. I think Congress can meet both responsibilities. I think Congress can accomplish them in a bipartisan way.

It is time to stop playing politics with our Nation's vital economic and foreign policy interests. It is time to level the playing field between the United States and Colombia on free trade. That level playing field is going to benefit the United States. It is not going to benefit Colombia much more, although it will benefit them some. American workers deserve a fair opportunity to sell our products and services abroad. Colombia deserves recognition for the tremendous progress it has made over the past few years. It is time for Congress to demonstrate leadership and to meet our responsibility in the economic and foreign policy areas.

The United States-Colombia trade promotion agreement deserves an up-or-down vote this year. This debate will continue. I hope that before the end it becomes more of a dialog than a debate because I think dialog is what foreign trade is all about.

This issue is too important. The stakes are too high. We must find a way forward, and we need to find it together. I think we will.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MENENDEZ). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DODD. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, I thought I might take a couple of minutes toward the close of the day and share with my colleagues where we stand on the matter of the housing proposal we have been on since the middle of last week. I wish to again thank Majority Leader REID. Without his leadership, we would not be here. We would not be in a position to actually do some things that are critically important to work our way out of this mess our country is in when it comes to the foreclosure crisis, the problems Americans are facing, not to mention the contagion effects that are moving this issue beyond housing into other aspects of our economy. It was Majority Leader REID who reached out to the Republican leader, suggesting we try to get together, Democrats and Republicans, on a compromise proposal to move to and then deal with other issues where we could, where there was some consensus, to then be able to meet with the other body to see if we couldn't resolve outstanding questions dealing with the issue of housing and foreclosure.

As I have said over and over for the last week since Senator SHELBY and I spent that 24 hours we were given—not a great deal of time, considering the number of issues involved in this question—to come back with a package that represented Democrats' and Republicans' common points on this question, there were a lot of issues Democrats wanted, that I wanted, there were issues Republicans wanted that the other side was not willing to agree to, and that was the charge we were to avoid, to come back with a package on matters we could agree on, which is not always easy in a Senate that is divided 51 to 49, where the margins are narrow and the differences are significant. But nonetheless, we did that.

This package includes positive provisions. One, we are going to get an FHA modernization bill. That has been kicking around for a long time. We took those loan limits from, I think it is $362,000 up to $550,000. There were some 19 States that would have been excluded from the FHA program or at least parts of States that would have been excluded, such as California, my own State of Connecticut, candidly, Massachusetts, New Jersey, many States, New York. There are pockets in these States where even the average cost of a home is higher. So the loan limits went up. FHA modernization does other good as well, an important point.

The issue of counseling, last year we appropriated $42 million nationwide for counseling services to deal with the housing crisis—hardly enough to deal

with the demands people had on counseling. Senator BOND and I offered an amendment last year and got $180 million for counseling services which we thought contributed, and it did, to assisting groups across the country, nonprofits to work with those facing foreclosure or in highly distressed mortgages to work out those differences.

I would have liked to have added $200 million more to the counseling program. That is a proposal Senator MURRAY, who cares deeply about this issue, Senator SCHUMER, who cares about the issue, and others wanted to bring up. When we sat down to negotiate that issue, there was little or no appetite for any additional money in the counseling area. So we compromised between the 200 and zero and came up with $100 million. I would have liked more. But again, we were directed and asked by the leadership to try to develop a set of consensus ideas. Again, there may be other amendments—there was on this—to add additional funds to it.

We provided money for community development block grants to assist communities that have a lot of distressed properties or foreclosed properties. I have made the case over and over what this can do to a community and neighborhood. When you have a single foreclosed property, the value of every other home in that neighborhood or the surrounding area can decline in value immediately. What you don't need is more supply out there. Right now we are overloaded with supply. It is one of the reasons why the market is not doing as much in correcting this problem, because of the oversupply of housing. So when we do what we can to clean up housing, to get it back on the market and hopefully get people into that housing, it not only benefits the people who get to purchase a home, but it also does a lot to increase the value of the surrounding homes, not to mention, of course, stabilizing a declining property tax base, which supports police, fire, social services, all the other issues that are adversely affected when you have a foreclosed property or properties in your neighborhood or community. So that was a major achievement in this bill.

I would have liked some additional funds for community development block grants. It is a very good program. It works very well. To target these resources into that area is something we can applaud in this legislation.

We also have offered some tax credits for people who move into foreclosed properties. It is a 2-year deal. It involves about $3,500 a year in tax credits. The idea is to get this property back on the tax rolls, to get people into the property so, again, you stabilize neighborhoods before you end up with further declining values and erosion in these areas, blight, all the other problems that happen.

How big a problem can that be? Let me tell you how big that can be. I have one community in my State that I have talked about where there are 6,000 foreclosures in a city of 100,000 people. Let me tell you what that looks like in a city. Imagine if you end up with 6,000 boarded-up properties in a city of 100,000 people or less. Obviously, the value of every other home in that city is going to be adversely affected. So while people said: I don't think you ought to be providing a tax credit to get owner-occupied people into these homes, well, you can make a case for that, but I think we all benefit if we can get someone into that property, clean it up. That is taxes coming into the community. The value of surrounding homes I think are benefited from it. So again, I think that is a good provision. It was offered here. It has to be foreclosed property. You have to live in the house for a period of time. It doesn't invite speculation or involve new properties. It is foreclosed properties.

We also had a number of provisions to deal with veterans. Again, I thank Senator JOHN KERRY, Senator DAN AKAKA of Hawaii, Senator COLEMAN, among others, Senator SANDERS of Vermont. All had ideas on how we could assist our men and women in uniform who are facing not only the difficulty of being in the military service today, potentially serving in Afghanistan and Iraq, but also facing potential foreclosures. We have done a lot in this bill to make sure they are not going to be adversely affected.

It may not seem like much or a lot of people, but the fact that we could do something to help mayors and local governments with foreclosed properties, as well as providing some way for people to get into these homes, is a positive step, not to mention the FHA modernization, the mortgage revenue bonds, $1.6 billion, not exactly a small amount of money, designed specifically to get people into fixed rate affordable mortgages that they can work out. That is going to be a tremendous asset to people.

There are some related matters we probably have to deal with in the Tax Code so it could be even more potent, but it is a major accomplishment in this bill that is something we can applaud again and celebrate as being very helpful. In fact, this is the $10 billion in mortgage revenue bond authority included in this proposal.

There are other provisions in the bill. Frankly, there are some that go too far. I am the first to admit it. But I was asked to try to put something together. In doing so, I wished to have a provision in here that I cared deeply about and that is the home preservation idea, where we could forestall the ability of people. In the ultimate situation, where you provide money to mayors to clean up, why not stop foreclosure in the first place. I have talked about it since January. There is, I think, sort of a growing constituency that understands this and has offered some ideas on how to be supportive. But I couldn't get my own idea in this bill as the negotiator. I tried to convince my good friend from Alabama and others this was a provision I thought we ought to have in this bill.

He has some very legitimate questions about it. A good set of hearings probably will accomplish it. This Thursday, we are going to have a hearing on this idea and other ideas in the Banking Committee and a hearing the following week as well because we would like to have a couple hearings on it. My hope is that at the conclusion, we can have a markup and, along with some other provisions the Presiding Officer is aware of, as a member of the committee, we can bring back as a package, hopefully, in a bipartisan way, that we can move through this Chamber that will contribute some answers to this economic crisis that has as its center the foreclosure crisis.

My own provision is not part of this package as much as I wanted it and argued for it. But I couldn't get it included at all. So there are things I would have liked to have had in this bill that are not here.

There are some things in this bill that I think go too far. I will be the first to admit it. But I have learned over the years that if you wait for the perfect, you don't get much. In this body with 100 Members, with very different views on a lot of these matters, you do your best. Particularly when you are divided 51 to 49, it is hard to develop that kind of consensus. But that is what it is, and that is how you get legislation passed. You begin to have to move on it. That is why I am urging my colleagues and I am grateful for the vote on cloture. I don't like to cut off debate for anyone on matters where certain amendments may not then survive a postcloture motion. But we need to come to some closure on this.

I would say to the Presiding Officer as well that there are about 15 or 20 amendments that are going to be worked out, I think, that various people have offered in addition to what is in the core provisions here that we are working hard on, the adjoining staff, to try to accommodate where we can. So in addition to the core provisions, there are other ideas that have come forward that we hope to have included in this final product that we can produce, hopefully, by tomorrow.

But we are pretty much done with the debate. We have debated this a lot. People know or can find out whether their amendments are germane or survive postcloture or would avoid an objection being filed against them. If that is the case and they want to come over and let Senator SHELBY and me talk about them and listen to people's ideas, it is still possible some additional ideas can be included.

I have been told there are some people who are just going to object to anything that comes up. I would wish that would not be the case, but that is a right Members have. They have the

right to object to anything because it takes unanimous consent to bring up these matters. If you do not get the consent, it does not come up. So I know the Democratic leader, working with the Republican leader, is trying to convince those Members who have blanket objections to anything to remove those objections and to allow some of these ideas to come up to be considered as part of this package.

We then have to go through the process of meeting with the other body. Congressman BARNEY FRANK, the chairman of the Financial Services Committee of the House, is working on a similar package or related package. I am never going to get there to work out some differences, some of the different ideas that may become a part of this legislation, if I do not leave here. We cannot solve this problem by talking to ourselves. We are going to have to sit down and talk with people who have different points of view on this if we are going to come up with some common answers.

So that is sort of the status of play here at 6:30 this evening. There is no reason why we need to exhaust 30 hours. There is a lot of other work to be done in this body on other matters. This is not the only issue that is before this Congress.

So my hope would be that tomorrow morning, for those who have additional ideas who want to come over, for those who are waiting to see if we can get some answers, that we do that. I am prepared to spend the time to try to work things out where we can and to say to those where we cannot work it out: I am sorry, I cannot accommodate every Member who has an idea on this bill. Beyond that, we need to come to closure and move on. My hope would be we would not have to wait until 9 p.m. tomorrow night to arrive at that point.

I am more than happy to yield back time under the 30 hours, as I am confident Senator SHELBY would be, but we do not want to do that without giving our colleagues an opportunity to be heard on these matters.

So I will urge colleagues in the morning, if they would come over and bring their ideas or at least if they have amendments to bring them up. We can vote on some of these. Some may carry, some may not, but allow us to move forward and have a final vote on this package and then go back to work in the committee to bring out these additional ideas we have been talking about, as well as to get to a conference with the other body to try to resolve what is in this bill and what they will offer themselves.

With that, Mr. President, I ask unanimous consent to add Senators KOHL and CARPER as cosponsors to amendment No. 4489, as submitted by Senator MCCASKILL.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARTINEZ. Mr. President, I would like to commend the hard work of Chairman DODD and Ranking Member SHELBY for putting together a bipartisan package of housing provisions.

If we have learned anything from the current economic situation, it is the need for improved oversight of the lending industry. There is a need to restore investor and consumer confidence in the housing market. Although this bill goes a long way to helping families and communities deal with issues related to foreclosure, there's still a critical component missing—regulatory reform of government-sponsored enterprises.

I would like to take a moment to remind my colleagues what precipitated the need for Congress to consider GSE regulatory reform.

In May 2006, OFHEO published a special report detailing egregious management and accounting scandals that highlighted a corporate culture of greed and corruption. I would like to read a few excerpts from the summary of that report:

Fannie Mae senior management promoted an image of the Enterprise as one of the lowest-risk financial institutions in the world and as ''best in class'' in terms of risk management, financial reporting, internal control, and corporate governance. The findings in the report show that risks at Fannie Mae were greatly understated and that the image was false.

During the period covered by the report—1998 to mid-2004—Fannie Mae reported extremely smooth profit growth and hit announced targets for earnings per share precisely each quarter. Those achievements were illusions deliberately and systematically created by the Enterprise's senior management with the aid of inappropriate accounting and improper earnings management. A large number of Fannie Mae's accounting policies and practices did not comply with Generally Accepted Accounting Principles, GAAP.

The Enterprise also had serious problems of internal control, financial reporting, and corporate governance. Those errors resulted in Fannie Mae overstating reported income and capital by a currently estimated $10.6 billion. By deliberately and intentionally manipulating accounting to hit earnings targets, senior management maximized the bonuses and other executive compensation they received, at the expense of shareholders.

Earnings management made a significant contribution to the compensation of Fannie Mae chairman and CEO Franklin Raines, which totaled over $90 million from 1998 through 2003. Of that total, over $52 million was directly tied to achieving earnings per share targets. Fannie Mae consistently took a significant amount of interest rate risk and, when interest rates fell in 2002, incurred billions of dollars in economic losses.

The Enterprise also had huge operational and reputational risk exposures.

Fannie Mae's Board of Directors contributed to those problems by failing to be sufficiently informed and to act independently of its chairman, Franklin Raines, and other senior executives; by failing to exercise the requisite oversight over the Enterprise's operations; and by failing to discover or ensure the correction of a wide variety of unsafe and unsound practices.

The board's failures continued in the wake of revelations of accounting problems and improper earnings management at Freddie Mac and other high profile firms, the initiation of OFHEO's special examination and credible allegations of improper earnings management made by an employee of the Enterprise's Office of the Controller.

Senior management did not make investments in accounting systems, computer systems, other infrastructure, and staffing needed to support a sound internal control system, proper accounting and GAAP-consistent financial reporting. Those failures came at a time when Fannie Mae faced many operational challenges related to its rapid growth and changing accounting and legal requirements. Fannie Mae senior management sought to interfere with OFHEO's special examination by directing the Enterprise's lobbyist to use their ties to Congressional staff to generate a congressional request for the inspector general of the Department of Housing and Urban development, HUD, to investigate OFHEO's conduct of that examination; and insert into an appropriations bill language that would reduce the agency's appropriations until the Director of OFHEO was replaced.

While I will concede that the Enterprises have made great strides in cleaning up their acts, Congress must enact regulatory reform to ensure that such deliberate and egregious practices can never happen again. This legislation achieves that objective and it is high time we take action to pass it.

If we really want to assist our fragile markets, we cannot forego the opportunity to include meaningful and comprehensive GSE reform in this housing package. I have spent the past five years advocating for GSE reform, first as Secretary of HUD and now here in the Senate. There has been a great deal of talk about reforming GSEs, but we haven't closed the deal.

The junior Senator from Delaware and I are offering this amendment because we believe the housing legislation before us represents the best opportunity for Congress to pass GSE reform.

There has been a great deal of uncertainty lately in the housing market, and as one of the most reliable resources for homeowners, we cannot afford to let the future of GSEs like Fannie Mae and Freddie Mac to remain equally as uncertain.

The combined obligations of Fannie Mae, Freddie Mac, and the Federal Home Loan Banks exceed $6 trillion. The Fed's bailout of Bear Sterns last month would look like a drop in the bucket compared to what would happen

if one of these institutions were to fail. This is a risk we simply can't afford to take without giving the U.S. taxpayer every opportunity to ensure safety and soundness—a world-class regulator gives us that.

Last year, the House passed a bipartisan GSE reform bill, and our amendment mirrors that legislation. This amendment is broadly supported by those within the financial sector as well as the Treasury Department and OFHEO. It contains the essential components necessary for overhauling GSE oversight and for providing stability and strength to our housing finance system.

And given Congress's recent action raising conforming loan limits and OFHEO's decision to lower Fannie and Freddie's capital requirements, GSE reform is more critical than ever. We passed an economic stimulus package that increased the maximum size of a mortgage that Fannie and Freddie can purchase this year to almost $730,000 in high-cost areas, and recently OFHEO lowered their capital surplus requirements from 30 to 20 percent.

While I agree that these were necessary steps given the current market conditions, I am very concerned about the additional risk Fannie and Freddie will assume given these changes.

I am committed to ensuring the long-term sustainability of the GSEs and regulatory reform is critical to that effort. In terms of current regulation, OFHEO has done a great job with the tools at its disposal, but the problem is the regulator needs greater powers—like those of other Federal banking regulators. We need a world-class regulator to ensure the GSEs continue to operate in a safe and sound manner and that they remain focused on their affordable housing mission.

One of the most important elements of this proposal is the creation of a new regulator that is both politically independent and funded outside of the appropriations process. In order for this regulator to be credible, they cannot be subject to the annual budget machinations of a committee or the political influence inherent in Washington.

Part of its broad responsibility would be to ensure a more coherent regulatory framework, better enforcement, and a more consistent and aggressive effort on affordable housing. The regulator would have the ability to monitor the agency's portfolios—and direct the enterprises to acquire or sell any asset in order to maintain risk consistent with their missions. The regulator would also have the ability to set both minimum and risk-based capital levels for the GSEs—in other words, the amount of capital an enterprise would be required to hold would be directly related to the amount of risk they have undertaken.

The regulator would posses enhanced enforcement powers and be able to provide prompt corrective action, including the authority to set and enforce prudential management and internal control standards. It would also have the ability to put a GSE into receivership, and exercise a role in the authority over safety, soundness and mission. Finally, it would have a say in new product review and approval.

I know many of my colleagues have concerns that this legislation does not go far enough in its regulation of the enterprises or that the inclusion of an affordable housing fund is nothing more than a ''political slush fund.'' Funds would be allocated to and distributed by the states, rather than the GSEs, under a formula to be developed by HUD.

The most important component of reform legislation is the establishment of a stronger, more credible regulator—which is greatly needed. Homeowners are frustrated and consumers are worried about what lies ahead for our housing market.

We have an opportunity to inject some much-needed confidence into a sagging portion of our economy, and I believe it would be irresponsible to further delay addressing this important issue. Ensuring the soundness of Fannie and Freddie will give market participants the confidence they need to continue investing in mortgage products. That confidence is critical for the proper functioning of our financial markets. In the same bipartisan spirit that helped us come to an agreement on the housing bill, I would urge my colleagues to follow the same course of action in passing this necessary bill.

Ms. SNOWE. Mr. President, I am not only deeply concerned that increasing foreclosures threaten the dream of home ownership, but it is also critical to understand that the housing crisis that the Senate is currently grappling with affects every corner of this country, including both small and large States.

Therefore, I have introduced an amendment that would ensure that States with low populations receive their fair share of the increase in mortgage revenue bond allocations provided for within the Dodd-Shelby substitute amendment.

Under current law, there is a small State floor that sets a minimum level of allocations of mortgage revenue bonds that any one State will receive. These bonds provide State housing finance agencies, like the Maine Housing Authority, that provided $134.4 million of loans to first-time homebuyers in 2006, a financing source for low-cost loans to first-time homebuyers.

It is imperative that we understand the magnitude of mortgage difficulties facing our Nation. By 2009, more than a trillion dollars of mortgages originated during the subprime lending boom will reset to higher interest rates. Currently, according to the Mortgage Bankers Association, 43 percent of subprime ARMs are already in foreclosure. This exceptionally high number is expected to skyrocket over the next year once the next wave of ARM loans reset and borrowers' mortgage payments increase by 30 to 50 percent. In December, the Center for Responsible Lending predicted that 2.2 million families with subprime loans will lose their homes to foreclosure.

High foreclosure rates harm communities, create blighted areas, and stunt local and national economic potential. Consequently, it is in the best interest of all of the parties involved in the subprime crisis that Congress act to preserve home ownership, and minimize foreclosures.

Appropriately, the housing stimulus legislation currently before the Senate extends for 2008 the availability of these low-cost mortgages to refinancings in addition to first-time homebuyers. This proposal, based from legislation, S. 2517, introduced by Senator SMITH, and of which, I have joined as a cosponsor, will help provide a low-cost refinancing alternative to those struggling to meet their payment obligations as their subprime loans begin to reset. It only makes sense to offer such an alternative to foreclosures.

Additionally, the proposal increases the authorization level of the tax-exempt mortgage revenue bonds by $10 billion for 2008. But, however, the proposal failed to apply the floor provided for under the current authorization levels to the increase for this year. My amendment addresses this inequity by providing an additional $930 million of authorization that ensures that more populous States will receive no less than what they are receiving under the Dodd-Shelby compromise while at the same time increases the allocation for smaller States to levels that they should receive if the floor were applied to the $10 billion authorization increase. So no State will be worse off by my amendment while making sure that smaller States are treated fairly.

According to the Mortgage Bankers Association, Maine, with a population of only 1.3 million, has a foreclosure rate of 2.4 percent while the national average is 2 percent. As you can see, Maine's foreclosure rate is well above the national average and goes to show that homeowners are struggling in small States as well as large States, and my amendment simply addresses the current housing crisis in a way that is fair to all States, both large and small.

Mr. President, I am committed to this issue, and urge my colleagues to join me in supporting this critical amendment that is a matter of equity and fairness.

MORNING BUSINESS

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAQ

Ms. MIKULSKI. Mr. President, I opposed going to war in Iraq. I opposed the escalation of American troop levels. And I still do.

When the Bush administration proposed the escalation of U.S. forces in Iraq, the President said it would enable the Iraqi government to achieve political reconciliation. Our troops have done their part. Yet as we ask our troops to do more, the Iraqi government does less.

While we were fighting the surge, the Iraqi parliament was on vacation. While our troops were wounded, dying, and away from their families, Prime Minister al-Maliki was running up a budget surplus.

The Iraqi government has failed to make their country safer or more stable; they have failed to hold provisional elections, reform their oil laws or disarm the militias. This is a failure in leadership. The battle of Basra was a disaster. We know that many members of the Iraqi military fought bravely and steadfastly. But we also know that more than 1,000 deserted or refused to fight. Once again, American troops had to step forward to salvage the operation.

Our troops have performed bravely and effectively. Yet a great American military cannot be a substitute for a weak Iraqi government. It is time to come home. We must bring our troops home, swiftly and safely.

THE MATTHEW SHEPARD ACT OF 2007

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would strengthen and add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

In the early morning of July 15, 2007, Miranda Greer, an openly lesbian woman, was brutally attacked in a Jackson, TN, bar. Greer had been dancing when a man approached her and, using a homophobic slur, asked her to leave. The man had apparently mistaken Greer for a gay male. When she clarified that she was a lesbian, the man punched her in the face. He then used the bottom of a beer bottle to jab her left eye, and broke it over the back of her head. Greer ended up with a blind spot in her left eye after the attack. Police have issued a warrant for the arrest of Tyler Mansfield, who was identified as a suspect according to the Jackson Police Department.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. Federal laws intended to protect individuals from heinous and violent crimes motivated by hate are woefully inadequate. This legislation would better equip the Government to fulfill its most important obligation by protecting new groups of people as well as better protecting citizens already covered under deficient laws. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

CAMERON GULBRANSEN KIDS AND CARS SAFETY ACT

Mrs. CLINTON. Mr. President, on February 29, 2008, the Cameron Gulbransen Kids and Cars Safety Act was signed into law, marking a historic moment for children, families and safety advocates across the country.

Nearly every other day in the United States, a child dies in a nontraffic vehicle accident. This legislation will ensure that cars in the United States are properly equipped with safety technology to prevent unintentional harm to children, promising safer cars, and safer children in New York and across the country.

I am honored to have championed the Cameron Gulbransen Kids and Cars Safety Act in the Senate, named in remembrance of a 2-year-old Long Island boy who was killed when he wandered behind the SUV his father was backing into their driveway. With this legislation we honor his memory, and the memory of all children taken from us by these tragic and preventable auto accidents.

I have met many parents, sisters, and brothers who have lost a loved one to a nontraffic-related incident. Their presence in this fight represents a true testament of courage. I would also like to thank the advocacy community—KIDS AND CARS, Consumer's Union and the Advocates for Highway and Auto Safety—for their unwavering support throughout this push for passage. Together, these families and advocates played a critical role in raising awareness of this issue throughout Congress and across the country. Thanks to their tireless work, countless tragedies will be prevented in the future.

I would also like to thank all my colleagues on both sides of the aisle who joined me in supporting this important measure, especially Chairman JOHN DINGELL who was instrumental in helping this bill achieve passage in the House. Together we have shown that by working hard and finding common ground, we can produce legislation that will make a real difference in the lives of Americans.

As safety advocates and families gather in our Nation's Capitol to celebrate this seminal moment, I add to the chorus of thanks and praise for this long-awaited victory.

ADDITIONAL STATEMENTS

FAMILY SERVICE ASSOCIATION OF REDLANDS

• Mrs. BOXER. Mr. President, today I want to recognize the Family Service Association of Redlands as it celebrates 110 years of service and support to the communities of southern California.

As a nonprofit community service organization located in Redlands, CA, the Family Service Association has been a hallmark institution of assistance and guidance to all who have sought its support. Founded as the Associated Charities of Redlands by community leader A.K. Smiley in February of 1898, this organization has a long history of care and concern for the needs of its local communities. After spending its first few years using funds from local contributors to assist the less fortunate, the organization opened a wood yard in 1909 to provide employment for those out of work. Later, contributors would donate buildings that enabled the organization to expand and establish the first community hospital, enabling more and more community needs to be met.

Today, the Family Service Association of Redlands provides a variety of services and programs to benefit needy populations of inland southern California. Their Home Again program has made a significant effort to address the growing issues of poverty and homelessness, through providing homeless families with permanent housing, employment, and family stability. Their Family Support program has made a similar dramatic effort at bringing fundamental goods and services to families in need; these include clothing distribution, rental and mortgage assistance, utility bill assistance, motel vouchers, emergency medical assistance, dental and vision screening programs, educational and training programs, case management services, and many others.

As the Family Service Association of Redlands celebrates 110 years of service and support to the communities of inland southern California, I am pleased to ask my colleagues to join me in recognizing their more than a century of accomplishments.•

TRIBUTE TO JACK AND JAN MCGOWAN

• Mr. SMITH. Mr. President, today I highlight the importance of acknowledging and celebrating extraordinary efforts by ordinary Americans who have led the way in protecting and preserving America's natural resources. I am honored to congratulate two inspiring ''natural resource heroes'' in my State of Oregon, Jack and Jan McGowan.

Jack and Jan McGowan have served as the executive director and associate director respectively of an organization called SOLV, which stands for Stop Oregon Litter and Vandalism. Jack and

Jan's 18-year career with SOLV has seen many changes to the organization. Founded in 1969 by Oregon Governor Tom McCall, SOLV has focused on bringing together government agencies, businesses and Oregon citizens to work together on programs and projects that were meant to enhance the livability of our State. When Jack and Jan assumed leadership of SOLV in 1990, they worked out of their home and operated a very small organization of volunteers. Today, SOLV is the largest volunteer non-profit agency in the Northwest and has provided inspiration to similar organizations around the country and the world.

Oregonians pride themselves in doing their part to protect and conserve the State's treasures and natural resources. The first beach cleanup in the United States was held in Oregon in 1984. Since then, annual beach cleanups now occur all along the west and east coasts of our country and in over 100 countries around the world. Just last month, SOLV organized Oregon's 24th annual spring beach cleanup. All 362 miles of Oregon's coastline were canvassed by almost 4,000 volunteers who accumulated over 110,000 pounds of trash.

As a young Boy Scout, I was taught that one's duty was to respect and protect the world around you. I believe that we have a responsibility to encourage efforts in conserving our natural resources by responsibly using them, not abusing them. Jack and Jan McGowan have made major contributions to a proud Oregon pioneering spirit of innovation and conservation. What they have given back to their community is invaluable, for they have taught us that everyone doing their small part can achieve huge successes. I wish Jack and Jan well as they pursue future endeavors in their retirement.●

RECOGNIZING BLACK HILLS STATE UNIVERSITY

● Mr. THUNE. Mr. President, today I recognize Black Hills State University as they celebrate their 125th anniversary.

Throughout the past 125 years, Black Hills State University, BHSU, has served the State of South Dakota by providing a quality educational experience. BHSU's commitment to education began in 1883 when the school was founded as the Dakota Territorial Normal School. With only 40 students and a 2-year budget of $2,000, BHSU began its journey in becoming a premier educational institution in South Dakota.

The school underwent a name change in 1941 and became the Black Hills Teacher's College. In the early 1940s, the rise of World War II resulted in a nationwide decline in university enrollment. In response, BHSU chipped in and hosted the training operations for Air Corp Cadets for the Manpower Commission to assist the war effort. After the war, the school rebounded and enrollment increased rapidly with the help of the G.I. Bill of Rights and BHSU's addition of graduate courses to its university catalogue.

Black Hills State University received its present name in 1964, and since, has continued to thrive in the South Dakota educational community. Now with three different colleges, an excellent academic environment, and many athletic opportunities, I am confident that BHSU will continue to serve the Spearfish community and the State of South Dakota for the next 125 years.

It gives me great pleasure to rise with the students, faculty, and alumni of Black Hills State University on this milestone anniversary and wish them continued success in the years to come.●

HONORING THE LOUISIANA HONORAIR

● Mr. VITTER. Mr. President, today I wish to acknowledge and honor a very special group, the Louisiana HonorAir. Louisiana HonorAir is a not-for-profit group that flies as many as 200 World War II veterans a year up to Washington, DC, free of charge. On April 7, 2008, a group of 95 veterans will reach Washington as part of this very special program.

I want to take a moment to thank all the brave veterans visiting our Capitol city this trip:

Durelle L. Allen, Sr.; Elmer R. Allison; Daniel Angelle, Jr.; Aline M. Arceneaux; Louis Armes; Charles Barber; Billy J. Barrett, Sr.; Charles Barber; Harry P. Becnel; Nicholas D. Bernard; James H. Booksh, Jr.; James L. Boulet; Valentin D. Breaux, Jr.; Warren J. Breaux, Sr.; John W. Broussard; Don L. Broussard; Emery Broussard; Tony Collette; Elmer Corkern; Jack H. Crouchet; Frank J. Culotta, Sr.

Frank Deerman; Joseph I. DeVille; James G. DeVille; Julian A. Didier; Irving A. Domingue; Carl Dougherty; Charles H. Driggers; Russell J. Duet; Stanley T. Duhon; Donald K. Dutt; Robert M. Fleming; Ernest E. Fontaine; Lucius J. Forsyth, Jr.; Thomas R. Fournet; Paul U. Gary; Buren J. Gautreau; Hewitt B. Gomez; Gerald M. Gossen; Milton L. Guilbeau.

Donald C. Harmon; Didier J. Hebert, Jr.; Joseph W. Hebert; Adlar Hebert; James M. Jennings, Jr.; Joseph Kenner; Ruth M. Kilgore; Robert S. King, Jr.; William A. Koch, Jr.; John E. Landry; Wilfred R. LeBlanc; Walter A. Leonard; Grady A. Lewis; Robert H. Little; Thomas W. Logan; Jack P. Martin; Frank M. Mathews; Remie McGee, Jr.; Ray J. Melancon; John M. Menard; A.G. Moulder.

William G. Neef; Richard D. Nunez; Peter C. Piccione, Sr.; Charles D. Pierce; Ulysses J. Prevost; Wilfred Racca; Antoine W. Richard; Javis J. Robert; Forrest Sadler; Leroy Salsman, Jr.; Shirley L. Savoy; Lannie Scarborough; William P. Scott; Emmet G. Sellers; William R. Shelton; Robert D. Snyder; Hubert Sonnier; Albin H. Steiner; C. W. Sunday; Robert Sutter; Edward Swearingen.

Vernon O. Tekell; Joseph Thibodeaux; Andrew Thibodeaux; Wilbur P. Thousand; Emery F. Toups; Prudhome J. Trahan; Frances C. Trahan; Walton Trahan; William O. Walker; Camile E. Weber, Sr.; Charles Webre, Jr.; Richard M. Whaley; Walter C. White; Frank S. Williams.

While visiting Washington, DC, these veterans will tour Arlington National Cemetery, the Iwo Jima Memorial, the Vietnam Memorial, the Korean Memorial, and the World War II Memorial. This program provides many veterans with their only opportunity to see the great memorials dedicated to their service.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a treaty which was referred to the Committee on Foreign Relations.

(The nomination received today is printed at the end of the Senate proceedings.)

LEGISLATION AND SUPPORTING DOCUMENTS TO IMPLEMENT THE UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT—PM 43

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

To the Congress of the United States:

I am pleased to transmit legislation and supporting documents to implement the United States-Colombia Trade Promotion Agreement (the ''Agreement''). The Agreement represents an historic development in our relations with Colombia, which has shown its commitment to advancing democracy, protecting human rights, and promoting economic opportunity. Colombia's importance as a steadfast strategic partner of the United States was recognized by President Clinton's support for an appropriation in 2000 to provide funding for Plan Colombia, and my Administration has continued to stand with Colombia as it confronts violence, terror, and drug traffickers.

This Agreement will increase opportunity for the people of Colombia through sustained economic growth and is therefore vital to ensuring that Colombia continues on its trajectory of positive change. Under the leadership of President Alvaro Uribe, Colombia has made a remarkable turnaround since 1999 when it was on the verge of being a failed state. This progress is in part explained by Colombia's success in demobilizing tens of thousands of paramilitary fighters. The Colombian government reports that since 2002, kidnappings, terrorist attacks, and murders are all down substantially, as is violence against union members.

The Government of Colombia, with the assistance of the United States, is continuing its efforts to further reduce the level of violence in Colombia and to ensure that those responsible for violence are quickly brought to justice. To speed prosecutions of those responsible for violent crimes, the Prosecutor General's Office plans to hire this year 72 new prosecutors and more than 110 investigators into the Human Rights Unit. These additions are part of the increase of more than 2,100 staff that will be added to the Prosecutor General's Office in 2008 and 2009. To support these additional personnel and their activities, Colombia has steadily increased the budget for the Prosecutor General's Office, including by more than $40 million this year, bringing the total outlay for that office to nearly $600 million.

In negotiating this Agreement, my Administration was guided by the objectives set out by the Congress in the Trade Act of 2002. My Administration has complied fully with the letter and spirit of Trade Promotion Authority—from preparation for the negotiations, to consultations with the Congress throughout the talks, to the content of the Agreement itself. In addition, my Administration has conducted several hundred further consultations, led congressional trips to Colombia, and last year renegotiated key labor, environmental, investment, and intellectual property rights provisions in the Agreement at the behest of the Congress. By providing for the effective enforcement of labor and environmental laws, combined with strong remedies for noncompliance, the Agreement will contribute to improved worker rights and higher levels of environmental protection in Colombia. The result is an Agreement that all of us can be proud of and that will create significant new opportunities for American workers, farmers, ranchers, businesses, and consumers by opening the Colombian market and eliminating barriers to U.S. goods, services, and investment.

Under the Agreement, tariffs on over 80 percent of U.S. industrial and consumer goods exported to Colombia will be eliminated immediately, with tariffs on the remaining goods eliminated within 10 years. The Agreement will allow 52 percent of U.S. agricultural exports, by value, to enter Colombia duty-free immediately, with the remaining agricultural tariffs phased out over time. This will help to level the playing field, as 91 percent of U.S. imports from Colombia already enjoy duty-free access to our market under U.S. trade preference programs.

My Administration looks forward to continuing to work with the Congress on a bipartisan path forward to secure approval of this legislation that builds on the positive spirit of the May 10, 2007, agreement on trade between the Administration and the House and Senate leadership, and the strong bipartisan support demonstrated by both Houses of Congress in overwhelmingly approving the United States-Peru Trade Promotion Agreement last year. The United States-Colombia Trade Promotion Agreement represents an historic step forward in U.S. relations with a key friend and ally in Latin America. Congressional approval of legislation to implement the Agreement is in our national interest, and I urge the Congress to act favorably on this legislation as quickly as possible.

GEORGE W. BUSH.

THE WHITE HOUSE, *April 7, 2008*.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5681. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Karnal Bunt; Removal of Regulated Areas in Texas'' (Docket No. APHIS–2007–0157) received on April 7, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5682. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the Selected Acquisition Reports for the quarter ending December 31, 2007; to the Committee on Armed Services.

EC–5683. A communication from the Chairman, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report relative to the Buy American Act; to the Committee on Banking, Housing, and Urban Affairs.

EC–5684. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operations Regulations (including 6 regulations beginning with USCG–2007–0070)'' (RIN1625–AA09) received on April 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5685. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operations Regulations (including 4 regulations beginning with USCG–2008–0151)'' (RIN1625–AA09) received on April 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5686. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Waters Surrounding U.S. Forces Vessel SBX–1, HI'' (RIN1625–AA87) received on April 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5687. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Manbirtee Key, Port of Manatee, FL'' (RIN1625–AA87) received on April 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5688. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operations Regulations: Atlantic Intracoastal Waterway (AIWW), Sunset Beach, NC'' (RIN1625–AA09) received on April 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5689. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operations Regulations (including 5 regulations beginning with USCG–2008–0046)'' (RIN1625–AA09) received on April 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5690. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone Regulations (including 4 regulations beginning with USCG–2008–0080)'' (RIN1625–AA00) received on April 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5691. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Cape Fear River, Wilmington, North Carolina'' (RIN1625–AA87) received on April 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5692. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''2008 Rates for Pilotage on the Great Lakes'' (RIN1625–AB23) received on April 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5693. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Anchorage Regulations Yarmouth, Maine, Casco Bay'' (RIN1625–AA01) received on April 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5694. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Sector Anchorage Western Alaska Marine Inspection and Captain of the Port Zones; Technical Amendment'' (RIN1625–ZA15) received on April 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5695. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area Regulations (including 2 regulations beginning with USCG–2008–0045)'' (RIN1625–AA11) received on April 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5696. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Landowner Defenses to Liability Under the Oil Pollution Act of 1990: Standards and Practices for Conducting All Appropriate Inquiries'' (RIN1625–AB09) received on April 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5697. A communication from the Chief of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations (including 2 regulations beginning with USCG–2007–0076)'' (RIN1625–AA08) received on April 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5698. A communication from the Vice President, Government Affairs and Corporate Communications, National Railroad Passenger Corporation, transmitting, pursuant to law, a report relative to the Corporation's Grant and Legislative Request for fiscal year 2009; to the Committee on Commerce, Science, and Transportation.

EC–5699. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Health, United States, 2007''; to the Committee on Health, Education, Labor, and Pensions.

EC–5700. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2007 Section 45K Inflation Adjustment Factor'' (Notice 2008–44) received on April 1, 2008; to the Committee on Finance.

EC–5701. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Standards for Recognition of Tax–Exempt Status'' ((RIN1545–BE37)(TD 9390)) received on April 1, 2008; to the Committee on Finance.

EC–5702. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance Under Section 7623 (Whistleblower Regulations)'' ((RIN1545–BG74)(TD 9389)) received on April 1, 2008; to the Committee on Finance.

EC–5703. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Announcement and Report Concerning Advance Pricing Agreements'' (Announcement 2008–27) received on April 1, 2008; to the Committee on Finance.

EC–5704. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–328, ''Special Election Amendment Act of 2008'' received on April 2, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5705. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–327, ''Producer Licensing Amendment Act of 2008'' received on April 2, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5706. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–323, ''Clean Cars Act of 2008'' received on April 2, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5707. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–331, ''Fire Hydrant Inspection, Repair, and Maintenance Amendment Act of 2008'' received on April 2, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5708. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–337, ''Local Rent Supplement Program Temporary Amendment Act of 2008'' received on April 2, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5709. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–336, ''Supplemental Appropriations Clarification Temporary Amendment Act of 2008'' received on April 2, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5710. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–335, ''Conversion Fee Clarification Temporary Amendment Act of 2008'' received on April 2, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5711. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–334, ''Inclusionary Zoning Implementation Temporary Amendment Act of 2008'' received on April 2, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5712. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–333, ''Extension of Time to Dispose of the Old Congress Heights School Temporary Amendment Act of 2008'' received on April 2, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5713. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–332, ''Department of Transportation Establishment Temporary Amendment Act of 2008'' received on April 2, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5714. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–330, ''Fire-Standard-Compliant Cigarettes Act of 2008'' received on April 2, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5715. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–324, ''Accrued Sick and Safe Leave Act of 2008'' received on April 2, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5716. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–325, ''College Savings Program Increased Tax Benefit Act of 2008'' received on April 2, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5717. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–326, ''Omnibus Executive Service System, Policy and Fire Systems, and Retirement Modifications for Chief of Police Cathy L. Lanier and Fire Chief Dennis L. Rubin Amendment Act of 2008'' received on April 2, 2008; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated

POM–295. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to strengthen mortgage fraud laws; to the Committee on Banking, Housing, and Urban Affairs.

POM–296. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to include venture capital firms that are developing alternative and renewable energy sources in the Florida Opportunity Fund; to the Committee on Energy and Natural Resources.

POM–297. A resolution adopted by the Board of Commissioners of Ferry County of the State of Washington relative to federal lands in the County; to the Committee on Energy and Natural Resources.

POM–298. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to designate a portion of State Road 934 as ''Rev. Dr. CP. Preston, Jr. Street''; to the Committee on Environment and Public Works.

POM–299. A petition from a nongovernmental entity relative to Iranian Kurdish refugees currently residing in a camp between the Jordan and Iraq border; to the Committee on Foreign Relations.

POM–300. A resolution transmitted by a private citizen relative to the Uintah Treaty; to the Committee on Indian Affairs.

POM–301. A resolution adopted by the House of Representatives of the State of Michigan urging Congress to enact legislation to change the computation of the State Federal Medical Assistance Percentage; to the Committee on Finance.

HOUSE RESOLUTION NO. 243

Whereas, the Federal Medicaid Assistance Percentage (FMAP) determines the distribution of federal matching funds for medical assistance programs, including Medicaid. The United States Department of Health and Human Services calculates the FMAP annually for each state. The formula for calculating the FMAP is determined by a state's per capita income as calculated by the United States Department of Commerce. In 2003, the state lost about $160 million in federal Medicaid funds when General Motors made a one-time $16 billion payment to its underfunded pension plan. This one-time payment was included and skewed the calculation of the state's per capita income; and

Whereas, recent contract negotiations between three domestic automakers and the UAW will generate large one-time payments beginning in 2010 to a Volunteer Employee Benefits Association (VEBA) trust fund to be administered by the union. These payments will be similar in character to the payment made by General Motors for underfunded pension liabilities that skewed the FMAP calculation of state per capita income in 2003; and

Whereas, State and local governments are encouraged to prefund their retiree health benefits as a result of the Governmental Accounting Standards Board (GASB) 45 reporting requirement. These payments will be similar in character to the General Motors one-time payment for underfunded pension liabilities that skewed the FMAP calculation of state per capita income; and

Whereas, the combined contributions of the automobile companies will result in over $60 billion that will overstate the state's personal income by billions of dollars. The prefunding of public employee retirement by state and local governments will result in an exponential increase in this overstatement. This would place the state at risk of a decline in its FMAP for the three years that these contributions affect personal income calculations; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to enact legislation to change the computing of state Federal Medical Assistance Percentage by disregarding employer contributions toward retiree health care in calculating Medicaid; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–302. A concurrent resolution adopted by the House of Representatives of the State of Louisiana urging Congress to eliminate provisions of law which reduce social security benefits for those receiving benefits from government retirement systems; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 7

Whereas, the Congress of the United States has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor social security benefit, and the Windfall Elimination Provision (WEP), reducing the earned social security benefit for persons who also receive federal, state, or local retirement; and

Whereas, the intent of Congress in enacting the GPO and the WEP provisions was to address concerns that a public employee who had worked primarily in federal, state, and local government employment might receive a public pension in addition to the same social security benefit as a worker who had worked only in employment covered by social security throughout his career; and

Whereas, the purpose of Congress in enacting these reduction provisions was to provide a disincentive for public employees to receive two pensions; and

Whereas, the GPO negatively affects a spouse or survivor receiving federal, state, or local government retirement benefits who would also be entitled to a social security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or survivor social security benefit by two-thirds of the amount of the federal, state, or local government retirement benefit received by the spouse or survivor, in many cases completely eliminating the social security benefit; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement benefits, in addition to working in covered employment and paying into the social security system; and

Whereas, the WEP reduces the earned social security benefit using an averaged indexed monthly earnings formula and may reduce social security benefits for such persons by as much as one-half of the uncovered public retirement benefits earned; and

Whereas, because of these calculation characteristics, the GPO and WEP have a disproportionately negative effect on employees working in lower-wage government jobs; and

Whereas, Louisiana is making every effort to improve the quality of life of its citizens and to encourage them to live here lifelong. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to review the GPO and WEP social security benefit reductions and to consider eliminating them. Be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions:

Report to accompany S. 1858, A bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes (Rept. No. 110–280).

By Mr. AKAKA, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute:

S. 2162. A bill to improve the treatment and services provided by the Department of Veterans Affairs to veterans with post-traumatic stress disorder and substance use disorders, and for other purposes (Rept. No. 110–281).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 2828. A bill to require the Secretary of the Treasury to mint and issue coins commemorating the 100th anniversary of the establishment of Glacier National Park, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KENNEDY (for himself, Mr. LUGAR, Mr. LEAHY, Mr. SPECTER, Mr. BIDEN, Mr. CORNYN, Mr. LEVIN, Mr. LIEBERMAN, Mr. OBAMA, Mr. MCCAIN, Mr. DURBIN, Mr. SUNUNU, Mr. CARDIN, Mr. SMITH, Mr. HAGEL, Mr. COLEMAN, and Mr. BOND):

S. 2829. A bill to make technical corrections to section 1244 of the National Defense Authorization Act for Fiscal Year 2008, which provides special immigrant status for certain Iraqis, and for other purposes; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. GRASSLEY, and Mr. MCCONNELL) (by request):

S. 2830. A bill to implement the United States-Colombia Trade Promotion Agreement; to the Committee on Finance pursuant to section 2103(c) of Public Law 107–210.

By Mr. DORGAN (for himself and Mr. INOUYE):

S. 2831. A bill to reauthorize the Federal Trade Commission, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROBERTS (for himself, Mr. BROWNBACK, and Mr. STEVENS):

S. Res. 505. A resolution commending the University of Kansas men's basketball team for winning the 2008 National Collegiate Athletic Association (NCAA) Division I Basketball Championship; considered and agreed to.

By Mr. NELSON of Nebraska:

S. Res. 506. A resolution expressing the sense of the Senate that funding provided by the United States to the Government of Iraq in the future for reconstruction and training for security forces be provided as a loan to the Government of Iraq; to the Committee on Foreign Relations.

By Mr. KENNEDY (for himself, Mr. DODD, and Ms. COLLINS):

S. Con. Res. 74. A concurrent resolution honoring the Prime Minister of Ireland, Bertie Ahern, for his service to the people of Ireland and to the world and welcoming the Prime Minister to the United States; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 400

At the request of Mr. SUNUNU, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 400, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.

S. 582

At the request of Mr. SMITH, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 582, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 594

At the request of Mrs. FEINSTEIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 594, a bill to limit the use, sale, and transfer of cluster munitions.

S. 626

At the request of Mr. KENNEDY, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from Oregon (Mr. WYDEN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 626, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 630

At the request of Mr. COLEMAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 630, a bill to amend part C of title XVIII of the Social Security Act to provide for a minimum payment rate by Medicare Advantage organizations for services furnished by a critical access hospital and a rural health clinic under the Medicare program.

S. 937

At the request of Mrs. CLINTON, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 937, a bill to improve support and services for individuals with autism and their families.

S. 1223

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1223, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to support efforts by local or regional television or radio broadcasters to provide essential public information programming in the event of a major disaster, and for other purposes.

S. 1437

At the request of Ms. STABENOW, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1437, a bill to require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964.

S. 1445

At the request of Mr. KENNEDY, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from Oregon (Mr. WYDEN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 1445, a bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to establish, promote, and support a comprehensive prevention, research, and medical management referral program for hepatitis C virus infection.

S. 1693

At the request of Mr. KENNEDY, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1693, a bill to enhance the adoption of a nationwide interoperable health information technology system and to improve the quality and reduce the costs of health care in the United States.

S. 2170

At the request of Mrs. HUTCHISON, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2170, a bill to amend the Internal Revenue Code of 1986 to modify the treatment of qualified restaurant property as 15-year property for purposes of the depreciation deduction.

S. 2181

At the request of Ms. COLLINS, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 2181, a bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries' access to home health services under the Medicare program.

S. 2619

At the request of Mr. COBURN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2619, a bill to protect innocent Americans from violent crime in national parks.

S. 2674

At the request of Mr. BURR, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2674, a bill to amend titles 10 and 38, United States Code, to improve and enhance procedures for the retirement of members of the Armed Forces for disability and to improve and enhance authorities for the rating and compensation of service-connected disabilities in veterans, and for other purposes.

S. 2749

At the request of Mr. COBURN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2749, a bill to ensure that the highest priority for HIV/AIDS-related funding is saving lives most immediately and urgently threatened by HIV–AIDS, including babies at risk of being infected at birth.

S. 2793

At the request of Mr. MENENDEZ, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2793, a bill to direct the Federal Trade Commission to prescribe a rule prohibiting deceptive advertising of abortion services, and for other purposes.

S. 2821

At the request of Ms. CANTWELL, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 2821, a bill to amend the Internal Revenue Code of 1986 to provide for the limited continuation of clean energy production incentives and incentives to improve energy efficiency in order to prevent a downturn in these sectors that would result from a lapse in the tax law.

S. 2822

At the request of Mr. WYDEN, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 2822, a bill to amend the Energy Policy Act of 2005 to repeal a section of that Act relating to exportation or importation of natural gas.

S. RES. 504

At the request of Mrs. FEINSTEIN, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. Res. 504, a resolution condemning the violence in Tibet and calling for restraint by the Government of the People's Republic of China and the people of Tibet.

AMENDMENT NO. 4384

At the request of Mr. SANDERS, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of amendment No. 4384 proposed to H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

AMENDMENT NO. 4427

At the request of Mr. ISAKSON, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of amendment No. 4427 intended to be proposed to H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

AMENDMENT NO. 4437

At the request of Mr. SMITH, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 4437 intended to be proposed to H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

AMENDMENT NO. 4441

At the request of Mr. OBAMA, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 4441 intended to be proposed to H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

AMENDMENT NO. 4442

At the request of Mr. OBAMA, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 4442 intended to be proposed to H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

AMENDMENT NO. 4464

At the request of Mr. CRAPO, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of amendment No. 4464 intended to be proposed to H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

AMENDMENT NO. 4472

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of amendment No. 4472 intended to be proposed to H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to

provide tax incentives for the production of renewable energy and energy conservation.

AMENDMENT NO. 4481

At the request of Mr. BAUCUS, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of amendment No. 4481 intended to be proposed to H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

AMENDMENT NO. 4484

At the request of Mr. HARKIN, his name was added as a cosponsor of amendment No. 4484 intended to be proposed to H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

At the request of Mr. CORNYN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of amendment No. 4484 intended to be proposed to H.R. 3221, supra.

AMENDMENT NO. 4489

At the request of Mr. DODD, the names of the Senator from Wisconsin (Mr. KOHL) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of amendment No. 4489 intended to be proposed to H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself, Mr. GRASSLEY, and Mr. MCCONNELL) (by request):

S. 2830. A bill to implement the United States-Colombia Trade Promotion Agreement; to the Committee on Finance pursuant to section 2103(c) of Public Law 107–210.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2830

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 ''United States-Colombia Trade Promotion Agreement Implementation Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Purposes.
Sec. 3. Definitions.

TITLE I—APPROVAL OF, AND GENERAL PROVISIONS RELATING TO, THE AGREEMENT

Sec. 101. Approval and entry into force of the Agreement.
Sec. 102. Relationship of the Agreement to United States and State law.
Sec. 103. Implementing actions in anticipation of entry into force and initial regulations.
Sec. 104. Consultation and layover provisions for, and effective date of, proclaimed actions.
Sec. 105. Administration of dispute settlement proceedings.
Sec. 106. Arbitration of claims.
Sec. 107. Effective dates; effect of termination.

TITLE II—CUSTOMS PROVISIONS

Sec. 201. Tariff modifications.
Sec. 202. Additional duties on certain agricultural goods.
Sec. 203. Rules of origin.
Sec. 204. Customs user fees.
Sec. 205. Disclosure of incorrect information; false certifications of origin; denial of preferential tariff treatment.
Sec. 206. Reliquidation of entries.
Sec. 207. Recordkeeping requirements.
Sec. 208. Enforcement relating to trade in textile or apparel goods.
Sec. 209. Regulations.

TITLE III—RELIEF FROM IMPORTS

Sec. 301. Definitions.

Subtitle A—Relief From Imports Benefiting From the Agreement

Sec. 311. Commencing of action for relief.
Sec. 312. Commission action on petition.
Sec. 313. Provision of relief.
Sec. 314. Termination of relief authority.
Sec. 315. Compensation authority.
Sec. 316. Confidential business information.

Subtitle B—Textile and Apparel Safeguard Measures

Sec. 321. Commencement of action for relief.
Sec. 322. Determination and provision of relief.
Sec. 323. Period of relief.
Sec. 324. Articles exempt from relief.
Sec. 325. Rate after termination of import relief.
Sec. 326. Termination of relief authority.
Sec. 327. Compensation authority.
Sec. 328. Confidential business information.

Subtitle C—Cases Under Title II of the Trade Act of 1974

Sec. 331. Findings and action on goods of Colombia.

TITLE IV—PROCUREMENT

Sec. 401. Eligible products.

TITLE V—OFFSETS

Sec. 501. Customs user fees.
Sec. 502. Time for payment of corporate estimated taxes.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to approve and implement the free trade agreement between the United States and Colombia entered into under the authority of section 2103(b) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3803(b));

(2) to strengthen and develop economic relations between the United States and Colombia for their mutual benefit;

(3) to establish free trade between the United States and Colombia through the reduction and elimination of barriers to trade in goods and services and to investment; and

(4) to lay the foundation for further cooperation to expand and enhance the benefits of the Agreement.

SEC. 3. DEFINITIONS.

In this Act:

(1) AGREEMENT.—The term ''Agreement'' means the United States-Colombia Trade Promotion Agreement approved by Congress under section 101(a)(1).

(2) COMMISSION.—The term ''Commission'' means the United States International Trade Commission.

(3) HTS.—The term ''HTS'' means the Harmonized Tariff Schedule of the United States.

(4) TEXTILE OR APPAREL GOOD.—The term ''textile or apparel good'' means a good listed in the Annex to the Agreement on Textiles and Clothing referred to in section 101(d)(4) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(4)), other than a good listed in Annex 3–C of the Agreement.

TITLE I—APPROVAL OF, AND GENERAL PROVISIONS RELATING TO, THE AGREEMENT

SEC. 101. APPROVAL AND ENTRY INTO FORCE OF THE AGREEMENT.

(a) APPROVAL OF AGREEMENT AND STATEMENT OF ADMINISTRATIVE ACTION.—Pursuant to section 2105 of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3805) and section 151 of the Trade Act of 1974 (19 U.S.C. 2191), Congress approves—

(1) the United States-Colombia Trade Promotion Agreement entered into on November 22, 2006, with the Government of Colombia, as amended on June 28, 2007, by the United States and Colombia, and submitted to Congress on April 8, 2008; and

(2) the statement of administrative action proposed to implement the Agreement that was submitted to Congress on April 8, 2008.

(b) CONDITIONS FOR ENTRY INTO FORCE OF THE AGREEMENT.—At such time as the President determines that Colombia has taken measures necessary to comply with those provisions of the Agreement that are to take effect on the date on which the Agreement enters into force, the President is authorized to exchange notes with the Government of Colombia providing for the entry into force, on or after January 1, 2009, of the Agreement with respect to the United States.

SEC. 102. RELATIONSHIP OF THE AGREEMENT TO UNITED STATES AND STATE LAW.

(a) RELATIONSHIP OF AGREEMENT TO UNITED STATES LAW.—

(1) UNITED STATES LAW TO PREVAIL IN CONFLICT.—No provision of the Agreement, nor the application of any such provision to any person or circumstance, which is inconsistent with any law of the United States shall have effect.

(2) CONSTRUCTION.—Nothing in this Act shall be construed—

(A) to amend or modify any law of the United States; or

(B) to limit any authority conferred under any law of the United States,

unless specifically provided for in this Act.

(b) RELATIONSHIP OF AGREEMENT TO STATE LAW.—

(1) LEGAL CHALLENGE.—No State law, or the application thereof, may be declared invalid as to any person or circumstance on the ground that the provision or application is inconsistent with the Agreement, except

in an action brought by the United States for the purpose of declaring such law or application invalid.

(2) DEFINITION OF STATE LAW.—For purposes of this subsection, the term ''State law'' includes—

(A) any law of a political subdivision of a State; and

(B) any State law regulating or taxing the business of insurance.

(c) EFFECT OF AGREEMENT WITH RESPECT TO PRIVATE REMEDIES.—No person other than the United States—

(1) shall have any cause of action or defense under the Agreement or by virtue of congressional approval thereof; or

(2) may challenge, in any action brought under any provision of law, any action or inaction by any department, agency, or other instrumentality of the United States, any State, or any political subdivision of a State, on the ground that such action or inaction is inconsistent with the Agreement.

SEC. 103. IMPLEMENTING ACTIONS IN ANTICIPATION OF ENTRY INTO FORCE AND INITIAL REGULATIONS.

(a) IMPLEMENTING ACTIONS.—

(1) PROCLAMATION AUTHORITY.—After the date of the enactment of this Act—

(A) the President may proclaim such actions, and

(B) other appropriate officers of the United States Government may issue such regulations,

as may be necessary to ensure that any provision of this Act, or amendment made by this Act, that takes effect on the date on which the Agreement enters into force is appropriately implemented on such date, but no such proclamation or regulation may have an effective date earlier than the date on which the Agreement enters into force.

(2) EFFECTIVE DATE OF CERTAIN PROCLAIMED ACTIONS.—Any action proclaimed by the President under the authority of this Act that is not subject to the consultation and layover provisions under section 104 may not take effect before the 15th day after the date on which the text of the proclamation is published in the Federal Register.

(3) WAIVER OF 15-DAY RESTRICTION.—The 15-day restriction contained in paragraph (2) on the taking effect of proclaimed actions is waived to the extent that the application of such restriction would prevent the taking effect on the date the Agreement enters into force of any action proclaimed under this section.

(b) INITIAL REGULATIONS.—Initial regulations necessary or appropriate to carry out the actions required by or authorized under this Act or proposed in the statement of administrative action submitted under section 101(a)(2) to implement the Agreement shall, to the maximum extent feasible, be issued within 1 year after the date on which the Agreement enters into force. In the case of any implementing action that takes effect on a date after the date on which the Agreement enters into force, initial regulations to carry out that action shall, to the maximum extent feasible, be issued within 1 year after such effective date.

SEC. 104. CONSULTATION AND LAYOVER PROVISIONS FOR, AND EFFECTIVE DATE OF, PROCLAIMED ACTIONS.

If a provision of this Act provides that the implementation of an action by the President by proclamation is subject to the consultation and layover requirements of this section, such action may be proclaimed only if—

(1) the President has obtained advice regarding the proposed action from—

(A) the appropriate advisory committees established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155); and

(B) the Commission;

(2) the President has submitted to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that sets forth—

(A) the action proposed to be proclaimed and the reasons therefor; and

(B) the advice obtained under paragraph (1);

(3) a period of 60 calendar days, beginning on the first day on which the requirements set forth in paragraphs (1) and (2) have been met, has expired; and

(4) the President has consulted with the committees referred to in paragraph (2) regarding the proposed action during the period referred to in paragraph (3).

SEC. 105. ADMINISTRATION OF DISPUTE SETTLEMENT PROCEEDINGS.

(a) ESTABLISHMENT OR DESIGNATION OF OFFICE.—The President is authorized to establish or designate within the Department of Commerce an office that shall be responsible for providing administrative assistance to panels established under chapter 21 of the Agreement. The office shall not be considered to be an agency for purposes of section 552 of title 5, United States Code.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each fiscal year after fiscal year 2008 to the Department of Commerce such sums as may be necessary for the establishment and operations of the office established or designated under subsection (a) and for the payment of the United States share of the expenses of panels established under chapter 21 of the Agreement.

SEC. 106. ARBITRATION OF CLAIMS.

The United States is authorized to resolve any claim against the United States covered by article 10.16.1(a)(i)(C) or article 10.16.1(b)(i)(C) of the Agreement, pursuant to the Investor-State Dispute Settlement procedures set forth in section B of chapter 10 of the Agreement.

SEC. 107. EFFECTIVE DATES; EFFECT OF TERMINATION.

(a) EFFECTIVE DATES.—Except as provided in subsection (b), this Act and the amendments made by this Act take effect on the date on which the Agreement enters into force.

(b) EXCEPTIONS.—Sections 1 through 3 and this title take effect on the date of the enactment of this Act.

(c) TERMINATION OF THE AGREEMENT.—On the date on which the Agreement terminates, this Act (other than this subsection) and the amendments made by this Act shall cease to have effect.

TITLE II—CUSTOMS PROVISIONS

SEC. 201. TARIFF MODIFICATIONS.

(a) TARIFF MODIFICATIONS PROVIDED FOR IN THE AGREEMENT.—

(1) PROCLAMATION AUTHORITY.—The President may proclaim—

(A) such modifications or continuation of any duty,

(B) such continuation of duty-free or excise treatment, or

(C) such additional duties,

as the President determines to be necessary or appropriate to carry out or apply articles 2.3, 2.5, 2.6, 3.3.13, and Annex 2.3 of the Agreement.

(2) EFFECT ON GSP STATUS.—Notwithstanding section 502(a)(1) of the Trade Act of 1974 (19 U.S.C. 2462(a)(1)), the President shall, on the date on which the Agreement enters into force, terminate the designation of Colombia as a beneficiary developing country for purposes of title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.).

(b) OTHER TARIFF MODIFICATIONS.—Subject to the consultation and layover provisions of section 104, the President may proclaim—

(1) such modifications or continuation of any duty,

(2) such modifications as the United States may agree to with Colombia regarding the staging of any duty treatment set forth in Annex 2.3 of the Agreement,

(3) such continuation of duty-free or excise treatment, or

(4) such additional duties,

as the President determines to be necessary or appropriate to maintain the general level of reciprocal and mutually advantageous concessions with respect to Colombia provided for by the Agreement.

(c) CONVERSION TO AD VALOREM RATES.—For purposes of subsections (a) and (b), with respect to any good for which the base rate in the Schedule of the United States to Annex 2.3 of the Agreement is a specific or compound rate of duty, the President may substitute for the base rate an ad valorem rate that the President determines to be equivalent to the base rate.

(d) TARIFF RATE QUOTAS.—In implementing the tariff rate quotas set forth in Appendix I to the Schedule of the United States to Annex 2.3 of the Agreement, the President shall take such action as may be necessary to ensure that imports of agricultural goods do not disrupt the orderly marketing of commodities in the United States.

SEC. 202. ADDITIONAL DUTIES ON CERTAIN AGRICULTURAL GOODS.

(a) DEFINITIONS.—In this section:

(1) APPLICABLE NTR (MFN) RATE OF DUTY.—The term ''applicable NTR (MFN) rate of duty'' means, with respect to a safeguard good, a rate of duty equal to the lowest of—

(A) the base rate in the Schedule of the United States to Annex 2.3 of the Agreement;

(B) the column 1 general rate of duty that would, on the day before the date on which the Agreement enters into force, apply to a good classifiable in the same 8-digit subheading of the HTS as the safeguard good; or

(C) the column 1 general rate of duty that would, at the time the additional duty is imposed under subsection (b), apply to a good classifiable in the same 8-digit subheading of the HTS as the safeguard good.

(2) SCHEDULE RATE OF DUTY.—The term ''schedule rate of duty'' means, with respect to a safeguard good, the rate of duty for that good that is set forth in the Schedule of the United States to Annex 2.3 of the Agreement.

(3) SAFEGUARD GOOD.—The term ''safeguard good'' means a good—

(A) that is included in the Schedule of the United States to Annex 2.18 of the Agreement;

(B) that qualifies as an originating good under section 203, except that operations performed in or material obtained from the United States shall be considered as if the operations were performed in, and the material was obtained from, a country that is not a party to the Agreement; and

(C) for which a claim for preferential tariff treatment under the Agreement has been made.

(b) ADDITIONAL DUTIES ON SAFEGUARD GOODS.—

(1) IN GENERAL.—In addition to any duty proclaimed under subsection (a) or (b) of section 201, the Secretary of the Treasury shall assess a duty, in the amount determined under paragraph (2), on a safeguard good imported into the United States in a calendar year if the Secretary determines that, prior to such importation, the total volume of that safeguard good that is imported into the United States in that calendar year exceeds 140 percent of the volume that is provided for that safeguard good in the corresponding year in the applicable table contained in Appendix I of the General Notes to the Schedule of the United States to Annex

2.3 of the Agreement. For purposes of this subsection, year 1 in that table corresponds to the calendar year in which the Agreement enters into force.

(2) CALCULATION OF ADDITIONAL DUTY.—The additional duty on a safeguard good under this subsection shall be—

(A) in years 1 through 4, an amount equal to 100 percent of the excess of the applicable NTR (MFN) rate of duty over the schedule rate of duty;

(B) in years 5 through 7, an amount equal to 75 percent of the excess of the applicable NTR (MFN) rate of duty over the schedule rate of duty; and

(C) in years 8 through 9, an amount equal to 50 percent of the excess of the applicable NTR (MFN) rate of duty over the schedule rate of duty.

(3) NOTICE.—Not later than 60 days after the Secretary of the Treasury first assesses an additional duty in a calendar year on a good under this subsection, the Secretary shall notify the Government of Colombia in writing of such action and shall provide to that Government data supporting the assessment of the additional duty.

(c) EXCEPTIONS.—No additional duty shall be assessed on a good under subsection (b) if, at the time of entry, the good is subject to import relief under—

(1) subtitle A of title III of this Act; or

(2) chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.).

(d) TERMINATION.—The assessment of an additional duty on a good under subsection (b) shall cease to apply to that good on the date on which duty-free treatment must be provided to that good under the Schedule of the United States to Annex 2.3 of the Agreement.

SEC. 203. RULES OF ORIGIN.

(a) APPLICATION AND INTERPRETATION.—In this section:

(1) TARIFF CLASSIFICATION.—The basis for any tariff classification is the HTS.

(2) REFERENCE TO HTS.—Whenever in this section there is a reference to a chapter, heading, or subheading, such reference shall be a reference to a chapter, heading, or subheading of the HTS.

(3) COST OR VALUE.—Any cost or value referred to in this section shall be recorded and maintained in accordance with the generally accepted accounting principles applicable in the territory of the country in which the good is produced (whether Colombia or the United States).

(b) ORIGINATING GOODS.—For purposes of this Act and for purposes of implementing the preferential tariff treatment provided for under the Agreement, except as otherwise provided in this section, a good is an originating good if—

(1) the good is a good wholly obtained or produced entirely in the territory of Colombia, the United States, or both;

(2) the good—

(A) is produced entirely in the territory of Colombia, the United States, or both, and—

(i) each of the nonoriginating materials used in the production of the good undergoes an applicable change in tariff classification specified in Annex 3–A or Annex 4.1 of the Agreement; or

(ii) the good otherwise satisfies any applicable regional value-content or other requirements specified in Annex 3–A or Annex 4.1 of the Agreement; and

(B) satisfies all other applicable requirements of this section; or

(3) the good is produced entirely in the territory of Colombia, the United States, or both, exclusively from materials described in paragraph (1) or (2).

(c) REGIONAL VALUE-CONTENT.—

(1) IN GENERAL.—For purposes of subsection (b)(2), the regional value-content of a good referred to in Annex 4.1 of the Agreement, except for goods to which paragraph (4) applies, shall be calculated by the importer, exporter, or producer of the good, on the basis of the build-down method described in paragraph (2) or the build-up method described in paragraph (3).

(2) BUILD-DOWN METHOD.—

(A) IN GENERAL.—The regional value-content of a good may be calculated on the basis of the following build-down method:

$$RVC = \frac{AV–VNM}{AV} 100$$

(B) DEFINITIONS.—In subparagraph (A):

(i) AV.—The term ''AV'' means the adjusted value of the good.

(ii) RVC.—The term ''RVC'' means the regional value-content of the good, expressed as a percentage.

(iii) VNM.—The term ''VNM'' means the value of nonoriginating materials that are acquired and used by the producer in the production of the good, but does not include the value of a material that is self-produced.

(3) BUILD-UP METHOD.—

(A) IN GENERAL.—The regional value-content of a good may be calculated on the basis of the following build-up method:

$$RVC = \frac{VOM}{AV} 100$$

(B) DEFINITIONS.—In subparagraph (A):

(i) AV.—The term ''AV'' means the adjusted value of the good.

(ii) RVC.—The term ''RVC'' means the regional value-content of the good, expressed as a percentage.

(iii) VOM.—The term ''VOM'' means the value of originating materials that are acquired or self-produced, and used by the producer in the production of the good.

(4) SPECIAL RULE FOR CERTAIN AUTOMOTIVE GOODS.—

(A) IN GENERAL.—For purposes of subsection (b)(2), the regional value-content of an automotive good referred to in Annex 4.1 of the Agreement shall be calculated by the importer, exporter, or producer of the good, on the basis of the following net cost method:

$$RVC = \frac{NC–VNM}{NC} 100$$

(B) DEFINITIONS.—In subparagraph (A):

(i) AUTOMOTIVE GOOD.—The term ''automotive good'' means a good provided for in any of subheadings 8407.31 through 8407.34, subheading 8408.20, heading 8409, or any of headings 8701 through 8708.

(ii) RVC.—The term ''RVC'' means the regional value-content of the automotive good, expressed as a percentage.

(iii) NC.—The term ''NC'' means the net cost of the automotive good.

(iv) VNM.—The term ''VNM'' means the value of nonoriginating materials that are acquired and used by the producer in the production of the automotive good, but does not include the value of a material that is self-produced.

(C) MOTOR VEHICLES.—

(i) BASIS OF CALCULATION.—For purposes of determining the regional value-content under subparagraph (A) for an automotive good that is a motor vehicle provided for in any of headings 8701 through 8705, an importer, exporter, or producer may average the amounts calculated under the formula contained in subparagraph (A), over the producer's fiscal year—

(I) with respect to all motor vehicles in any one of the categories described in clause (ii); or

(II) with respect to all motor vehicles in any such category that are exported to the territory of the United States or Colombia.

(ii) CATEGORIES.—A category is described in this clause if it—

(I) is the same model line of motor vehicles, is in the same class of motor vehicles, and is produced in the same plant in the territory of Colombia or the United States, as the good described in clause (i) for which regional value-content is being calculated;

(II) is the same class of motor vehicles, and is produced in the same plant in the territory of Colombia or the United States, as the good described in clause (i) for which regional value-content is being calculated; or

(III) is the same model line of motor vehicles produced in the territory of Colombia or the United States as the good described in clause (i) for which regional value-content is being calculated.

(D) OTHER AUTOMOTIVE GOODS.—For purposes of determining the regional value-content under subparagraph (A) for automotive materials provided for in any of subheadings 8407.31 through 8407.34, in subheading 8408.20, or in heading 8409, 8706, 8707, or 8708, that are produced in the same plant, an importer, exporter, or producer may—

(i) average the amounts calculated under the formula contained in subparagraph (A) over—

(I) the fiscal year of the motor vehicle producer to whom the automotive goods are sold,

(II) any quarter or month, or

(III) the fiscal year of the producer of such goods,

if the goods were produced during the fiscal year, quarter, or month that is the basis for the calculation;

(ii) determine the average referred to in clause (i) separately for such goods sold to 1 or more motor vehicle producers; or

(iii) make a separate determination under clause (i) or (ii) for such goods that are exported to the territory of Colombia or the United States.

(E) CALCULATING NET COST.—The importer, exporter, or producer of an automotive good shall, consistent with the provisions regarding allocation of costs provided for in generally accepted accounting principles, determine the net cost of the automotive good under subparagraph (B) by—

(i) calculating the total cost incurred with respect to all goods produced by the producer of the automotive good, subtracting any sales promotion, marketing, and after-sales service costs, royalties, shipping and packing costs, and nonallowable interest costs that are included in the total cost of all such goods, and then reasonably allocating the resulting net cost of those goods to the automotive good;

(ii) calculating the total cost incurred with respect to all goods produced by that producer, reasonably allocating the total cost to the automotive good, and then subtracting any sales promotion, marketing, and after-sales service costs, royalties, shipping and packing costs, and nonallowable interest costs that are included in the portion of the total cost allocated to the automotive good; or

(iii) reasonably allocating each cost that forms part of the total cost incurred with respect to the automotive good so that the aggregate of these costs does not include any sales promotion, marketing, and after-sales service costs, royalties, shipping and packing costs, or nonallowable interest costs.

(d) VALUE OF MATERIALS.—

(1) IN GENERAL.—For the purpose of calculating the regional value-content of a good under subsection (c), and for purposes of applying the de minimis rules under subsection (f), the value of a material is—

(A) in the case of a material that is imported by the producer of the good, the adjusted value of the material;

(B) in the case of a material acquired in the territory in which the good is produced, the value, determined in accordance with Articles 1 through 8, Article 15, and the corresponding interpretive notes, of the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 referred to in section 101(d)(8) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(8)), as set forth in regulations promulgated by the Secretary of the Treasury providing for the application of such Articles in the absence of an importation by the producer; or

(C) in the case of a material that is self-produced, the sum of—

(i) all expenses incurred in the production of the material, including general expenses; and

(ii) an amount for profit equivalent to the profit added in the normal course of trade.

(2) FURTHER ADJUSTMENTS TO THE VALUE OF MATERIALS.—

(A) ORIGINATING MATERIAL.—The following expenses, if not included in the value of an originating material calculated under paragraph (1), may be added to the value of the originating material:

(i) The costs of freight, insurance, packing, and all other costs incurred in transporting the material within or between the territory of Colombia, the United States, or both, to the location of the producer.

(ii) Duties, taxes, and customs brokerage fees on the material paid in the territory of Colombia, the United States, or both, other than duties or taxes that are waived, refunded, refundable, or otherwise recoverable, including credit against duty or tax paid or payable.

(iii) The cost of waste and spoilage resulting from the use of the material in the production of the good, less the value of renewable scrap or byproducts.

(B) NONORIGINATING MATERIAL.—The following expenses, if included in the value of a nonoriginating material calculated under paragraph (1), may be deducted from the value of the nonoriginating material:

(i) The costs of freight, insurance, packing, and all other costs incurred in transporting the material within or between the territory of Colombia, the United States, or both, to the location of the producer.

(ii) Duties, taxes, and customs brokerage fees on the material paid in the territory of Colombia, the United States, or both, other than duties or taxes that are waived, refunded, refundable, or otherwise recoverable, including credit against duty or tax paid or payable.

(iii) The cost of waste and spoilage resulting from the use of the material in the production of the good, less the value of renewable scrap or byproducts.

(iv) The cost of originating materials used in the production of the nonoriginating material in the territory of Colombia, the United States, or both.

(e) ACCUMULATION.—

(1) ORIGINATING MATERIALS USED IN PRODUCTION OF GOODS OF ANOTHER COUNTRY.—Originating materials from the territory of Colombia or the United States that are used in the production of a good in the territory of the other country shall be considered to originate in the territory of such other country.

(2) MULTIPLE PRODUCERS.—A good that is produced in the territory of Colombia, the United States, or both, by 1 or more producers, is an originating good if the good satisfies the requirements of subsection (b) and all other applicable requirements of this section.

(f) DE MINIMIS AMOUNTS OF NONORIGINATING MATERIALS.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), a good that does not undergo a change in tariff classification pursuant to Annex 4.1 of the Agreement is an originating good if—

(A)(i) the value of all nonoriginating materials that—

(I) are used in the production of the good, and

(II) do not undergo the applicable change in tariff classification (set forth in Annex 4.1 of the Agreement),

does not exceed 10 percent of the adjusted value of the good;

(ii) the good meets all other applicable requirements of this section; and

(iii) the value of such nonoriginating materials is included in the value of nonoriginating materials for any applicable regional value-content requirement for the good; or

(B) the good meets the requirements set forth in paragraph 2 of Annex 4.6 of the Agreement.

(2) EXCEPTIONS.—Paragraph (1) does not apply to the following:

(A) A nonoriginating material provided for in chapter 4, or a nonoriginating dairy preparation containing over 10 percent by weight of milk solids provided for in subheading 1901.90 or 2106.90, that is used in the production of a good provided for in chapter 4.

(B) A nonoriginating material provided for in chapter 4, or a nonoriginating dairy preparation containing over 10 percent by weight of milk solids provided for in subheading 1901.90, that is used in the production of any of the following goods:

(i) Infant preparations containing over 10 percent by weight of milk solids provided for in subheading 1901.10.

(ii) Mixes and doughs, containing over 25 percent by weight of butterfat, not put up for retail sale, provided for in subheading 1901.20.

(iii) Dairy preparations containing over 10 percent by weight of milk solids provided for in subheading 1901.90 or 2106.90.

(iv) Goods provided for in heading 2105.

(v) Beverages containing milk provided for in subheading 2202.90.

(vi) Animal feeds containing over 10 percent by weight of milk solids provided for in subheading 2309.90.

(C) A nonoriginating material provided for in heading 0805, or any of subheadings 2009.11 through 2009.39, that is used in the production of a good provided for in any of subheadings 2009.11 through 2009.39, or in fruit or vegetable juice of any single fruit or vegetable, fortified with minerals or vitamins, concentrated or unconcentrated, provided for in subheading 2106.90 or 2202.90.

(D) A nonoriginating material provided for in heading 0901 or 2101 that is used in the production of a good provided for in heading 0901 or 2101.

(E) A nonoriginating material provided for in chapter 15 that is used in the production of a good provided for in any of headings 1501 through 1508, or any of headings 1511 through 1515.

(F) A nonoriginating material provided for in heading 1701 that is used in the production of a good provided for in any of headings 1701 through 1703.

(G) A nonoriginating material provided for in chapter 17 that is used in the production of a good provided for in subheading 1806.10.

(H) Except as provided in subparagraphs (A) through (G) and Annex 4.1 of the Agreement, a nonoriginating material used in the production of a good provided for in any of chapters 1 through 24, unless the nonoriginating material is provided for in a different subheading than the good for which origin is being determined under this section.

(I) A nonoriginating material that is a textile or apparel good.

(3) TEXTILE OR APPAREL GOODS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a textile or apparel good that is not an originating good because certain fibers or yarns used in the production of the component of the good that determines the tariff classification of the good do not undergo an applicable change in tariff classification, set forth in Annex 3–A of the Agreement, shall be considered to be an originating good if—

(i) the total weight of all such fibers or yarns in that component is not more than 10 percent of the total weight of that component; or

(ii) the yarns are those described in section 204(b)(3)(B)(vi)(IV) of the Andean Trade Preference Act (19 U.S.C. 3203(b)(3)(B)(vi)(IV)) (as in effect on the date of the enactment of this Act).

(B) CERTAIN TEXTILE OR APPAREL GOODS.—A textile or apparel good containing elastomeric yarns in the component of the good that determines the tariff classification of the good shall be considered to be an originating good only if such yarns are wholly formed in the territory of Colombia, the United States, or both.

(C) YARN, FABRIC, OR FIBER.—For purposes of this paragraph, in the case of a good that is a yarn, fabric, or fiber, the term ''component of the good that determines the tariff classification of the good'' means all of the fibers in the good.

(g) FUNGIBLE GOODS AND MATERIALS.—

(1) IN GENERAL.—

(A) CLAIM FOR PREFERENTIAL TARIFF TREATMENT.—A person claiming that a fungible good or fungible material is an originating good may base the claim either on the physical segregation of the fungible good or fungible material or by using an inventory management method with respect to the fungible good or fungible material.

(B) INVENTORY MANAGEMENT METHOD.—In this subsection, the term ''inventory management method'' means—

(i) averaging;

(ii) ''last-in, first-out'';

(iii) ''first-in, first-out''; or

(iv) any other method—

(I) recognized in the generally accepted accounting principles of the country in which the production is performed (whether Colombia or the United States); or

(II) otherwise accepted by that country.

(2) ELECTION OF INVENTORY METHOD.—A person selecting an inventory management method under paragraph (1) for a particular fungible good or fungible material shall continue to use that method for that fungible good or fungible material throughout the fiscal year of such person.

(h) ACCESSORIES, SPARE PARTS, OR TOOLS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), accessories, spare parts, or tools delivered with a good that form part of the good's standard accessories, spare parts, or tools shall—

(A) be treated as originating goods if the good is an originating good; and

(B) be disregarded in determining whether all the nonoriginating materials used in the production of the good undergo the applicable change in tariff classification set forth in Annex 4.1 of the Agreement.

(2) CONDITIONS.—Paragraph (1) shall apply only if—

(A) the accessories, spare parts, or tools are classified with and not invoiced separately from the good, regardless of whether such accessories, spare parts, or tools are specified or are separately identified in the invoice for the good; and

(B) the quantities and value of the accessories, spare parts, or tools are customary for the good.

(3) REGIONAL VALUE-CONTENT.—If the good is subject to a regional value-content requirement, the value of the accessories, spare parts, or tools shall be taken into account as originating or nonoriginating materials, as the case may be, in calculating the regional value-content of the good.

(i) PACKAGING MATERIALS AND CONTAINERS FOR RETAIL SALE.—Packaging materials and containers in which a good is packaged for retail sale, if classified with the good, shall be disregarded in determining whether all the nonoriginating materials used in the production of the good undergo the applicable change in tariff classification set forth in Annex 3–A or Annex 4.1 of the Agreement, and, if the good is subject to a regional value-content requirement, the value of such packaging materials and containers shall be taken into account as originating or nonoriginating materials, as the case may be, in calculating the regional value-content of the good.

(j) PACKING MATERIALS AND CONTAINERS FOR SHIPMENT.—Packing materials and containers for shipment shall be disregarded in determining whether a good is an originating good.

(k) INDIRECT MATERIALS.—An indirect material shall be treated as an originating material without regard to where it is produced.

(l) TRANSIT AND TRANSHIPMENT.—A good that has undergone production necessary to qualify as an originating good under subsection (b) shall not be considered to be an originating good if, subsequent to that production, the good—

(1) undergoes further production or any other operation outside the territory of Colombia or the United States, other than unloading, reloading, or any other operation necessary to preserve the good in good condition or to transport the good to the territory of Colombia or the United States; or

(2) does not remain under the control of customs authorities in the territory of a country other than Colombia or the United States.

(m) GOODS CLASSIFIABLE AS GOODS PUT UP IN SETS.—Notwithstanding the rules set forth in Annex 3–A and Annex 4.1 of the Agreement, goods classifiable as goods put up in sets for retail sale as provided for in General Rule of Interpretation 3 of the HTS shall not be considered to be originating goods unless—

(1) each of the goods in the set is an originating good; or

(2) the total value of the nonoriginating goods in the set does not exceed—

(A) in the case of textile or apparel goods, 10 percent of the adjusted value of the set; or

(B) in the case of a good, other than a textile or apparel good, 15 percent of the adjusted value of the set.

(n) DEFINITIONS.—In this section:

(1) ADJUSTED VALUE.—The term ''adjusted value'' means the value determined in accordance with Articles 1 through 8, Article 15, and the corresponding interpretive notes, of the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 referred to in section 101(d)(8) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(8)), adjusted, if necessary, to exclude any costs, charges, or expenses incurred for transportation, insurance, and related services incident to the international shipment of the merchandise from the country of exportation to the place of importation.

(2) CLASS OF MOTOR VEHICLES.—The term ''class of motor vehicles'' means any one of the following categories of motor vehicles:

(A) Motor vehicles provided for in subheading 8701.20, 8704.10, 8704.22, 8704.23, 8704.32, or 8704.90, or heading 8705 or 8706, or motor vehicles for the transport of 16 or more persons provided for in subheading 8702.10 or 8702.90.

(B) Motor vehicles provided for in subheading 8701.10 or any of subheadings 8701.30 through 8701.90.

(C) Motor vehicles for the transport of 15 or fewer persons provided for in subheading 8702.10 or 8702.90, or motor vehicles provided for in subheading 8704.21 or 8704.31.

(D) Motor vehicles provided for in any of subheadings 8703.21 through 8703.90.

(3) FUNGIBLE GOOD OR FUNGIBLE MATERIAL.—The term ''fungible good'' or ''fungible material'' means a good or material, as the case may be, that is interchangeable with another good or material for commercial purposes and the properties of which are essentially identical to such other good or material.

(4) GENERALLY ACCEPTED ACCOUNTING PRINCIPLES.—The term ''generally accepted accounting principles'' means the recognized consensus or substantial authoritative support in the territory of Colombia or the United States, as the case may be, with respect to the recording of revenues, expenses, costs, assets, and liabilities, the disclosure of information, and the preparation of financial statements. The principles may encompass broad guidelines of general application as well as detailed standards, practices, and procedures.

(5) GOOD WHOLLY OBTAINED OR PRODUCED ENTIRELY IN THE TERRITORY OF COLOMBIA, THE UNITED STATES, OR BOTH.—The term ''good wholly obtained or produced entirely in the territory of Colombia, the United States, or both'' means any of the following:

(A) Plants and plant products harvested or gathered in the territory of Colombia, the United States, or both.

(B) Live animals born and raised in the territory of Colombia, the United States, or both.

(C) Goods obtained in the territory of Colombia, the United States, or both from live animals.

(D) Goods obtained from hunting, trapping, fishing, or aquaculture conducted in the territory of Colombia, the United States, or both.

(E) Minerals and other natural resources not included in subparagraphs (A) through (D) that are extracted or taken from the territory of Colombia, the United States, or both.

(F) Fish, shellfish, and other marine life taken from the sea, seabed, or subsoil outside the territory of Colombia or the United States by—

(i) a vessel that is registered or recorded with Colombia and flying the flag of Colombia; or

(ii) a vessel that is documented under the laws of the United States.

(G) Goods produced on board a factory ship from goods referred to in subparagraph (F), if such factory ship—

(i) is registered or recorded with Colombia and flies the flag of Colombia; or

(ii) is a vessel that is documented under the laws of the United States.

(H)(i) Goods taken by Colombia or a person of Colombia from the seabed or subsoil outside the territorial waters of Colombia, if Colombia has rights to exploit such seabed or subsoil.

(ii) Goods taken by the United States or a person of the United States from the seabed or subsoil outside the territorial waters of the United States, if the United States has rights to exploit such seabed or subsoil.

(I) Goods taken from outer space, if the goods are obtained by Colombia or the United States or a person of Colombia or the United States and not processed in the territory of a country other than Colombia or the United States.

(J) Waste and scrap derived from—

(i) manufacturing or processing operations in the territory of Colombia, the United States, or both; or

(ii) used goods collected in the territory of Colombia, the United States, or both, if such goods are fit only for the recovery of raw materials.

(K) Recovered goods derived in the territory of Colombia, the United States, or both, from used goods, and used in the territory of Colombia, the United States, or both, in the production of remanufactured goods.

(L) Goods, at any stage of production, produced in the territory of Colombia, the United States, or both, exclusively from—

(i) goods referred to in any of subparagraphs (A) through (J); or

(ii) the derivatives of goods referred to in clause (i).

(6) IDENTICAL GOODS.—The term ''identical goods'' means goods that are the same in all respects relevant to the rule of origin that qualifies the goods as originating goods.

(7) INDIRECT MATERIAL.—The term ''indirect material'' means a good used in the production, testing, or inspection of another good but not physically incorporated into that other good, or a good used in the maintenance of buildings or the operation of equipment associated with the production of another good, including—

(A) fuel and energy;

(B) tools, dies, and molds;

(C) spare parts and materials used in the maintenance of equipment or buildings;

(D) lubricants, greases, compounding materials, and other materials used in production or used to operate equipment or buildings;

(E) gloves, glasses, footwear, clothing, safety equipment, and supplies;

(F) equipment, devices, and supplies used for testing or inspecting the good;

(G) catalysts and solvents; and

(H) any other goods that are not incorporated into the other good but the use of which in the production of the other good can reasonably be demonstrated to be a part of that production.

(8) MATERIAL.—The term ''material'' means a good that is used in the production of another good, including a part or an ingredient.

(9) MATERIAL THAT IS SELF-PRODUCED.—The term ''material that is self-produced'' means an originating material that is produced by a producer of a good and used in the production of that good.

(10) MODEL LINE OF MOTOR VEHICLES.—The term ''model line of motor vehicles'' means a group of motor vehicles having the same platform or model name.

(11) NET COST.—The term ''net cost'' means total cost minus sales promotion, marketing, and after-sales service costs, royalties, shipping and packing costs, and nonallowable interest costs that are included in the total cost.

(12) NONALLOWABLE INTEREST COSTS.—The term ''nonallowable interest costs'' means interest costs incurred by a producer that exceed 700 basis points above the applicable official interest rate for comparable maturities of the country in which the producer is located.

(13) NONORIGINATING GOOD OR NONORIGINATING MATERIAL.—The terms ''nonoriginating good'' and ''nonoriginating material'' mean a good or material, as the case may be, that does not qualify as originating under this section.

(14) PACKING MATERIALS AND CONTAINERS FOR SHIPMENT.—The term ''packing materials and containers for shipment'' means goods used to protect another good during

its transportation and does not include the packaging materials and containers in which the other good is packaged for retail sale.

(15) PREFERENTIAL TARIFF TREATMENT.—The term ''preferential tariff treatment'' means the customs duty rate, and the treatment under article 2.10.4 of the Agreement, that is applicable to an originating good pursuant to the Agreement.

(16) PRODUCER.—The term ''producer'' means a person who engages in the production of a good in the territory of Colombia or the United States.

(17) PRODUCTION.—The term ''production'' means growing, mining, harvesting, fishing, raising, trapping, hunting, manufacturing, processing, assembling, or disassembling a good.

(18) REASONABLY ALLOCATE.—The term ''reasonably allocate'' means to apportion in a manner that would be appropriate under generally accepted accounting principles.

(19) RECOVERED GOODS.—The term ''recovered goods'' means materials in the form of individual parts that are the result of—

(A) the disassembly of used goods into individual parts; and

(B) the cleaning, inspecting, testing, or other processing that is necessary for improvement to sound working condition of such individual parts.

(20) REMANUFACTURED GOOD.—The term ''remanufactured good'' means an industrial good assembled in the territory of Colombia or the United States, or both, that is classified under chapter 84, 85, 87, or 90 or heading 9402, other than a good classified under heading 8418 or 8516, and that—

(A) is entirely or partially comprised of recovered goods; and

(B) has a similar life expectancy and enjoys a factory warranty similar to such a good that is new.

(21) TOTAL COST.—

(A) IN GENERAL.—The term ''total cost''—

(i) means all product costs, period costs, and other costs for a good incurred in the territory of Colombia, the United States, or both; and

(ii) does not include profits that are earned by the producer, regardless of whether they are retained by the producer or paid out to other persons as dividends, or taxes paid on those profits, including capital gains taxes.

(B) OTHER DEFINITIONS.—In this paragraph:

(i) PRODUCT COSTS.—The term ''product costs'' means costs that are associated with the production of a good and include the value of materials, direct labor costs, and direct overhead.

(ii) PERIOD COSTS.—The term ''period costs'' means costs, other than product costs, that are expensed in the period in which they are incurred, such as selling expenses and general and administrative expenses.

(iii) OTHER COSTS.—The term ''other costs'' means all costs recorded on the books of the producer that are not product costs or period costs, such as interest.

(22) USED.—The term ''used'' means utilized or consumed in the production of goods.

(o) PRESIDENTIAL PROCLAMATION AUTHORITY.—

(1) IN GENERAL.—The President is authorized to proclaim, as part of the HTS—

(A) the provisions set forth in Annex 3-A and Annex 4.1 of the Agreement; and

(B) any additional subordinate category that is necessary to carry out this title consistent with the Agreement.

(2) FABRICS AND YARNS NOT AVAILABLE IN COMMERCIAL QUANTITIES IN THE UNITED STATES.—The President is authorized to proclaim that a fabric or yarn is added to the list in Annex 3-B of the Agreement in an unrestricted quantity, as provided in article 3.3.5(e) of the Agreement.

(3) MODIFICATIONS.—

(A) IN GENERAL.—Subject to the consultation and layover provisions of section 104, the President may proclaim modifications to the provisions proclaimed under the authority of paragraph (1)(A), other than provisions of chapters 50 through 63 (as included in Annex 3-A of the Agreement).

(B) ADDITIONAL PROCLAMATIONS.—Notwithstanding subparagraph (A), and subject to the consultation and layover provisions of section 104, the President may proclaim before the end of the 1-year period beginning on the date of the enactment of this Act, modifications to correct any typographical, clerical, or other nonsubstantive technical error regarding the provisions of chapters 50 through 63 (as included in Annex 3-A of the Agreement).

(4) FABRICS, YARNS, OR FIBERS NOT AVAILABLE IN COMMERCIAL QUANTITIES IN COLOMBIA AND THE UNITED STATES.—

(A) IN GENERAL.—Notwithstanding paragraph (3)(A), the list of fabrics, yarns, and fibers set forth in Annex 3-B of the Agreement may be modified as provided for in this paragraph.

(B) DEFINITIONS.—In this paragraph:

(i) The term ''interested entity'' means the Government of Colombia, a potential or actual purchaser of a textile or apparel good, or a potential or actual supplier of a textile or apparel good.

(ii) All references to ''day'' and ''days'' exclude Saturdays, Sundays, and legal holidays observed by the Government of the United States.

(C) REQUESTS TO ADD FABRICS, YARNS, OR FIBERS.—(i) An interested entity may request the President to determine that a fabric, yarn, or fiber is not available in commercial quantities in a timely manner in Colombia and the United States and to add that fabric, yarn, or fiber to the list in Annex 3-B of the Agreement in a restricted or unrestricted quantity.

(ii) After receiving a request under clause (i), the President may determine whether—

(I) the fabric, yarn, or fiber is available in commercial quantities in a timely manner in Colombia or the United States; or

(II) any interested entity objects to the request.

(iii) The President may, within the time periods specified in clause (iv), proclaim that the fabric, yarn, or fiber that is the subject of the request is added to the list in Annex 3-B of the Agreement in an unrestricted quantity, or in any restricted quantity that the President may establish, if the President has determined under clause (ii) that—

(I) the fabric, yarn, or fiber is not available in commercial quantities in a timely manner in Colombia and the United States; or

(II) no interested entity has objected to the request.

(iv) The time periods within which the President may issue a proclamation under clause (iii) are—

(I) not later than 30 days after the date on which a request is submitted under clause (i); or

(II) not later than 44 days after the request is submitted, if the President determines, within 30 days after the date on which the request is submitted, that the President does not have sufficient information to make a determination under clause (ii).

(v) Notwithstanding section 103(a)(2), a proclamation made under clause (iii) shall take effect on the date on which the text of the proclamation is published in the Federal Register.

(vi) Not later than 6 months after proclaiming under clause (iii) that a fabric, yarn, or fiber is added to the list in Annex 3-B of the Agreement in a restricted quantity, the President may eliminate the restriction if the President determines that the fabric, yarn, or fiber is not available in commercial quantities in a timely manner in Colombia and the United States.

(D) DEEMED APPROVAL OF REQUEST.—If, after an interested entity submits a request under subparagraph (C)(i), the President does not, within the applicable time period specified in subparagraph (C)(iv), make a determination under subparagraph (C)(ii) regarding the request, the fabric, yarn, or fiber that is the subject of the request shall be considered to be added, in an unrestricted quantity, to the list in Annex 3-B of the Agreement beginning—

(i) 45 days after the date on which the request was submitted; or

(ii) 60 days after the date on which the request was submitted, if the President made a determination under subparagraph (C)(iv)(II).

(E) REQUESTS TO RESTRICT OR REMOVE FABRICS, YARNS, OR FIBERS.—(i) Subject to clause (ii), an interested entity may request the President to restrict the quantity of, or remove from the list in Annex 3-B of the Agreement, any fabric, yarn, or fiber—

(I) that has been added to that list in an unrestricted quantity pursuant to paragraph (2) or subparagraph (C)(iii) or (D) of this paragraph; or

(II) with respect to which the President has eliminated a restriction under subparagraph (C)(vi).

(ii) An interested entity may submit a request under clause (i) at any time beginning 6 months after the date of the action described in subclause (I) or (II) of that clause.

(iii) Not later than 30 days after the date on which a request under clause (i) is submitted, the President may proclaim an action provided for under clause (i) if the President determines that the fabric, yarn, or fiber that is the subject of the request is available in commercial quantities in a timely manner in Colombia or the United States.

(iv) A proclamation under clause (iii) shall take effect no earlier than the date that is 6 months after the date on which the text of the proclamation is published in the Federal Register.

(F) PROCEDURES.—The President shall establish procedures—

(i) governing the submission of a request under subparagraphs (C) and (E); and

(ii) providing an opportunity for interested entities to submit comments and supporting evidence before the President makes a determination under subparagraph (C) (ii) or (vi) or (E)(iii).

SEC. 204. CUSTOMS USER FEES.

(a) IN GENERAL.—Section 13031(b) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)) is amended by adding after paragraph (18), the following:

''(19) No fee may be charged under subsection (a)(9) or (10) with respect to goods that qualify as originating goods under section 203 of the United States-Colombia Trade Promotion Agreement Implementation Act. Any service for which an exemption from such fee is provided by reason of this paragraph may not be funded with money contained in the Customs User Fee Account.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2013.

(c) REFUND.—Any fee described in paragraph (19) of section 13031(b) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)) (as added by subsection (a)) that is paid on or after the date that the United States-Colombia Trade Promotion Agreement enters into force and before October 1, 2013, shall be refunded with interest if application for such refund is made on or after October 1, 2013, and before July 1, 2014.

SEC. 205. DISCLOSURE OF INCORRECT INFORMATION; FALSE CERTIFICATIONS OF ORIGIN; DENIAL OF PREFERENTIAL TARIFF TREATMENT.

(a) DISCLOSURE OF INCORRECT INFORMATION.—Section 592 of the Tariff Act of 1930 (19 U.S.C. 1592) is amended—

(1) in subsection (c)—

(A) by redesignating paragraph (11) as paragraph (12); and

(B) by inserting after paragraph (10) the following new paragraph:

''(11) PRIOR DISCLOSURE REGARDING CLAIMS UNDER THE UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT.—An importer shall not be subject to penalties under subsection (a) for making an incorrect claim that a good qualifies as an originating good under section 203 of the United States- Colombia Trade Promotion Agreement Implementation Act if the importer, in accordance with regulations issued by the Secretary of the Treasury, promptly and voluntarily makes a corrected declaration and pays any duties owing with respect to that good.''; and

(2) by adding at the end the following new subsection:

''(j) FALSE CERTIFICATIONS OF ORIGIN UNDER THE UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT.—

''(1) IN GENERAL.—Subject to paragraph (2), it is unlawful for any person to certify falsely, by fraud, gross negligence, or negligence, in a CTPA certification of origin (as defined in section 508(i)(1)(B) of this Act) that a good exported from the United States qualifies as an originating good under the rules of origin provided for in section 203 of the United States-Colombia Trade Promotion Agreement Implementation Act. The procedures and penalties of this section that apply to a violation of subsection (a) also apply to a violation of this subsection.

''(2) PROMPT AND VOLUNTARY DISCLOSURE OF INCORRECT INFORMATION.—No penalty shall be imposed under this subsection if, promptly after an exporter or producer that issued a CTPA certification of origin has reason to believe that such certification contains or is based on incorrect information, the exporter or producer voluntarily provides written notice of such incorrect information to every person to whom the certification was issued.

''(3) EXCEPTION.—A person shall not be considered to have violated paragraph (1) if—

''(A) the information was correct at the time it was provided in a CTPA certification of origin but was later rendered incorrect due to a change in circumstances; and

''(B) the person promptly and voluntarily provides written notice of the change in circumstances to all persons to whom the person provided the certification.''.

(b) DENIAL OF PREFERENTIAL TARIFF TREATMENT.—Section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) is amended by adding at the end the following new subsection:

''(j) DENIAL OF PREFERENTIAL TARIFF TREATMENT UNDER THE UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT.—If U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement of the Department of Homeland Security finds indications of a pattern of conduct by an importer, exporter, or producer of false or unsupported representations that goods qualify under the rules of origin provided for in section 203 of the United States-Colombia Trade Promotion Agreement Implementation Act, U.S. Customs and Border Protection, in accordance with regulations issued by the Secretary of the Treasury, may suspend preferential tariff treatment under the United States-Colombia Trade Promotion Agreement to entries of identical goods covered by subsequent representations by that importer, exporter, or producer until U.S. Customs and Border Protection determines that representations of that person are in conformity with such section 203.''.

SEC. 206. RELIQUIDATION OF ENTRIES.

Subsection (d) of section 520 of the Tariff Act of 1930 (19 U.S.C. 1520(d)) is amended in the matter preceding paragraph (1)—

(1) by striking ''or''; and

(2) by striking ''for which'' and inserting '', or section 203 of the United States-Colombia Trade Promotion Agreement Implementation Act for which''.

SEC. 207. RECORDKEEPING REQUIREMENTS.

Section 508 of the Tariff Act of 1930 (19 U.S.C. 1508) is amended—

(1) by redesignating subsection (i) as subsection (j);

(2) by inserting after subsection (h) the following new subsection:

''(i) CERTIFICATIONS OF ORIGIN FOR GOODS EXPORTED UNDER THE UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT.—

''(1) DEFINITIONS.—In this subsection:

''(A) RECORDS AND SUPPORTING DOCUMENTS.—The term 'records and supporting documents' means, with respect to an exported good under paragraph (2), records and documents related to the origin of the good, including—

''(i) the purchase, cost, and value of, and payment for, the good;

''(ii) the purchase, cost, and value of, and payment for, all materials, including indirect materials, used in the production of the good; and

''(iii) the production of the good in the form in which it was exported.

''(B) CTPA CERTIFICATION OF ORIGIN.—The term 'CTPA certification of origin' means the certification established under article 4.15 of the United States-Colombia Trade Promotion Agreement that a good qualifies as an originating good under such Agreement.

''(2) EXPORTS TO COLOMBIA.—Any person who completes and issues a CTPA certification of origin for a good exported from the United States shall make, keep, and, pursuant to rules and regulations promulgated by the Secretary of the Treasury, render for examination and inspection all records and supporting documents related to the origin of the good (including the certification or copies thereof).

''(3) RETENTION PERIOD.—The person who issues a CTPA certification of origin shall keep the records and supporting documents relating to that certification of origin for a period of at least 5 years after the date on which the certification is issued.''; and

(3) in subsection (j), as so redesignated by striking ''(f), (g), or (h)'' and inserting ''(f), (g), (h), or (i)''.

SEC. 208. ENFORCEMENT RELATING TO TRADE IN TEXTILE OR APPAREL GOODS.

(a) ACTION DURING VERIFICATION.—

(1) IN GENERAL.—If the Secretary of the Treasury requests the Government of Colombia to conduct a verification pursuant to article 3.2 of the Agreement for purposes of making a determination under paragraph (2), the President may direct the Secretary to take appropriate action described in subsection (b) while the verification is being conducted.

(2) DETERMINATION.—A determination under this paragraph is a determination of the Secretary that—

(A) an exporter or producer in Colombia is complying with applicable customs laws, regulations, and procedures regarding trade in textile or apparel goods, or

(B) a claim that a textile or apparel good exported or produced by such exporter or producer—

(i) qualifies as an originating good under section 203, or

(ii) is a good of Colombia, is accurate.

(b) APPROPRIATE ACTION DESCRIBED.—Appropriate action under subsection (a)(1) includes—

(1) suspension of preferential tariff treatment under the Agreement with respect to—

(A) any textile or apparel good exported or produced by the person that is the subject of a verification under subsection (a)(1) regarding compliance described in subsection (a)(2)(A), if the Secretary determines that there is insufficient information to support any claim for preferential tariff treatment that has been made with respect to any such good; or

(B) the textile or apparel good for which a claim of preferential tariff treatment has been made that is the subject of a verification under subsection (a)(1) regarding a claim described in subsection (a)(2)(B), if the Secretary determines that there is insufficient information to support that claim;

(2) denial of preferential tariff treatment under the Agreement with respect to—

(A) any textile or apparel good exported or produced by the person that is the subject of a verification under subsection (a)(1) regarding compliance described in subsection (a)(2)(A), if the Secretary determines that the person has provided incorrect information to support any claim for preferential tariff treatment that has been made with respect to any such good; or

(B) the textile or apparel good for which a claim of preferential tariff treatment has been made that is the subject of a verification under subsection (a)(1) regarding a claim described in subsection (a)(2)(B), if the Secretary determines that a person has provided incorrect information to support that claim;

(3) detention of any textile or apparel good exported or produced by the person that is the subject of a verification under subsection (a)(1) regarding compliance described in subsection (a)(2)(A) or a claim described in subsection (a)(2)(B), if the Secretary determines that there is insufficient information to determine the country of origin of any such good; and

(4) denial of entry into the United States of any textile or apparel good exported or produced by the person that is the subject of a verification under subsection (a)(1) regarding compliance described in subsection (a)(2)(A) or a claim described in subsection (a)(2)(B), if the Secretary determines that the person has provided incorrect information as to the country of origin of any such good.

(c) ACTION ON COMPLETION OF A VERIFICATION.—On completion of a verification under subsection (a), the President may direct the Secretary to take appropriate action described in subsection (d) until such time as the Secretary receives information sufficient to make the determination under subsection (a)(2) or until such earlier date as the President may direct.

(d) APPROPRIATE ACTION DESCRIBED.—Appropriate action under subsection (c) includes—

(1) denial of preferential tariff treatment under the Agreement with respect to—

(A) any textile or apparel good exported or produced by the person that is the subject of a verification under subsection (a)(1) regarding compliance described in subsection (a)(2)(A), if the Secretary determines that there is insufficient information to support, or that the person has provided incorrect information to support, any claim for preferential tariff treatment that has been made with respect to any such good; or

(B) the textile or apparel good for which a claim of preferential tariff treatment has been made that is the subject of a verification under subsection (a)(1) regarding a claim described in subsection (a)(2)(B), if

the Secretary determines that there is insufficient information to support, or that a person has provided incorrect information to support, that claim; and

(2) denial of entry into the United States of any textile or apparel good exported or produced by the person that is the subject of a verification under subsection (a)(1) regarding compliance described in subsection (a)(2)(A) or a claim described in subsection (a)(2)(B), if the Secretary determines that there is insufficient information to determine, or that the person has provided incorrect information as to, the country of origin of any such good.

(e) PUBLICATION OF NAME OF PERSON.—In accordance with article 3.2.6 of the Agreement, the Secretary may publish the name of any person that the Secretary has determined—

(1) is engaged in circumvention of applicable laws, regulations, or procedures affecting trade in textile or apparel goods; or

(2) has failed to demonstrate that it produces, or is capable of producing, textile or apparel goods.

(f) VERIFICATIONS IN THE UNITED STATES.—If the government of a country that is a party to a free trade agreement with the United States makes a request for a verification pursuant to that agreement, the Secretary may request a verification of the production of any textile or apparel good in order to assist that government in determining—

(1) whether a claim of origin under the agreement for a textile or apparel good is accurate; or

(2) whether an exporter, producer, or other enterprise located in the United States involved in the movement of textile or apparel goods from the United States to the territory of the requesting government is complying with applicable customs laws, regulations, and procedures regarding trade in textile or apparel goods.

SEC. 209. REGULATIONS.

The Secretary of the Treasury shall prescribe such regulations as may be necessary to carry out—

(1) subsections (a) through (n) of section 203;

(2) the amendment made by section 204; and

(3) any proclamation issued under section 203(o).

TITLE III—RELIEF FROM IMPORTS

SEC. 301. DEFINITIONS.

In this title:

(1) COLOMBIAN ARTICLE.—The term ''Colombian article'' means an article that qualifies as an originating good under section 203(b).

(2) COLOMBIAN TEXTILE OR APPAREL ARTICLE.—The term ''Colombian textile or apparel article'' means a textile or apparel good (as defined in section 3(4)) that is a Colombian article.

Subtitle A—Relief From Imports Benefiting From the Agreement

SEC. 311. COMMENCING OF ACTION FOR RELIEF.

(a) FILING OF PETITION.—A petition requesting action under this subtitle for the purpose of adjusting to the obligations of the United States under the Agreement may be filed with the Commission by an entity, including a trade association, firm, certified or recognized union, or group of workers, that is representative of an industry. The Commission shall transmit a copy of any petition filed under this subsection to the United States Trade Representative.

(b) INVESTIGATION AND DETERMINATION.—Upon the filing of a petition under subsection (a), the Commission, unless subsection (d) applies, shall promptly initiate an investigation to determine whether, as a result of the reduction or elimination of a duty provided for under the Agreement, a Colombian article is being imported into the United States in such increased quantities, in absolute terms or relative to domestic production, and under such conditions that imports of the Colombian article constitute a substantial cause of serious injury or threat thereof to the domestic industry producing an article that is like, or directly competitive with, the imported article.

(c) APPLICABLE PROVISIONS.—The following provisions of section 202 of the Trade Act of 1974 (19 U.S.C. 2252) apply with respect to any investigation initiated under subsection (b):

(1) Paragraphs (1)(B) and (3) of subsection (b).

(2) Subsection (c).

(3) Subsection (i).

(d) ARTICLES EXEMPT FROM INVESTIGATION.—No investigation may be initiated under this section with respect to any Colombian article if, after the date on which the Agreement enters into force, import relief has been provided with respect to that Colombian article under this subtitle.

SEC. 312. COMMISSION ACTION ON PETITION.

(a) DETERMINATION.—Not later than 120 days after the date on which an investigation is initiated under section 311(b) with respect to a petition, the Commission shall make the determination required under that section.

(b) APPLICABLE PROVISIONS.—For purposes of this subtitle, the provisions of paragraphs (1), (2), and (3) of section 330(d) of the Tariff Act of 1930 (19 U.S.C. 1330(d) (1), (2), and (3)) shall be applied with respect to determinations and findings made under this section as if such determinations and findings were made under section 202 of the Trade Act of 1974 (19 U.S.C. 2252).

(c) ADDITIONAL FINDING AND RECOMMENDATION IF DETERMINATION AFFIRMATIVE.—

(1) IN GENERAL.—If the determination made by the Commission under subsection (a) with respect to imports of an article is affirmative, or if the President may consider a determination of the Commission to be an affirmative determination as provided for under paragraph (1) of section 330(d) of the Tariff Act of 1930 (19 U.S.C. 1330(d)), the Commission shall find, and recommend to the President in the report required under subsection (d), the amount of import relief that is necessary to remedy or prevent the injury found by the Commission in the determination and to facilitate the efforts of the domestic industry to make a positive adjustment to import competition.

(2) LIMITATION ON RELIEF.—The import relief recommended by the Commission under this subsection shall be limited to the relief described in section 313(c).

(3) VOTING; SEPARATE VIEWS.—Only those members of the Commission who voted in the affirmative under subsection (a) are eligible to vote on the proposed action to remedy or prevent the injury found by the Commission. Members of the Commission who did not vote in the affirmative may submit, in the report required under subsection (d), separate views regarding what action, if any, should be taken to remedy or prevent the injury.

(d) REPORT TO PRESIDENT.—Not later than the date that is 30 days after the date on which a determination is made under subsection (a) with respect to an investigation, the Commission shall submit to the President a report that includes—

(1) the determination made under subsection (a) and an explanation of the basis for the determination;

(2) if the determination under subsection (a) is affirmative, any findings and recommendations for import relief made under subsection (c) and an explanation of the basis for each recommendation; and

(3) any dissenting or separate views by members of the Commission regarding the determination referred to in paragraph (1) and any finding or recommendation referred to in paragraph (2).

(e) PUBLIC NOTICE.—Upon submitting a report to the President under subsection (d), the Commission shall promptly make public the report (with the exception of information which the Commission determines to be confidential) and shall publish a summary of the report in the Federal Register.

SEC. 313. PROVISION OF RELIEF.

(a) IN GENERAL.—Not later than the date that is 30 days after the date on which the President receives the report of the Commission in which the Commission's determination under section 312(a) is affirmative, or which contains a determination under section 312(a) that the President considers to be affirmative under paragraph (1) of section 330(d) of the Tariff Act of 1930 (19 U.S.C. 1330(d)(1)), the President, subject to subsection (b), shall provide relief from imports of the article that is the subject of such determination to the extent that the President determines necessary to remedy or prevent the injury found by the Commission and to facilitate the efforts of the domestic industry to make a positive adjustment to import competition.

(b) EXCEPTION.—The President is not required to provide import relief under this section if the President determines that the provision of the import relief will not provide greater economic and social benefits than costs.

(c) NATURE OF RELIEF.—

(1) IN GENERAL.—The import relief that the President is authorized to provide under this section with respect to imports of an article is as follows:

(A) The suspension of any further reduction provided for under Annex 2.3 of the Agreement in the duty imposed on the article.

(B) An increase in the rate of duty imposed on the article to a level that does not exceed the lesser of—

(i) the column 1 general rate of duty imposed under the HTS on like articles at the time the import relief is provided; or

(ii) the column 1 general rate of duty imposed under the HTS on like articles on the day before the date on which the Agreement enters into force.

(2) PROGRESSIVE LIBERALIZATION.—If the period for which import relief is provided under this section is greater than 1 year, the President shall provide for the progressive liberalization (described in article 8.2.2 of the Agreement) of such relief at regular intervals during the period of its application.

(d) PERIOD OF RELIEF.—

(1) IN GENERAL.—Subject to paragraph (2), any import relief that the President provides under this section may not be in effect for more than 2 years.

(2) EXTENSION.—

(A) IN GENERAL.—Subject to subparagraph (C), the President, after receiving a determination from the Commission under subparagraph (B) that is affirmative, or which the President considers to be affirmative under paragraph (1) of section 330(d) of the Tariff Act of 1930 (19 U.S.C. 1330(d)(1)), may extend the effective period of any import relief provided under this section by up to 2 years, if the President determines that—

(i) the import relief continues to be necessary to remedy or prevent serious injury and to facilitate adjustment by the domestic industry to import competition; and

(ii) there is evidence that the industry is making a positive adjustment to import competition.

(B) ACTION BY COMMISSION.—

(i) INVESTIGATION.—Upon a petition on behalf of the industry concerned that is filed with the Commission not earlier than the date that is 9 months, and not later than the date that is 6 months, before the date on which any action taken under subsection (a) is to terminate, the Commission shall conduct an investigation to determine whether action under this section continues to be necessary to remedy or prevent serious injury and whether there is evidence that the industry is making a positive adjustment to import competition.

(ii) NOTICE AND HEARING.—The Commission shall publish notice of the commencement of any proceeding under this subparagraph in the Federal Register and shall, within a reasonable time thereafter, hold a public hearing at which the Commission shall afford interested parties and consumers an opportunity to be present, to present evidence, and to respond to the presentations of other parties and consumers, and otherwise to be heard.

(iii) REPORT.—The Commission shall submit to the President a report on its investigation and determination under this subparagraph not later than 60 days before the action under subsection (a) is to terminate, unless the President specifies a different date.

(C) PERIOD OF IMPORT RELIEF.—Any import relief provided under this section, including any extensions thereof, may not, in the aggregate, be in effect for more than 4 years.

(e) RATE AFTER TERMINATION OF IMPORT RELIEF.—When import relief under this section is terminated with respect to an article—

(1) the rate of duty on that article after such termination and on or before December 31 of the year in which such termination occurs shall be the rate that, according to the Schedule of the United States to Annex 2.3 of the Agreement, would have been in effect 1 year after the provision of relief under subsection (a); and

(2) the rate of duty for that article after December 31 of the year in which such termination occurs shall be, at the discretion of the President, either—

(A) the applicable rate of duty for that article set forth in the Schedule of the United States to Annex 2.3 of the Agreement; or

(B) the rate of duty resulting from the elimination of the tariff in equal annual stages ending on the date set forth in the Schedule of the United States to Annex 2.3 of the Agreement for the elimination of the tariff.

(f) ARTICLES EXEMPT FROM RELIEF.—No import relief may be provided under this section on—

(1) any article that is subject to import relief under—

(A) subtitle B; or

(B) chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.); or

(2) any article on which an additional duty assessed under section 202(b) is in effect.

SEC. 314. TERMINATION OF RELIEF AUTHORITY.

(a) GENERAL RULE.—Subject to subsection (b), no import relief may be provided under this subtitle after the date that is 10 years after the date on which the Agreement enters into force.

(b) EXCEPTION.—If an article for which relief is provided under this subtitle is an article for which the period for tariff elimination, set forth in the Schedule of the United States to Annex 2.3 of the Agreement, is greater than 10 years, no relief under this subtitle may be provided for that article after the date on which that period ends.

SEC. 315. COMPENSATION AUTHORITY.

For purposes of section 123 of the Trade Act of 1974 (19 U.S.C. 2133), any import relief provided by the President under section 313 shall be treated as action taken under chapter 1 of title II of such Act (19 U.S.C. 2251 et seq.).

SEC. 316. CONFIDENTIAL BUSINESS INFORMATION.

Section 202(a)(8) of the Trade Act of 1974 (19 U.S.C. 2252(a)(8)) is amended in the first sentence—

(1) by striking ''and''; and

(2) by inserting before the period at the end '', and title III of the United States-Colombia Trade Promotion Agreement Implementation Act''.

Subtitle B—Textile and Apparel Safeguard Measures

SEC. 321. COMMENCEMENT OF ACTION FOR RELIEF.

(a) IN GENERAL.—A request for action under this subtitle for the purpose of adjusting to the obligations of the United States under the Agreement may be filed with the President by an interested party. Upon the filing of a request, the President shall review the request to determine, from information presented in the request, whether to commence consideration of the request.

(b) PUBLICATION OF REQUEST.—If the President determines that the request under subsection (a) provides the information necessary for the request to be considered, the President shall publish in the Federal Register a notice of commencement of consideration of the request, and notice seeking public comments regarding the request. The notice shall include a summary of the request and the dates by which comments and rebuttals must be received.

SEC. 322. DETERMINATION AND PROVISION OF RELIEF.

(a) DETERMINATION.—

(1) IN GENERAL.—If a positive determination is made under section 321(b), the President shall determine whether, as a result of the elimination of a duty under the Agreement, a Colombian textile or apparel article is being imported into the United States in such increased quantities, in absolute terms or relative to the domestic market for that article, and under such conditions as to cause serious damage, or actual threat thereof, to a domestic industry producing an article that is like, or directly competitive with, the imported article.

(2) SERIOUS DAMAGE.—In making a determination under paragraph (1), the President—

(A) shall examine the effect of increased imports on the domestic industry, as reflected in changes in such relevant economic factors as output, productivity, utilization of capacity, inventories, market share, exports, wages, employment, domestic prices, profits and losses, and investment, no one of which is necessarily decisive; and

(B) shall not consider changes in consumer preference or changes in technology in the United States as factors supporting a determination of serious damage or actual threat thereof.

(b) PROVISION OF RELIEF.—

(1) IN GENERAL.—If a determination under subsection (a) is affirmative, the President may provide relief from imports of the article that is the subject of such determination, as provided in paragraph (2), to the extent that the President determines necessary to remedy or prevent the serious damage and to facilitate adjustment by the domestic industry.

(2) NATURE OF RELIEF.—The relief that the President is authorized to provide under this subsection with respect to imports of an article is an increase in the rate of duty imposed on the article to a level that does not exceed the lesser of—

(A) the column 1 general rate of duty imposed under the HTS on like articles at the time the import relief is provided; or

(B) the column 1 general rate of duty imposed under the HTS on like articles on the day before the date on which the Agreement enters into force.

SEC. 323. PERIOD OF RELIEF.

(a) IN GENERAL.—Subject to subsection (b), the import relief that the President provides under section 322(b) may not be in effect for more than 2 years.

(b) EXTENSION.—

(1) IN GENERAL.—Subject to paragraph (2), the President may extend the effective period of any import relief provided under this subtitle for a period of not more than 1 year, if the President determines that—

(A) the import relief continues to be necessary to remedy or prevent serious damage and to facilitate adjustment by the domestic industry to import competition; and

(B) there is evidence that the industry is making a positive adjustment to import competition.

(2) LIMITATION.—Any relief provided under this subtitle, including any extensions thereof, may not, in the aggregate, be in effect for more than 3 years.

SEC. 324. ARTICLES EXEMPT FROM RELIEF.

The President may not provide import relief under this subtitle with respect to an article if—

(1) import relief previously has been provided under this subtitle with respect to that article; or

(2) the article is subject to import relief under—

(A) subtitle A; or

(B) chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.).

SEC. 325. RATE AFTER TERMINATION OF IMPORT RELIEF.

On the date on which import relief under this subtitle is terminated with respect to an article, the rate of duty on that article shall be the rate that would have been in effect, but for the provision of such relief.

SEC. 326. TERMINATION OF RELIEF AUTHORITY.

No import relief may be provided under this subtitle with respect to any article after the date that is 5 years after the date on which the Agreement enters into force.

SEC. 327. COMPENSATION AUTHORITY.

For purposes of section 123 of the Trade Act of 1974 (19 U.S.C. 2133), any import relief provided by the President under this subtitle shall be treated as action taken under chapter 1 of title II of such Act (19 U.S.C. 2251 et seq.).

SEC. 328. CONFIDENTIAL BUSINESS INFORMATION.

The President may not release information received in connection with an investigation or determination under this subtitle which the President considers to be confidential business information unless the party submitting the confidential business information had notice, at the time of submission, that such information would be released by the President, or such party subsequently consents to the release of the information. To the extent a party submits confidential business information, the party shall also provide a nonconfidential version of the information in which the confidential business information is summarized or, if necessary, deleted.

Subtitle C—Cases Under Title II of the Trade Act of 1974

SEC. 331. FINDINGS AND ACTION ON GOODS OF COLOMBIA.

(a) EFFECT OF IMPORTS.—If, in any investigation initiated under chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.), the Commission makes an affirmative

determination (or a determination which the President may treat as an affirmative determination under such chapter by reason of section 330(d) of the Tariff Act of 1930), the Commission shall also find (and report to the President at the time such injury determination is submitted to the President) whether imports of the article of Colombia that qualify as originating goods under section 203(b) are a substantial cause of serious injury or threat thereof.

(b) PRESIDENTIAL DETERMINATION REGARDING IMPORTS OF COLOMBIA.—In determining the nature and extent of action to be taken under chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.), the President may exclude from the action goods of Colombia with respect to which the Commission has made a negative finding under subsection (a).

TITLE IV—PROCUREMENT

SEC. 401. ELIGIBLE PRODUCTS.

Section 308(4)(A) of the Trade Agreements Act of 1979 (19 U.S.C. 2518(4)(A)) is amended—

(1) by striking ''or'' at the end of clause (vi);

(2) by striking the period at the end of clause (vii) and inserting ''; or''; and

(3) by adding at the end the following new clause:

''(viii) a party to the United States-Colombia Trade Promotion Agreement, a product or service of that country or instrumentality which is covered under that agreement for procurement by the United States.''.

TITLE V—OFFSETS

SEC. 501. CUSTOMS USER FEES.

(a) IN GENERAL.—Section 13031(j)(3)(A) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(A)) shall be applied by extending by 155 days the date in effect on the date of the enactment of this Act after which fees may not be charged under paragraphs (9) and (10) of subsection (a) of such section 13031.

(b) OTHER FEES.—Section 13031(j)(3)(B)(i) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(B)(i)) shall be applied by extending by 155 days the date in effect on the date of the enactment of this Act after which fees may not be charged under paragraphs (1) through (8) of subsection (a) of such section 13031.

SEC. 502. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

(a) CORPORATE ESTIMATED TAX DUE IN 2012.—The percentage under subparagraph (B) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 (Public Law 109–222; 26 U.S.C. 6655 note) in effect on the date of the enactment of this Act is increased by 1 percentage point.

(b) CORPORATE ESTIMATED TAX DUE IN 2013.—The percentage under subparagraph (C) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 (Public Law 109–222; 26 U.S.C. 6655 note) in effect on the date of the enactment of this Act is increased by 2 percentage points.

By Mr. DORGAN (for himself and Mr. INOUYE):

S. 2831. A bill to reauthorize the Federal Trade Commission, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. DORGAN. Mr. President, today I am introducing the Federal Trade Commission Reauthorization Act of 2008. I am joined by Senator INOUYE. We seek with this reauthorization to give the Federal Trade Commission, FTC, what it needs to protect consumers from unfair or deceptive practices and unfair methods of competition.

The agency has a very important mission, but needs more resources and authority. The number of FTC employees has been greatly reduced from its pre-1980 high of 1,746, and the agency currently has approximately 1,102 employees. We need to make sure that they have the manpower and the technology to protect consumers.

I'd like to take a second to highlight one of the areas where the FTC needs authority most. The subprime loan market was an orgy of greed from a large number of lenders who knowingly put borrowers in mortgage loans that they could not afford—while at the same time loading up these loans with provisions that trigger large fees and penalties.

The mortgage brokers ran ads from coast to coast—you have seen them: ''Do you have bad credit? Do you have trouble getting a loan? Have you been missing payments on your home loan? Have you filed for bankruptcy? It doesn't matter. Come to us; we will give you a loan.''

Many borrowers were brought in by teaser rates, interest-only payments, no payments for 12 months, etc. Loans had quick resets to higher and unaffordable interest rates. Loans had prepayment penalties. Marketed loan payment amounts did not include escrowed amounts, taxes, insurance, and other financial obligations. These unfair and deceitful advertisements are still on Web sites for lenders across the country today. The FTC needs the authority to stop this practice and resources to investigate and go after the bad actors.

Let me tell you a bit about what the bill does. The bill provides for a 7-year reauthorization starting in 2009. We set the fiscal year 2009 funding at $264 million and increase it by 10 percent per year. In addition, we give them an additional $20 million to be used by the commission to improve technology in support of its competition and consumer protection missions.

We give the FTC independent litigating authority so they won't have to refer their cases to the Department of Justice. We also give the FTC the authority to give preference in the hiring process to administrative law judges who have experience in their issues.

We provide the FTC the authority to commence a civil action to recover civil penalties in a district court for any violation of the FTC Act.

We extend their jurisdiction to allow them to go after nonprofit entities as well, so bad actors cannot hide behind nonprofit status, and we allow them to go after those aiding and abetting an FTC violation.

We also give them the authority, by majority vote of the full commission, to waive their current rulemaking requirements for any rule involving a consumer protection matter.

We require the FTC to conduct a rulemaking under the Administrative Procedures Act, APA, which is faster than their current Magnuson-Moss authority, in the area of subprime loans. The commission has sent 200 warning letters to mortgage advertisers and is conducting several investigations of mortgage advertisers and subprime lenders. In addition, the FTC has brought 21 cases in the last decade. But they haven't had the opportunity to review the bad practices and create a rule preventing their reoccurrence. We give them authority to create a rule preventing unfair or deceptive behavior by lenders and allow the State attorneys general to enforce the rule.

Finally, we repeal the common carrier exemption as the FTC has long been requesting. There are too many problems in the telecommunications world that need to be addressed by the FTC—consumers should not be left unprotected. We also make sure that the State Do Not Call laws are not preempted by Federal regulations.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

S. 2831

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 ''Federal Trade Commission Reauthorization Act of 2008''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of comments.
Sec. 2. Authorization of appropriations.
Sec. 3. Independent litigation authority.
Sec. 4. Specialized administrative law judges.
Sec. 5. Civil penalties for violations of the Federal Trade Commission Act.
Sec. 6. Application of Federal Trade Commission Act to tax-exempt organizations.
Sec. 7. Aiding and abetting a violation.
Sec. 8. Permissive administrative procedure for consumer protection rules.
Sec. 9. Rulemaking procedure for subprime lending mortgages and nontraditional mortgage loans.
Sec. 10. Harmonizing FTC rules with banking agency rulemaking.
Sec. 11. Enforcement by State attorneys general.
Sec. 12. Harmonization of national do-not-call registry and effect on State laws.
Sec. 13. FTC study of alcoholic beverage marketing practices.
Sec. 14. Common carrier exception.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

The text of section 25 of the Federal Trade Commission Act (15 U.S.C. 57c) is amended to read as follows:

''(a) IN GENERAL.—There are authorized to be appropriated to carry out the functions, powers, and duties of the Commission—

''(1) $264,000,000 for fiscal year 2009;

''(2) $290,400,000 for fiscal year 2010;

''(3) $319,400,000 for fiscal year 2011;

''(4) $351,400,000 for fiscal year 2012;

''(5) $386,500,000 for fiscal year 2013;

''(6) $425,200,000 for fiscal year 2014; and

''(7) $467,700,000 for fiscal year 2015.

''(b) LITIGATION AND INTERNET COMMERCE TECHNOLOGY.—There are authorized to be appropriated to the Commission $20,000,000 for each of fiscal years 2009 through 2015 to be

used by the Commission to improve technology in support of the Commission's competition and consumer protection missions.

''(c) INTERNATIONAL TECHNICAL ASSISTANCE.—From amounts appropriated pursuant to subsection (a), the Commission may spend up to $10,000,000 for each of fiscal years 2009 through 2015 to continue and enhance its provision of international technical assistance with respect to foreign consumer protection and competition regimes.''.

SEC. 3. INDEPENDENT LITIGATION AUTHORITY.

Section 16(a) of the Federal Trade Commission Act (15 U.S.C. 56(a)) is amended—

(1) by striking paragraph (1) and inserting ''(1) The Commission may commence, defend, or intervene in, and supervise the litigation of any civil action involving this Act (including an action to collect a civil penalty) and any appeal of such action in its own name by any of its attorneys designated by it for such purpose. The Commission shall notify the Attorney General of any such action and may consult with the Attorney General with respect to any such action or request the Attorney General on behalf of the Commission to commence, defend, or intervene in any such action.'';

(2) by striking subparagraph (A) of paragraph (3) and inserting ''(A) The Commission may represent itself through any of its attorneys designated by it for such purpose before the Supreme Court in any civil action in which the Commission represented itself pursuant to paragraph (1) or (2) or may request the Attorney General to represent the Commission before the Supreme Court in any such action.''; and

(3) by striking paragraph (4) and redesignating paragraph (5) as paragraph (4).

SEC. 4. SPECIALIZED ADMINISTRATIVE LAW JUDGES.

(a) IN GENERAL.—In appointing administrative law judges under section 3105 of title 5, United States Code, to conduct hearings and render initial decisions in formal adjudicative matters before it, the Federal Trade Commission may give preference to administrative law judges who have experience with antitrust or trade regulation litigation and who are familiar with the kinds of economic analysis associated with such litigation.

(b) DETAILS.—If the Commission asks the Office of Personnel Management to assign an administrative law judge under section 3344 of title 5, United States Code, to conduct a hearing or render an initial decision in a formal adjudicative matter before it, the Commission may request the assignment of an administrative law judge who has experience with antitrust or trade regulation litigation and is familiar with the kinds of economic analysis associated with such litigation and the Office of Personnel Management shall comply with the request to the maximum extent feasible.

SEC. 5. CIVIL PENALTIES FOR VIOLATIONS OF THE FEDERAL TRADE COMMISSION ACT.

Section 5(m)(1)(A) of the Federal Trade Commission Act (15 U.S.C. 45(m)(1)(A)) is amended—

(1) by inserting ''this Act, or'' after ''violates'' the first place it appears; and

(2) by inserting ''a violation of this Act or such act is'' after ''such act is''.

SEC. 6. APPLICATION OF FEDERAL TRADE COMMISSION ACT TO TAX-EXEMPT ORGANIZATIONS.

Section 4 of the Federal Trade Commission Act (15 U.S.C. 44) is amended by striking ''members.'' in the second full paragraph and inserting ''members, and includes an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code.''.

SEC. 7. AIDING AND ABETTING A VIOLATION.

Section 10 of the Federal Trade Commission Act (15 U.S.C. 50) is amended by adding at the end thereof the following:

''It is unlawful for any person to aid or abet another in violating any provision of this Act or any other Act enforceable by the Commission.''.

SEC. 8. PERMISSIVE ADMINISTRATIVE PROCEDURE FOR CONSUMER PROTECTION RULES.

(a) IN GENERAL.—Section 18 of the Federal Trade Commission Act (15 U.S.C. 57a) is amended by adding at the end thereof the following:

''(k) ALTERNATIVE RULEMAKING PROCEDURE.—The Commission may, by majority vote of the full Commission, dispense with the requirements of other provisions of this section and of section 22 of this Act with respect to rulemaking involving a consumer protection matter (as determined by the Commission). If the Commission dispenses with such requirements with respect to such a rulemaking, it shall conduct such rulemaking in accordance with section 553 of title 5, United States Code, and in such case the provisions for judicial review of rules promulgated under section 553 of title 5 shall apply.''.

SEC. 9. RULEMAKING PROCEDURE FOR SUBPRIME LENDING MORTGAGES AND NONTRADITIONAL MORTGAGE LOANS.

Section 18 of the Federal Trade Commission Act (15 U.S.C. 57a), as amended by section 8, is further amended by adding at the end thereof the following:

''(l) SPECIAL RULE FOR CERTAIN MORTGAGE-RELATED RULEMAKINGS.—Notwithstanding any other provision of this section, section 22 of this Act, or any other provision of law, the Commission shall conduct rulemaking proceedings with respect to subprime mortgage lending and nontraditional mortgage loans in accordance with section 553 of title 5, United States Code, and the provisions for judicial review of rules promulgated under section 553 of title 5 shall apply.''.

SEC. 10. HARMONIZING FTC RULES WITH BANKING AGENCY RULEMAKING.

(a) IN GENERAL.—The second sentence of section 18(f)(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 the depository institutions each such agency supervises)''; and

(2) by inserting ''in consultation with the Commission'' after ''shall prescribe regulations''.

(b) FTC CONCURRENT RULEMAKING.—Section 18(f)(1) of such Act is further amended by inserting after the second 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 commence such a rulemaking proceeding, the Commission, with respect to the entities within its jurisdiction under this Act, may commence a rulemaking proceeding and prescribe regulations in accordance with section 553 of title 5, United States Code. If the Commission commences such a rulemaking proceeding, the Commission, the Federal banking agencies, and the National Credit Union Administration Board shall consult and coordinate with each other so that the regulations prescribed by each such agency are consistent with and comparable to the regulations prescribed by each other such agency to the extent practicable.''.

(c) GAO STUDY AND REPORT.—Not later than 18 months after the date of 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.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—Section 18(f) of the Federal Trade Commission Act (15 U.S.C. 57a(f)) is amended—

(1) in the first sentence of paragraph (1)—

(A) by striking ''banks or savings and loan institutions described in paragraph (3), each agency specified in paragraph (2) or (3) of this subsection shall establish'' and inserting ''depository institutions and Federal credit unions, the Federal banking agencies and the National Credit Union Administration Board shall each establish''; and

(B) by striking ''banks or savings and loan institutions described in paragraph (3), subject to its jurisdiction'' before the period and inserting ''depository institutions or Federal credit unions subject to the jurisdiction of such agency or Board'';

(2) in the sixth sentence of paragraph (1) (as amended by subsection (b))—

(A) by striking ''each such Board'' and inserting ''each such banking agency and the National Credit Union Administration Board'';

(B) by striking ''banks or savings and loan institutions described in paragraph (3)'' each place such term appears and inserting ''depository institutions subject to the jurisdiction of such agency'';

(C) by striking ''(A) any such Board'' and inserting ''(A) any such Federal banking agency or the National Credit Union Administration Board''; and

(D) by striking ''with respect to banks, savings and loan institutions'' and inserting ''with respect to depository institutions'';

(3) by adding at the end of paragraph (1) the following new sentence: ''For purposes of this subsection, the terms 'Federal banking agency' and 'depository institution' have the same meaning as in section 3 of the Federal Deposit Insurance Act.'';

(4) in paragraph (2)(C), by inserting ''than'' after ''(other'';

(5) in paragraph (3), by inserting ''by the Director of the Office of Thrift Supervision'' before the period at the end;

(6) in paragraph (4), by inserting ''by the National Credit Union Administration'' before the period at the end; and

(7) in paragraph (6), by striking ''the Board of Governors of the Federal Reserve System'' and inserting ''any Federal banking agency or the National Credit Union Administration Board''.

SEC. 11. ENFORCEMENT BY STATE ATTORNEYS GENERAL

(a) IN GENERAL.—Except as provided in subsection (f), a State, as parens patriae, may bring a civil action on behalf of its residents in an appropriate State or district court of the United States to enforce the provisions of the Federal Trade Commission Act or any other Act enforced by the Federal Trade Commission to obtain penalties and relief provided under such Acts whenever the attorney general of the State has reason to believe that the interests of the residents of the State have been or are being threatened or adversely affected by a violation of a subprime mortgage lending rule or a nontraditional mortgage loan rule promulgated by the Federal Trade Commission.

(b) NOTICE.—The State shall serve written notice to the Commission of any civil action under subsection (a) at least 60 days prior to initiating such civil action. The notice shall include a copy of the complaint to be filed to initiate such civil action, except that if it is not feasible for the State to provide such prior notice, the State shall provide notice

immediately upon instituting such civil action.

(c) INTERVENTION BY FTC.—Upon receiving the notice required by subsection (b), the Commission may intervene in such civil action and upon intervening—

(1) be heard on all matters arising in such civil action;

(2) remove the action to the appropriate United States district court; and

(3) file petitions for appeal of a decision in such civil action.

(d) SAVINGS CLAUSE.—Nothing in this section shall prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses or the production of documentary and other evidence. Nothing in this section shall prohibit the attorney general of a State, or other authorized State officer, from proceeding in State or Federal court on the basis of an alleged violation of any civil or criminal statute of that State.

(e) VENUE; SERVICE OF PROCESS; JOINDER.—In a civil action brought under subsection (a)—

(1) the venue shall be a judicial district in which the lender or a related party operates or is authorized to do business;

(2) process may be served without regard to the territorial limits of the district or of the State in which the civil action is instituted; and

(3) a person who participated with a lender or related party to an alleged violation that is being litigated in the civil action may be joined in the civil action without regard to the residence of the person.

(f) PREEMPTIVE ACTION BY FTC.—Whenever a civil action or an administrative action has been instituted by or on behalf of the Commission for violation of any rule described under (a), no State may, during the pendency of such action instituted by or on behalf of the Commission, institute a civil action under subsection (a) against any defendant named in the complaint in such action for violation of any rule as alleged in such complaint.

(g) AWARD OF COSTS AND FEES.—If the attorney general of a State prevails in any civil action under subsection (a), the State can recover reasonable costs and attorney fees from the lender or related party.

SEC. 12. HARMONIZATION OF NATIONAL DO-NOT-CALL REGISTRY AND EFFECT ON STATE LAWS.

(a) AMENDMENT OF THE TELEMARKETING AND CONSUMER FRAUD AND ABUSE PREVENTION ACT.—Section 5 of the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6105) is amended by adding at the end thereof the following:

''(d) STATE LAWS NOT PREEMPTED.—Nothing in this Act or the Do-Not-Call Implementation Act (15 U.S.C. 6101 note) preempts any State law that imposes more restrictive requirements on intrastate or interstate telemarketing to telephone numbers on a do-notWithin 2 years of the completion of the Federal Trade Commission study entitled ″Self Regulation in the Alcohol Industry″-call registry maintained by that State.''.

(b) CONFORMING AMENDMENT.—Section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1)) is amended by inserting ''interstate or'' after ''restrictive''.

SEC. 13. FTC STUDY OF ALCOHOLIC BEVERAGE MARKETING PRACTICES.

Within 2 years after the Federal Trade Commission completes its study entitled Self-Regulation in the Alcohol Industry and every 2 years thereafter, the Commission shall transmit a report to the Congress on advertising and marketing practices for alcoholic beverages, together with such recommendations, including legislative recommendations, as the Commission deems appropriate. In preparing the report, the Commission shall consider information contained in reports by the Secretary of Health and Human services under section 519B of the Public Health Service Act (42 U.S.C. 290bb-25b), and shall include, to the extent feasible, data on measured and unmeasured media by brand and type of beverage, and data on expenditures for slotting and discounting.

SEC. 14. COMMON CARRIER EXCEPTION.

Section 4 of the Federal Trade Commission Act (15 U.S.C. 44) is amended by striking the paragraph containing the definition of the term ''Acts to regulate commerce'' and inserting the following:

'' 'Acts to regulate commerce' means subtitle IV of title 49, United States Code, and all Acts amendatory thereof and supplementary thereto.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 505—COMMENDING THE UNIVERSITY OF KANSAS MEN'S BASKETBALL TEAM FOR WINNING THE 2008 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (NCAA) DIVISION I BASKETBALL CHAMPIONSHIP

Mr. ROBERTS (for himself, Mr. BROWNBACK, and Mr. STEVENS) submitted the following resolution; Which was considered and agreed to:

S. RES. 505

Whereas, on April 7th, 2008, the University of Kansas men's basketball team won its third NCAA Division I Basketball Championship and fifth national title with its 75-68 overtime win over the University of Memphis—on the twentieth anniversary of the historic win by the team lead by Danny Manning known as ''Danny and the Miracles'';

Whereas, with this win the Jayhawks achieved a school record for all-time season wins, posting a 37–3 win-loss record during their run for the title, and finished the season with a thirteen-game winning streak, securing the Big XII Conference Championship title after starting the season with a twenty-game undefeated record, in addition to the 2008 NCAA Division I men's basketball crown;

Whereas, Head Coach Bill Self improved his all-time record at Kansas to 142–32 and 12–4 in the tournament assisted by a miraculous last-minute three-point shot by guard Mario Chalmers;

Whereas, Kansas guard Mario Chalmers was chosen as the Most Outstanding Player of the Final Four and was named to the all-tournament team along with guards Brandon Rush and Darrell Arthur;

Whereas, each player, coach, trainer, and manager dedicated his or her time and effort to ensuring that the Kansas Jayhawks reached their goal of capturing a national championship; and

Whereas, the families of the players, students, alumni, and faculty of the University of Kansas, and all the supporters of the University of Kansas, are to be congratulated for their commitment to, and pride in, the basketball program at the University: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Kansas men's basketball team for winning the 2008 NCAA Division I Basketball Championship;

(2) recognizes the achievements of all of the players, coaches, and support staff who were instrumental in helping the University of Kansas men's basketball team win its third NCAA Division I Basketball Championship and fifth national championship;

(3) respectfully requests the Secretary of the Senate to transmit enrolled copies of this resolution to—

(A) the University of Kansas for appropriate display;

(B) the Chancellor of the University of Kansas, Robert Hemenway;

(C) the Athletic Director of the University of Kansas, Lew Perkins;

(D) the Head Coach of the University of Kansas men's basketball team, Bill Self.

SENATE RESOLUTION 506—EXPRESSING THE SENSE OF THE SENATE THAT FUNDING PROVIDED BY THE UNITED STATES TO THE GOVERNMENT OF IRAQ IN THE FUTURE FOR RECONSTRUCTION AND TRAINING FOR SECURITY FORCES BE PROVIDED AS A LOAN TO THE GOVERNMENT OF IRAQ

Mr. NELSON of Nebraska submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 506

Whereas the United States has been engaged in Iraq for more than 5 years at a great cost to the United States in both lives and resources;

Whereas March 19, 2008, marked the fifth anniversary of the engagement of the United States in Iraq;

Whereas the United States Government has spent $600,000,000,000 to fight the war in Iraq and that expenditure has contributed greatly to the Nation's debt;

Whereas taxpayers in the United States have provided $45,000,000,000 in funding for reconstruction to the country and the Government of Iraq;

Whereas world oil prices have reached more than $100 a barrel;

Whereas consumers in the United States are paying record gas prices of approximately $3.29 a gallon;

Whereas, when the war began, Deputy Secretary of Defense Paul Wolfowitz said, ''We're dealing with a country that can really finance its own reconstruction, and relatively soon.'';

Whereas, due to high oil prices and expanded oil production, it has been predicted that the Government of Iraq is likely to experience an enormous revenue windfall;

Whereas, in January 2008, the Government Accountability Office issued a report stating that, according to Iraq's official expenditure reports, the Government of Iraq had spent only 4.4 percent of its $10,100,000,000 investment budget as of August 2007;

Whereas Iraq has not made satisfactory progress toward achieving the political benchmarks established by Congress; and

Whereas the Government of Iraq needs to invest in the future of Iraq by paying a larger share of the costs of reconstruction: Now, therefore, be it

Resolved, That it is the sense of the Senate that any funding provided by the United States to the Government of Iraq for reconstruction and training for security forces after the date on which the Senate agrees to this resolution be provided as a loan to the Government of Iraq.

SENATE CONCURRENT RESOLUTION 74—HONORING THE PRIME MINISTER OF IRELAND, BERTIE AHERN, FOR HIS SERVICE TO THE PEOPLE OF IRELAND AND TO THE WORLD AND WELCOMING THE PRIME MINISTER TO THE UNITED STATES

Mr. KENNEDY (for himself, Mr. DODD, and Ms. COLLINS) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 74

Whereas the Members of the Senate and the House of Representatives are saddened that the Prime Minister of Ireland, Bertie Ahern, has announced that he will resign on May 6, 2008;

Whereas Prime Minister Ahern has served the people of Ireland with distinction for many years and has been an extraordinary friend to the United States throughout his years in office;

Whereas, during his extensive period of public service, Prime Minister Ahern has made significant contributions to an unprecedented era of peace, prosperity, and progress in Ireland;

Whereas Prime Minister Ahern entered politics in 1977 and has been elected 10 times in the past 31 years by the people of Dublin Central;

Whereas Prime Minister Ahern was elected leader of Fianna Fáil in 1994 and became Prime Minister in 1997;

Whereas Prime Minister Ahern is the second-longest-serving Taoiseach, or Prime Minister, in the history of Ireland, and the second-longest-serving leader of Fianna Fáil;

Whereas Prime Minister Ahern is the first Taoiseach since 1944 to be elected on 3 successive occasions;

Whereas Prime Minister Ahern has been fully committed to strengthening the economy of Ireland and, under his leadership, Ireland became more prosperous than at any time in the history of the country and became world-renowned as the ''Celtic Tiger'';

Whereas the people of Ireland have benefitted from a significantly improved quality of life during Prime Minister Ahern's service as Taoiseach;

Whereas Prime Minister Ahern promised years ago that one of his highest priorities was to end the decades-long cycle of hatred and violence in Northern Ireland;

Whereas Prime Minister Ahern kept that promise and worked assiduously to achieve the peace that Northern Ireland enjoys today;

Whereas the former Prime Minister of the United Kingdom, Tony Blair, described Prime Minister Ahern as a ''remarkable leader'' and stated that Prime Minister Ahern ''will always be remembered for his crucial role in bringing about peace in Northern Ireland, [and] for transforming relations between Britain and the Irish Republic''; and

Whereas Prime Minister Ahern will address a joint session of Congress on April 30, 2008: Now, therefore, be it

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

(1) it is the sense of Congress that—

(A) the Prime Minister of Ireland, Bertie Ahern, has been a strong and effective leader for the people of Ireland and a good friend to the United States;

(B) the skillful leadership of Prime Minister Ahern was indispensable in finally achieving a successful resolution of the longstanding conflict in Northern Ireland; and

(C) the legacy of Prime Minister Ahern is clear and his contribution to peace is enormous;

(2) Congress thanks Prime Minister Ahern on behalf of the people of the United States, wishes him well, and hopes his unique talents will be of service in resolving conflicts elsewhere in the years ahead in our divided world; and

(3) the Members of the Senate and the House of Representatives look forward to paying fitting and fond tribute to Prime Minister Ahern when he addresses a joint session of Congress on April 30, 2008.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4494. Ms. MIKULSKI (for herself, Mr. KENNEDY, and Mr. HARKIN) submitted an amendment intended to be proposed to amendment SA 4478 submitted by Mrs. MURRAY (for herself, Mr. SCHUMER, Mr. CASEY, and Mr. BROWN) to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

SA 4495. Mrs. HUTCHISON (for herself and Mr. NELSON of Florida) submitted an amendment intended to be proposed to amendment SA 4425 submitted by Mrs. HUTCHISON (for herself and Mr. NELSON of Florida) and intended to be proposed to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4496. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4497. Mr. BUNNING submitted an amendment intended to be proposed to amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4498. Mr. BUNNING submitted an amendment intended to be proposed to amendment SA 4395 submitted by Mr. BUNNING and intended to be proposed to the amendment SA 4387 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4499. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 4404 proposed by Ms. LANDRIEU to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4500. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 4448 submitted by Ms. LANDRIEU and intended to be proposed to the amendment SA 4387 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4501. Mr. GREGG submitted an amendment intended to be proposed to amendment SA 4419 proposed by Mr. ENSIGN to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4502. Mr. FEINGOLD (for himself and Mr. KOHL) submitted an amendment intended to be proposed to amendment SA 4467 submitted by Mr. ENSIGN and intended to be proposed to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4503. Mr. FEINGOLD (for himself and Mr. KOHL) submitted an amendment intended to be proposed to amendment SA 4419 proposed by Mr. ENSIGN to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4504. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 4419 proposed by Mr. ENSIGN to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4505. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4506. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4507. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 4478 submitted by Mrs. MURRAY (for herself, Mr . SCHUMER, Mr. CASEY, and Mr. BROWN) to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4508. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 4404 proposed by Ms. LANDRIEU to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4509. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4429 submitted by Mr. ALEXANDER (for himself and Mr. KYL) to the amendment SA 4419 proposed by Mr. ENSIGN to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4510. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4419 proposed by Mr. ENSIGN to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4511. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4423 proposed by Mr. NELSON of Florida (for himself and Mr. COLEMAN) to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4512. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4433 submitted by Mrs. LINCOLN (for Ms. SNOWE) to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4513. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4404 proposed by Ms. LANDRIEU to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4514. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4384 proposed by Mr. SANDERS to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4515. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4478 submitted by Mrs. MURRAY (for herself, Mr . SCHUMER, Mr. CASEY, and Mr. BROWN) to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr.

SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4516. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4421 proposed by Mr. CARDIN (for himself and Mr. ENSIGN) to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

SA 4517. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4401 submitted by Mr. SANDERS (for himself and Mr. DURBIN) to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4494. Ms. MIKULSKI (for herself, Mr. KENNEDY, and Mr. HARKIN) submitted an amendment intended to be proposed to amendment SA 4478 submitted by Mrs. MURRAY (for herself, Mr. SCHUMER, Mr. CASEY, and Mr. BROWN) to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. _____.

Notwithstanding any other provision of this Act, the amount appropriated under section 301(a) of this Act shall be $3,862,500,000 and the amount appropriated under section 401 of this Act shall be $237,500,00: Provided, That, of amounts appropriated under such section 401 $37,500,000 shall be used by the Neighborhood Reinvestment Corporation (referred to in this section as the ''NRC'') to (1) make grants to counseling intermediaries approved by the Department of Housing and Urban Development or the NRC to hire attorneys trained and capable of assisting homeowners of owner-occupied homes with mortgages in default, in danger of default, or subject to or at risk of foreclosure who have legal issues that cannot be handled by counselors already employed by such intermediaries, and (2) support NRC partnerships with State and local legal organizations and organizations described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of that Code with demonstrated relevant legal experience in home foreclosure law, as such experience is determined by the Chief Executive Officer of NRC: Provided further, That for the purpose of the prior proviso the term ''relevant experience'' means experience representing homeowners in negotiations and or legal proceedings aimed at preventing or mitigating foreclosure or providing legal research and technical legal expertise to community based organizations whose goal is to reduce, prevent, or mitigate foreclosure: Provided further, That of the amounts provided for in the prior provisos the NRC shall give priority consideration to counseling intermediaries and legal organizations that (1) provide legal assistance in the 100 metropolitan statistical areas (as defined by the Director of the Office of Management and Budget) with the highest home foreclosure rates, and (2) have the capacity to begin using the financial assistance within 90 days after receipt of the assistance.

SA 4495. Mrs. HUTCHISON (for herself and Mr. NELSON of Florida) submitted an amendment intended to be proposed to amendment SA 4425 submitted by Mrs. HUTCHISON (for herself and Mr. NELSON of Florida) and intended to be proposed to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. _____. NEW RESTAURANT PROPERTY ELIGIBLE FOR BONUS DEPRECIATION.

(a) IN GENERAL.—Clause (i) of section 168(k)(2)(A) of the Internal Revenue Code of 1986 (relating to qualified property) is amended by striking ''or'' at the end of subclause (III), by inserting ''or'' at the end of subclause (IV), and by adding at the end the following new subclause:

''(V) which is new restaurant property,''.

(b) QUALIFIED NEW RESTAURANT PROPERTY.—Subsection (k) of section 168 of such Code, as amended by this Act, is amended by adding at the end the following new paragraph:

''(6) QUALIFIED NEW RESTAURANT PROPERTY.—For purposes of this subsection, the term 'qualified new restaurant property' means any section 1250 property which is a building if more than 50 percent of the building's square footage is devoted to preparation of, and seating for on-premises consumption of, prepared meals.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

SA 4496. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. EXTENSION OF MOVING TO WORK DEMONSTRATION AGREEMENT.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Housing and Urban Development (in this section referred to as the ''Secretary'') shall extend the effective period of the Moving to Work Demonstration Agreement entered into between the Philadelphia Housing Authority and the Department of Housing and Urban Development on or about February 28, 2002, pursuant to section 204 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996, under the heading ''Public Housing/Moving to Work Demonstration'' (Public Law 104-134, 110 Stat. 1321-281) for the 45-day period beginning on April 1, 2008.

(b) COMPLIANCE REVIEW.—If the Philadelphia Housing Authority submits certifications by an independent expert verifying that at least 5 percent of its public housing units are in compliance with section 504 of the Rehabilitation Act of 1973, and such certifications are satisfactory to the Secretary, the Secretary shall further extend the Moving to Work Demonstration Agreement for an additional 1 year period.

(c) TERMS AND CONDITIONS.—Any extension of the Moving to Work Demonstration Agreement under this section shall be under the same terms and conditions as were applicable to the original agreement.

(d) LIMITATION ON ACTIONS OF THE SECRETARY.—The Secretary may not terminate or take any adverse action with respect to an agreement described in subsection (a) or any extension thereto—

(1) unless there has been an express finding, on the record, after opportunity for a hearing, of a failure by the Housing Authority to comply with the terms of the agreement or otherwise applicable provisions of law; and

(2) before the expiration of the 30-day period beginning on the date on which the Secretary has filed with the appropriate committees of Congress a full written report of the circumstances and the grounds for such action.

SA 4497. Mr. BUNNING submitted an amendment intended to be proposed to amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

Strike titles III and IV and insert the following:

TITLE III—TIMING OF THE HOME MORTGAGE DEDUCTION

SEC. 301. DEDUCTION FOR POINTS ON HOME MORTGAGE REFINANCING ALLOWED IN YEAR PAID.

(a) IN GENERAL.—Paragraph (2) of section 461(g) of the Internal Revenue Code of 1986 (relating to prepaid interest) is amended—

(1) by striking ''This subsection'' and inserting the following:

''(A) IN GENERAL.—This subsection'', and

(2) by adding at the end the following new subparagraph:

''(B) EXCEPTION FOR CERTAIN REFINANCINGS.—

''(i) IN GENERAL.—This subsection shall not apply to points paid—

''(I) in respect of indebtedness secured by such residence resulting from the refinancing of indebtedness meeting the requirements of the subparagraph (A), and

''(II) before January 1, 2011.

''(ii) LIMITATION.—Clause (i) shall apply only to the extent the amount of the indebtedness resulting from such refinancing does not exceed the sum of—

''(I) the amount of the refinanced indebtedness, plus

''(II) the lesser of $10,000 or the points paid in respect of the indebtedness resulting from the refinancing to the extent that the indebtedness resulting from the refinancing does not exceed the refinanced indebtedness.

''(iii) ADJUSTMENT FOR INFLATION.—In the case of any calendar year beginning after 2008, the $10,000 amount under clause (ii)(II) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2007' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $100, such amount shall be rounded to the next nearest multiple of $100.''.

(b) CONFORMING AMENDMENT.—The heading of paragraph (2) of section 461(g) of such Code is amended by striking ''EXCEPTION'' and inserting ''EXCEPTIONS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid in taxable years beginning after December 31, 2007.

SA 4498. Mr. BUNNING submitted an amendment intended to be proposed to amendment SA 4395 submitted by Mr. BUNNING and intended to be proposed to the amendment SA 4387 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. _____. DEDUCTION FOR POINTS ON HOME MORTGAGE REFINANCING ALLOWED IN YEAR PAID.

(a) DEDUCTION.—

(1) IN GENERAL.—Paragraph (2) of section 461(g) of the Internal Revenue Code of 1986 (relating to prepaid interest) is amended—

(A) by striking ''This subsection'' and inserting the following:

''(A) IN GENERAL.—This subsection'', and

(B) by adding at the end the following new subparagraph:

''(B) EXCEPTION FOR CERTAIN REFINANCINGS.—

''(i) IN GENERAL.—This subsection shall not apply to points paid—

''(I) in respect of indebtedness secured by such residence resulting from the refinancing of indebtedness meeting the requirements of the subparagraph (A), and

''(II) before January 1, 2011.

''(ii) LIMITATION.—Clause (i) shall apply only to the extent the amount of the indebtedness resulting from such refinancing does not exceed the sum of—

''(I) the amount of the refinanced indebtedness, plus

''(II) the lesser of $10,000 or the points paid in respect of the indebtedness resulting from the refinancing to the extent that the indebtedness resulting from the refinancing does not exceed the refinanced indebtedness.

''(iii) ADJUSTMENT FOR INFLATION.—In the case of any calendar year beginning after 2008, the $10,000 amount under clause (ii)(II) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2007' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $100, such amount shall be rounded to the next nearest multiple of $100.''.

(2) CONFORMING AMENDMENT.—The heading of paragraph (2) of section 461(g) of such Code is amended by striking ''EXCEPTION'' and inserting ''EXCEPTIONS''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to amounts paid in taxable years beginning after December 31, 2007.

(b) OFFSET.—There is hereby rescinded 100 percent of budget authority provided for the appropriations in titles III and IV.

SA 4499. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 4404 proposed by Ms. LANDRIEU to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

(a) USE OF QUALIFIED MORTGAGE BONDS PROCEEDS FOR REFINANCING SUBPRIME LOANS AND CERTAIN RESIDENCES AFFECTED BY THE 2005 HURRICANES.—Section 143(k) of the Internal Revenue Code of 1986 (relating to other definitions and special rules) is amended by adding at the end the following new paragraph:

''(12) SPECIAL RULES FOR CERTAIN REFINANCINGS.—

''(A) IN GENERAL.—Notwithstanding the requirements of subsection (i)(1), the proceeds of a qualified mortgage issue may be used to refinance a mortgage which—

''(i) is a mortgage on a residence and which was originally financed by the mortgagor through a qualified subprime loan, or

''(ii) is a mortgage on a residence—

''(I) located in the Gulf Opportunity Zone (as defined in section 1400M(1)) and damaged or rendered uninhabitable by reason of Hurricane Katrina,

''(II) located in the Rita GO Zone (as defined in section 1400M(3)) and damaged or rendered uninhabitable by reason of Hurricane Rita, or

''(III) located in the Wilma GO Zone (as defined in section 1400M(5)) and damaged or rendered uninhabitable by reason of Hurricane Wilma.

''(B) SPECIAL RULES.—In applying this paragraph to any case in which the proceeds of a qualified mortgage issue are used for any refinancing described in subparagraph (A)—

''(i) subsection (a)(2)(D)(i) (relating to proceeds must be used within 42 months of date of issuance) shall be applied by substituting '12-month period' for '42-month period' each place it appears,

''(ii) subsection (d) (relating to 3-year requirement) shall not apply, and

''(iii) subsection (e) (relating to purchase price requirement) shall be applied by using the market value of the residence at the time of refinancing in lieu of the acquisition cost.

''(C) QUALIFIED SUBPRIME LOAN.—The term 'qualified subprime loan' means an adjustable rate single-family residential mortgage loan originated after December 31, 2001, and before January 1, 2008, that the bond issuer determines would be reasonably likely to cause financial hardship to the borrower if not refinanced.

''(D) TERMINATION.—This paragraph shall not apply to any bonds issued after December 31, 2010.''.

(b) USE OF ADDITIONAL VOLUME CAP FOR PURCHASES OF CERTAIN HOMES DAMAGED BY HURRICANES KATRINA, RITA, AND WILMA.—Subparagraph (B) of section 146(d)(5) of the Internal Revenue Code of 1986, as added by subsection (d), is amended by striking clause (ii) and inserting the following:

''(ii) QUALIFIED PURPOSE.—For purposes of this paragraph, the term 'qualified purpose' means—

''(I) the issuance of exempt facility bonds used solely to provide qualified residential rental projects, or

''(II) an issuance described in clause (iii).

''(iii) CERTAIN QUALIFIED MORTGAGE ISSUES.—A issuance is describe in this clause if such issuance is a qualified mortgage issue, determined—

''(I) by substituting '12-month period' for '42-month period' each place it appears in section 143(a)(2)(D)(i), and

''(II) in the case of a qualified residence, without regard to section 143(d).

''(iv) QUALIFIED RESIDENCE.—For purposes of clause (iii), the term 'qualified residence' means any residence—

''(I) located in the Gulf Opportunity Zone (as defined in section 1400M(1)) and damaged or rendered uninhabitable by reason of Hurricane Katrina,

''(II) located in the Rita GO Zone (as defined in section 1400M(3)) and damaged or rendered uninhabitable by reason of Hurricane Rita, or

''(III) located in the Wilma GO Zone (as defined in section 1400M(5)) and damaged or rendered uninhabitable by reason of Hurricane Wilma.''.

(c) EMERGENCY DESIGNATION RELATED TO SUBSECTIONS (a) AND (b).—For purposes of Senate enforcement, all provisions of subsections (a) and (b) are designated as emergency requirements and necessary to meet emergency needs pursuant to section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

(d) INCREASED VOLUME CAP FOR CERTAIN BONDS.—

SA 4500. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 4448 submitted by Ms. LANDRIEU and intended to be proposed to the amendment SA 4387 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy

infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

On page 2, beginning on line 16, strike through page 3, line 21, and insert the following:

''(ii) a residence that is damaged as a result of Hurricane Katrina, or Hurricane Rita, and that has been sold or transferred to the State of Louisiana or an agency or political subdivision thereof as a result of such damage.

''(B) SINGLE-FAMILY.—For purposes of subparagraph (A)(ii), the term 'single-family' includes 2, 3, or 4 family residences one unit of which was occupied by the owner of the units at the time of the occurrence of the damage described in such subparagraph.

''(C) CERTIFICATION.—

''(i) NEW PREVIOUSLY UNOCCUPIED RESIDENCE.—In the case of an eligible single-family residence described in subparagraph (A)(i)(II)(aa), no credit shall be allowed under this section unless the purchaser submits a certification by the seller of such residence that such residence meets the requirements of such subparagraph.

''(ii) RESIDENCE TRANSFERRED AS A RESULT OF HURRICANE.—In the case of an eligible single-family residence described in subparagraph (A)(ii), no credit shall be allowed under this section unless the purchaser submits a certification by the State of Louisiana or by the appropriate agency or subdivision thereof that such residence meets the requirements of such subparagraph.''.

(b) EMERGENCY DESIGNATION.—For purposes of Senate enforcement, all provisions of this section are designated as emergency requirements and necessary to meet emergency needs pursuant to section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

(c) SPECIAL RULE FOR RESIDENCES TRANSFERRED AS A RESULT OF HURRICANE DAMAGE.—Section 25E, as added by subsection (a) and amended by subsection (d), is amended by adding at the end of subsection (f) of such section the following:

''(4) HOMES TRANSFERRED AS A RESULT OF HURRICANE.—In the case of a qualified principal residence described in subsection (c)(2)(A)(ii)—

''(A) LIMITATION BASED ON INCOME.—No credit shall be allowed under this section if the taxpayer's adjusted gross income for the taxable year exceeds $50,000 ($100,000 in the case of a joint return).

''(B) RECAPTURE PERIOD.—Subsection (e) shall be applied by substituting '36 months' for '24 months'.''.

(d) DEFINITION OF PRINCIPAL RESIDENCE; SPECIAL RULES.—Section 25E, as added by subsection (a), is amended by adding at the end the following:

SA 4501. Mr. GREGG submitted an amendment intended to be proposed to amendment SA 4419 proposed by Mr. ENSIGN to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

At the end, add the following:

Subtitle C—Revenue Provisions

SEC. 831. LIMITATION OF DEDUCTION FOR INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION OF OIL, GAS, OR PRIMARY PRODUCTS THEREOF.

(a) DENIAL OF DEDUCTION FOR MAJOR INTEGRATED OIL COMPANIES FOR INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION OF OIL, GAS, OR PRIMARY PRODUCTS THEREOF.—

(1) IN GENERAL.—Subparagraph (B) of section 199(c)(4) (relating to exceptions) is amended by striking ''or'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', or'', and by inserting after clause (iii) the following new clause:

''(iv) in the case of any major integrated oil company (as defined in section 167(h)(5)(B)), the production, refining, processing, transportation, or distribution of oil, gas, or any primary product thereof during any taxable year described in section 167(h)(5)(B).''.

(2) PRIMARY PRODUCT.—Section 199(c)(4)(B) is amended by adding at the end the following flush sentence:

''For purposes of clause (iv), the term 'primary product' has the same meaning as when used in section 927(a)(2)(C), as in effect before its repeal.''.

(b) LIMITATION ON OIL RELATED QUALIFIED PRODUCTION ACTIVITIES INCOME FOR TAXPAYERS OTHER THAN MAJOR INTEGRATED OIL COMPANIES.—

(1) IN GENERAL.—Section 199(d) is amended by redesignating paragraph (9) as paragraph (10) and by inserting after paragraph (8) the following new paragraph:

''(9) SPECIAL RULE FOR TAXPAYERS WITH OIL RELATED QUALIFIED PRODUCTION ACTIVITIES INCOME.—

''(A) IN GENERAL.—If a taxpayer (other than a major integrated oil company (as defined in section 167(h)(5)(B))) has oil related qualified production activities income for any taxable year beginning after 2009, the amount of the deduction under subsection (a) shall be reduced by 3 percent of the least of—

''(i) the oil related qualified production activities income of the taxpayer for the taxable year,

''(ii) the qualified production activities income of the taxpayer for the taxable year, or

''(iii) taxable income (determined without regard to this section).

''(B) OIL RELATED QUALIFIED PRODUCTION ACTIVITIES INCOME.—The term 'oil related qualified production activities income' means for any taxable year the qualified production activities income which is attributable to the production, refining, processing, transportation, or distribution of oil, gas, or any primary product thereof during such taxable year.''.

(2) CONFORMING AMENDMENT.—Section 199(d)(2) (relating to application to individuals) is amended by striking ''subsection (a)(1)(B)'' and inserting ''subsections (a)(1)(B) and (d)(9)(A)(iii)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2008.

SEC. 832. CLARIFICATION OF DETERMINATION OF FOREIGN OIL AND GAS EXTRACTION INCOME.

(a) IN GENERAL.—Paragraph (1) of section 907(c) of this amended by redesignating subparagraph (B) as subparagraph (C), by striking ''or'' at the end of subparagraph (A), and by inserting after subparagraph (A) the following new subparagraph:

''(B) so much of any transportation of such minerals as occurs before the fair market value event, or''.

(b) FAIR MARKET VALUE EVENT.—Subsection (c) of section 907 is amended by adding at the end the following new paragraph:

''(6) FAIR MARKET VALUE EVENT.—For purposes of this section, the term 'fair market value event' means, with respect to any mineral, the first point in time at which such mineral—

''(A) has a fair market value which can be determined on the basis of a transfer, which is an arm's length transaction, of such mineral from the taxpayer to a person who is not related (within the meaning of section 482) to such taxpayer, or

''(B) is at a location at which the fair market value is readily ascertainable by reason of transactions among unrelated third parties with respect to the same mineral (taking into account source, location, quality, and chemical composition).''.

(c) SPECIAL RULE FOR CERTAIN PETROLEUM TAXES.—Subsection (c) of section 907, as amended by subsection (b), is amended to by adding at the end the following new paragraph:

''(7) OIL AND GAS TAXES.—In the case of any tax imposed by a foreign country which is limited in its application to taxpayers engaged in oil or gas activities—

''(A) the term 'oil and gas extraction taxes' shall include such tax,

''(B) the term 'foreign oil and gas extraction income' shall include any taxable income which is taken into account in determining such tax (or is directly attributable to the activity to which such tax relates), and

''(C) the term 'foreign oil related income' shall not include any taxable income which is treated as foreign oil and gas extraction income under subparagraph (B).''.

(d) CONFORMING AMENDMENTS.—

(1) Subparagraph (C) of section 907(c)(1), as redesignated by this section, is amended by inserting ''or used by the taxpayer in the activity described in subparagraph (B)'' before the period at the end.

(2) Subparagraph (B) of section 907(c)(2) is amended to read as follows:

''(B) so much of the transportation of such minerals or primary products as is not taken into account under paragraph (1)(B),''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 4502. Mr. FEINGOLD (for himself and Mr. KOHL) submitted an amendment intended to be proposed to amendment SA 4467 submitted by Mr. ENSIGN and intended to be proposed to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

On page 15, strike lines 5 through 8, and insert the following:

(1) IN GENERAL.—Section 451(i)(3) (defining qualifying electric transmission transaction) is amended by striking ''before January 1, 2008'' and inserting ''by a taxpayer which is an electric utility (as defined in section 3(22) of the Federal Power Act (16 U.S.C. 796(22)) before January 1, 2010''.

SA 4503. Mr. FEINGOLD (for himself and Mr. KOHL) submitted an amendment intended to be proposed to amendment SA 4419 proposed by Mr. ENSIGN to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

On page 14, strike lines 18 through 21, and insert the following:

(1) IN GENERAL.—Section 451(i)(3) (defining qualifying electric transmission transaction) is amended by striking ''before January 1, 2008'' and inserting ''by a taxpayer which is an electric utility (as defined in section 3(22) of the Federal Power Act (16 U.S.C. 796(22)) before January 1, 2010''.

SA 4504. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 4419 proposed by Mr. ENSIGN to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

At the end add the following:

Subtitle C—Biofuels

SEC. 831. CREDIT FOR PRODUCTION OF CELLULOSIC BIOFUEL.

(a) IN GENERAL.—Subsection (a) of section 40 (relating to alcohol used as fuel) is amended by striking ''plus'' at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting '', plus'', and by adding at the end the following new paragraph:

''(4) the cellulosic biofuel producer credit.''.

(b) CELLULOSIC BIOFUEL PRODUCER CREDIT.—

(1) IN GENERAL.—Subsection (b) of section 40 is amended by adding at the end the following new paragraph:

''(6) CELLULOSIC BIOFUEL PRODUCER CREDIT.—

''(A) IN GENERAL.—The cellulosic biofuel producer credit of any taxpayer is an amount equal to the applicable amount for each gallon of qualified cellulosic biofuel production.

''(B) APPLICABLE AMOUNT.—For purposes of subparagraph (A), the applicable amount means the excess of—

''(i) $1.25, over

''(ii) the sum of—

''(I) the amount of the credit in effect for alcohol which is ethanol under subsection (b)(1) (without regard to subsection (b)(3)) at the time of the qualified cellulosic biofuel production, plus

''(II) the amount of the credit in effect under subsection (b)(4) at the time of such production.

''(C) QUALIFIED CELLULOSIC BIOFUEL PRODUCTION.—For purposes of this section, the term 'qualified cellulosic biofuel production' means any cellulosic biofuel which during the taxable year—

''(i) is sold by the taxpayer to another person—

''(I) for use by such other person in the production of a qualified cellulosic biofuel mixture in such other person's trade or business (other than casual off-farm production),

''(II) for use by such other person as a fuel in a trade or business, or

''(III) who sells such cellulosic biofuel at retail to another person and places such cellulosic biofuel in the fuel tank of such other person, or

''(ii) is used or sold by the taxpayer for any purpose described in clause (i).

The qualified cellulosic biofuel production of any taxpayer for any taxable year shall not include any alcohol which is purchased by the taxpayer and with respect to which such producer increases the proof of the alcohol by additional distillation.

''(D) QUALIFIED CELLULOSIC BIOFUEL MIXTURE.—For purposes of this paragraph, the term 'qualified cellulosic biofuel mixture' means a mixture of cellulosic biofuel and any petroleum fuel product which—

''(i) is sold by the person producing such mixture to any person for use as a fuel, or

''(ii) is used as a fuel by the person producing such mixture.

''(E) CELLULOSIC BIOFUEL.—

''(i) IN GENERAL.—The term 'cellulosic biofuel' has the meaning given such term under section 168(l)(3), but does not include any alcohol with a proof of less than 150.

''(ii) DETERMINATION OF PROOF.—The determination of the proof of any alcohol shall be made without regard to any added denaturants.

''(F) ALLOCATION OF CELLULOSIC BIOFUEL PRODUCER CREDIT TO PATRONS OF COOPERATIVE.—Rules similar to the rules under subsection (g)(6) shall apply for purposes of this paragraph.

''(G) APPLICATION OF PARAGRAPH.—This paragraph shall apply with respect to qualified cellulosic biofuel production after December 31, 2007, and before April 1, 2015.''.

(2) TERMINATION DATE NOT TO APPLY.—Subsection (e) of section 40 (relating to termination) is amended—

(A) by inserting ''or subsection (b)(6)(G)'' after ''by reason of paragraph (1)'' in paragraph (2), and

(B) by adding at the end the following new paragraph:

''(3) EXCEPTION FOR CELLULOSIC BIOFUEL PRODUCER CREDIT.—Paragraph (1) shall not apply to the portion of the credit allowed under this section by reason of subsection (a)(4).''.

(c) BIOFUEL NOT USED AS A FUEL, ETC.—

(1) IN GENERAL.—Paragraph (3) of section 40(d) is amended by redesignating subparagraph (D) as subparagraph (E) and by inserting after subparagraph (C) the following new subparagraph:

''(D) CELLULOSIC BIOFUEL PRODUCER CREDIT.—If—

''(i) any credit is allowed under subsection (a)(4), and

''(ii) any person does not use such fuel for a purpose described in subsection (b)(6)(C),

then there is hereby imposed on such person a tax equal to the applicable amount for each gallon of such cellulosic biomass biofuel.''.

(2) CONFORMING AMENDMENTS.—

(A) Subparagraph (C) of section 40(d)(3) is amended by striking ''PRODUCER'' in the heading and inserting ''SMALL ETHANOL PRODUCER''.

(B) Subparagraph (E) of section 40(d)(3), as redesignated by paragraph (1), is amended by striking ''or (C)'' and inserting ''(C), or (D)''.

(d) BIOFUEL PRODUCED IN THE UNITED STATES.—Section 40(d) is amended by adding at the end the following new paragraph:

''(6) SPECIAL RULE FOR CELLULOSIC BIOFUEL PRODUCER CREDIT.—No cellulosic biofuel producer credit shall be determined under subsection (a) with respect to any cellulosic biofuel unless such cellulosic biofuel is produced in the United States.''.

(e) WAIVER OF CREDIT LIMIT FOR CELLULOSIC BIOFUEL PRODUCTION BY SMALL ETHANOL PRODUCERS.—Section 40(b)(4)(C) is amended by inserting ''(determined without regard to any qualified cellulosic biofuel production'' after ''15,000,000 gallons''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel produced after December 31, 2007.

SEC. 832. EXTENSION AND MODIFICATION OF CREDIT FOR BIODIESEL AND RENEWABLE DIESEL USED AS FUEL.

(a) EXTENSION.—

(1) INCOME TAX CREDITS FOR BIODIESEL AND RENEWABLE DIESEL AND SMALL AGRI-BIODIESEL PRODUCER CREDIT.—Section 40A(g) (relating to termination) is amended by striking ''December 31, 2008'' and inserting ''December 31, 2010 (December 31, 2012, in the case of the credit allowed by reason of subsection (a)(3))''.

(2) EXCISE TAX CREDIT.—Section 6426(c)(6) (relating to termination) is amended by striking ''2008'' and inserting ''2010''.

(3) FUELS NOT USED FOR TAXABLE PURPOSES.—Section 6427(e)(5)(B) (relating to termination) is amended by striking ''2008'' and inserting ''2010''.

(b) MODIFICATION OF CREDIT FOR RENEWABLE DIESEL.—Section 40A(f) (relating to renewable diesel) is amended by adding at the end the following new paragraph:

''(4) SPECIAL RULE FOR CO-PROCESSED RENEWABLE DIESEL.—In the case of a taxpayer which produces renewable diesel through the co-processing of biomass and petroleum at any facility, this subsection shall not apply to so much of the renewable diesel produced at such facility and sold or used during the taxable year in a mixture described in subsection (b)(1)(B) as exceeds 60,000,000 gallons.''.

(c) MODIFICATION RELATING TO DEFINITION OF AGRI-BIODIESEL.—Paragraph (2) of section 40A(d) (relating to agri-biodiesel) is amended by striking ''and mustard seeds'' and inserting ''mustard seeds, and camelina''.

(d) ELIGIBILITY OF CERTAIN AVIATION FUEL.—Section 40A(f)(3) (defining renewable diesel) is amended by adding at the end the following new flush sentence:

''The term 'renewable diesel' also means fuel derived from biomass (as defined in section 45K(c)(3)) using a thermal depolymerization process which meets the requirements of a Department of Defense specification for military jet fuel or an American Society of Testing and Materials specification for aviation turbine fuel.''.

(e) EFFECTIVE DATES.—The amendments made by this section shall apply to fuel sold or used after the date of the enactment of this Act.

SA 4505. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and

to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

At the end of the amendment, insert the following:

Notwithstanding any other provision of this Act, the amount appropriated under section 301(a) of this Act shall be $3,900,000,000 and the amount appropriated under section 401 of this Act shall be $200,000,000 and the increase in volume cap for certain bonds under section 602(b)(1) of this Act, shall be as follows:

SA 4506. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted by said amendment, insert the following:

Notwithstanding any other provision of this Act, the amount appropriated under section 301(a) of this Act shall be $3,900,000,000 and the amount appropriated under section 401 of this Act shall be $200,000,000.

SA 4507. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 4478 submitted by Mrs. MURRAY (for herself, Mr. SCHUMER, Mr. CASEY, and Mr. BROWN) to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

Strike all after the word ''amount'' the first time it appears, and insert the following:

''appropriated under section 301(a) of this Act shall be $3,899,000,000 and the amount appropriated under section 401 of this Act shall be $201,000,000.''

SA 4508. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 4404 proposed by Ms. LANDRIEU to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

(a) USE OF QUALIFIED MORTGAGE BONDS PROCEEDS FOR REFINANCING SUBPRIME LOANS AND CERTAIN RESIDENCES AFFECTED BY THE 2005 HURRICANES.—Section 143(k) of the Internal Revenue Code of 1986 (relating to other definitions and special rules) is amended by adding at the end the following new paragraph:

''(12) SPECIAL RULES FOR CERTAIN REFINANCINGS.—

''(A) IN GENERAL.—Notwithstanding the requirements of subsection (i)(1), the proceeds of a qualified mortgage issue may be used to refinance a mortgage which—

''(i) is a mortgage on a residence and which was originally financed by the mortgagor through a qualified subprime loan, or

''(ii) is a mortgage on a residence—

''(I) located in the Gulf Opportunity Zone (as defined in section 1400M(1)) and damaged or rendered uninhabitable by reason of Hurricane Katrina,

''(II) located in the Rita GO Zone (as defined in section 1400M(3)) and damaged or rendered uninhabitable by reason of Hurricane Rita, or

''(III) located in the Wilma GO Zone (as defined in section 1400M(5)) and damaged or rendered uninhabitable by reason of Hurricane Wilma.

''(B) SPECIAL RULES.—In applying this paragraph to any case in which the proceeds of a qualified mortgage issue are used for any refinancing described in subparagraph (A)—

''(i) subsection (a)(2)(D)(i) (relating to proceeds must be used within 42 months of date of issuance) shall be applied by substituting '12-month period' for '42-month period' each place it appears,

''(ii) subsection (d) (relating to 3-year requirement) shall not apply, and

''(iii) subsection (e) (relating to purchase price requirement) shall be applied by using the market value of the residence at the time of refinancing in lieu of the acquisition cost.

''(C) QUALIFIED SUBPRIME LOAN.—The term 'qualified subprime loan' means an adjustable rate single-family residential mortgage loan originated after December 31, 2001, and before January 1, 2008, that the bond issuer determines would be reasonably likely to cause financial hardship to the borrower if not refinanced.

''(D) TERMINATION.—This paragraph shall not apply to any bonds issued after December 31, 2010.''.

(b) USE OF ADDITIONAL VOLUME CAP FOR PURCHASES OF CERTAIN HOMES DAMAGED BY HURRICANES KATRINA, RITA, AND WILMA.—Subparagraph (B) of section 146(d)(5) of the Internal Revenue Code of 1986, as added by subsection (d), is amended by striking clause (ii) and inserting the following:

''(ii) QUALIFIED PURPOSE.—For purposes of this paragraph, the term 'qualified purpose' means—

''(I) the issuance of exempt facility bonds used solely to provide qualified residential rental projects, or

''(II) an issuance described in clause (iii).

''(iii) CERTAIN QUALIFIED MORTGAGE ISSUES.—A issuance is describe in this clause if such issuance is a qualified mortgage issue, determined—

''(I) by substituting '12-month period' for '42-month period' each place it appears in section 143(a)(2)(D)(i), and

''(II) in the case of a qualified residence, without regard to section 143(d).

''(iv) QUALIFIED RESIDENCE.—For purposes of clause (iii), the term 'qualified residence' means any residence—

''(I) located in the Gulf Opportunity Zone (as defined in section 1400M(1)) and damaged or rendered uninhabitable by reason of Hurricane Katrina,

''(II) located in the Rita GO Zone (as defined in section 1400M(3)) and damaged or rendered uninhabitable by reason of Hurricane Rita, or

''(III) located in the Wilma GO Zone (as defined in section 1400M(5)) and damaged or rendered uninhabitable by reason of Hurricane Wilma.''.

(c) EMERGENCY DESIGNATION RELATED TO SUBSECTIONS (a) AND (b).—For purposes of Senate enforcement, all provisions of subsections (a) and (b) are designated as emergency requirements and necessary to meet emergency needs pursuant to section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

(d) INCREASED VOLUME CAP FOR CERTAIN BONDS.—

SA 4509. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4429 submitted by Mr. ALEXANDER (for himself and Mr. KYL) to the amendment SA 4419 proposed by Mr. ENSIGN to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

(c) MAXIMUM INSURED MORTGAGE LOAN RATE.—Notwithstanding any other provision of law, the annual percentage rate applicable to any loan that is insured

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SA 4510. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4419 proposed by Mr. ENSIGN to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

(c) MAXIMUM INSURED MORTGAGE LOAN RATE.—Notwithstanding any other provision of law, the annual percentage rate applicable to any loan that is insured

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SA 4511. Mr. SANDERS submitted an amendment intended to be proposed to

amendment SA 4423 proposed by Mr. NELSON of Florida (for himself and Mr. COLEMAN) to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

(c) MAXIMUM INSURED MORTGAGE LOAN RATE.—Notwithstanding any other provision of law, the annual percentage rate applicable to any loan that is insured

SA 4512. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4433 submitted by Mrs. LINCOLN (for Ms. SNOWE) to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

(c) MAXIMUM INSURED MORTGAGE LOAN RATE.—Notwithstanding any other provision of law, the annual percentage rate applicable to any loan that is insured

SA 4513. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4404 proposed by Ms. LANDRIEU to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

(c) MAXIMUM INSURED MORTGAGE LOAN RATE.—Notwithstanding any other provision of law, the annual percentage rate applicable to any loan that is insured

SA 4514. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4384 proposed by Mr. SANDERS to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

(c) MAXIMUM INSURED MORTGAGE LOAN RATE.—Notwithstanding any other provision of law, the annual percentage rate applicable to any loan that is insured

SA 4515. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4478 submitted by Mrs. MURRAY (for herself, Mr. SCHUMER, Mr. CASEY, and Mr. BROWN) to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

(c) MAXIMUM INSURED MORTGAGE LOAN RATE.—Notwithstanding any other provision of law, the annual percentage rate applicable to any loan that is insured

SA 4516. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4421 proposed by Mr. CARDIN (for himself and Mr. ENSIGN) to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

(c) MAXIMUM INSURED MORTGAGE LOAN RATE.—Notwithstanding any other provision of law, the annual percentage rate applicable to any loan that is insured

SA 4517. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4401 submitted by Mr. SANDERS (for himself and Mr. DURBIN) to the amendment SA 4387 submitted by Mr. DODD (for himself and Mr. SHELBY) to the bill H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

(c) MAXIMUM INSURED MORTGAGE LOAN RATE.—Notwithstanding any other provision of law, the annual percentage rate applicable to any loan that is insured

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 8, 2008, at 9:30 a.m., in open session to receive testimony on the situation in Iraq and progress made by the Government of Iraq in meeting benchmarks and achieving reconciliation.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, April 8, 2008, at 10 a.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, April 8, 2008, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, April 8, 2008 at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''S. 970, the Iran Counter-Proliferation Act of 2007.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the

Senate on Tuesday, April 8, 2008, at 9:30 a.m., to hold a nomination hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, April 8, 2008, at 2:30 p.m., to hold a hearing on Iraq.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate, on April 8, 2008, at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE CONSTITUTION

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary, Subcommittee on the Constitution, be authorized to meet during the session of the Senate, to conduct a hearing entitled ''The adequacy of Representation in Capital Cases'' on Tuesday, April 8, 2008, at 10:15 a.m., in room SF–226 of the Dirksen Senate Office Building.

Witness List

Michael Greco, Former President of the American Bar Association, Kirkpatrick & Lockhart Preston Gates Ellis, Boston, MA; Bryan Stevenson, Executive Director, Equal Justice Initiative, Clinical Professor Law, New York University School of Law, Montgomery, AL; The Honorable Carolyn Engel Temin, Senior Judge, Court of Common Pleas of the First Judicial District of Pennsylvania, Philadelphia, PA; Donald Verrilli, Partner, Jenner & Block LLP, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWER

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 8, 2008, at 2:30 p.m., in open session to receive testimony on Navy force structure requirements and programs to meet those requirements in review of the Defense authorization request for fiscal year 2009 and the future years defense program.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND POWER

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power be authorized to meet during the session of the Senate to conduct a hearing on Tuesday, April 8, 2008, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that Ayesha Khanna, a detailee with the Finance Committee staff, be allowed floor privileges today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMENDING THE UNIVERSITY OF KANSAS MEN'S BASKETBALL TEAM FOR WINNING THE 2008 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (NCAA) DIVISION I BASKETBALL CHAMPIONSHIP

Mr. DODD. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 505, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 505) commending the University of Kansas men's basketball team for winning the 2008 National Collegiate Athletic Association (NCAA) Division I basketball championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. ROBERTS. Mr. President, it is my privilege today to submit S. Res. 505, along with Mr. BROWNBACK. It is my hope it will be considered hot-lined on both sides and passed later this afternoon.

This resolution is a commendation resolution on behalf of the University of Kansas Men's Basketball Team for winning the 2008 National Collegiate Athletic Association, NCAA, Division I, basketball championship as of last night.

This might be a little unique in that I am a graduate of Kansas State University, home of the ever-optimistic and fighting Wildcats. Sometimes we are rivals. In this particular case, all of Kansas, including every K State fan, stands in salute of the Jayhawks. It is clearly ''Rock Chalk, Jayhawk'' time in Kansas.

Mr. President, I will skip to the bottom line of the resolution, where it says:

Whereas, the families of the players, students, alumni, and faculty of the University of Kansas, and all the supporters of the University of Kansas, are to be congratulated for their commitment to, and pride in, the basketball program at the university: Now, therefore be it resolved the Senate commends the University of Kansas men's basketball team for winning the 2008 NCAA Division I Basketball Championship.

The Secretary of the Senate will transmit enrolled copies of this resolution to the University of Kansas so they can display it; the chancellor of the university, Bob Hemenway, a great friend; the athletic director of the university, Lew Perkins; and the head coach of the team, Bill Self, who should remain at the University of Kansas. Those remarks were not prepared, but that is my advice.

For those of you who did not see the game last night—and it started at 9 p.m. and I know most Senators are probably asleep at 9 o'clock at night—trailing 60 to 51, with 2:12 seconds left in regulation, Kansas closed the second half with a 12–3 run, capped off by a Mario Chalmers' three-point basket, with 2.1 seconds remaining to force overtime. Kansas then outscored Memphis 12 to 5 in overtime to claim its third national championship.

As General Petraeus is here testifying before four committees in regard to national security and the war with Iraq, and when this Senate is considering a housing bill and stimulus package to help the economy, let us hope the example of the University of Kansas men's basketball team, in regard to their perseverance and dedication, will enable us to achieve our goals as well.

If you listen hard, from the mountains from which our acting Presiding Officer is so familiar, from Montana and further west, on to the high plains, to the Midwest, across the Appalachians, and clear to the east coast and our Nation's capital—if you listen hard, you can hear that chant, ''Rock Chalk, Jayhawk, KU–U–U.'' If we listen hard, maybe we can work together, follow their example of perseverance and unbelievable heroics to win the NCAA championship. Thus, sayeth this champion of Kansas State athletics on behalf of the University of Kansas and their basketball team.

Mr. DODD. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 505) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 505

Whereas, on April 7th, 2008, the University of Kansas men's basketball team won its third NCAA Division I Basketball Championship and fifth national title with its 75–68 overtime win over the University of Memphis—on the twentieth anniversary of the historic win by the team led by Danny Manning known as ''Danny and the Miracles'';

Whereas, with this win the Jayhawks achieved a school record for all-time season wins, posting a 37–3 win-loss record during their run for the title, and finished the season with a thirteen-game winning streak, securing the Big XII Conference Championship title after starting the season with a twenty-game undefeated record, in addition to the 2008 NCAA Division I men's basketball crown;

Whereas, Head Coach Bill Self improved his all-time record at Kansas to 142–32 and 12–4 in the tournament assisted by a miraculous last-minute three-point shot by guard Mario Chalmers;

Whereas, Kansas guard Mario Chalmers was chosen as the Most Outstanding Player of the Final Four and was named to the all-tournament team along with guards Brandon Rush and Darrell Arthur;

Whereas, each player, coach, trainer, and manager dedicated his or her time and effort

to ensuring that the Kansas Jayhawks reached their goal of capturing a national championship; and

Whereas, the families of the players, students, alumni, and faculty of the University of Kansas, and all the supporters of the University of Kansas, are to be congratulated for their commitment to, and pride in, the basketball program at the University: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Kansas men's basketball team for winning the 2008 NCAA Division I Basketball Championship;

(2) recognizes the achievements of all of the players, coaches, and support staff who were instrumental in helping the University of Kansas men's basketball team win its third NCAA Division I Basketball Championship and fifth national championship;

(3) respectfully requests the Secretary of the Senate to transmit enrolled copies of this resolution to—

(A) the University of Kansas for appropriate display;

(B) the Chancellor of the University of Kansas, Robert Hemenway;

(C) the Athletic Director of the University of Kansas, Lew Perkins;

(D) the Head Coach of the University of Kansas men's basketball team, Bill Self.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 110–16

Mr. DODD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on April 8, 2008, by the President of the United States: Amendments to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), (Treaty Document No. 110–16.)

I further ask unanimous consent that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the amendments to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Marrakesh, 2002), together with the declarations and reservations by the United States, all as contained in the Final Acts of the Plenipotentiary Conference (Antalya, 2006). I transmit also, for the information of the Senate, the report of the Department of State concerning the amendments.

The Plenipotentiary Conference (Antalya, 2006) adopted amendments that, among other things: clarify the functions of certain International Telecommunication Union (ITU) officials and bodies; reduce the frequency of certain ITU conferences; clarify eligibility for re-election to certain ITU positions; enhance oversight of the ITU budget and provide for results-based (as well as cost-based) budget proposals; expand the scale of available contribution levels for Member States and Sector Members; and, clarify the definition of and role of observers participating in ITU proceedings.

Consistent with longstanding practice in the ITU, the United States, in signing the 2006 amendments, made certain declarations and reservations. Subject to those declarations and reservations, I believe the United States should ratify the 2006 amendments to the International Telecommunication Union Constitution and Convention. These amendments will contribute to the ITU's ability to adapt to changes in the global telecommunications sector and, in so doing, serve the needs of the United States Government and United States industry. It is my hope that the Senate will take early action on this matter and give its advice and consent to ratification.

GEORGE W. BUSH.

THE WHITE HOUSE, *April 8, 2008*.

ORDERS FOR WEDNESDAY, APRIL 9, 2008

Mr. DODD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m. tomorrow, Wednesday, April 9; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for use later in the day, the Senate then proceed to a period of morning business for up to 60 minutes, with Senators permitted to speak for up to 10 minutes each and the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of H.R. 3221, and that all time during any morning business, recess, or adjournment of the Senate count postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DODD. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:35 p.m., adjourned until Wednesday, April 9, 2008, at 9:30 a.m.

EXTENSIONS OF REMARKS

FIVE YEARS OF WAR

HON. JANICE D. SCHAKOWSKY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Ms. SCHAKOWSKY. Madam Speaker, as we mark the fifth anniversary of the ill-planned and ill-executed war in Iraq, I rise to draw thc House's attention to two articles from the Chicago Tribune about the lasting damage done by the conflict.

[From the Chicago Tribune, Mar. 16, 2008]

BY ANY CALCULUS, WAR'S COST CRUEL: POLITICS, MONEY, BLOOD—ALL SHOW A PAINFUL BOTTOM LINE

(By David Greising)

It's a cold calculus, trying to estimate the cost of a war.

What is an Iraqi life worth? The life of an American GI? It's no easier estimating the value of removing Saddam Hussein from power than it is calculating the sum cost of lifetime health care for a host of disabled American soldiers.

When politicians talk about the war's costs in terms of lives and treasure, they don't necessarily expect someone to actually pull out a spreadsheet and start running the numbers.

But that is what has happened with the Iraq war. And as we approach the 5-year anniversary of the initial March 20, 2003, ''shock and awe'' aerial assault on Baghdad, it is worth noting an important shift in the accounting of the conflict's cost.

Those who opposed the war are finding that the costs far exceeded anything they would have expected, or might have argued, at the time the conflict started. The most notable and authoritative such argument is put forward by Nobel Prize-winning economist Joseph Stiglitz, who puts an eye-grabbing, ultimate bottom line on the seemingly endless U.S. commitment to Iraq: at least $3 trillion. That's trillion, with a ''T.''

Those who argued during the run-up to war that armed conflict would be more economical than the cost of containing Hussein have shifted fields. Instead of arguing, as some once did, that America's Iraq adventure might actually turn a profit once the country's vast oil wealth began to flow, they now put forward a more nuanced argument.

On a purely fiscal basis, they now acknowledge, the war has been at best a wash. But looked at as a total package—taking into account the benefits of removing a tyrant from power and thrusting Iraq into its post-Hussein period, however bloody and chaotic—they say armed intervention was still the more attractive alternative.

A trio of University of Chicago economists sought to estimate the cost of containing Hussein had there been no U.S.-led invasion. Their 2006 paper pegged it at $700 billion over an unspecified period of years.

That estimate figures in the extra U.S. military equipment and manpower that would have been needed to keep Hussein within his borders and keep his hands off Kuwait. It includes the cost of weapons inspection programs, of economic boycotts, of oil that would remain in the ground and a rate of premature Iraqi deaths ranging from 10,000 to 30,000 per year, based on Hussein's bloody track record and mismanagement of the country.

''When people talk about the cost of war, as an economist, you have to ask, 'In comparison to what?'''' said Kevin Murphy, one of the U. of C. economists.

Though he faults President Bush for errors in execution, he believes war was the better option.

''I don't hear Joe Stiglitz saying the best world is the world where Saddam stays around as long as possible because it costs too much to make him leave,'' Murphy said.

He has a fair point. Stiglitz spends little time contemplating either the economic or moral consequences of allowing Hussein to remain in power. Perhaps that is because Stiglitz cannot take his eyes off the financial and human catastrophe that is unfolding before the nation's eyes.

Bringing important new scholarship to the book ''The Three Trillion Dollar War: The True Cost of the Iraq Conflict,'' Stiglitz and co-author Linda Bilmes spend little time contemplating what-ifs. Instead they turn a calculating eye to the economic consequences of the American military invasion—and to the vital policy considerations presented by both its financial and human costs.

There is the expected, grim accounting that any actuary might calculate. The cost of 4,000 American troops' lives, for example, runs to roughly $28 billion. War outlays have added $1 trillion to the national debt, and could run to $2 trillion over time, the authors calculate.

One of the most important calculations is an aspect of the war often ignored by the politicians and pundits who are not quite as handy with a calculator as Stiglitz is: The staggering, long-term toll of veterans' health care, disability benefits and Social Security disability pay. Add them up, and even in a best-case scenario they amount to $371 billion, according to the authors' calculations.

Stiglitz expected his calculations would come under criticism, as they have. But he said the larger purpose—putting some price tag on the war—is important.

''The public ought to have some accounting of the costs,'' he said in an interview.

''Obviously, after Pearl Harbor, you wouldn't sit down and say, 'How are we going to respond?'''' Stiglitz said. ''But this was a war of choice. We didn't have to go to war. We had a choice of timing, and a choice of whether to go to war at all.''

The debate is not purely among economists, obviously. But even among political scientists who supported the war, Stiglitz's view is starting to take hold.

Michael O'Hanlon, a security expert at the Brookings Institution who runs a project that compiles all manner of data on present-day Iraq—from military and civilian deaths to commodity costs to public opinion—said he cannot ignore the negatives: a huge increase in violence in Iraq, the lack of political stability, the inability to find weapons of mass destruction and oil prices at $110 a barrel.

O'Hanlon supported the initial American invasion, and he gave carefully delineated backing to the troop surge a year ago. Today, though, ''common sense ultimately pushes me toward the Stiglitz view if I had to look at just the bottom line,'' O'Hanlon said.

The question for Americans, ultimately, no longer is whether going to war made sense. Today, as we head toward the presidential election, the question is whether we keep U.S. troops in Iraq or start bringing them back.

Based on governmental budget figures, several economists have put the cost of the Iraq war at $12 billion a month. Stiglitz figures the actual cost probably is at least twice that.

And putting a final fiscal argument to the test, Stiglitz invokes a tenet of economics that is hammered home at the U. of C. business school itself: The fallacy of the ''sunk cost.''

People throw good money after bad, in hopes of recovering what they first invested, even though every new dollar just perpetuates a lost cause.

Five years into the war, Americans must decide whether we are caught up in a sunk-cost fallacy. But in this case, the cost is not counted just in dollars and cents. It is tallied in the impact on American security, and in the cost of American and Iraqi lives.

[From the Chicago Tribune, Mar. 19, 2008]

5 YEARS AFTER: FLOWERS, RUINS; IRAQ'S TORN SOCIAL FABRIC MAY BE THE HARDEST ITEM TO MEND AS THE COUNTRY MAKES FITFUL PROGRESS

(By Liz Sly)

BAGHDAD.—On Baghdad's battered streets, signs of the progress made over the past year mingle uneasily with the debris of the violent upheaval that has torn Iraq apart over the past five years.

The ubiquitous concrete blast walls that seal off Sunni and Shiite neighborhoods and protect government buildings serve as a reminder of the ever-present threat of suicide bombings and sectarian violence. But they have been brightly painted with flowers, animals and scenes of Iraqi life, bringing a splash of color to the decrepit, dusty streets.

Freshly planted marigolds bloom along the sidewalks, beside the wreckage of buildings destroyed in air raids and suicide bombings that still have not been rebuilt.

Many shopping streets and markets have sprung back to life, rejuvenated by the improvements in security that have taken place in recent months. In yet other neighborhoods, whole streets have been emptied by the flight of more than 1.1 million Baghdadis from their homes.

Compared with a year ago, the improvements brought about by the surge of an extra 30,000 U.S. troops are manifest. The U.S. military says the violence is down to levels not seen since 2005, permitting a sense of normality to return to many areas.

A BROKEN COUNTRY

But 5 years after the U.S.-led coalition launched the war that was to bring freedom, democracy and prosperity to a long-suffering populace, Iraq remains a broken country, with no clear sense of when, how or even if it is going to be fixed.

U.S. commanders are the first to acknowledge the enormity of the challenges that lie ahead.

''The gains are fragile and they are tenuous and until they are cemented by national reconciliation, by truly resolving the

big political questions that are necessary, by truly getting the economy going again... until all of that happens, then understandably what has been achieved on the ground will be a bit fragile,'' Gen. David Petraeus, commander of U.S. forces in Iraq, said in an interview.

The statistics tell the story of a nation still a long way from recovery: About 60 percent of Iraqis lack access to clean drinking water, and 4 million don't get enough to eat, according to the United Nations. Electricity is supposed to average 7 hours a day in Baghdad, but many areas still receive only 2 to 3 hours a day. An estimated 151,000 Iraqis have died during the war, as have nearly 4,000 U.S. troops.

And the biggest undertaking of all will be healing the sectarian divide that opened wide and engulfed the country in bloodshed in 2006–07, after the attack on a holy Shiite shrine in Samarra, Petraeus said.

''It did incredible damage to the social structure. I'm talking about the tearing of the fabric of Iraqi society and I think that has probably been the most significant damage that has been sustained,'' he said. ''And that is something that is going to take years.''

Whether Iraq has the luxury of years to heal is in question. The extra troops of the ''surge'' are going home by July, and the U.S. presidential election calls into doubt the future strength of any force that remains.

Meanwhile, the two other factors that contributed to the success of the surge, the Sunni revolt against Al Qaeda in Iraq and the cease-fire declared by the Shiite Mahdi Army militia, cannot be counted on to endure.

Far from ending the civil conflict, the deployment of extra U.S. troops rather served to freeze it.

Neighborhoods have been pacified to a large extent because local feuding factions concluded it was no longer in their interests to continue fighting a beefed-up U.S. force, or in many instances because members of the opposite sect were driven out altogether.

For many, the war's chief legacy has been one of disappointment. ''I was expecting to travel the world and now I can't even go to Washash,'' said Ammar Yahya, 33, referring to a Baghdad neighborhood now controlled by the Mahdi Army.

CONCRETE WALLS

He is a Sunni living in the troubled Dora district, surrounded by the high concrete walls that have helped secure many neighborhoods but which have also left communities isolated. Friends and relatives don't dare visit him, and he is reluctant to leave because most journeys require traveling through Shiite neighborhoods.

''We were so very happy when the Americans came,'' he said. ''Now I wish we had stayed under Saddam's tyranny.''

An ABC poll of 2,200 Iraqis conducted for the fifth anniversary showed that 46 percent now expect improvements in the coming year, up from 39 percent last August but still below the 69 percent who were optimistic in November 2005. And 55 percent now say their own lives are going well; that is down from 71 percent in late 2005.

''Give it time,'' said Said Hakki, a Shiite who returned from exile and now heads the Iraqi Red Crescent Organization. ''Security is just beginning to improve. I think the glass is more than half full. We've got cell phones, satellite dishes, and how many new newspapers do we have? Under Saddam, bananas were like a dream.

''Iraq is a war zone. There are many different factions still settling their scores. The Shiites feel the Sunnis were harsh to them for the past 35 years and they want to get their rights back, but with time and understanding and reconciliation things might change.''

But reconciliation is proving elusive. Even the mainstream Sunni National Accord Front, which has seats in Iraq's parliament, refused to attend a ''national reconciliation conference'' summoned Tuesday by Prime Minister Nouri al-Maliki.

Many Iraqis question the Shiite-led government's commitment to reconciliation with its former Sunni foes.

''The political leaders have no national vision,'' said Saad al-Hadithi, a political scientist at Baghdad University. ''Their goal is to achieve benefits for their own specific group, This is why they don't want to share power or let anyone else in.''

Petracus points to other recent gains, such as signs of improvement in the economy. ''The difference over a year ago is very dramatic, there has been very substantial progress,'' he said. ''It does give a sense of what might be if we can build on it and continue on the trajectory that we've seen now for a good four or live months.''

But in terms of repairing the country's torn social fabric, the task has hardly even begun, he said.

''People say, have there been stitches put back in that fabric? I'd say we're just trying to line the fabric up and to just get the situation calm enough so that the seamstress can put a couple of stitches into it,'' he said.

PAYING TRIBUTE TO SERGEANT RON PORTILLO

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. PORTER. Madam Speaker, I rise today to honor SGT Ron Portillo for his leadership and dedication to the Henderson community and for his service with the Nevada Army National Guard.

SGT Ron Portillo joined the United States Marines immediately after high school where he volunteered for an extremely demanding reconnaissance unit. He completed 3 years with the Marines. After a short break from the Marines, Ron joined the United States Army, where he was selected for the Special Forces and served in the Persian Gulf War, working with small teams on high-risk missions.

Following the Gulf War, Ron moved his wife and six children from Fort Bragg, NC to Henderson, NV where he became a successful small business owner. After a few years, his oldest son decided to join the military, and after talking to recruiters, Ron himself decided to re-enlist. Three months later, he was sent to Iraq as an active duty Special Forces soldier. After a month into his deployment, Ron was reassigned to a Special Forces team in Fallujah. In March 2007, Ron suffered serious injuries when his vehicle struck an IED while en route to provide support to Marines that were pinned down in a firefight.

While recovering at a hospital in Germany, Ron befriended a therapy dog, who visited him daily and assisted him with the healing process. Ron was then transferred to the Brookes Army Medical Center in San Antonio, TX, and was subsequently released in June 2007. Following his release Ron spent countless hours trying to find ways to partner therapy dogs with wounded warriors. Ron has since dedicated his efforts to developing a Web site dedicated to providing information on service-dog programs for those wounded in combat.

Madam Speaker, I am proud to honor the service and dedication of SGT Ron Portillo for his service in the Armed Forces, and his leadership throughout the Henderson community. He is a remarkable individual, and I applaud his efforts for serving our Nation and fellow comrades throughout the Armed Forces.

THE ''TORTURE MEMO'' AND THE LAW

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. UDALL of Colorado. Madam Speaker, this week the press reported the declassification and public release of a Justice Department memo popularly known as the ''torture memo.''

It's news that the memo has been made public, but, sadly, what it says comes as no surprise. At least since the summer of 2004, when it was reported in the press, the American people have known that after the September 11, 2001, terrorist attacks on New York and Washington the Bush Justice Department advised other agencies that the President, when acting as commander-in-chief, is not bound to follow duly enacted Federal laws.

After this was revealed, the Bush administration—preparing for the 2004 Presidential election—repudiated the memo. But it had guided the administration for 22 months, and experts have claimed that its startling reading of the law and the constitution led to excesses at Abu Ghraib and elsewhere.

In 2005, Congress responded by enactment of the Detainee Treatment Act, which requires the defense department to follow the interrogation guidelines in the Army Field Manual and which prohibits the ''cruel, inhuman and degrading treatment or punishment of persons under the detention, custody, or control of the United States Government.''

I strongly supported those provisions, which are often referred to as the ''McCain amendment' in recognition of their Senate author.

But when President Bush signed them into law, he issued a ''signing statement'' that raises serious questions about whether he intends to follow the law by suggesting that he intended to reserve the right to authorize prohibited interrogation methods in some cases.

Taken together, the memo and the signing statement clearly signal the Bush administration's contempt for the rule of law. As the Rocky Mountain News says in an April 3 editorial, ''This was one step on the path to the Bush administration's unfortunate assertion, until the courts knocked it down, that the president had the power to snatch an American citizen on U.S. soil and hold him incommunicado in solitary confinement indefinitely, without charge, trial or counsel.''

And the memo and the signing statement also show that the administration refuses to recognize that its contempt for the law will result in placing every American, especially those in uniform around the world, at grave risk.

I think we all should remember that, in the words of the Colorado Springs Gazette, ''In

the larger struggle with jihadist terrorism and those tempted to support or harbor them, the perception that the United States has a certain moral authority is invaluable. Moral authority was a key factor in the long, twilight struggle with aggressive communism we call the Cold War. Using torture undermines that moral authority.''

For the information of our colleagues, I am attaching the full text of the editorial in the April 3 edition of the Rocky Mountain News.

[From the Rocky Mountain News, Apr. 3, 2008]

NOT ABOVE THE LAW, DESPITE THE MEMO

The Justice department has released the full text of the infamous 2003 ''torture memo'' brushing aside the legal restraints on military interrogators. The memo, which originated in the department's Office of Legal Counsel, argues that the president's inherent powers in wartime overrode any federal law or international treaty, raising in the layman's mind the point, Why bother to have laws and treaties?

Our government is supposed to be one of checks and balances but the Office of Legal Counsel saw no check on the president's powers. The courts had no jurisdiction on what Americans did overseas and in any case ''Congress cannot interfere with the president's exercise of his authority as commander in chief to control operations during a war.''

This was one step on the path to the Bush administration's unfortunate assertion, until the courts knocked it down, that the president had the power to snatch an American citizen on U.S. soil and hold him incommunicado in solitary confinement indefinitely, without charge, trial or counsel.

EXPRESSING SUPPORT FOR THE NATIONAL TRADEMARK EXPO

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. MORAN of Virginia. Madam Speaker, I rise today to express my support of the United States Patent and Trademark Office's National Trademark Expo. After a 10-year hiatus, I am excited to join the USPTO in its efforts to recognize the vital role that trademarks play in the global economy.

This 3-day event, beginning on April 10, 2008 will turn the USPTO's campus into a ''Trademark Theme Park,'' featuring themed displays, company booths, costumed characters, and much more. During the expo, costumed trademarked characters, including the Pillsbury Doughboy, Sprout, Hershey Kisses, and the Chocolate Bar will parade about the USPTO campus, and large inflatable characters including the ''Cat in the Hat,'' ''Thomas the Train,'' the ''Jolly Green Giant,'' and ''Shrek'' will decorate the grounds.

Trademarks are valuable symbols of quality in our increasingly competitive global marketplace. On average, people are exposed to 1,500 trademarks each day and more than 30,000 if they make a trip to the grocery store. The exposition will feature celebrity trademarks, which are often subject to counterfeiting, unusual trademarks, the evolution of certain trademarks, the people behind the names of trademarks, and century-old registered trademarks.

Exhibitors will include many of America's leading corporations, whose exhibits will highlight some of the benefits of Federal trademark registration. These exhibitors include the American National Red Cross, Burberry, The Travelers Companies, Inc., Starmaker Products, Microsoft Corporation, Owens Corning, Callaway Golf Company, Caterpillar, Inc., CMG Worldwide, NASCAR, YKK Corporation of America, UPS, Bridgestone Firestone, the International Trademark Association, INTA, and the International Anti-Counterfeiting Coalition, IACC.

The expo will emphasize the essential role the USPTO plays in approving Federal trademark registrations. In a time of globalization, counterfeit goods pose an increasing threat to American businesses. Trademarks protect words, names, symbols, sounds, or colors that identify and distinguish the goods of one party from those of others. The USPTO, an award-winning leader in handling electronic filings, will showcase the impact of electronic filing and processing of trademark applications.

I applaud the USPTO for its efforts to educate the public on the role of trademarks during the National Trademark Expo, and I urge my colleagues to join me in recognizing the USPTO at a time when trademarks and intellectual property rights play an increasingly important role in our global economy.

GULF OF THE FARALLONES AND CORDELL BANK NATIONAL MARINE SANCTUARIES BOUNDARY MODIFICATION AND PROTECTION ACT

SPEECH OF

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. FARR. Madam Speaker, I rise in support of H.R. 1187, the Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act authored by my friend Representative WOOLSEY.

I am proud to say that I represent the 2nd largest National Marine Sanctuary in the system, which also includes the longest stretch of coastline. I can attest to their value in preservation of some of the most stunning seascapes in the world and in education of the public. The Gulf of the Farallones and the Cordell Bank National Marine Sanctuaries are adjacent to the Monterey Bay National Marine Sanctuary, and they have national and international significance. These sanctuaries exceed the biological productivity of tropical rain forests and support high levels of biological diversity.

The sanctuaries were established ''to maintain the natural biological communities in the national marine sanctuaries, and to protect, and, where appropriate, restore and enhance natural habitats, populations, and ecological processes.'' They are the ''National Parks'' of our ocean. As such, they were the first application of ecosystem-based management to our oceans. This type of management is recommended by the U.S. Commission on Ocean Policy, which we in Congress created and charged with the study of the state of the oceans and the management of this shared, valuable resource.

The expansion of the boundaries of the Gulf of the Farrallones and the Cordell Bank National Marine Sanctuaries will protect a vital part of the California Coast and the upwelling zones, which form the basis of the fisheries in the Pacific Ocean. Expanding these boundaries will also help to preserve these exceptional underwater environments. We are the stewards of our oceans and coasts, and we are failing them. The oceans belong to all the people of the United States, and we must protect them and manage them for everyone's best interest.

Madam Speaker, with our oceans in crisis, the Sanctuaries are a beacon of hope for future generations. I support H.R. 1187 and urge my colleagues to pass this bill.

A TRIBUTE TO JAMES YOO

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Ms. SCHAKOWSKY. Madam Speaker, I rise today to pay tribute to James Yoo, an incredible man who has worked in my district office as a constituent advocate for nearly 7 years, and who, sadly for me, will soon be leaving.

I want to first let others of my staff describe what James has meant to them and to the constituents of the ninth Congressional District.

Cathy Hurwit, Chief of Staff: When I think of James, I think of someone who has the strongest, most finely-turned moral compass of anyone I know. It is evidenced in terms of his compassion and understanding of the problems facing our constituents—particularly those caught up in a draconian immigration system. In dealing with constituents, he is always calm, professional and dedicated—but in talking about the unfairness of the system and the indignities that so many faced, his moral outrage is evident. His sense of justice led him to law school to learn the skills and get the degree necessary for him to represent them. But it also is evidenced in the way he deals with his colleagues and everyone around him—modest about his own outstanding accomplishments but always willing to praise the efforts of and look out for others.

James is a role model—the standard of what a constituent advocate should be. Fun to be around, collegial and thoughtful.

Leslie Combs, District Director: James is such an integral, essential and special part of our district office, that it truly is hard to imagine the office and team without him. He makes us all laugh daily with his dry sense of humor and his fascination with Malcolm Jamal Warner (Theo on the Cosby Show). He is an extraordinarily generous and compassionate person, both towards his colleagues and the constituents who he has helped. James has helped over 2,600 constituents since he started working for Representative SCHAKOWSKY 7 years ago on July 1, 2001. He has helped reunite families that have been separated due to immigration backlogs. He has helped explain the complicated nuances of the immigration process to hundreds of families and to his fellow constituent advocates. He has made sure that immigration applications are processed quickly and that people get their oath ceremonies and green cards. James is extremely intelligent, thoughtful, and warm, and he will be missed. He is going to be an excellent immigration lawyer.

Taina Rodriguez, Constituent Advocate: James ''Malcolm Jamal Warner'' Yoo James

is definitely one of a kind. He has an outstanding ability to see the good in a person. He is supportive, caring, kind, honest, strong and hopeful. His views on many issues are a little nutty, but I never said he was perfect. He always tells me the truth, even when I hate to hear it because chances are 9 out of 10 times he's right. He told me once that he hates it when people say ''I can't'', and I find that to be very inspirational.

James calls our relationship ''love and hate'' relationship, but I see it more of a big brother, pain in the neck type of relationship. (But in a very good way). Who is going to lecture me about school and my study habits, and who is going to lecture me about how I choose my dates! It's very difficult to see myself coming into the office and not having James around. It's going to be a sad day on April 11, 2008. However, I know that he will go on and accomplish great things. Who knows, he might even get to meet Malcolm Jamal Warner!

Kim Muzeroll, Executive Assistant: James is one of the most selfless and thoughtful people I know. He is smart and he is savvy. He works under the radar but he is immensely effective. He doesn't seek the spotlight and he never wants credit for his accomplishments, but he deserves recognition for his commitment to social justice and his tireless work on behalf of the constituents of the 9th Cong. district, Illinois, the nation and in fact the world.

Abbey Eusebio: The ninth congressional district has been lucky to have James Yoo as a tireless advocate for almost a decade. He worked with constituents one on one to assist them with immigration matters and provided outreach to different ethnic groups in the district. James was the go-to person for immigration matters and was a constituent advocate that constituents and colleagues could always count on. He set a high standard for his colleagues for substantial and efficient constituent service. He is a great role model and always kept the needs of constituents and the office as a priority.

As a friend, James is like our big brother. He is a humble man who is down-to-earth and has a great sense of humor. James was a great asset to Team Schakowsky. We will be very sad to see him go but know that he will continue a career of advocacy as an immigration attorney.

Paola Castano, Constituent Advocate: James is very knowledgeable and a great source of information. I am always impressed about the wealth of knowledge that he has on various subjects. James is the type of person you can talk to about just about anything under the sun. And whenever we would discuss subject matter that we weren't exactly sure of, off to internet we went, and it was Wikipedia once again to the rescue! If it weren't for Wikipedia, we would have never learned the names of the 3 Chipettes (Brittany, Eleanor, and Jeanette), the Chipmunk's female counterparts. If we didn't know that, then where would we be?

I am most grateful to him for other reasons too. When I started working in this office in December of 2006, it was taking me a bit of time to adjust to all the transitions taking place within the office. However, the most difficult aspect for me, the thing that was holding me back was that I had just come from an unpleasant work experience in my previous law office job, so I wasn't allowing myself to warm up to my new surroundings. However, from the very beginning, it was James who helped me to feel very welcome and tried to make me feel like I was part of the office. I soon came to realize that if he was taking the time and making an effort to make me feel at home here, the least I could do was to try too. And because of these efforts, I have made friends with some truly great people in this office, including James.

I also thank James for taking the time to train me on immigration these last few weeks. He has been very patient and understanding with me. Though it was intense, I believed at times that it was all too much at one time, and I felt as if I could never, ever, come close to taking on the role he has had in this office and this community, James reassured me and helped me to believe that I could take on this new role as a CA.

Ann Limjoco, Suburban Director: I have had the privilege of working with James for more than 6 years now. Over the last 6 years, I have seen him become a master at immigration casework. He is the immigration guru in our office. James is the one we would all go to with any questions on immigration. He was able to grasp such an understanding of immigration law, more than any other Constituent Advocate I've seen in the last 6 years in this office. It is so fitting that he is leaving this office to become an immigration lawyer. I think the time he has spent in this office has prepared him to do this.

I can also call James a good friend. He is the type of person I can rely on at all times. When I moved into my apartment in Glenview, James was right there helping me move boxes into my parents' minivan and unloading them into my new place. We have also spent countless hours going out to dinner or having drinks. I will miss him greatly. Not only will the constituents of the 9th Congressional District be losing a great asset, but we will be losing a great co-worker. However, I know our friendship will continue on and that we will keep in touch. I will miss working with him dearly!

Kris Sadur, Constituent Advocate: It's been an honor to know and work with James Yoo. His calm demeanor and steadfast dedication to assisting our constituents is unwavering. He is an excellent and patient teacher, assisting all staff on the intricacies of immigration and always willing to listen to questions regarding a case. I will miss his sweet smile, composed nature and astonishing intelligence. We are losing an extraordinary staff member and thoughtful advocate for constituents in the 9th Congressional District.

I join all of my staff in praising James for his remarkable service to our district and to the thousands of people he has helped. I will never be able to thank him enough for his extraordinary work and for the standard of excellence that he set for our office. I am confident that James will continue to make this world a better place and a happier place to be. Though I will miss him in the office, I fully expect that he will never desert Team Schakowsky.

PAYING TRIBUTE TO KIM DOTTS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. PORTER. Madam Speaker, I rise to honor the accomplishments and civic contributions of my friend, Kim Dotts, whose commitment to her community and to the students of the Clark County School District is an inspiration.

Kim graduated with honors from Penn State University in 1988 with a degree in music education. While at school, she performed with the Penn State Singers, the Concert Choir, and the University Choir. After graduating from Penn State University, Kim began teaching music in the Catskills region of New York. During this time she was introduced to the method of motivating students through musical studies. Kim then relocated to Las Vegas and began a musical program for elementary school students in the Clark County School District.

At William Lummis Elementary School, Kim holds extracurricular guitar classes, Honor Choir, and Percussion Ensemble classes in the mornings before the start of the regular school day. These free lessons are an opportunity for the students to expand upon their normal schedules and learn something new and to develop an appreciation for the musical arts. She encourages students to express themselves creatively through the arts.

Madam Speaker, I am proud to honor Kim Dotts, an inspirational teacher and motivator. Her dedication to the Clark County School District is commendable, and I wish her and her students continued success in their music lessons.

PERSONAL EXPLANATION

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. UDALL of Colorado. Madam Speaker, on April 2nd I was unavoidably delayed and unable to be present for three votes. Had I been present, I would have voted as follows:

On rollcall No. 154, on ordering the previous question on H. Res. 1605, providing for the consideration of H.R. 5501, the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act, I would have voted ''no.''

I would have done so because defeating the previous question would have allowed the House to consider an amendment dealing with the appropriations earmark process. I support reforming that process and think that the House should at least debate changes to it, although I reserve judgment on whether I would have supported the specific language of the amendment since it was not debated.

On rollcall No. 155, adoption of H. Res. 1605, I would have voted ''yes.''

On rollcall No. 156, the Carson of Indiana Amendment to H.R. 5501, I would have voted ''yes.''

On rollcall No. 157, the motion to recommit H.R. 5501, I would have voted ''no.''

On rollcall No. 158, passage of H.R. 5501, I would have voted ''yes.''

HONORING T.C. WILLIAMS CHAMPIONSHIP BASKETBALL TEAM

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. MORAN of Virginia. Madam Speaker, I rise today to honor the T.C. Williams men's basketball team upon becoming this season's Virginia AAA state champions.

Guided by Coach Ivan Thomas, on March 15, 2008 at the Siegel Center in Richmond, Virginia, the Titans ended Bethel High School's 29-game winning streak, surging to a commanding 70–57 victory and unprecedented 2nd state title.

Led by a trio of sharpshooters, seniors Travis Berry, Anthony Winbush and junior Edward Jenkins—who combined for 59 of the teams 70 points—the Titans started fast and never let up till the final buzzer sounded. The stifling T.C. team defense forced a whopping 20 turnovers, holding the opposition to only a 37 percent shooting percentage and less than 20 points in the first half.

Madam Speaker, T.C. Williams High School has a proud tradition of excellence, both in the classroom and on the athletic fields. I stand today on the floor of the House, to salute the entire T.C. Williams community—students, faculty, parents and fans—on this year's unforgettable championship basketball season. May this victory inspire you to climb to even greater heights in the road ahead.

DOMESTIC VIOLENCE, A SCOURGE IN THE CARIBBEAN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. RANGEL. Madam Speaker. I would like to bring to your attention an article written on domestic violence featured in the New York CaribNews for the week ending March 25, 2008 on "Domestic Violence, A Scourge in the Caribbean—Women Suffer at Men's Hands in Almost Every Country."

Domestic violence is an ill that plagues many communities but is especially prevalent in immigrant communities as highlighted by a recent State Department human rights report. Domestic violence primarily affects women and children and mostly girls. The violence is often at the hands of fathers or male authority figures in the family or community.

Despite tougher laws and penalties, domestic violence continues as a "significant social problem." Often victims of domestic violence are reluctant to report incidents of abuse due to the stigmatism that it carries and fear of reprisal from their abusers. Even more troubling are the cases that go unreported because the perception that law enforcement officers and magistrates can be bribed to make cases disappear. Clearly there is much work to be done in educating both victims and law enforcement personnel on the serious effects of domestic violence.

Articles such as this are instrumental in raising public awareness of this critical problem; and serves as a reminder that domestic violence is problematic in both immigrant and nonimmigrant communities. As a society, we have a moral obligation to educate and protect our most vulnerable members.

U.S. STATE DEPARTMENT: DOMESTIC VIOLENCE, A SCOURGE IN CARIBBEAN—WOMEN SUFFER AT MEN'S HANDS IN ALMOST EVERY COUNTRY

(By Tony Best)

It's like a recurring decimal. In almost every country, from Barbados, the Bahamas, St. Vincent and Jamaica to Guyana, Jamaica, Trinidad and Tobago, Belize and Haiti the story was the same: physical abuse of women at the hands of their lovers is rampant throughout the Caribbean.

Admittedly, though, the problem is far more serious in some places than in others. Take the case of Barbados, where the U.S. State Department human rights report described violence and abuse against women as significant social problems.

And they exist despite the presence of tough laws which impost stiff sentences on men, depending on the severity of the charges.

For instance, penalties can range from fines for a first time offenders (unless the injury is serious) up to death penalty for a killing.

In between are prison terms for those who breach court-imposed restraining orders. But apart from physical abuse, there are the sexual offences, including spousal rate, for which the maximum penalty is life behind bars. In 2007, about 63 rape cases, seven assaults with intent to rape and 30 cases of sex with a minor were reported to the police.

But women were not the only victims of violence in the home. Children in Barbados too suffered, complained the State Department. The abuse of women and children by lovers and fathers was a serious issue in Belize. Domestic violence, discrimination against women, sexual abuse of children, trafficking in persons for sexual and labor exploitation, and child labor were also problems, as was the way the report described the situation in Caricom's lone member-state in Central America. The numbers tell much of the story: in the first six months of last year, the Ministry of Health recorded 455 cases of domestic violence, of which 385 involved physical abuse of women and 67 were for sexual abuse.

The picture of violence against women was worst in the Bahamas. For not only did the report term it "serious" and "widespread" but warned it often ended in murder.

Last year, 14 of the 79 homicides in the Bahamas "were related to domestic violence." To add to the tragedy, Washington cited complaints from women's rights groups that law enforcement authorities were generally reluctant "to intervene in domestic disputes." However, the State Department softened the blow by insisting that the "police recognized domestic violence as a high priority, provided specialized training for all incoming officers and offered continuing training in domestic violence." The sketch of Guyana didn't include homicides but at the core was a triple whammy: violence, rape, including spousal rape, and the trafficking of women.

In addition. Guyanese women face the added burden of a perception that some police officers and magistrates could be bribed to make cases of domestic violence go away.

That's not all. Despite the existence of laws designed to deal with the problem, the report charged that the real headache was a failure to implement programs designed to curb domestic violence.

Small wonder, then, that a leading NGO, Help and Shelter, which handled 739 abuse cases of which 538 involved spousal abuse against women in 2007 demanded sensitivity training for magistrates and court staff to improve the handling of domestic violence.

St. Vincent is another country where abuse of women is a hard and continuing fact of life. A human rights organization there charged that in far too many cases domestic violence went unpunished due to the culture in which victims choose not to seek assistance from the police or the prosecution.

As for Jamaica, the situation there too could best be described as dismal, although not as deadly as the Bahamas. Social and cultural traditions perpetuated violence against women, including spousal abuse the report charged. Violence against women was widespread, but many women were reluctant to acknowledge or report abusive behavior, leading to wide variations in estimates of its extent.

Just as serious and complex was the report on Trinidad and Tobago where abuse of women was a matter of grave concern. Like Jamaica, tough laws and programs to aid battered women are in existence in the twin-island republic but there was a common problem: cops are lax in enforcing the law. If figures compiled by women's groups are accurate between 20 to 25 percent of women in Trinidad and Tobago were victims of abuse.

While no figures existed in Haiti that would give a indication of the depth of problem, what was clear was that it was a nightmare. For instance, a man who kills his wife or her lover found in act of adultery in the home wouldn't be charged under the country's criminal code. But a woman who murders her spouse under similar circumstances would be hauled before the court, the State Department reported.

Although laws against domestic violence were enacted, human rights activists described domestic violence as both "commonplace and underreported," so much so that Women's Solidarity, a human rights body for women, estimated that eight of every 10 Haitian women were victims of domestic violence.

Meanwhile, the problem of domestic violence has seemingly spread from the West Indies to Caribbean immigrant groups in New York City. Both physical and verbal abuse is said to be high in Brooklyn where Charles Hynes, Brooklyn District Attorney, has an aggressive program to combat spousal abuse. "We see it quite a lot among Caribbean immigrants," said an official of the DA's office. "But people from the Caribbean aren't alone. Spousal abuse is prevalent in almost every immigrant community, whether they are from Europe, Latin America or the Caribbean."

NATIONAL INTEGRATED COASTAL AND OCEAN OBSERVATION ACT OF 2008

SPEECH OF

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2008

Mr. FARR. Madam Speaker, I rise in support of H.R. 2342, the National Integrated Coastal and Ocean Observing Systems Act authored by my friend and fellow co-chair of the House Oceans Caucus, Representative ALLEN.

The Integrated Ocean Observing System has the following goals: To improve the safety and efficiency of marine operations; to more effectively mitigate the effects of natural hazards; to improve predictions of climate change and its effects on coastal populations: to improve national security; to reduce public health risks; to more effectively protect and restore healthy coastal marine ecosystems: and to enable the sustained use of marine resources. This bill will coordinate and manage the existing regional Ocean Observing Systems.

In my district, the Central and Northern California Ocean Observing System has proven invaluable in understanding and managing the ocean. The esoteric task of observing surface currents was indispensable in reacting and responding to the *Cosco Busan* oil spill in the

San Francisco bay. The Central and Northern California Ocean Observing System assisted in the spill tracking as well as using HF Radar systems to provide real-time information on ocean currents to the response teams. They also provided information to and continue to collaborate with the NOAA Office of Response and Restoration, NOAA HAZMAT, NOAA Sanctuaries, and the Oil Spill Prevention and Response program.

These systems are at the forefront of the science of understanding harmful algal blooms, which affect human health and can cause fish kills. Ocean observing systems aid in the study of waterborne diseases and can provide vital information for navigation of ships and small boats. They also have national security implications. This set of Coordinated Regional Ocean Observing Systems will improve coastal monitoring and assist the Coast Guard in their mission to secure our waters and to provide search and rescue for those endangered at sea.

These Ocean Observing Systems are the foundation we need to apply ecosystem-based management of our oceans. This type of management and even this very system of National Integrated Ocean and Coastal Observing Systems is recommended by the U.S. Commission on Ocean Policy, which we in Congress created. The Joint Ocean Commission Initiative, created to continue to advise Congress on the Ocean Commission's suggestions, lists this as one of their chief priorities.

I cannot emphasize enough the need to show our ocean stewardship now, so we can turn the tide on the dire consequences facing our oceans and Great Lakes. The oceans and the Great Lakes belong to all the people of the United States and it is our duty to ensure that we provide the coordination and the funding necessary to protect these precious resources. This is why I support H.R. 2342 which will realign and coordinate the existing Ocean Observing Systems.

Madam Speaker, the effects of climate change on the ocean are just beginning to be understood, while the ocean's impact on the growing coastal population increases daily. We need the Ocean Observing Systems in order to understand and respond to the challenges we are facing. I strongly support H.R. 2342 and urge my colleagues to pass this bill.

PAYING TRIBUTE TO LEE TILLMAN

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. PORTER. Madam Speaker, I rise today to honor the life of my friend, Lee Tillman, who passed away on December 15, 2007.

Lee Tillman moved to Boulder City, NV, at the age of 18, in 1931, and worked as a ball mill operator for the Hoover Dam during its construction. Mr. Tillman also worked as a truck driver and an electrician during the construction of the Hoover Dam. He and his late wife, Norma, settled in Boulder City in 1939, where they raised their family and subsequently retired. He was the last known local Hoover Dam construction worker to reside in the area at the time of his death. He was 94 years old.

Lee's friends and family considered him to be a man of integrity, who enjoyed recounting stories about his life and his many experiences that he encountered as a resident of southern Nevada. He was revered as a walking historian because of his ability to recount significant facts and details about the construction of Hoover Dam. He told his accounts as a dam worker for countless documentaries. He enjoyed sharing those experiences with his friends and family alike. I also had the distinct pleasure of serving on the Boulder City Council with Lee's son, Tim, and I greatly appreciated the wealth of knowledge that Lee willingly shared.

Madam Speaker, I am proud to honor the life and legacy of my friend Lee Tillman for his integral work on the Hoover Dam, and his years of community service throughout the Boulder City and the southern Nevada community. Mr. Tillman was a historical force throughout the community and he will be profoundly missed.

VICTIM'S RIGHTS AWARDS, LAURIE DISHMAN UNSUNG HERO AWARD RECIPIENT

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Ms. MATSUI. Madam Speaker, I am honored to announce that my constituent, Laurie Dishman has been selected by the Victim's Rights Caucus to receive the Unsung Hero Award.

Laurie is a remarkable young woman, who found the strength and courage to fight on behalf of others after she was a victim of a violent crime on a cruise ship. Laurie shared her story with me in a letter two years ago.

As a passenger on board a ship operated by Royal Caribbean, Laurie was raped by a crew member. The story of her ordeal on the ship was shocking and the response by the cruise industry was even more appalling.

Laurie was brave enough to report the incident to the crew authorities, even though they treated her poorly and with little sensitivity. She also reported the crime to the FBI. Unfortunately, the U.S. Attorney's office declined the case or prosecution just four days later.

I have since learned that there have been no convictions for rape cases on cruise lines in four decades. This statistic takes on a new meaning through the lens of Laurie's experience.

Laurie has devoted herself to a public awareness campaign to ensure that the cruise industry is held accountable for their lax security onboard cruise ships.

She has done television shows including The Montel Williams Show, the Morning Show, Inside Edition, and numerous others. She also has done radio interviews for the BBC and other international news organizations to send out her message. As the focus of numerous expose pieces about safety concerns on cruise ships, Laurie was profiled for stories in the Los Angeles Times and the San Francisco Chronicle.

She was also brave enough to testify at a Transportation and Infrastructure, Coast Guard and Maritime Transportation Subcommittee hearing on Crimes on Cruise Ships. At the hearing she spoke of her experience and also ways to improve prevention methods, including: peep holes and security latches on stateroom doors; instituting sensitivity training for crew members: and ensuring more CCTV cameras in hallways.

After the hearing, I introduced the Protect Americans from Crimes on Cruise Ships Resolution on September 17, 2007, with Reps. CHRISTOPHER SHAYS and CAROLYN MALONEY. The resolution now has over thirty cosponsors.

The Transportation and Infrastructure Coast Guard and Maritime Transportation Subcommittee held a follow-up hearing on September 19, 2007. We heard from other victims who were raped or assaulted on cruise ships. Laurie attended the full-day hearing and provided support for the women who testified and their families. Since then she has continued to attend meetings with the cruise industry, provide interviews and insight to our office on the progress, or lack thereof, of the cruise industries safety standards.

On April 8, 2008 Laurie testified in front of the California State Senate regarding a bill to require Ocean Rangers on cruise ships. "These Ocean Rangers will help to make sure that there are trained personnel who can respond to a reported crime, and that there is an advocate for a crime victim who is not employed by the cruise lines.

I am also working on introducing it bicameral, comprehensive cruise safety reform bill that is informed by two years of research and two Congressional hearings, but at its heart, addresses the concerns brought to our office two years ago by Ms. Dishman.

Laurie embodies the spirit of an unsung hero. She does all of this without acclaim, but because she feels compelled. Laurie has helped lead a campaign of awareness about safety concerns on cruise ships. We all know that crimes can only be prevented when we are aware of the chance for them to occur.

Laurie has taken leadership and shown strong determination throughout this ternble personal experience. I have been very proud to be by her side in this effort, to ensure safety on cruise ships by informing the public of their risks.

Because of her visibility and strength, other victims have been able to tell their stories. As a result, we have been able to garner public awareness and support for our efforts towards oversight and better public policy.

I applaud Laurie for her heroic work during these last two years. I nominated her for the Victim's Rights Caucus Unsung Hero Award. It is an honor to recognize her today for her important contributions to ensuring the safety of the over 10 million women and families across the country that cruise each year.

A TRIBUTE TO CANTOR AVIVA ROSENBLOOM

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. WAXMAN. Madam Speaker, I rise today to recognize the extraordinary contributions of Cantor Aviva Rosenbloom of Temple Israel of Hollywood. Cantor Aviva will be retiring this spring after 32 remarkable years of service to the Temple community. She will be honored at

"Erev Aviva"—Night of Aviva for her dedication and inspiration during her lengthy and truly iconic career. The community-wide celebration will be an opportunity for us to thank Cantor Aviva and express appreciation for the contributions she has made to Temple Israel and the Los Angeles Jewish community at large.

Cantor Aviva is only the second full-time Cantor to have served Temple Israel in its 82-year history. In fact, she was the first full-time Cantor to serve in the Los Angeles area. Throughout her tenure, she has become part of the fabric of the Temple community.

She has a lively, warm and colorful presence. Her vibrant spirit and love for tradition is infectious; her voice has inspired many congregants over the years. Cantor Aviva has touched Temple Israel at its core as she led hundreds of children through their Bar and Bat Mitzvah ceremonies and taught countless adults to chant and sing Jewish prayers.

She is known for continually updating and expanding Temple Israel's musical liturgy with jazz services and songs in Hebrew, Yiddish and Ladino. Cantor Aviva has premiered new works by contemporary Jewish composers in concert settings, and is comfortable with a whole host of musical genres, including classical, opera and folk.

Our community owes Cantor Aviva a debt of gratitude for her tremendous record of accomplishments at Temple Israel of Hollywood. I ask my colleagues to join me in extending thanks for her outstanding and inspired contributions these past 32 years. Please also join me in wishing her all the best in her capacity as Cantor Emeritus and in all future endeavors.

IN RECOGNITION OF FOR THE LOVE OF THE LAKE

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. PETE SESSIONS. Madam Speaker, I rise today to recognize For the Love of the Lake, a local community land and water conservation organization that is very dear to my heart.

White Rock Lake Park resulted from the need for a larger water supply for the growing population in Dallas during the late 1890s. Since it became a city park on December 13, 1929, White Rock Lake Park has always held a special place in the hearts of all Dallasites. Historically, it was known as the "people's playground" and is now referred to as the "Jewel of Dallas."

What initially began as an interest in keeping White Rock Lake Park clean and beautiful quickly evolved into a conservation organization with hundreds of dedicated and energetic volunteers. Since its founding in 1995, For the Love of the Lake has helped enhance the lake and park with various hands-on activities such as picking up litter and recyclables with their Second Saturday Shoreline Spruce-Up events and Adopt-A-Shoreline groups. Now led by President Steve Tompkins, For the Love of the Lake is reconstructing of a hike and bike trail, building a new bridge reminiscent of one built by the Civilian Conservation Corps, and expanding the Celebration Tree Grove. On April 11, 2008, Good Fulton & Farrell Architects will receive the Volunteer Group of the Year Award as the group leader of an Adopt-A-Shoreline group. In the past year, they have demonstrated their outstanding commitment in community service and financial contributions. Their first month with For the Love of the Lake was January 2007 and despite the bitter cold weather, they showed with a positive attitude and a giving heart. It is individuals like these that keep our communities strong and White Rock Lake Park beautiful. I am proud to be one of the many volunteers associated with this group.

Madam Speaker, I ask my esteemed colleagues to join me in recognizing For the Love of the Lake for their contributions to White Rock Lake Park and the City of Dallas and in congratulating Good Fulton & Farrell on being named the Volunteer Group of the Year.

50TH ANNIVERSARY OF LAKOTA SCHOOL DISTRICT IN WEST CHESTER AND LIBERTY TOWNSHIP, OHIO

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. BOEHNER. Madam Speaker, I rise today to congratulate and recognize my hometown school system, the Lakota School District in West Chester and Liberty Township, Ohio, on its 50th Anniversary.

From the humble beginnings as the Liberty-Union School District in 1957 with an enrollment of just 1,700 students it would have been hard to predict the extraordinary growth and success of the district. Today the Lakota School District covers nearly 70 square miles, two townships, eight postal zones and nearly 100,000 people. It is home to two high schools, a freshman school, four junior schools, ten elementary schools, four early childhood schools and more than 18,000 students.

Even with the growth from a small rural district into the seventh largest district in Ohio the success of Lakota schools has not been impeded. The Lakota School District is the largest district in Ohio to receive an "Excellent" rating for six consecutive years. In 2006–2007 the district met 29 of 30 state indicators, graduated more than 96 percent of its students and saw 90 percent of high school student's matriculate to college all while per pupil spending stayed well below the state average.

But facts and figures only tell part of the story. It is fitting that this fine school district bears the word "Lakota," a Native American word meaning unity and togetherness. Throughout the years the achievements of Lakota schools have been driven by the dedication and commitment of the entire Lakota community. Together, through a unified vision, the administrators, teachers, parents, students and citizens have made the Lakota School District a pillar of education and a foundation for community growth. Each and every person who has attended, taught, worked or simply lived in the district has played a role in its success.

I'm proud to represent the Lakota School District in our nation's Capitol. I'm proud my children attended Lakota schools, and I'm proud of what has been achieved and what I know will be achieved. I congratulate the Lakota School District on a spectacular fifty years and I know another extraordinary fifty are still to come.

TRIBUTE TO MATTHEW DANIELS, SENIOR AT FAYETTE COUNTY HIGH SCHOOL IN FAYETTEVILLE, GEORGIA

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. WESTMORELAND. Madam Speaker, I rise today to pay tribute to a young man from Fayetteville in Georgia's 3rd Congressional District who has excelled in the classroom and on the playing field.

For more than 17 years, the National Alliance of African American Athletes has honored young men who exemplify the best in sports and education.

This year, the top honor, called the Franklin D. Watkins Award, will go to a constituent of mine, Matthew Daniels, a senior at Fayette County High School.

Considered one of the best defensive backs in the country, Matthew has maintained a perfect 4.0 grade-point average. He is a member of the Beta Club, the National Honor Society, the Fellowship of Christian Athletes and other worthy community groups.

"This remarkable young man is unquestionably a premier scholar-athlete in a time when very few kids in the country can barely stay academically eligible," said a spokesperson for the National Association of African American Athletes. "Matthew lends inspiration to a younger generation that it is possible to achieve perfection in sports and in the classroom."

Matthew will represent Fayette County High proudly next year as an alumnus when he enrolls at Duke University on a full athletic scholarship.

"Among all my achievements and honors in high school, this award is the most memorable I must say," Matthew said after receiving the award earlier this year at the InterContinental Hotel in Century City, Calif. "This is the only award that acknowledges me for both my academic and athletic achievements."

Winners of the award are highly encouraged to use their time and talent to give back to the less fortunate in their communities.

"On the field, I want to work to become a freshman All-American next season." Daniels told a reporter. "Off the field. I want to leave a path so others know it can be done."

On behalf of everyone in Georgia's 3rd Congressional District, I want to congratulate Matthew Daniels on this prestigious award. We're proud that he's part of our community.

5TH ANNUAL MAYORAL SALUTE TO VETERANS

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. MITCHELL. Madam Speaker, I rise today to commemorate the Annual Mayoral

Salute to Veterans which has been presented for the past five years by Phoenix Mayor Phil Gordon and the Phoenix Military Veterans Commission. The Salute this year on Tuesday, April 8, 2008, will focus on women veterans. This is appropriate given the rising numbers of women now serving in the armed forces and their wide-ranging and significant contributions to our nation's military efforts.

Women have served honorably in every war and conflict in American history. Many paid the ultimate price in defense of our nation. We all know the story of Army PFC Lori Piestewa, an Arizona native who became the first servicewoman to be killed in Operation Iraqi Freedom and the first Native American servicewoman to ever die in battle. In 2005, Sgt. Leigh Ann Hester of the Kentucky Army National Guard became the first woman to be awarded the Silver Star for close-quarters combat action for her role in turning back an ambush on her convoy in Iraq.

Madam Speaker, I want to focus special attention on seven veterans from Arizona who are being recognized today as living reminders of the honorable service that women in the armed forces have provided in overseas war zones from World War II to Operation Iraqi Freedom. Please join me in recognizing:

Bettie Lerdall, U.S. Marine Corps, World War II;

Grace Kokesch, U.S. Army, World War II;

Louise Glende, U.S. Navy, Korean War;

Carol Culbertson, U.S. Navy, Vietnam War;

Belinda Blase, U.S. Air Force, Operation Desert Storm;

First Lieutenant Kara C. Larson, Arizona Army National Guard, Operation Iraqi Freedom;

Sgt. Rachel L. Trotter, Arizona Army National Guard, Operation Iraqi Freedom.

Please join me in recognizing the service of these distinguished veterans on this special day.

THE 50TH ANNIVERSARY OF THE CARROLLTON CHURCH OF THE NAZARENE

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. MARCHANT. Madam Speaker, I rise today to honor the 50th anniversary of the Carrollton Church of the Nazarene in Carrollton, Texas. Since its inception, the church has stood in the community as a symbol of perseverance and inspiration. This historic anniversary of the Carrollton Church of the Nazarene marks a time of remembrance of a storied past and renewal for a bright future.

On April 6, 1958, a group of twelve founded the Valwood Church of the Nazarene in what would later evolve into the Carrollton Church of the Nazarene. At the time, all adults of the church became founding members. The first pastor was Rev. Monroe Burkhart and the song leader was Mrs. Jo Ann Marchant. Charter members included Rev. and Mrs. R.A. Holloway, Glen and Mary; Rev. and Mrs. M.S. Burkhart and Elson; Mr. and Mrs. Thurman Marchant; Mr. and Mrs. S.E. Marchant, Jr. and Mrs. Irene Cardwell.

The founding members initially congregated at a building commonly referred to as the "rabbit hutch" on Harry Hines Boulevard. Over the coming years, the church relocated several times to worship at various locations including Carrollton City Hall, a store in downtown Carrollton, the Carrollton Community Center, individual homes, the basement of Valwood Parkway Baptist Church, local schools, a unit building on Dove Creek and Kelly Boulevard, and finally at Hebron Parkway. While the church has worshiped in many locations, its positive message has always remained the same.

Madam Speaker, please join me in applauding the Carrollton Church of the Nazarene as it celebrates 50 years of dedicated fellowship. Clergy and members of the past and present are to be commended for their service to the church and greater community. It is my hope the Carrollton Church of the Nazarene continues to stand as beacon of resolve, inspiration, and worship for many years to come.

PAYING TRIBUTE TO EDMUNDO ESCOBEDO, SR.

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. PORTER. Madam Speaker, I rise today to pay tribute to my good friend, Edmundo "Eddie" Escobedo, Sr., who is being honored by the Clark County School District with the naming of the Edmundo "Eddie" Escobedo, Sr. Middle School.

Mr. Escobedo was born in Torreon, Coahuila, Mexico before coming to the United States. He enlisted and served in the United States Air Force, where upon completion of his military duties he settled in Las Vegas. In 1970, Mr. Escobedo began promoting live Mexican dances and popular musical groups. In 1972, he opened the only Spanish movie theater within the Las Vegas community, called the "El Rancho". He also served several terms as the president of the National Spanish Pictures Exhibitors Association. For more than 20 years, Mr. Escobedo published "El Mundo", a Spanish-language weekly newspaper serving Nevada's large and rapidly-growing Hispanic population. He currently serves as Chairman of the Board of KDOX 1280 AM, a Spanish-language local radio station.

He has served as founder, vice president, and president of the National Association of Hispanic Publications from 1997 to 2000. In 2002, Mr. Escobedo was named "Hispanic of the Year" by the Latin Chamber or Commerce and was included as number 23 of the list of "25 Most Influential Persons" in the city by "Las Vegas Life" magazine. In January 2003, he also became a member of the Board of Directors of Sunrise Hospital.

Madam Speaker, I am honored to pay tribute to Edmundo "Eddie" Escobedo, Sr. I would like to congratulate Eddie and his family, including his wife of over 43 years, Maria, his four children, and his nine grandchildren. I applaud Eddie on his leadership and congratulate him on this much deserved recognition of having a middle school named in his honor by the Clark County School District.

MR. JESSE J. MORANDO

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. VISCLOSKY. Madam Speaker, it is with great honor and gratitude that I stand before you today to recognize one of Northwest Indiana's most dedicated, distinguished, and honorable citizens, Mr. Jesse J. Morando, 2007–2008 State Commander for the Veterans of Foreign Wars (VFW), Department of Indiana. A lifelong resident of Northwest Indiana, Jesse is one of the most passionate and involved citizens that I have ever known, especially when it comes to his service to our veterans. To honor Jesse for his constant efforts to better the quality of life for Indiana's veterans, a testimonial dinner will be held at the Veterans of Foreign Wars Post 802 Hall in Hammond, Indiana, on Sunday, April 13, 2008.

Jesse James Morando was born in East Chicago, Indiana, the fourth of ten children. After relocating to Whiting, Indiana, in 1958, Jesse attended Immaculate Conception for grade school. Jesse's involvement in community activities began at an early age, when he excelled as a member of the Boy Scouts of America, eventually reaching the rank of Eagle Scout. Recognized as one of Whiting's young leaders, Jesse was even appointed "Mayor for a Day." As a high school student at Whiting High School, Jesse excelled in athletics, participating on both the football and wrestling teams.

Following his graduation from Whiting High School, Jesse joined the United States Marine Corps and served a tour of duty in Vietnam. After receiving his honorable discharge from the Marine Corps in 1973, Jesse returned to Northwest Indiana and accepted a position at the Amoco, now BP, refinery in Whiting, where he has 27 years of service and has completed an apprentice program in pipe fitting and welding. Jesse's service, however, to veterans and to the Northwest Indiana community has remained a constant throughout his lifetime.

While he is well-known as the State Commander of the VFW, Jesse has also been involved in numerous other veterans' and service organizations in Northwest Indiana. Jesse is a life member of the American Legion Post 80 and the Veterans of Foreign Wars Post 2724 in Whiting, and also a member of the 40/8 Voiture 470 First District of Indiana, the AMVETS Post 64 in Whiting, the Indiana Freemasons, and the Mixtecas Motorcycle Group. Additionally, he is a life member of the VFW National Home.

Early on, Jesse learned that the best way to improve his community and to help people was to get involved. In many different roles, Jesse has remained true to one goal, to make a difference in society. From his service to veterans to his involvement in programs geared toward helping those in need, be it physically or financially, Jesse has always been a driving force in bettering the lives of many people. While it is impossible to list all of the ways in which Jesse has served his community, to name a few, Jesse has been a coach for the Challenger baseball team, where he assisted with obtaining funds to pay for the Field of Dreams in Hammond, Indiana. This outstanding program was aimed at affording physically challenged children the opportunity

to play baseball. He has also assisted with the Special Olympics, participated in motorcycle runs for Toys-for-Tots and other organizations to help those in need, been a personal donor for Locks of Love, and for the past six years, he has volunteered his time to the March of Dimes, raising money and assisting participants at an annual event in Highland, Indiana.

A loving husband, father, and grandfather, Jesse's commitment to veterans throughout Indiana is surpassed only by his love for his family. Jesse and his loving wife, Laura, are the proud parents of five children: Jennifer, Samantha, Sara, Elizabeth, and Jesse III, and three adoring grandchildren: Kali Rose, James IV, and Jaslyn.

Madam Speaker, Jesse Morando has selflessly given his time and efforts to not only veterans, but to many other groups as well, throughout his lifetime of service. At this time, I ask that you and all of my distinguished colleagues join me in commending him for his leadership and dedication. He serves as a true inspiration in the eyes of a grateful community.

HONORING DON TEMEYER

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. BRALEY of Iowa. Madam Speaker, I rise today to congratulate Don Temeyer on his retirement as the Community Planning and Development Director for the City of Waterloo. At the end of this month, Don will be retiring after 33 years of service to the City of Waterloo.

Over the past 33 years, Don has been instrumental in moving the City of Waterloo forward and bringing the community together. With Don's guidance the City of Waterloo has seen successes from economic development to upgrading the city's recreational opportunities.

Don has served six different mayors and began his work in the Planning and Zoning office in 1974, the same year he graduated from Iowa State University. Don eventually headed this department. Community Planning and Development—comprised of Planning and Zoning, Community Development, the Waterloo Housing Authority and economic development functions—was formed in the middle 1990s with Don taking the lead.

Don has dedicated his life to the promotion and development of the City of Waterloo. His work has proven that strong community advocates can make a tremendous difference in their own backyards. With Don's retirement we are losing years of institutional knowledge and a champion for the needs of Waterloo residents. I am proud to represent Don and the City of Waterloo in Congress. I wish him the best in all his endeavors.

IN REMEMBRANCE OF THE ATTORNEYS AND JUDGES OF CLEVELAND AND CUYAHOGA COUNTY WHO HAVE PASSED IN 2007

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. KUCINICH. Madam Speaker, I rise today in remembrance of the men and women who served as attorneys and judges in Cleveland and Cuyahoga County who passed away in 2007. They will be remembered for their individual and collective dedication as public servants, all focused on the public good, on the occasion of the Annual Greater Cleveland Bench-Bar Memorial Program being held on April 7, 2008, in Cleveland.

I stand with Chief Judge James G. Carr of the U.S. Federal District Court, Northern District of Ohio, and all the judges and magistrates of the Northern District, and the Bench-Bar Program organizing committee to remember and commemorate the lives and accomplishments of the lawyers and judges in our community who have recently passed. Through their work as lawyers and judges, these individuals have contributed their talent, trade and expertise within an array of roles to guide and support the citizens of the greater Cleveland community. We remember Thomas F. Allen, Robert F. Belovich, Sr., William E. Blackie, Jr., Edward J. Corrigan, Norman A. Fuerst, Michael R. Gallagher, Victor Greenslade, Jr., John Gustin, James E. Kuth, Anne M. Landefeld, Howard A. Levy, Joseph J. LoPresti, Jr., Charles S. Lynch, Stuart O.H. Merz, Ivan L. Miller, Robert Nelson, Robert S. Passov, Robert B. Preston, Jr., Ralph Rudd, Constantino M. Scudiere, Dennis H. Sherman, Richard B. Steuer, Kent N. Stone, Mark Edward Sullivan, Robert E. Sweeney, William Cronin Trier, Jr., Owen F. Walker, and Herbert R. Whiting. Their dedication to the legal profession and to the community will forever be respected and remembered.

It is noteworthy that the program on April 7, 2008 is being held at the recently restored Howard M. Metzenbaum U.S. Courthouse at Cleveland's Public Square. Senator Metzenbaum himself was a public citizen, lawyer and legislator whose service to the people of Ohio and the Nation is legendary. He was a consummate consumer advocate, labor rights advocate, accomplished legislator and an important figure in Ohio's political history whose passing last month we also mourn.

Madam Speaker and colleagues, please join me in remembrance of the members of the legal profession who dedicated their professional lives to the law and to working among the people in the Greater Cleveland community to uphold and improve our justice system. Let their accomplishments and commitment to their profession serve as an example to be followed by all who follow in their footsteps.

COMMEMORATING UNITED STATES RECOGNITION OF NEWLY INDEPENDENT BOSNIA AND HERZEGOVINA

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. OLVER. Madam Speaker, I rise today to honor the citizens of Bosnia and Herzegovina on their recent anniversary of independence which was recognized by the United States on April 7, 1992. 1 am honored that the United States was one of the first nations to recognize the newly independent Bosnia and Herzegovina.

I would like to applaud the democratic orientation of Bosnia and Herzegovina and I strongly support the further strengthening of its government and peoples and their respect for human rights, rule of law, and free market economics. As we mark the anniversary of U.S. recognition of an independent Bosnia and Herzegovina, let us reaffirm our support for Bosnia's progress towards Euro-Atlantic integration.

I once again congratulate the citizens of Bosnia and Herzegovina on this anniversary of their independence and I look forward to collaboration between our two countries.

HONORING JOHN DOSTER

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to honor the extraordinary achievements of Mr. John Doster. Mr. Doster is being recognized by the Bristol Borough Traffic and Crowd Control Advisory Council for his hard work and exceptional accomplishments in working to better his community.

A lifelong resident of Bucks County, Mr. Doster's long and exemplary career of service to his community began 75 years ago and continues to this day. In 1934, Mr. Doster joined the Edgley Fire Company, and he has been a member ever since. Mr. Doster has held many important community leadership positions throughout the years, serving as the fire chief of the Edgley Firehouse, the fire marshal for Bristol Township, the president of the Fire Chiefs Association, and a fire school instructor.

Mr. Doster's dedication to keeping those in his community safe is also evident through the numerous awards he has received. In 1977, he received the Distinguished Hero award for his brave actions in saving the lives of two people trapped in a burning building. In 1999 and 2000, he received the Most Active Firefighter Award from the Edgley Fire Company. Mr. Doster was also the recipient of the Commanders Club Award in both 2001 and 2004.

In addition to his commendable service to his community. Mr. Doster has also dedicated himself to serving his country. He was a member of the United States Army, serving as a corporal in North Africa from 1942 to 1945. During his service in the Army, Mr. Doster received various commendations celebrating his

heroic actions. He received the Purple Heart, the Bronze Leader Award from the Disabled American Veterans, the Silver Star Award from the Veterans of Foreign Wars, and the Legion Honor Award from the Chapel of Four Chaplains.

As his outstanding résumé shows, John Doster has pledged his life to helping those in our community and our Nation. Madam Speaker, as a fellow United States Army veteran and Bucks County resident, I am proud to recognize the remarkable achievements of Mr. John Doster, and I am honored to serve as his Congressman. Through his tireless work, Mr. Doster has unequivocally changed Bucks County and America for the better.

REGARDING THE TWIN OAKS ESTATE

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. RADANOVICH. Madam Speaker, the Twin Oaks estate at 3225 Woodley Road in D.C. is a historic landmark. Situated on 18.1 acres in northwestern Washington, the estate was built in 1888 by the founder of the National Geographic Society, Mr. Gardiner Greene Hubbard, as a second residence for his family. At one time, Mr. Hubbard's son-in-law, Mr. Alexander Graham Bell, the inventor of the telephone, also resided at Twin Oaks.

The Twin Oaks property was first rented to the Republic of China, ROC, also known as Taiwan, government in 1937, and later was sold to the ROC government in 1947. Over the last six decades, many American dignitaries and friends have met with ROC ambassador and representatives to chart the course of friendship and cooperation between our two countries through times both good and bad. For example, American Secretaries of State such as John F. Dulles, Dean Rust, George Schultz, and Colin Powell have all at some point dined as guests at Twin Oaks. Important agreements such as parts of the Sino-American Defense Treaty have been negotiated at the estate.

The Twin Oaks estate has contributed greatly to the friendship between the Americans and our friends in the ROC. Today, U.S.-Taiwan relations have experienced decades of steady growth. President Bush has made a number of positive statements about Taiwan; telling one interview: "I am candid in my support of the Taiwan Relations Act (TRA). . . . I'll say it right now: That our nation will help Taiwan defend herself. . . . I will do what ever it takes to help Taiwan defend herself, and the Chinese must understand that." President Bush's feelings about the TRA are strongly echoed in the U.S. Congress. Madam Speaker, we too believe in the importance of U.S.-Taiwan relations. As we celebrate Twin Oaks' 120-year history, we hope that our friendship with the ROC shall remain just as robust and healthy in the future as it has been for the last seven decades.

TRIBUTE TO SHERIFF MICHAEL JACKSON

HON. ALBERT RUSSELL WYNN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. WYNN. Madam Speaker, I rise today to honor Sheriff Michael Jackson, Sheriff for Prince George's County, Maryland.

Sheriff Michael Jackson is a Prince George's County native who has dedicated his professional life to bettering the community in which he grew up and now serves. He grew up in Forestville, Maryland, and graduated from Crossland High School. He then went on to receive a bachelor of science from the DeVry Institute of Technology in electronic engineering technology. Serving in the Marine Corps Reserves for 3 years, he joined the Office of the Sheriff in 1989, and was first sworn in as Sheriff on December 2, 2002. Now in his second term. Jackson has implemented important changes in the past 6 years, both in domestic violence intervention and in his work with the local youth. The 2008 Congressional Victim's Rights Caucus Allied Profession Award is in recognition of these many accomplishments.

In the field of domestic violence. Sheriff Jackson has made many important innovations. He implemented a 24/7 Domestic Violence Intervention unit, a comprehensive approach to victim services and protection. The unit was created with the goal of providing assistance to the victim through every stage of the judicial process, starting at the 911 call to the final protective order. He initiated the first civilian Domestic Violence Intervention/Community Services Unit, expanding outreach and education throughout the county. The Violence Victim Advocate Unit followed, which evaluates the protective order issued and is an ongoing service as long as the victim needs it. He also formed an agency called "Empowering My Sister" which supports domestic violence victims in regaining their autonomy and moving forward by providing professional development, such as interview skills, appearance tips, GED training, and business contacts.

The sheriff expanded services for domestic violence by assuming first responder duties for all 911 calls in the central county area, and Jackson's goal is that by 2010 the Office of the Sheriff will serve the entire county as domestic violence first responders. This will centralize first responder, peace and protective order service, community outreach, victim advocacy and survivor empowerment within "Empowering My Sister."

Sheriff Jackson also serves as a role model to the youth in his community. As a Prince George's County native, he shares his story of overcoming the hardships of his youth with young people. Through the Michael A. Jackson Charitable Foundation, he helps to provide opportunities for young people in the community by providing such services as diversity camp, and a Sheriff's Explorer's program for teens.

The Congressional Victim's Rights Caucus Allied Profession Award recognizes the efforts of individuals, such as sheriff Jackson, who directly benefit crime victims, but are not direct service providers. Sheriff Jackson qualifies based on his creativity in expanding the services of existing organizations, as well as implementing new ones for the purpose of helping victims of domestic violence through every aspect of their recovery.

COMMEMORATING THE 40TH ANNIVERSARY OF THE ASSASSINATION OF DR. MARTIN LUTHER KING, JR.

SPEECH OF

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 1, 2008

Mr. UDALL of New Mexico. Mr. Speaker, today, as we commemorate with great sadness the 40th anniversary of his assassination, Americans remember how Dr. King inspired us to turn our back on centuries of hatred and oppression, how he called on the better angels of our nature and led us to a more just America.

Dr. King made us all believe we could change the world; and, we did. But for all that has been achieved since Dr. King was taken from us, much remains to be done.

In the past 40 years, we have seen the fall of Jim Crow, but we have also seen the rise of economic inequality that divides the haves farther and farther from the have nots, with a shrinking and increasingly ignored middle class in between.

We have seen the birth and growth of the black middle class, but in America's cities a black man born today is more likely to move to a prison cell than a college dorm.

We have seen the death of de jure segregation, but in communities across America the impact of residential division continues to give us two school systems: separate and unequal.

In the 40 years since Dr. King's death, our world has changed dramatically, but his vision of equality has lost none of its power. You could say that we need Dr. King today more than ever.

As a congressman, I sometimes ask myself what Martin would do, and the answer never fails to provide some guidance.

Dr. King fought for equality, and I believe he would be fighting today to ensure that every American student has the opportunity to live their dreams.

Dr. King believed in the rights of working people, and I believe he would be struggling to give every American worker the right to join a union.

And Dr. King was the victim of a vicious smear campaign launched by his own government. I believe he would be working to strengthen our civil liberties so that future government officials cannot harass future Dr. Kings.

As we mark his death and celebrate his life, let us recommit ourselves to doing Dr. King's work in our own time. Dr. King brought us to the mountain top, but it is up to us to reach the Promised Land.

ON HOUSE APPROVAL OF H.R. 3773

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. BACA. Madam Speaker, I rise today to express my support for the House amendment to the Senate-approved version of H.R. 3773. the FISA Amendments Act of 2008, but also to voice an area of concern I have with the legislation. I want to thank Chairmen REYES and CONYERS and for the immense time and effort they both have put into this legislation, and also thank Speaker PELOSI for her efforts to negotiate with the Senate to work out the differences between the two bills.

As Congress works to reauthorize and improve our foreign intelligence surveillance, it is imperative to remember that the United States has enemies abroad who wish to do us harm. In these delicate negotiations, we must be sure to protect the civil liberties of the American people and keep our Constitution in tact, while at the same time giving our intelligence community all the critical tools necessary to keep us safe. I believe that with an updated bill approved by the House, we can work out our honest differences and come up with a good bill that keeps the American people safe and protects our civil rights.

While the House passed bill is a step in the right direction, I believe certain additional provisions should be included in final compromise legislation. It is critical that any FISA legislation works to encourage compliance with our private sector partners in the ultimate goal of keeping America and her people secure. As such, targeted immunity for telecom carriers that allegedly participated in anti-terrorism surveillance programs may become of vital importance.

I am confident that as Congress moves forward in negotiating sensible and effective FISA legislation, we will continue to work toward the right balance that protects the Constitutional rights of all Americans, while also authorizing the measures necessary to keep the United States safe.

HONORING PAUL CRAWFORD

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. SHUSTER. Madam Speaker, I rise today to honor Paul Crawford, who has been named Historian of the Year by the Bedford County Historical Society. Paul, who is the founder of the Cumberland Valley Township Historical Society in Bedford County, will he honored with this distinguished award at the Bedford County Historical Society's annual history banquet in April.

As founder of the Cumberland Valley Township Historical Society, Paul has dedicated much of his life to researching and preserving the history of his community. He serves as a true leader in the community and the Society, directing many of the projects and events of the organization. Paul is a constant presence in the Cumberland Valley region, active in various community events and projects that support and promote the region.

Paul's role as a historian cannot be denied. He is consistently found pouring over historical documents and photographs, researching, documenting, and cataloging the history of the Cumberland Valley Township so that others can learn and remember the stories of those that came before them. Paul is a great leader in the community, and Bedford County is lucky to have such a dedicated individual working for the benefit of the entire community.

Paul Crawford's dedication to the preservation of his community's history is admirable, and we can hope that others will follow in his footsteps and view our history with the same pride and honor as he has so clearly done.

TRIBUTE TO RITA AND JACK SINDER

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. BERMAN. Madam Speaker, I rise to pay tribute to two dear friends, Rita and Jack Sinder, who are being honored by Valley Beth Shalom's 60th Birthday of the State of Israel Dinner Celebration. They are being recognized for their lifetime of commitment to Israel, the Jewish people, and Valley Beth Shalom (VBS).

In 1967, Rita and Jack made their first trip to Israel just prior to the Six-Day War. The outbreak of hostilities forced their early departure on the eve of the war. The impact of their experience motivated them to mobilize the American Jewish community on Israel's behalf.

Their dedication to Israel, however, began long before the State of Israel was created.

Born in Vienna, Rita was immersed in Judaism as a young child. During WWII, when Hitler invaded Austria, Rita's father was shipped to Poland. He fortunately escaped and her mother managed to get herself and her daughters out of Austria. Rita was sent to London on Kindertransport and was not reunited with her family until the war ended. The determination, positive attitude, tremendous resilience, and adaptability that helped her survive still guide her life today. Rita's family was miraculously reunited in America, settling in Los Angeles where Rita attended Belmont High School and graduated from USC with a degree in Business Administration.

Jack, raised in the Orthodox tradition by his father, a prominent Rabbi in Michigan, earned a degree in Mechanical Engineering from Michigan State. He worked for a machine tool company that supplied parts to the big three automakers. He was asked by an associate to help send machine tools to the Jewish fighters in Israel, and together with his friends, he shipped tools which ultimately helped in the creation of the Israeli aircraft industry and the Israeli Air Force.

Rita and Jack have been an integral force in the Jewish Community, living up to the motto, ''Give of yourself first and only then ask others to join you.'' They have generously contributed their time and resources to VBS, the Jewish Federation, Israel Bonds, AIPAC and many other worthy organizations. They endowed the Midrasha Program at the VBS, where Jack formerly was a member of the Board of Directors and currently serves on the Board of Trustees and the Steering Committee. Rita has chaired many special events at VBS. She is past president of the San Fernando Valley Women's Division of Israel Bonds and the Golda Meir Club, an active member of AIPAC serving on its National Executive Board, and is past president and member of the Executive Board of the Women's Alliance of Israel. Rita and Jack are founding members of the American Jewish University's Wagner Program, university patrons and also patrons of the Wiesenthal Center.

Rita and Jack work together in their business, Jasin Co., he as a real estate developer and she as a real estate broker and property manager. They are the proud parents of Sherri and Alan and adore their three grandchildren. Rita and Jack's greatest joys are being with family and friends, boating and traveling.

I ask my colleagues to join me in saluting Rita and Jack Sinder who have devoted their lives to working for the survival of the Jewish people and the State of Israel.

NATIONAL PUBLIC HEALTH WEEK

HON. LEONARD L. BOSWELL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. BOSWELL. Madam Speaker, I rise today in recognition of National Public Health Week (NPHW), April 7–13, a week to focus on issues facing the public health and find ways to improve the health of all. This year NPHW focuses on how climate change is affecting the health of Americans and people around the world.

The impact of global climate change on our planet and the role we have played in speeding its progress is becoming increasingly self-evident. The work of groups like the American Public Health Association and committed individuals, such as former Vice President Al Gore, have created a heightened awareness of what is one of the most important issues of the coming century. This heightened state of public awareness has led to calls across the country for a new emphasis on reducing the amount of greenhouse gases that are expelled into the atmosphere by finding new, cleaner sources of energy, reducing our consumption of natural resources, and using energy-efficient products.

In my home State of Iowa we are working hard to find new and innovative ways to reduce the amount of greenhouse gases produced. It gives me great pride to say that a recent study by the American Wind Energy Association found that Iowa ranked first in the Nation in the percentage of wind-generated electricity created in the State, and fourth in total wind electricity generation.

The Iowa Climate Change Advisory Council, ICCAC, created less than a year ago in April 2007, is charged with finding ways for Iowa to combat climate change by becoming more energy efficient and independent. The ICCAC is right now creating plans for the reduction of greenhouse gases statewide with target goals of 50 percent to 90 percent by 2050.

In February of this year Governor Chet Culver signed Executive Order Six, establishing a new ''green government'' initiative. This initiative calls for improving energy efficiency in three areas, greening new and existing State

buildings and facilities, promoting resource efficiency by using recycled and sustainable products, and recycling used material, and increasing the use of biofuels in State automobiles and improving their fuel efficiency.

Across Iowa, communities large and small are following the example set by the State government, and in many places blazing their own path. These efforts must be replicated across the country and around the world if we are to curb the emission of greenhouse gases and protect our planet for future generations.

IN CELEBRATION OF FIRST BAPTIST CHURCH OF JACKSON'S 170TH ANNIVERSARY

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. PICKERING. Madam Speaker, on May 4, 2008, First Baptist Church of Jackson, Mississippi will celebrate its 170th anniversary. First Baptist Church of Jackson has a rich history and has grown immensely in size over the years, not only in members but in its outreach to the community through different ministries.

When the church was founded in 1838, Jackson was a 16 year old village with less than 600 people and was struggling to become the permanent seat of state government. Although the early years of the church proved difficult with an economic depression, a yellow fever epidemic, and the Civil War, the church still grew strong in its relationship to God and continued to reach out to others in the name of Jesus Christ.

God has blessed First Baptist Church of Jackson because on May 4, the church stands 170 years old and occupies a 750,000 square foot facility in downtown Jackson. It also includes a sanctuary that seats 3,000; a chapel; two fellowship halls; a Christian Life Center with two regulation basketball courts; rock climbing wall; racquetball court; walking track; fitness facilities; and a fully staffed counseling center. Currently, they have a weekly television broadcast of their Sunday service that covers much of Mississippi as well as a national broadcast on Direct TV. In 2006, First Baptist Church of Jackson established a Madison Campus that has 200 active members today.

First Baptist Church has centered its ministries on connecting people to God through faith in Jesus Christ so that their lives can be transformed into passionate followers of Christ. Today, ministries of the church include an inner-city ministry that has a medical clinic, dental clinic, and legal clinic as well as after school programs for children. Other ministries include help for women recently released from prison and a ministry for international citizens from over 26 countries that teaches them English and assists them in adjusting to life in America. Last year, First Baptist sent hundreds of members across America and throughout the world to build homes and churches, provide medical and dental care, and spread the love of God.

Madam Speaker, I hope the Congress joins me in celebrating with First Baptist Church of Jackson. For 170 years, the church has served out its battle cry, "Connecting People, Transforming Lives into Passionate Followers of Jesus Christ." This momentous occasion is a true testament of the service, commitment, love, and foundation this church is built upon. May the Lord continue to bless First Baptist in the years to come.

50TH ANNIVERSARY OF THE PORT JEFFERSON ELKS LODGE

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. BISHOP of New York. Madam Speaker, I rise today to recognize the 50th anniversary of an established and important landmark in New York's first congressional district—the Port Jefferson Elks Lodge.

The Benevolent and Protective Order of Elks is one of the oldest, largest and most respected private organizations in the United States. From its humble beginnings in 1868. the Benevolent and Protective Order of Elks has grown to nearly 1.3 million men and women with 2,300 local lodges throughout the country.

Through these local branches, the Elks organization has contributed more than 5.6 million volunteer hours and $142 million in philanthropic service last year alone. Many of my constituents are proud hosts of the Port Jefferson Elks Lodge, and many more of my constituents are beneficiaries of the Lodge's invaluable service and contributions to the community.

Since 1958, the Port Jefferson Elks Lodge has been recognized as a benevolent order dedicated to serving the community, including their notable service to our nation's youth and returning veterans. The members of the Port Jefferson Lodge support numerous charitable and patriotic activities in my district—from awarding youth scholarships and aid to disadvantaged families to local food pantry and veterans' program donations.

Through its "Helping Hand" dinner, the Port Jefferson Elks Lodge recently raised $37,000 for a local Marine Corps veteran, Richard Kramer, who died from cancer due to Agent Orange exposure in Vietnam. The lodge donated funds and hosted events at its facility in order to gather community support for the Kramer family. This is a shining example of the Port Jefferson Elk's mission of goodwill and just one among many good deeds performed by the Elks on behalf of the veterans and citizens in our community who are most in need.

I am proud to represent the Port Jefferson Elks Lodge. It is an ally and champion of our continuing efforts to ensure that our veterans receive their deserved benefits and the best quality of life—a small price to pay in return for their bravery, sacrifice, and honorable service to our country. The Elk's mission is best reflected by their pledge: "So long as there are veterans, the Benevolent and Protective Order of Elks will never forget them."

Madam Speaker, I am honored to represent the Port Jefferson Elks Lodge and to recognize its 50th anniversary. On behalf of New York's first congressional district, I thank the Lodge and its members for their steadfast dedication to eastern Long Island and for embodying their cherished principles of "charity, justice, brotherly love and fidelity".

HONORING MRS. PINKIE PARKER HARDY

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Ms. LEE. Madam Speaker, I rise today to honor the extraordinary life of Mrs. Pinkie Parker Hardy. We lost our beloved Mrs. Parker Hardy on April 3, 2008. She led a full and vibrant life during her 91 years on this earth, raising a loving family and mentoring many in her church and community.

On May 19, 1916, Pinkie Parker was born in Washington, Louisiana to Alice White and John Parker. During Pinkie's life, she witnessed many of the Nation's most turbulent and controversial moments. Growing up in the south in the first quarter of the last century, Pinkie was self-educated and she devoted her energies to her community, her family, and her faith. She was a life-long resident of Eunice, Louisiana.

In 1936, at the age of 20, Pinkie Parker married Herman Joseph Hardy. From this loving union, five sons and two daughters were born. In 1949, Mrs. Hardy, a devout and extremely active member of this congregation until she became ill just last year.

Mrs. Hardy contributed immeasurably to the growth and service of St. Mathilda Parish during her life. Bishop Flynn appointed her as the first Extraordinary Minister of the Eucharist at St. Mathilda. She also served as Lector and Parish Council President for several years. For 50 years, Mrs. Hardy was an active member of the Knights of Peter Claver (KPC) Council No. 92. Mrs. Hardy spent 26 of those years serving as the Grand Lady of KPC.

In 1987, Mrs. Hardy was the recipient of the Martin Luther King, Jr. Award from the Diocese of Lafayette. In 2002, she received the Bishop's Medal for devoted service to her church and society.

It is clear that Mrs. Hardy was an indispensable component of her community. She came of age and lived her adult life during the most tumultuous and influential political period in American history. Mrs. Hardy's life exemplifies that of many African-Americans during this century, their struggle for human rights and civic freedom, and their strength and perseverance.

These important men and women are seldom recognized for their greatness. Mrs. Hardy's life is one to be remembered and admired as an example of the true work and inner fortitude that keeps this country together. These individuals dedicated their lives in the service of their God and community in the face of incredible odds. Each and every one of them had a unique story, a special impact, and a loving family. Mrs. Pinkie Parker Hardy was a member of mine.

On a very personal level, Mrs. Hardy was "family" to me. She shared her deep religious faith, her wonderful Creole cooking (especially her gumbo) and her insights as a strong, yet gentle African-American woman with me on several occasions. To know "Mrs. Pinkie" was to love her.

Mrs. Pinkie Parker Hardy will be sorely missed by all those who loved her and were honored to have her kindness and spirit touch their lives. Her memory and legacy will live on through her seven children, a daughter-in-law,

34 grandchildren, 22 great-grandchildren, and one great-great grandchild as well as innumerable relatives and friends.

Today, California's 9th Congressional District salutes and honors Mrs. Pinkie Parker Hardy. We extend our deepest condolences to her family and children. Thank you for sharing her great spirit with so many people over the last century. May her soul rest in peace.

THE CURRENT HUMAN RIGHTS SITUATION IN CHINA

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. WOLF. Madam Speaker, I would like to call to the attention of the House the following publication in the Washington Post of a letter penned by human rights activist Hu Jia, who was recently charged with subverting state authority and sentenced by a Beijing court to 3½ years in prison for his human rights advocacy activities.

As we approach the 2008 Olympics in Beijing, and China continues to grow as an economic and political powerhouse, we must remind ourselves of China's abusive and oppressive treatment of innocent civilians, and fight against the tyranny of the communist regime in Beijing.

[From the Washington Post, April 5, 2008]

THE REAL CHINA AND THE OLYMPICS

(By Hu Jia and Teng Biao)

This week, a Beijing court sentenced human rights activist Hu Jia to 3½ years in prison for subverting authority and to one additional year's loss of his ''political rights.'' He was arrested in part for co-authoring, with Teng Biao, an open letter on human rights. Below, The Post prints Human Rights Watch's translation of the Sept. 10, 2007, letter.

On July 13. 2001, when Beijing won the right to host the 2008 Olympic Games, the Chinese government promised the world it would improve China's human rights record. In June 2004, Beijing announced its Olympic Games slogan, ''One World, One Dream.'' From their inception in 1896, the modern Olympic Games have always had as their mission the promotion of human dignity and world peace. China and the world expected to see the Olympic Games bring political progress to the country. Is Beijing keeping its promises? Is China improving its human rights record?

When you come to the Olympic Games in Beijing, you will see skyscrapers, spacious streets, modern stadiums and enthusiastic people. You will see the truth, but not the whole truth, just as you see only the tip of an iceberg. You may not know that the flowers, smiles, harmony and prosperity are built on a base of grievances, tears, imprisonment, torture and blood.

We are going to tell you the truth about China. We believe that for anyone who wishes to avoid a disgraceful Olympics, knowing the truth is the first step. Fang Zheng, an excellent athlete who holds two national records for the discus throw at China's Special Sport Games, has been deprived of the opportunity to participate in the 2008 Paralympics because he has become a living testimony to the June 4, 1989[,] massacre. That morning, in Tiananmen Square, his legs were crushed by a tank while he was rescuing a fellow student. In April 2007, the Ministry of Public Security issued an internal document secretly strengthening a political investigation which resulted in forbidding Olympics participation by 43 types of people from 11 different categories, including dissidents, human rights defenders, media workers, and religious participants. The Chinese police never made the document known to either the Chinese public or the international community.

Huge investment in Olympic projects and a total lack of transparency have facilitated serious corruption and widespread bribery. Taxpayers are not allowed to supervise the use of investment amounting to more than $40 billion. Liu Zhihua, formerly in charge of Olympic construction and former deputy mayor of Beijing, was arrested for massive embezzlement.

To clear space for Olympic-related construction, thousands of civilian houses have been destroyed without their former owners being properly compensated. Brothers Ye Guozhu and Ye Guogiang were imprisoned for a legal appeal after their house was forcibly demolished. Ye Guozhu has been repeatedly handcuffed and shackled, tied to a bed and beaten with electric batons. During the countdown to the Olympic Games he will continue to suffer from torture in Chaobei Prison in Tianjin.

It has been reported that over 1.25 million people have been forced to move because of Olympic construction; it was estimated that the figure would reach 1.5 million by the end of 2007. No formal resettlement scheme is in place for the over 400,000 migrants who have had their dwelling places demolished. Twenty percent of the demolished households are expected to experience poverty or extreme poverty. In Qingdao, the Olympic sailing city, hundreds of households have been demolished and many human rights activists as well as ''civilians'' have been imprisoned. Similar stories come from other Olympic cities such as Shenyang, Shanghai and Qinhuangdao.

In order to establish the image of civilized cities, the government has intensified the ban against—and detention and forced repatriation of—petitioners, beggars and the homeless. Some of them have been kept in extended detention in so-called shelters or have even been sent directly to labor camps. Street vendors have suffered brutal confiscation of their goods by municipal agents.

On July 20, 2005, Lin Hongying, a 56-year-old woman farmer and vegetable dealer, was beaten to death by city patrols in Jiangsu. On November 19, 2005, city patrols in Wuxi beat 54-year-old bicycle repairman Wu Shouging to death. In January 2007, petitioner Duan Huimin was killed by Shanghai police. On July 1, 2007, Chen Xiaoming, a Shanghai petitioner and human rights activist, died of an untreated illness during a lengthy detention period. On August 5, 2007, right before the one-year Olympics countdown, 200 petitioners were arrested in Beijing.

China has consistently persecuted human rights activists, political dissidents and freelance writers and journalists. The blind activist Chen Guangcheng, recipient of the 2007 Ramon Magsaysay Award and named in 2006 by Time Magazine as one of the most influential 100 people shaping our world, is still serving his sentence of four years and three months for exposing the truth of forced abortion and sterilization. The government refused to give him the Braille books and the radio that his relatives and friends brought to Linyi prison in Shandong. Chen has been beaten while serving his sentence. On August 24, 2007, Chen's wife, Yuan Weijing, was kidnapped by police at the Beijing airport while waiting to fly to the Philippines to receive the Ramon Magsaysay Award on behalf of her husband. On August 13, 2007, activist Yang Chunlin was arrested in Heilongjiang and charged with subversion of state power ''for initiating the petition 'Human Rights before Olympics.' ''

China still practices literary inquisition and holds the world record for detaining journalists and writers, as many as several hundred since 1989, according to incomplete statistics. As of this writing, 35 Chinese journalists and 51 writers are still in prison. Over 90 percent were arrested or tried after Beijing's successful bid for the Olympics in July 2001. For example, Shi Tao, a journalist and a poet, was sentenced to ten years in prison because of an e-mail sent to an overseas website. Dr. Xu Zerong, a scholar from Oxford University who researched the Korean War, was sentenced to 13 years' imprisonment for ''illegally providing information abroad.'' Qingshuijun If [Huang Jinqiu], a freelance writer, was sentenced to a 12-year term for his online publications. Some writers and dissidents are prohibited from going abroad; others from returning to China.

Every year in mainland China, countless websites are closed, blogs deleted, sensitive words filtered. Many websites hosted abroad are blocked. Overseas radio and television programs are interfered with or strictly prohibited. Although the Chinese government has promised media freedom for foreign journalists for 22 months, before, during, and after the Beijing Olympics, and ending on October 17, 2008, an FCCC [Foreign Correspondents Club in China] survey showed that 40 percent of foreign correspondents have experienced harassment, detention or an official warning during news gathering in Beijing and other areas. Some reporters have complained about repeated violent police interference at the time they were speaking with interviewees. Most seriously, Chinese interviewees usually become vulnerable as a result. In June 2006, Fu Xiancai was beaten and paralyzed after being interviewed by German media. In March 2007, Zheng Dajing was beaten and arrested after being interviewed by a British TV station.

Religious freedom is still under repression. In 2005, a Beijing pastor, Cai Zhuohua, was sentenced to three years for printing Bibles. Zhou Heng, a house church pastor in Xinjiang, was charged with running an ''illegal operation'' for receiving dozens of boxes of Bibles. From April to June 2007, China expelled over 100 suspected U.S., South Korean, Canadian, Australian, and other missionaries. Among them were humanitarian workers and language educators who had been teaching English in China for 15 years. During this so-called Typhoon 5 campaign, authorities took aim at missionary activities so as to prevent their recurrence during the Olympics.

On September 30, 2006, Chinese soldiers opened fire on 71 Tibetans who were escaping to Nepal. A 17-year-old nun died and a 20-year-old man was severely injured. Despite numerous international witnesses, the Chinese police insisted that the shooting was in self-defense. One year later, China tightened its control over Tibetan Buddhism. A September 1, 2007, regulation requires all reincarnated lamas to be approved by Chinese authorities, a requirement that flagrantly interferes with the tradition of reincarnation of living Buddhas as practiced in Tibet for thousands of years. In addition, Chinese authorities still ban the Dalai Lama, the spiritual leader of Tibet and a world-renowned pacifist, from returning to Tibet.

Since 1999, the government has banned many religious beliefs such as Falungong and the Three Servants. Their followers have experienced extremely cruel and planned persecutions. Many died from abuse, suffered torture, brainwashing, imprisonment and

labor camp internment for persisting in their faith, possessing religious books, making DVDs and writing articles to expose the truth of the persecution.

China has the highest death penalty rate in the world. Execution statistics are treated as ''state secrets.'' However, experts estimate that 8,000–10,000 people are sentenced to death in China every year, among them not only criminals and economic convicts, but totally innocent citizens, such as Nie Shubin, Teng Xingshan, Cao Haixin and Hugejiletu, whose innocence was proven only after they were already dead.

Another eight innocent farmers, Chen Guoqing, He Guoqiang, Yang Shiliang, Zhu Yanqiang, Huang Zhixiang, Fang Chunping, Cheng Fagen and Cheng Lihe, who confessed their ''crimes'' after being cruelly tortured by the police, have been sentenced to death and are currently held in prisons in Hebei [province] and in Jingdezhen [in Jiangxi province].

Torture is very common in China's detention centers, labor camps and prisons. Torture methods include electric shock, burning, use of electric needles, beating and hanging, sleep deprivation, forced chemical injection causing nerve damage, and piercing the fingers with needles. Every year, there are reported cases of Chinese citizens being disabled or killed by police torture.

Labor camps are still retained as a convenient Chinese system which allows the police to lock up citizens without trial for up to four years. The detention system is another practice that the police favor, freeing them to detain citizens for six months to two years. Dissidents and human rights activists are particularly vulnerable targets and are often sent to labor camps, detention centers or even mental hospitals by authorities who want to simplify legal procedures and mislead the media.

China has the world's largest secret police system, the Ministry of National Security (guo an) and the Internal Security Bureau (guo bao) of the Ministry of Public Security, which exercise power beyond the law. They can easily tap telephones, follow citizens, place them under house arrest, detain them and impose torture. On June 3, 2004, the Chinese secret police planted drugs on Chongqing dissident Xu Wanping and later sentenced him to 12 years' imprisonment for ''subversion of state power.''

Chinese citizens have no right to elect state leaders, local government officials or representatives. In fact, there has never been free exercise of election rights in township-level elections. Wuhan resident Sun Bu'er, a member of the banned political party the Pan-Blue Alliance, was brutally beaten in September 2006 for participating as an independent candidate during an election of county-level people's congress representatives. Mr. Sun disappeared on March 23, 2007.

China continues to cruelly discriminate against its rural population. According to the Chinese election law, a farmer's right to vote is worth one quarter of that of an urban resident. In June 2007, the Shanxi kiln scandal was exposed by the media. Thousands of 8- [to-] 13[-]year-old trafficked children had been forced to labor in illegal kilns, almost all with local government connections. Many of the children were beaten, tortured and even buried alive.

The Chinese judiciary still illegally forbids any HIV/AIDS lawsuits against government officials responsible for the tragedy. AIDS sufferers and activists have been constantly harassed by the secret police.

The Chinese government has been selling arms and weapons to Darfur and other African regions to support ethnic cleansing and crimes against humanity. The Chinese authorities have forcibly repatriated North Korean refugees, knowing that they would be sent to labor camps or executed once back home. This significantly contravenes China's accession to the ''Convention Relating to the Status of Refugees'' and the ''Protocol Relating to the Status of Refugees.''

Please be aware that the Olympic Games will be held in a country where there are no elections, no freedom of religion, no independent courts, no independent trade unions; where demonstrations and strikes are prohibited; where torture and discrimination are supported by a sophisticated system of secret police; where the government encourages the violation of human rights and dignity, and is not willing to undertake any of its international obligations.

Please consider whether the Olympic Games should coexist with religious persecution[,] labor camps, modern slavery, identity discrimination, secret police and crimes against humanity. As the Beijing Olympics slogan says, we live in ''one world'' with ''one dream.'' We hope that one day the Chinese people will be able to share universal human rights, democracy and peace with people from all around the world. However, we can see that the Chinese government obviously is not yet prepared to honor its promise. As a matter of fact, the preparations for the Olympics have provided the perfect excuse for the Chinese government to restrict civil liberties and suppress human rights!

We do not want China to be contained or isolated from the rest of the world. We believe that only by adhering to the principles of human rights and through open dialogue can the world community pressure the Chinese government to change. Ignoring these realities and tolerating barbaric atrocities in [the] name of the Beijing Olympics will disgrace the Olympic Charter and shake the foundations of humanity. Human rights improvement requires time, but we should at least stop China's human rights situation from deteriorating. Having the Olympics hosted in a country where human dignity is trampled on will not honor its people or the Olympic Games. We sincerely hope that the Olympic Games will bring the values of peace, equality, freedom and justice to 1.3 billion Chinese citizens. We pray that the Olympics will be held in a free China.

We must push for the 2008 Olympics to live up to the Olympic Charter[,] and we must advocate for the realization of ''one world'' with ''one human rights dream.'' We believe that only an Olympic Games true to the Olympic Charter can promote China's democratic progress, world peace and development.

We firmly hold to the belief that there can be no true Olympic Games without human rights and dignity. For China and for the Olympics, human rights must be upheld!

A PROCLAMATION HONORING MICHAEL HAMILTON FOR WINNING THE BOYS' DIVISION II STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. SPACE. Madam Speaker:

Whereas, Michael Hamilton showed hard work and dedication to the sport of basketball; and

Whereas, Michael Hamilton was a supportive team player; and

Whereas, Michael Hamilton always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Michael Hamilton on winning the Boys' Division II State Basketball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2007–2008 basketball season.

COMMEMORATING THE LIFE OF SERGEANT THOMAS C. RAY, III

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. SHULER. Madam Speaker, I rise today in strong support of H. Res. 1020, which recognizes the service and sacrifices that the members of our Armed Forces and their families have made during this time of war. I rise with a heavy heart, because the citizens of western North Carolina were recently reminded of this sacrifice by the death of my constituent, National Guardsman Sergeant Thomas C. Ray, III from Weaverville, North Carolina.

Sgt. Ray joined the Navy in 1985 as a medical specialist and served 3 years of active duty. In 2006, Sgt. Ray joined the Army National Guard and shortly thereafter became a military police officer. Sgt. Ray was assigned to the I05th Military Police Battalion in Asheville, but volunteered to serve with 1132nd Military Police Company when it mobilized in June to go to Iraq. In January of this year, Sgt. Ray was awarded the Army Commendation Medal for his service as a gunner. Sgt. Ray was killed in Baghdad, Iraq on March 22, 2008 when a roadside bomb blew up near his vehicle.

Madam Speaker, Sgt. Ray exemplified the bravery and dedication of the men and women of the Armed Forces, and his life of service stands as a tribute to the members of the North Carolina National Guard who have answered the call since before the founding of our Nation. In the words of President Franklin D. Roosevelt, Sgt. Ray ''stands in the unbroken line of patriots who have dared to die that freedom might live, and grow, and increase its blessings. Freedom lives, and through it, he lives—in a way that humbles the undertakings of most men.''

I offer a prayer of comfort for the family of Sgt. Ray, including his wife, Linda, his daughter, Sydney, and his mother, Ozelle.

Madam Speaker, I urge my colleagues today to vote for this important resolution that will give due honor and respect to the service that members of the Armed Services have dedicated to this country. I also ask my colleagues to join me in expressing sympathy for all our fallen soldiers and pray for the swift and safe return of those who continue to serve our Nation in harms way.

RECOGNIZING KARL SCHROEDER OF OSSIAN, IOWA

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. LATHAM. Madam Speaker, I rise today to recognize Karl Schroeder of Ossian, Iowa

as a recipient of the Governor's Meritorious Service Award for saving another's life by risking his own.

The Meritorious Service Award is presented to those individuals who have rendered expeditious service in a time of emergency. The Governor and Public Safety Commissioner paid tribute to Karl and 24 other Iowans during the 2007 Governor's Lifesaving Awards ceremony.

On January 12, 2007, Karl happened upon an accident on Division Street in Decorah, Iowa, and saw that a vehicle was engulfed in flames. He called 911 and then immediately went to the vehicle. He attempted to free passenger, Olive Sims, from the car by cutting the safety belt with a knife. He was unable to remove her because her leg was broken and she was wedged in the car. Karl stayed with Olive until the officers arrived on the scene and pulled her to safety.

Karl's bravery goes above and beyond what we are asked of as citizens of this country. His courage illustrates the compassion of Iowans, willing to risk their own lives for a neighbor in need. For this I offer him my utmost respect, congratulations and thanks.

I commend Karl Schroeder for his bravery. I am honored to represent him in the United States Congress and I wish him the best in his future endeavors.

A PROCLAMATION HONORING ANTHONY HITCHENS FOR WINNING THE BOYS' DIVISION II STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. SPACE. Madam Speaker:

Whereas, Anthony Hitchens showed hard work and dedication to the sport of basketball; and

Whereas, Anthony Hitchens was a supportive team player; and

Whereas, Anthony Hitchens always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Anthony Hitchens on winning the Boys' Division II State Basketball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2007–2008 basketball season.

INTRODUCTION OF ''THE FEDERAL EMPLOYEES PAID PARENTAL LEAVE ACT OF 2008''

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mrs. MALONEY of New York. Madam Speaker, today on behalf of myself, Chairman DANNY DAVIS, Chairman GEORGE MILLER, Mr. HOYER, Ranking Member TOM DAVIS and 17 other members, I introduce a new version of the Federal Employees Paid Parental Leave Act of 2008.

This new version of the bill will provide 8 weeks of paid parental leave to all employees of the Federal Government. In the legislative branch, this includes employees of the Chief Administrative Officer, the Capitol Guide Service, the Capitol Police, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, Office of Compliance, Office of Technology Assessment, Member and committee offices, and employees of the Government Accountability Office and the Library of Congress.

As our Nation's largest employer, the Federal Government should be a leader in family-friendly workplace policies. Current policy not only does not lead, but in fact lags behind what most private sector employers provide. In a time when the Federal Government is struggling to recruit and retain the most qualified workforce, offering family-friendly workplace policies will not only make the Federal Government a more attractive employer, but will also set a standard for other industries to follow.

A TRIBUTE TO DR. WOLFGANG K. H. PANOFSKY

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Ms. ESHOO. Madam Speaker, I rise today to honor the life of particle physicist, presidential advisor and arms control advocate, Dr. Wolfgang K. H. Panofsky, who died on September 27, 2007 in his home in Los Altos, California. He is survived by his wife Adele; two daughters, Margaret and Carol; three sons, Edward, Richard and Steven; nine grandchildren; and two great-grandchildren.

''Pief,'' as he was more affectionately known, was born in 1919 in Berlin. At the age of 15, Dr. Panofsky immigrated with his family to the United States where he received degrees from Princeton and the California Institute of Technology. In 1951, he accepted a professorship at Stanford University and, from 1961 to 1984, served as the founding director of the Stanford Linear Accelerator Center (SLAC).

Under his leadership, SLAC became one of the most productive research facilities ever constructed. Its research in high-energy physics and subatomic particles would yield three Nobel Prizes and the discovery of new forms of matter.

The wide-reaching moral and ethical repercussions of his work, particularly his earlier contributions to the Manhattan Project, were not lost on Dr. Panofsky. He carried his zest for discovery into impassioned advocacy, working with our Nation's highest offices and across borders and seas to prevent nuclear catastrophe.

Dr. Panofsky served as an adviser on arms control in the Kennedy and Johnson Administrations, helping to secure the Atmospheric Test Ban Treaty in 1963 and the Anti-Ballistic Missile Treaty of 1972. In 1983, as the Cold War marked an increasingly divided world, Dr. Panofsky dismissed the Reagan Administration's ''Star Wars'' weapons initiative, and advocated instead for collaboration between SLAC and Chinese and Russian scientists as a deterrent to nuclear war.

Madam Speaker, I ask the entire House of Representatives to join me in honoring Dr. Wolfgang K. H. ''Pief'' Panofsky. Through his many contributions to particle physics and arms control policy, he has left a legacy of brilliance and social consciousness which will never be forgotten.

A PROCLAMATION HONORING CALEB KNIGHTS FOR WINNING THE BOYS' DIVISION II STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. SPACE. Madam Speaker:

Whereas, Caleb Knights showed hard work and dedication to the sport of basketball; and

Whereas, Caleb Knights was a supportive team player; and

Whereas, Caleb Knights always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Caleb Knights on winning the Boys' Division II State Basketball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2007–2008 basketball season.

HONORING THE 60TH ANNIVERSARY OF THE 3RD U.S. INFANTRY REGIMENT'S CONTINUOUS GUARDING OF THE TOMB OF THE UNKNOWNS

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. SHULER. Madam Speaker, I rise today to honor the men and women of the 3rd U.S. Infantry Regiment, also known as the Old Guard. This past Sunday, April 6th, marked the 60th anniversary of the continuous guard detail provided by the Old Guard at the Tomb of the Unknowns at Arlington National Cemetery.

Guarding the Tomb of the Unknowns is a great military honor that requires the utmost perseverance and dedication by those chosen for the detail. The monument holds the remains of select unknown soldiers from World War I and II, the Korean war, and the Vietnam war. The guardsmen's vigilant watch over the memorial is a sign of honor and remembrance for all of the soldiers, sailors, marines, airmen, and coast guardsmen who have lost their lives in service to the United States and whose remains could not be returned to their families. Each body interred in the memorial is awarded the Medal of Honor, the highest symbol of recognition of service for the United States military.

Madam Speaker, I urge my colleagues to join me in thanking the soldiers of the Old Guard for their vigilance and dedication for the past 60 years in providing a constant guard at the Tomb of the Unknowns. Their efforts ensure that we as a Nation will never forget the

service and sacrifice of all of the men and women who have served our Nation in uniform, including those who never returned.

RECOGNIZING NEW HAMPTON, IOWA POLICE OFFICER CHARLES LEMBKE

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. LATHAM. Madam Speaker, I rise today to recognize the service of New Hampton, Iowa Police Officer Charles Lembke on the occasion of his retirement, and to express my appreciation for his dedication and commitment to protecting the citizens of his community.

For the last 28 years, Officer Lembke has served New Hampton faithfully and honorably. Officer Lembke's daily courage goes above and beyond what we are asked of as citizens of this country. His service in providing safety to his community earns him respect and honor, and for this, I offer him my utmost respect, congratulations and thanks.

I commend Officer Charles Lembke for his many years of loyal service in protecting Iowans. It is an immense honor to represent Officer Lembke in the United States Congress, and I wish him a long, happy, and healthy retirement.

A PROCLAMATION HONORING SETH DAWES FOR WINNING THE BOYS' DIVISION II STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. SPACE. Madam Speaker:

Whereas, Seth Dawes showed hard work and dedication to the sport of basketball; and

Whereas, Seth Dawes was a supportive team player; and

Whereas, Seth Dawes always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Seth Dawes on winning the Boys' Division II State Basketball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2007–2008 basketball season.

HONORING JAMES ROWLAND

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. COSTA. Madam Speaker, I rise today to honor one of our Nation's best victim's rights advocates. When you navigate the path of America's victims' rights movement, there is one person whose footprints are impossible to fill, difficult to ignore, and wonderful to follow. He is James Rowland, this year's recipient of the Ed Stout Memorial Award for Outstanding Victim Advocacy.

And ''outstanding'' he is in so many ways! Most people know Jim as the ''father of the victim impact statement.'' Thirty-two years ago, when he was Chief Probation Officer in Fresno County, Jim saw a void in how courts made their sentencing decisions. In 1976, his revolutionary idea allowed written or oral information to be presented about the impact of the crime on the victim and the victim's family. To honor Jim's work in Fresno County, last year the Fresno County Probation Department renamed their crime victim facility as the James Rowland Crime Victim Assistance Center.

These statements allowed courts to refocus their attention on the human costs of crime, and provide a way for victims to participate and have a true voice in the criminal justice process. Today, all 50 states and the Federal government allow victim impact statements in sentencing hearings.

But Jim didn't stop there. He served as the President of NOVA from 1981 to 1983, when the National Organization for Victim Assistance was helping to actually create a ''victim assistance field.'' This was back in the days when victims'' rights and victim services were almost non-existent.

When Jim Rowland was Director of the California Department of Corrections, he was appointed as the first Chair of the American Correctional Association's Task Force on Victims of Crime in 1987. Its landmark Report and Recommendations for Victim Services in Corrections helped create corrections-based victim assistance programs to provide support and assistance to victims in the post-sentencing phases of their cases. Earlier this year, Hawaii became the 50th state to establish a victim assistance program within its Department of Corrections. Mahalo, Jim!

These accomplishments are amazing, but they pale in comparison to the number of professionals and volunteers who have benefited over the past 40 years from Jim Rowland's guidance, mentoring and support. He is a kind, gentle and thoughtful man who has given so much to so many people, including crime victims and those who serve them.

We wouldn't have a Congressional Victim's Rights Caucus today, were it not for the visionary efforts of Jim Rowland. Decades ago, he promoted victims' rights laws, policies and practices that our Caucus was created to promote in the U.S. Congress.

Jim is described by his colleagues as a ''pioneer,'' a ''hero,'' and an ''outstanding Old Buffalo.'' I am proud to describe him as a constituent from my Congressional District in Fresno, California, and as a colleague who inspires all my efforts on behalf of victims of crime.

Ed Stout, in whose name this award is given, knew and worked with Jim Rowland. Ed would, without a doubt, say ''great choice'' in honoring Jim with this award. He would also likely ask, ''what took you so long?''!

It gives me great pleasure to honor Jim Rowland, one of the true pioneers in victim advocacy, with the 2008 Ed Stout Memorial Award for Outstanding Victim Advocacy.

HONORING THE 40TH ANNIVERSARY OF WBBM–AM (780)

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. EMANUEL. Madam Speaker, I rise today to recognize WBBM–AM, which this year them continued success. will celebrate its fortieth anniversary as an all-news outlet.

WBBM–AM, more commonly known as Newsradio 780, became an all-news radio station in 1968 Under the direction of John Callaway. Today, with a power of 50,000 watts, Newsradio 780 is one of the highest rated stations in Chicago, providing listeners with the latest local, national, and international news.

On May 6, 2008, WBBM–AM will celebrate its 40th anniversary with a live midday broadcast from Daley Plaza in Chicago, and I am proud to recognize the radio station for serving as a trusted news source for 40 years. Known for its outstanding journalism as well as traffic and weather together on the 8s, WBBM–AM is a resource to Chicagoans at home, at work, and on the way.

Madam Speaker, as a listener and a Member of Congress from Chicago, I congratulate WBBM–AM on their 40th year of all-news broadcasting, and I wish them continued success.

CLIMATE CHANGE PUTS OUR HEALTH AT RISK!

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. FILNER. Madam Speaker and colleagues, last month news agencies around the world reported that more than 160 square miles of the Wilkins Shelf had broken away from the Antarctic coast. Americans are concerned that climate change may be happening faster than previously thought. We are growing increasingly concerned as we see before us the direct connection between climate change and our health.

It is now indisputable that there is a direct connection between climate change and health. The scientific community has decisively stated that human beings are responsible for climate change and that the impacts of climate change will worsen as emissions continue to rise. We must support and promote policies that strengthen public health leadership and work force capacity to ensure the infrastructure is in place and ready to handle our future needs.

The time has come to accept responsibility for how our lifestyles have contributed to climate change and vow to be part of the solution. We must work to learn more about how what happens in our home, community and workplace has global impact.

There are many little things we all can do to make a big difference. We can: Prepare for climate change-related emergencies and be informed about the health impacts of climate change and regional climate change issues facing our community. Leave the car at home and use public transportation, carpool,

walk, bike, or telecommute. Eat less meat and buy local produce from our community farmers market. Use recycled paper, print less, use energy saving computer settings and green our office. Seal and insulate our homes, reduce, reuse, recycle and use water efficiently. We should know that we are all in this together. For over a decade, the first full week in April has been National Public Health Week. 50,000 members of the American Public Health Association and its affiliates, across the Nation are speaking out this week on climate change and health. That's because when it comes to climate change, our health is in the balance.

A PROCLAMATION HONORING MICHAEL TURNER FOR WINNING THE BOYS' DIVISION II STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. SPACE. Madam Speaker:

Whereas, Michael Turner showed hard work and dedication to the sport of basketball; and

Whereas, Michael Turner was a supportive team player; and

Whereas, Michael Turner always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Michael Turner on winning the Boys' Division II State Basketball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2007–2008 basketball season.

SUNSET MEMORIAL

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. FRANKS of Arizona. Madam Speaker, I stand once again before this body with yet another Sunset Memorial.

It is April 8, 2008, in the land of the free and the home of the brave, and before the sun set today in America, almost 4,000 more defenseless unborn children were killed by abortion on demand—just today. That is more than the number of innocent American lives that were lost on September 11th, only it happens every day.

It has now been exactly 12,860 days since the travesty called Roe v. Wade was handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million of our own children.

Some of them, Madam Speaker, cried and screamed as they died, but because it was amniotic fluid passing over their vocal cords instead of air, we couldn't hear them.

All of them had at least four things in common.

They were each just little babies who had done nothing wrong to anyone. Each one of them died a nameless and lonely death. And each of their mothers, whether she realizes it immediately or not, will never be the same. And all the gifts that these children might have brought to humanity are now lost forever.

Yet even in the full glare of such tragedy, this generation clings to a blind, invincible ignorance while history repeats itself and our own silent genocide mercilessly annihilates the most helpless of all victims to date, those yet unborn.

Madam Speaker, perhaps it is important for those of us in this Chamber to remind ourselves again of why we are really all here.

Thomas Jefferson said, "The care of human life and its happiness and not its destruction is the chief and only object of good government."

The phrase in the 14th amendment capsulizes our entire Constitution. It says: "No state shall deprive any person of life, liberty or property without due process of law." Madam Speaker, protecting the lives of our innocent citizens and their constitutional rights is why we are all here. It is our sworn oath.

The bedrock foundation of this Republic is that clarion Declaration of the self-evident truth that all human beings are created equal and endowed by their creator with the unalienable rights of life, liberty and the pursuit of happiness. Every conflict and battle our Nation has ever faced can be traced to our commitment to this core self-evident truth. It has made us the beacon of hope for the entire world. It is who we are.

And yet Madam Speaker, another day has passed, and we in this body have failed again to honor that foundational commitment. We failed our sworn oath and our God-given responsibility as we broke faith with nearly 4,000 more innocent American babies who died today without the protection that we should have given them.

Madam Speaker, let me conclude, in the hope that perhaps someone new who heard this sunset memorial tonight will finally embrace the truth that abortion really does kill little babies, that it hurts mothers in ways that we can never express, and that 12,860 days spent killing nearly 50 million unborn children in America is enough; and that the America that rejected human slavery and marched into Europe to arrest the Nazi Holocaust, is still courageous and compassionate enough to find a better way for mothers and their babies than abortion on demand.

So tonight, Madam Speaker, may we each remind ourselves that our own days in this sunshine of life are also numbered and that all too soon each of us will walk from these Chambers for the very last time.

And if it should be that this Congress is allowed to convene on yet another day to come, may that be the day when we finally hear the cries of the innocent unborn. May that be the day we find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect the least of these, our tiny American brothers and sisters, from this murderous scourge upon our Nation called abortion on demand.

It is April 8, 2008—12,860 days since Roe v. Wade first stained the foundation of this nation with the blood of its own children—this, in the land of free and the home of the brave.

CONGRATULATING THE HAMMOND CENTRAL LADY RED DEVILS UPON WINNING THE 2008 NEW YORK STATE GIRLS BASKETBALL CLASS D CHAMPIONSHIP

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. McHUGH. Madam Speaker, I rise today to congratulate the Hammond Central School District's Lady Red Devils of Hammond, New York, upon winning the 2008 New York State Girls Basketball Class D Championship. It is an honor to represent the Lady Red Devils, who are the first North Country team to win back-to-back championships.

On March 16, 2008, the Hammond Central Lady Red Devils won their second New York State Girls Basketball Class D Championship when they defeated the John A. Coleman Catholic High School Stateswomen by a score of 47 to 38. In that game, the Lady Red Devils charged to a 10–1 first-quarter advantage and played tough defense as they worked to defend their State title. Of note, Aubrie Dunn pulled down 10 rebounds, Nicole Davidson had 9 rebounds and 12 points, and tournament MVP Brittany Kenyon scored 17 points.

The Hammond Central Lady Red Devils completed the 2008 season with a record of 24 and 4. They were coached by Athletic Director Shawn Dack and assistant coaches Larry Hollister, Superintendent Doug McQueer, and Chet Truskowski. Other team members were scorekeepers Todd Dack and Cathy Tulley and players Whitney Atkins, Cassie Cunningham, Jessie Disotell, Brooke Hollister, Katlyn Hunt, Malynda Jenne, Jackie Knight, Jessica Martin, Jessica Measheaw, Sara Measheaw, and Sarah Sheridan.

Madam Speaker, it takes a tremendous amount of dedication, discipline, hard work, and teamwork to win a State championship, let alone to win consecutive State championships. I am very proud of the Hammond Central Lady Red Devils and ask my colleagues to join with me in extending our congratulations to this team, their families, and the community.

A PROCLAMATION HONORING ALEX GROW FOR WINNING THE BOYS' DIVISION II STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. SPACE. Madam Speaker:

Whereas, Alex Grow showed hard work and dedication to the sport of basketball; and

Whereas, Alex Grow was a supportive team player; and

Whereas, Alex Grow always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Alex Grow on winning the Boys' Division II State Basketball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2007–2008 basketball season.

INTRODUCTION OF H.R. 5721, THE STRENGTHENING THE SAFETY NET ACT OF 2008

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. SULLIVAN. Madam Speaker, today, I am pleased to introduce H.R. 5721, the Strengthening the Safety Net Act of 2008. This important legislation will increase Medicaid Disproportionate Share Hospital (DSH) payments to Oklahoma and 19 other low DSH States and bring Oklahoma's hospitals on equal footing with other States who receive their fair share of DSH funds.

With Oklahoma having the fourth highest rate of uninsured in the Nation, it is critical that Oklahoma hospitals receive a fair distribution of DSH funds we need to care for our indigent population. This legislation will increase the rate that unused DSH funds are reimbursed to these low DSH States from the current rate of 16 percent to 19.5 percent for the next 5 years. The Medicare Modernization Act of 2003 statutorily defined low DSH States and provided these States with 16 percent funding increases each year for the last 5 fiscal years. In total, there are 20 States that have lower DSH allotments, including: Alaska, Arizona, Arkansas, Delaware, Florida, Idaho, Iowa, Maine, Maryland, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Wisconsin, and Wyoming. The 16 percent rate expires at the end of this fiscal year, so it is critical that we increase this percentage so that our hospitals do not feel the financial strain of providing health care services to the indigent.

Under the 19.5 percent increases, Oklahoma will receive an additional $49 million in Federal funds which, when matched by the State, could amount to $75 million over the 5-year period to allocate to Oklahoma hospitals to help offset the costs of uncompensated care. Oklahoma hospitals provided $325 million in uncompensated care costs in 2006. H.R. 5721 will help decrease uncompensated care costs for Oklahoma hospitals and ensure fairness among all 50 States by equitably distributing unused DSH Funds.

Since this bill is being solely funded through unused Federal DSH allotments, the funding source of the bill merely utilizes funds that are currently being returned to the Federal Government by other States that do not use all of their DSH funds. These unused funds currently are not being used toward any other health care related programs.

Another important issue which needs to be addressed is access to quality, affordable health care, especially within our Nation's indigent population. Indigent patients in Oklahoma and our Nation face a significant number of unmet health care needs. These patients have difficulty accessing primary, diagnostic and specialty care and rely on hospital emergency rooms as their primary entry into the health care system. The price of treating the indigent at hospital emergency rooms is astounding compared to care found in a primary care setting. H.R. 5721 will help bring down these costs and save taxpayer dollars in the process.

My legislation will create an innovative new grant program through the Department of Health and Human Services to help our Nation's health care providers fund health access networks, which will get low income and uninsured patients who need basic medical care out of emergency rooms and into primary care facilities. These networks would be required to provide high quality primary, outpatient, inpatient and specialty care to uninsured and other medically vulnerable populations in an effort to reduce the costs of treating these individuals for hospitals and taxpayers alike.

According to a 2005 study by the Lewin Group on Strategic Planning for Safety-Net Services, Tulsa, like many communities, faces many challenges in its delivery, financing and organization that limit its ability to successfully meet the needs of safety-net populations. To give an example, the price of treating the indigent at our hospital emergency rooms is astounding compared to the cost of treating someone in a primary care setting. To give you an example: the Oklahoma Health Care Authority recently found that the cost of a claim for asthma treatment in a primary care setting was $34.12 per claim, while the average cost for the same asthma treatment in an emergency room setting was $61.20 per claim. While some of these claims may have been emergencies, it is clear that treatment in an outpatient setting is significantly less, almost two times less, than treatment in an emergency room. Without these networks in place, the majority of Oklahoma's uninsured will continue to go without a primary healthcare provider.

Lastly, my bill also changes the grandfather clause for the mandatory requirement related to hospitals providing nonemergency obstetric services which are located in low DSH States. The new grandfather clause will be the date this law becomes enacted. The purpose of this change is to remove a constraint imposed on low DSH States whose rural hospitals stopped providing nonemergency obstetrics during the 1990s and early 2000s due to rising liability insurance costs. The change is intended to encourage low DSH States to change their approach to funding more hospitals through the DSH program. Should my legislation become law, 16 additional Oklahoma hospitals will be able to qualify for DSH funds.

I am pleased to have the support of the Oklahoma Health Care Authority, the Oklahoma Hospital Association and advocates for Tulsa health-plexes for the Strengthening the Safety Net Act of 2008. As a member of the House Energy and Commerce Subcommittee on Health, I am looking forward to working with my colleagues on the committee to see this legislation become law.

RECOGNIZING CAPTAIN JEREMY D. ANZEVINO

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. LATHAM. Madam Speaker, I rise today to recognize Captain Jeremy D. Anzevino as a recipient of a Bronze Star Medal for heroic achievement during combat operations in support of Operation Iraqi Freedom. The Bronze Star is the fourth highest award that the Department of Defense gives for bravery. heroism, and meritorious service.

Captain Anzevino earned the Bronze Star while he was commander of Co. L, 3rd Battalion, 6th Marine Regiment, 2nd Marine Division of the II Marine Expeditionary Force in Iraq. He was team chief and staff maneuver advisor for the Military Transition Team. 1st Battalion. 3rd Brigade, 1st Iraqi Army Division, from January to July 2007.

His award citation states, "Anzevino provided advice and assistance to Iraqi leaders of 1st Battalion during counterinsurgency operations, which led to the elimination of numerous insurgents."

Captain Anzevino's bravery goes above and beyond what we are asked of as citizens of this country. His heroism illustrates the compassion of Iowans; willing to risk their own lives for their country. For this I offer him my utmost respect, congratulations, and thanks.

I commend Captain Jeremy Anzevino's courageousness and service to our great nation. I am honored to represent Captain Anzevino in the United States Congress and I wish him the best in his future service to our country.

A PROCLAMATION HONORING JAMES VAN VOORHIS FOR WINNING THE BOYS' DIVISION II STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. SPACE. Madam Speaker:

Whereas, James Van Voorhis showed hard work and dedication to the sport of basketball; and

Whereas, James Van Voorhis was a supportive team player; and

Whereas, James Van Voorhis always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate James Van Voorhis on winning the Boys' Division II State Basketball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2007–2008 basketball season.

IN MEMORY OF PETTY OFFICER MICHAEL ANTHONY MONSOOR

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. HUNTER. Madam Speaker, I rise today to honor and pay tribute to the life and memory of former Petty Officer Second Class Michael Anthony Monsoor, who has been awarded this Nation's highest military honor, the Medal of Honor. A California native, Michael courageously gave his life in the service of his country, upholding and reflecting the highest traditions of the United States Navy.

Born April 5, 1981, in Long Beach California, Michael attended Garden Grove High School where he played football. He enlisted in the U.S. Navy on March 21, 2001 and attended Basic Training at Recruit Training

Command, Great Lakes, Illinois. After graduation, he attended Quartermaster School and then transferred to the Naval Air Station, Sigonella, Italy, for a brief period.

From this assignment, Michael entered Basic Underwater Demolition/SEAL (BUD/S) training in Coronado, California, where he graduated as one of the top performers in his class. After BUD/S training, he completed advanced SEAL training, including parachute training, at Basic Airborne School, Fort Benning. Georgia, and cold weather training in Kodiak, Alaska.

Following his rating as Master-at-Arms, he was assigned to SEAL Team THREE Delta Platoon and deployed with his platoon to Iraq in April 2006 in support of Operation IRAQI FREEDOM, and was subsequently assigned to Task Unit Bravo in Ar Ramadi. From then until September 2006, Michael served as a heavy weapons machine gunner and, during combat patrols, he walked behind the platoon point man with his Mk 48 machine gun as protection against a frontal assault. On 15 such missions Michael served tirelessly with his platoon in one of the most hazardous areas in Iraq and, under the rendering of summer heat, he bore the extra burden of heavy communication gear and a full ammunition load.

Michael and his platoon operated in a highly contested part of Ramadi city called the Ma'laab district. During their deployment he and his fellow SEALs came under enemy attack on 75 percent of their missions. On May 9, 2006 Michael rescued a SEAL who was shot in the leg. He ran out in the street with another SEAL, shot cover fire and dragged his comrade to safety under intense enemy fire earning a Silver Star for gallantry.

But Michael's bravery did not end with this brave act. His Medal of Honor Citation reflects that on September 29, 2006, "as a member of a combined SEAL and Iraq Army sniper overwatch element, tasked with providing early warning and stand-off protection from a rooftop in an insurgent held sector of Ramadi, Iraq, Petty Officer Monsoor distinguished himself by his exceptional bravery in the face of grave danger. In the early morning, insurgents prepared to execute a coordinated attack by reconnoitering the area around the element's position. Element snipers thwarted the enemy's initial attempt by eliminating two insurgents."

"The enemy continued the assault engaging the element, engaging them with a rocket-propelled grenade and small arms fire. As enemy activity increased, Petty Officer Monsoor took position with his machine gun between two teammates on an outcropping of the roof. While the SEALs vigilantly watched for enemy activity, an insurgent threw a hand grenade from an unseen location, which bounced off Petty Officer Monsoor's chest landing in front of him. Although he could have escaped the blast, Petty Officer Monsoor chose instead to protect his teammates. Instantly and without regard for his own safety, he threw himself onto the grenade to absorb the force of the explosion with his body, saving the lives of his two teammates."

"By his undaunted courage, fighting spirit, and unwavering devotion to duty in the face of certain death, Petty Officer Monsoor gallantly gave his life for his country, thereby reflecting great credit upon himself and upholding the highest traditions of the United States Naval Service." For this the most extreme sacrifice, Petty Officer Michael Anthony Monsoor was posthumously awarded the Medal of Honor by the President of the United States on April 8, 2008.

An ancient historian once wrote, "The bravest are surely those who have the clearest vision of what is before them, glory and danger alike, and yet not withstanding, go out to meet it." Madam Speaker, these words could speak no better for the personal commitment of warriors like Petty Officer Monsoor whose service and sacrifice in the face of evil cannot be forgotten.

Michael is survived by his mother Sally, his father George, his sister Sara and his two brothers James and Joseph who will always cherish the memories of his loving and caring devotion to all that touched his life. A loyal friend and an exceptional SEAL, he is sorely missed by his brave brothers in Task Unit Bravo. I extend my prayers and deepest condolences to his loving family and friends and ask that my colleagues join me today in paying tribute to the life and memory of this true American hero.

RECOGNIZING THE SECOND ANNIVERSARY OF THE SIGNING OF THE MANIFESTO ON FREEDOM AND DEMOCRACY FOR VIETNAM

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Ms. ZOE LOFGREN of California. Madam Speaker, I rise today to recognize the second anniversary of the signing of the Manifesto on Freedom and Democracy for Vietnam. This Manifesto, originally signed by 118 Vietnamese citizens and subsequently signed by thousands of others, has been an inspiration to many who seek to bring democracy and human rights to the citizens of Vietnam. Many signers of this document have been detained and have endured great sacrifice in the name of their cause, and it is with the utmost respect that I rise in their honor.

CONGRESSIONAL VICTIM'S RIGHTS CAUCUS HONORS JAMIE LEIGH JONES

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. POE. Madam Speaker, on Wednesday, April 9, 2008, the Congressional Victim's Rights Caucus will holds its annual awards ceremony to recognize individuals for their significant contributions to the victim's rights field. The Congressional Victim's Rights Caucus will award Jamie Leigh Jones with the Suzanne McDaniel Public Awareness Award to recognize her efforts in raising national awareness of the plight of American contractors victimized abroad.

Jamie Leigh Jones was only 20 years old when she went to work for KBR in Baghdad. She was only at the ironically-named Camp Hope a few days before her coworkers allegedly drugged and gang-raped her. An Army doctor administered a rape kit, which was then turned over to KBR, not the appropriate law enforcement authorities as is standard in rape cases. It's not a surprise then that KBR lost the very evidence that could be used against it.

Jamie was then kept in a shipping container, under armed guard. She was told that this was to protect her. It was really a way to keep her from telling others what she endured. Jamie convinced a sympathetic guard to let her use his cell phone. Jamie called her dad and asked for help. Her dad then called my office. My staff and I contacted the Department of State. Within 48 hours, agents were dispatched from the embassy in Baghdad and sent to rescue Jamie.

It's been nearly 3 years since Jamie was assaulted. No one has been held accountable for what happened to Jamie. For 2½ years, the Department of Justice was silent as to what it was doing, if anything, to prosecute the criminals. Its silence was broken once Jamie went public with her case.

In December 2007, Jamie went to the national media with her story. Since Jamie went to the press, my office has heard from several other former contractors alleging sexual assaults in Iraq. Jamie has heard from as many as 40 women through the nonprofit organization she created, the Jamie Leigh Foundation, to help other Americans victimized while working abroad as government contractors.

By telling her story, Jamie showed other victims that it is okay to come forward and talk about their assaults. She opened this country's eyes to the "boys will be boys" atmosphere among the contractors in Iraq. And perhaps most importantly, she showed other victims that they are not alone in their struggle to piece their lives back together.

And that's just the way it is.

RECOGNIZING PHIL FLEISTER OF ST. ANSGAR, IOWA

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. LATHAM. Madam Speaker, I rise today to recognize the dedication and hard work of one of my constituents. Phil Fleisher of St. Ansgar, Iowa, who has organized one of the most ambitious tributes to tell the story of America's veterans.

This Saturday, April 12, the first annual Veterans Heritage Day will be observed at the St. Ansgar Walter T. Ennenberg American Legion Post headquarters, thanks to Phil's coordination.

The event will display the largest military history collection in the north central region of Iowa, including thousands of veteran histories compiled by Fleischer, a Vietnam war veteran, in one of the most ambitious chronicles anywhere, dating back to the American Civil War.

It has been noted in press reports that Phil has sponsored and organized a number of these event, at his own expense, designed to educate and promote awareness for the sacrifices of U.S. military personnel in American history.

And, even though it is reported that Phil prefers to remain in the shadows and allow other veterans to take the spotlight, I wanted to properly recognize Phil's dedication to telling

the veterans' stories of service and sacrifice today while at the same time collecting and preserving them for the benefit of future generations of Americans.

No one has done more to secure this country's freedom and prosperity than our veterans. And, thanks to Phil Fleisher's hard work, we all can benefit from his story as a veteran and the stories of thousands of other veterans who proudly served this great Nation.

I know that my colleagues in the United States Congress will join me in commending Phil Fleisher and wish him a safe and successful event this Saturday.

A PROCLAMATION HONORING RON SMITH FOR WINNING THE BOYS' DIVISION II STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. SPACE. Madam Speaker:

Whereas, Ron Smith showed hard work and dedication to the sport of basketball; and

Whereas, Ron Smith was a supportive team player; and

Whereas, Ron Smith always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Ron Smith on winning the Boys' Division II State Basketball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2007–2008 basketball season.

ACHIEVING THE AMERICAN DREAM

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. WILSON of South Carolina. Madam Speaker, on Monday, funeral services were conducted in the Midlands of South Carolina for two gentlemen who symbolized achieving the ''American Dream'' of extraordinary fulfillment promoting their families.

Louis Gonda and E.D. Phillips will always be cherished in our community for their service to others.

Louis Gonda was born in Murska-Lobota, Yugoslavia, and immigrated at age four to Cuba. In 1960, he fled with his family to America for freedom, where he established the innovative Fergon Tool & Machine Co.

His courage was proven when he was preparing to flee Communist Cuba. He bought multiple suitcases at a local shop, and as he arrived home, the secret police met him to interrogate him about his unusual purchase. The totalitarian enforcers accepted his story that his children were taking a short trip to New York to visit a sick aunt.

E.D. Phillips was a proud native of South Carolina and graduate of the University of South Carolina. As an independent entrepreneur, he founded the Phillips Farmer Garden and Phillips Plants at the State Farmers Market. He courageously ran as a pioneer for the State House at the beginning of the new Republican Party in 1968 and 1970. He and his late wife, Emily, were among the founding members of Republican efforts in Richland, Orangeburg, and Lexington Counties providing the foundation for dozens of successful candidates at the county, State, and Federal levels. In 1988, they were Congressional District chairmen for President George H.W. Bush.

Both Mr. Gonda and Mr. Phillips were married to active, strong, and supportive wives, who partnered with them to raise outstanding children as loving families.

Mr. Gonda is survived by his wife, Nena, who he met when he was 11 and she was 8. Their children are Luis Gonda, Maria Gonda Smoak, Diane Gonda, Frank Gonda, and Rick Gonda. Services were at St. Peter's Catholic Church of Columbia.

Mr. Phillips is survived by his children Becky Phillips, Deedie Belangia, Jackie Finch, Hal Phillips, and Steve Phillips. Services were held at the Church of Jesus Christ of Latter-day Saints, Windsor Lake Ward of Columbia.

A PROCLAMATION HONORING JORDAN BENSON FOR WINNING THE BOYS' DIVISION II STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. SPACE. Madam Speaker:

Whereas, Jordan Benson showed hard work and dedication to the sport of basketball; and

Whereas, Jordan Benson was a supportive team player; and

Whereas, Jordan Benson always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Jordan Benson on winning the Boys' Division II State Basketball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2007–2008 basketball season.

CRITICAL PUBLIC HEALTH BILLS CONSIDERED BY THE HOUSE TODAY

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2008

Mr. CONYERS. Madam Speaker, I rise in strong support of the seven bills the House is considering on suspension today in conjunction with National Public Health Week. This week gives us an opportunity to reflect on the importance of quality public health programs in all of our lives—from effective childhood vaccination programs, to early screening programs for diseases, to ensuring that all Americans have access to quality, affordable health care. These seven bills were all approved unanimously by the House Committee on Energy and Commerce, and I expect they will get a similar level of support today from the full House.

H.R. 1198, The Early Hearing Detection & Intervention (EDHI) Act, was introduced by Rep. LOIS CAPPS. Congresswoman CAPPS is a registered nurse (R.N.) who served for 20 years as a nurse and health advocate for the Santa Barbara School District. I want to commend her for continuing to advocate for the health of young Americans by authoring this legislation. H.R. 1198 will reauthorize this critical Centers for Disease Control and Prevention (CDC) program, intended to identify and help infants with hearing loss, through FY 2013. It also expands screening and intervention services to include young children.

Children who are hard of hearing find it much more difficult than children who have normal hearing to learn vocabulary, grammar, word order, idiomatic expressions, and other aspects of verbal communication. It is estimated that approximately 391,000 school-aged children in the U.S. have unilateral hearing loss, and early detection of hearing problems is critical to developing and implementing effective treatment for these children. When EHDI was first authorized in 1999, only 3 percent of all babies were being screened for hearing loss at birth; today, 93 percent of babies are screened within one month of birth.

H.R. 2464, The Wakefield Act (Emergency Medical Services for Children) reauthorizes through FY 2011 and makes improvements in the Emergency Medical Services for Children (EMSC) program, which is designed to improve emergency medical services for children needing trauma or critical care. There are over 30 million child and teen visits annually to our nation's emergency rooms. And yet many emergency services are still designed for adults. Since the EMSC program was created 20 years ago, major improvements in emergency care for children have been realized. Injury-related deaths have dropped by 40 percent over that period of time.

H.R. 1237, The Cytology Proficiency Improvement Act, is designed to improve the analysis of tests for cervical cancer by ensuring that health care professionals who read tests for cervical cancer are skilled in today's medical technology. It modernizes the cervical cancer testing program by requiring continuing medical education for pathologists to assess their diagnostic skills and ensure they keep up with the latest practices. The program is modeled after a similar quality standards program for reading mammograms. The American Cancer Society predicted 11,150 women in the U.S. would be diagnosed with cervical cancer last year and 3,670 women would die from the disease. The way to cut down on the number of deaths is to ensure that all cervical cancer tests are read correctly.

S. 845, The Keeping Seniors Safe from Falls Act, was passed by the Senate by unanimous consent in August 2007. Nationally, 42 percent of all nursing home admissions take place as a direct result of geriatric falls. Fractures of the hip are relatively common in seniors and often lead to devastating consequences. Disability frequently results from persistent pain and limited physical mobility. Hip fractures are associated with substantial morbidity and mortality; approximately 15–20% of patients die within one year of fracture. Most hip fractures occur in elderly individuals as a result of minimal trauma, such as a fall from standing height.

S. 845 launches a comprehensive preventative care program to reduce the number and

severity of falls by the elderly. It directs the Department of Health and Human Services (HHS) to implement directives to reduce falls, including improving the identification of seniors who have a high risk of falling; supporting education campaigns focused on reducing and preventing falls and educating health professionals about fall risk, assessment and prevention; and conducting research to reduce falls.

H.R. 2063, The Food Allergy and Anaphylaxis Management Act, helps schools deal with food allergies among student populations. Nearly three million American children have food allergies. The danger of a life-threatening reaction from exposure to an allergen can be found beyond obvious places like the lunchroom. This danger also lurks in places where kids—and adults—wouldn't normally expect it, including field trips, school celebrations or special projects like arts and crafts.

Last year, the Congress appropriated $491,000 for the CDC to develop guidelines for schools regarding food allergies and anaphylaxis (a severe allergic reaction involving multiple organs). This bill requires HHS, in consultation with the Department of Education, to develop a policy for schools on appropriate management and emergency plans for children with food allergies and anaphylaxis. The policy would be provided to schools within one year after enactment, and schools could voluntarily implement the policy. The bill also authorizes HHS to award grants to local school districts to help them in implementing the policy.

S. 1858, The Newborn Screening Saves Lives Act was passed by the Senate by unanimous consent on Dec. 13, 2007. This bill educates parents and health care providers about newborn health screening, improves follow-up care for infants with an illness detected through newborn screening, and helps states expand and improve their newborn screening programs. Incredible advances in medical technology have equipped us to better screen and treat infants for congenital, genetic and metabolic disorders that, if left untreated, could lead to severe disability and death. S. 1858 authorizes funding to help states expand and improve their programs. It also helps to ensure the quality of laboratories involved in newborn screening, so that tests are as accurate as possible and infants receive appropriate care.

The House Amendment to S. 793, The Traumatic Brain Injury (TBI) Act, was sponsored by Rep. BILL PASCRELL. The House amendment was reported out by the Energy and Commerce Committee on March 13 and is similar to S. 793, which was passed by the Senate by unanimous consent on December 11, 2007. The thousands of brain injury survivors who are returning home from combat in Iraq and Afghanistan are joining the 5.3 million similarly afflicted Americans here at home. TBI is now the leading cause of death and disability among young Americans. The legislation would require the CDC to monitor brain injury incidence and create a reporting system to track the condition. It also directs CDC to study treatment techniques and NIH to conduct basic research to improve treatment. The House version renews through FY 1012 the Traumatic Brain Injury Act, which authorizes the Centers for Disease Control (CDC) to provide state grants for patients with traumatic brain injury to enter treatment and rehabilitation programs.

These bills make critical contributions to our nation's public health infrastructure, and I commend the House for considering them. I would like to add, however, that the single most important public health initiative the Congress could take would be to pass national health insurance legislation such as that proposed in my bill, H.R. 676, which was recently endorsed by the American Public Health Association. With a system of truly universal health care, there would no longer be any need to implement the stopgap, patchwork measures that we are so frequently obligated to consider.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2709–S2765

Measures Introduced: Four bills and three resolutions were introduced, as follows: S. 2828–2831, S. Res. 505–506, and S. Con. Res. 74. **Page S2743**

Measures Reported:

Report to accompany S. 1858, to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act. (S. Rept. No. 110–280)

S. 2162, to improve the treatment and services provided by the Department of Veterans Affairs to veterans with post-traumatic stress disorder and substance use disorders, with an amendment in the nature of a substitute. (S. Rept. No. 110–281) **Page S2743**

Measures Passed:

Commending the University of Kansas Men's Basketball Team: Senate agreed to S. Res. 505, commending The University of Kansas men's basketball team for winning the 2008 National Collegiate Athletic Association (NCAA) Division I Basketball Championship. **Pages S2764–65**

Measures Considered:

New Direction for Energy Independence, National Security, and Consumer Protection Act and the Renewable Energy and Energy Conservation Tax Act: Senate continued consideration of H.R. 3221, moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation, and taking action on the following amendments proposed thereto: **Pages S2722–38**

Pending:

Dodd/Shelby Amendment No. 4387, in the nature of a substitute. **Page S2722**

Sanders Modified Amendment No. 4401 (to Amendment No. 4387), to establish a maximum rate of interest for loans insured under title II of the National Housing Act. **Pages S2722–23**

Cardin/Ensign Amendment No. 4421 (to Amendment No. 4387), to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of a principal residence by a first-time homebuyer. **Page S2722**

Ensign Amendment No. 4419 (to Amendment No. 4387), to amend the Internal Revenue Code of 1986 to provide for the limited continuation of clean energy production incentives and incentives to improve energy efficiency in order to prevent a downturn in these sectors that would result from a lapse in the tax law. **Page S2722**

Alexander Amendment No. 4429 (to Amendment No. 4419), to provide a longer extension of the renewable energy production tax credit and to encourage all emerging renewable sources of electricity. **Page S2722**

Nelson (FL)/Coleman Amendment No. 4423 (to Amendment No. 4387), to provide for the penalty-free use of retirement funds to provide foreclosure recovery relief for individuals with mortgages on their principal residences. **Page S2722**

Lincoln Amendment No. 4382 (to Amendment No. 4387), to provide an incentive to employers to offer group legal plans that provide a benefit for real estate and foreclosure review. **Page S2722**

Lincoln (for Snowe) Amendment No. 4433 (to Amendment No. 4387), to modify the increase in volume cap for housing bonds in 2008. **Page S2722**

Landrieu Amendment No. 4404 (to Amendment No. 4387), to amend the provisions relating to qualified mortgage bonds to include relief for persons in areas affected by Hurricane Katrina, Rita, and Wilma. **Page S2722**

Sanders Amendment No. 4384 (to Amendment No. 4387), to provide an increase in specially adapted housing benefits for disabled veterans. **Page S2722**

Murray Amendment No. 4478 (to Amendment No. 4387), to increase funding for housing counseling with an offset. **Page S2722**

Mikulski Amendment No. 4494 (to Amendment No. 4478), to make additional funds available to the Neighborhood Reinvestment Corporation to increase legal assistance available to homeowners at risk of foreclosure and assistance to community organizations working to preserve homeownership and prevent foreclosure, with an offset. **Page S2722**

During consideration of this measure today, Senate also took the following action:

By 92 yeas to 6 nays (Vote No. 93), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to close further debate on Dodd/Shelby Amendment No. 4387 (listed above). **Page S2726**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, April 9, 2008, and that all time during any morning business, recess, or adjournment of the Senate count post-cloture. **Page S2765**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the legislation and supporting documents to implement the United States-Colombia Trade Promotion Agreement; which was referred to the Committee on Finance. (PM–43) **Pages S2740–41**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Amendments to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992) (Treaty Doc. No. 110–16).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page S2765**

Executive Communications: **Pages S2741–42**

Petitions and Memorials: **Pages S2742–43**

Additional Cosponsors: **Pages S2743–45**

Statements on Introduced Bills/Resolutions: **Pages S2745–57**

Additional Statements: **Pages S2739–40**

Amendments Submitted: **Pages S2757–63**

Authorities for Committees to Meet: **Pages S2763–64**

Privileges of the Floor: **Page S2764**

Record Votes: One record vote was taken today. (Total—93) **Page S2726**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:35 p.m., until 9:30 a.m. on Wednesday, April 9, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2765.)

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 20 public bills, H.R. 5714–5733; and 10 resolutions, H. Con. Res. 323–324; and H. Res. 1082, 1085–1091, were introduced. **Pages H2068–70**

Additional Cosponsors: **Pages H2070–71**

Reports Filed: Reports were filed today as follows:

H.R. 1198, to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss, with an amendment (H. Rept. 110–565);

H.R. 1237, to amend the Public Health Service Act to provide revised standards for quality assurance in screening and evaluation of gynecologic cytology preparations, with an amendment (H. Rept. 110–566);

H.R. 1418, to provide for the expansion and improvement of traumatic brain injury programs, with an amendment (H. Rept. 110–567);

H.R. 2464, to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children, with an amendment (H. Rept. 110–568);

H.R. 3701, to amend the Public Health Service Act to direct the Secretary of Health and Human Services to intensify programs with respect to research and related activities concerning falls among older adults, with an amendment (H. Rept. 110–569);

H.R. 3825, to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted and to reauthorize programs under part A of title XI of such Act, with an amendment (H. Rept. 110–570);

H.R. 2063, to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop a voluntary policy for managing the risk of food allergy and anaphylaxis in schools and to establish school-based food allergy management grants, with an amendment (H. Rept. 110–571, Pt. 1);

H. Res. 1083, providing for consideration of the bill (H.R. 2537) to amend the Federal Water Pollution Control Act relating to beach monitoring (H. Rept. 110–572); and H. Res. 1084, providing for consideration of the bill (H.R. 2016) to establish the National Landscape Conservation System (H. Rept. 110–573). **Page H2068**

Speaker: Read a letter from the Speaker wherein she appointed Representative Capps to act as Speaker pro tempore for today. **Page H2017**

Recess: The House recessed at 12:34 p.m. and reconvened at 2 p.m. **Page H2017**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Honoring military children during "National Month of the Military Child": H. Res. 265, amended, to honor military children during "National Month of the Military Child"; **Pages H2020–22**

Congratulating the Army Reserve on its centennial: H.J. Res. 70, amended, to congratulate the Army Reserve on its centennial, which will be formally celebrated on April 23, 2008, and to commemorate the historic contributions of its veterans and continuing contributions of its soldiers to the vital national security interests and homeland defense missions of the United States, by a ⅔ yea-and-nay vote of 393 yeas with none voting "nay", Roll No. 161; **Pages H2022–24, H2046**

Recognizing the tremendous service that members of the Armed Forces have given to the Nation, especially those who have been wounded in combat: H. Res. 1020, amended, to recognize the tremendous service that members of the Armed Forces have given to the Nation, especially those who have been wounded in combat; **Pages H2024–25**

Early Hearing Detection and Intervention Act of 2007: H.R. 1198, amended, to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss; **Pages H2025–27**

Wakefield Act: H.R. 2464, amended, to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children, by a ⅔ yea-and-nay vote of 390 yeas to 1 nay, Roll No. 162; **Pages H2027–29, H2046–47**

Cytology Proficiency Improvement Act of 2007: H.R. 1237, amended, to amend the Public Health Service Act to provide revised standards for quality assurance in screening and evaluation of gynecologic cytology preparations; **Pages H2029–34**

Safety of Seniors Act of 2007: S. 845, to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls—clearing the measure for the President; **Pages H2034–36**

Food Allergy and Anaphylaxis Management Act of 2007: H.R. 2063, amended, to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop a voluntary policy for managing the risk of food allergy and anaphylaxis in schools and to establish school-based food allergy management grants; **Pages H2036–38**

Agreed to amend the title so as to read: "To direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop a voluntary policy for managing the risk of food allergy and anaphylaxis in schools.". **Page H2038**

Newborn Screening Saves Lives Act of 2007: S. 1858, to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted and to reauthorize programs under part A of title XI of such Act—clearing the measure for the President; and **Pages H2038–41**

Reauthorization of the Traumatic Brain Injury Act: S. 793, amended, to provide for the expansion and improvement of traumatic brain injury programs, by a ⅔ yea-and-nay vote of 392 yeas to 1 nay, Roll No. 163. **Pages H2041–45, H2047–48**

Recess: The House recessed at 4:22 p.m. and reconvened at 6:33 p.m. **Page H2045**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Calling on the Government of the People's Republic of China to end its crackdown in Tibet and enter into a substantive dialogue with His Holiness the Dalai Lama to find a negotiated solution that respects the distinctive language, culture, religious identity, and fundamental freedoms of all Tibetans: H. Res. 1077, to call on the Government

of the People's Republic of China to end its crackdown in Tibet and enter into a substantive dialogue with His Holiness the Dalai Lama to find a negotiated solution that respects the distinctive language, culture, religious identity, and fundamental freedoms of all Tibetans. **Pages H2048–58**

Presidential Message: Read a message from the President wherein he transmitted legislation and supporting documents to implement the United States-Colombia Trade Promotion Agreement—referred to the Committee on Ways and Means and ordered printed (H. Doc. 110–103). **Pages H2019–20**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H2019.

Senate Referrals: S. Con. Res. 73 was referred to the Committee on Energy and Commerce. **Page H2019**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H2046, H2046–47 and H2047–48. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:45 p.m.

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2009 for the Department of Agriculture, after receiving testimony from Ed Schafer, Secretary, Chuck Conner, Deputy Secretary, Joseph Glauber, Chief Economist, and W. Scott Steele, Budget Officer, all of the Department of Agriculture.

IRAQ

Committee on Armed Services: Committee concluded a hearing to examine the situation in Iraq and progress made by the government of Iraq in meeting benchmarks and achieving reconciliation, after receiving testimony from Ryan C. Crocker, United States Ambassador to Iraq, Department of State; and General David H. Petraeus, USA, Commanding General, Multi-National Force-Iraq, Department of Defense.

DEFENSE AUTHORIZATION REQUEST

Committee on Armed Services: Subcommittee on SeaPower concluded a hearing to examine the defense authorization request for fiscal year 2009 on Navy force structure requirements and programs to meet those requirements, and the future years defense program, after receiving testimony from Allison Stiller, Deputy Assistant Secretary for Ship Programs, and Vice Admiral Barry McCullough, Deputy Chief of Naval Operations for Integration of Capabilities and Resources, both of the Department of the Navy, and Lieutenant General James F. Amos, Deputy Commandant of the Marine Corps for Combat Development and Integration, all of the Department of Defense.

FEDERAL TRADE COMMISSION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine legislation to reauthorize the Federal Trade Commission, after receiving testimony from William Kovacic, Chairman, and Pamela Jones Harbour, Jon Leibowitz, and J. Thomas Rosch, all Commissioners, all of the Federal Trade Commission.

DIGITAL TELEVISION TRANSITION

Committee on Commerce, Science, and Transportation: Committee concluded an oversight hearing to examine the transition to digital television, focusing on consumers, broadcasters, and converter boxes, after receiving testimony from Kevin J. Martin, Chairman, Federal Communications Commission; and Meredith A. Baker, Acting Assistant Secretary of Commerce for Communications and Information, National Telecommunications and Information Administration.

WATER BILLS

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded a hearing to examine S. 2259 and H.R. 813, bills to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project, H.R. 31, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Elsinore Valley Municipal Water District Wildomar Service Area Recycled Water Distribution Facilities and Alberhill Wastewater Treatment and Reclamation Facility Projects, H.R. 716, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Santa Rosa Urban Water Reuse Plan, H.R. 786, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Los Angeles County Water Supply

Augmentation Demonstration Project, H.R. 1140, to authorize the Secretary, in cooperation with the City of San Juan Capistrano, California, to participate in the design, planning, and construction of an advanced water treatment plant facility and recycled water system, H.R. 1503, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Avra Black Wash Reclamation and Riparian Restoration Project, H.R. 1725, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Rancho California Water District Southern Riverside County Recycled Non-Potable Distribution Facilities and Demineralization Desalination Recycled Water Treatment and Reclamation Facility Project, H.R. 1737, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired waters in the area of Oxnard, California, and H.R. 2614, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in certain water projects in California, after receiving testimony from Kris Polly, Deputy Commissioner, Bureau of Reclamation, Department of the Interior.

IRAN COUNTER-PROLIFERATION ACT

Committee on Finance: Committee concluded a hearing to examine S. 970, to impose sanctions on Iran and on other countries for assisting Iran in developing a nuclear program, after receiving testimony from Philip H. Gordon, Brookings Institution, Danielle Pletka, American Enterprise Institute for Public Policy Research, and William A. Reinsch, National Foreign Trade Council and USA*Engage, all of Washington, D.C.; and Orde F. Kittrie, Arizona State University, Tempe.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Barbara McConnell Barrett, of Arizona, to be Ambassador to the Republic of Finland, Yousif Boutrous Ghafari, of Michigan, to be Ambassador to the Republic of Slovenia, Frank Charles Urbancic, Jr., of Indiana, to be Ambassador to the Republic of Cyprus, Nancy E. McEldowney, of Florida, to be Ambassador to the Republic of Bulgaria, and Kurt Douglas Volker, of Pennsylvania, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador, after the nominees testified and answered questions in their own behalf.

IRAQ

Committee on Foreign Relations: Committee concluded a hearing to examine Iraq after the troop surge, after receiving testimony from Ryan C. Crocker, United States Ambassador to Iraq, Department of State; and General David H. Petraeus, USA, Commander, Multi-National Force-Iraq, Department of Defense.

AMERICA'S SYSTEM OF CAPITAL PUNISHMENT

Committee on the Judiciary: Subcommittee on the Constitution concluded a hearing to examine the adequacy of representation in capital cases, after receiving testimony from Carolyn Engel Temin, Senior Judge, Court of Common Pleas of the First Judicial District of Pennsylvania, Philadelphia; Michael S. Greco, Kirkpatrick and Lockhart, Preston, Gates, Ellis, LLP, Boston, Massachusetts, on behalf of the American Bar Association; Bryan A. Stevenson, New York University School of Law, Montgomery, Alabama; and Donald B. Verrilli, Jr., Jenner and Block, LLP, Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

Committee Meetings

CENTRAL ASIA: AN OVERVIEW

Committee on Foreign Affairs: Subcommittee on Asia, the Pacific, and the Global Environment held a hearing on Central Asia: An Overview. Testimony was heard from Richard A. Boucher, Assistant Secretary, Bureau for South and Central Asia, Department of State.

CHILD SOLDIERS ACCOUNTABILITY ACT OF 2007

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on S. 2135, Child Soldiers Accountability Act of 2007. Testimony was heard from public witnesses.

BEACH PROTECTION ACT OF 2007

Committee on Rules: Granted, by voice vote, an open rule with a preprinting requirement providing for consideration of H.R. 2537, the "Beach Protection Act of 2007." The resolution provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure.

The resolution waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The resolution provides that the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The resolution waives all points of order against the committee amendment except those arising under clause 10 of rule XXI.

The resolution makes in order only those amendments that are preprinted in the Congressional Record before beginning consideration of the bill or are pro forma amendments for the purpose of debate. Each amendment printed in the Congressional Record may be offered only by the Member who caused it to be printed or a designee and shall be considered as read.

The resolution provides one motion to recommit with or without instructions. Finally, notwithstanding the operation of the previous question, the Chair may postpone further consideration to a time designated by the Speaker. Testimony was heard from Representatives Eddie Bernice Johnson of Texas and Boozman.

NATIONAL LANDSCAPE CONSERVATION SYSTEM ACT

Committee on Rules: Granted, by voice vote, a structured rule providing for consideration of H.R. 2016, the National Landscape Conservation System Act, under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI.

The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. The rule provides one motion to recommit with or without instructions. The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard from Representatives Grijalva and Young of Alaska.

COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 9, 2008

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates for fiscal year 2009 for the Department of Energy, 9:30 a.m., SD–124.

Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine proposed budget estimates for fiscal year 2009 for the Department of State and foreign operations, 10 a.m., SD–138.

Subcommittee on Defense, to hold closed hearings to examine cyber warfare programs, 10:30 a.m., S–407, Capitol.

Committee on Armed Services: to hold hearings to examine the situation in Iraq, focusing on progress made by the Government of Iraq in meeting benchmarks and achieving reconciliation, 9:30 a.m., SH–216.

Subcommittee on Airland, to hold hearings to examine the defense authorization request for fiscal year 2009 on Air Force and Navy aviation programs, and the future years defense program, 2 p.m., SR–222.

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Innovation, to hold hearings to examine coal gasification technologies, focusing on the need for large scale projects, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine S. 1633, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefield and related sites of the Battle of Shepherdstown in Shepherdstown, West Virginia, as part of Harpers Ferry National Historical Park or Antietam National Battlefield, S. 1993 and H.R. 2197, bills to modify the boundary of the Hopewell Culture National Historical Park in the State of Ohio, S. 2207, to direct the Secretary of the Interior to study the suitability and feasibility of designating Green McAdoo School in Clinton, Tennessee, as a unit of the National Park System, S. 2254, to establish the Mississippi Hills National Heritage Area in the State of Mississippi, S. 2262, to authorize the Preserve America Program and Save America's Treasures Program, S. 2329 and H.R. 2627, bills to establish the Thomas Edison National Historical Park in the State of New Jersey as the successor to the Edison National Historic Site, S. 2502 and H.R. 3332, bills to provide for the establishment of

a memorial within Kalaupapa National Historical Park located on the island of Molokai, in the State of Hawaii, to honor and perpetuate the memory of those individuals who were forcibly relocated to the Kalaupapa Peninsula from 1866 to 1969, S. 2512, to establish the Mississippi Delta National Heritage Area in the State of Mississippi, and H.R. 3998, to authorize the Secretary of the Interior to conduct special resources studies of certain lands and structures to determine the appropriate means for preservation, use, and management of the resources associated with such lands and structures, 2:30 p.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine S. 1870, to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States, 10 a.m., SD–406.

Committee on Finance: to hold hearings to examine covering uninsured children, focusing on the provisions and regulations in the current Children's Healthcare Insurance Program (CHIP) directive, 2:30 p.m., SD–215.

Committee on Foreign Relations: Subcommittee on International Operations and Organizations, Democracy and Human Rights, to hold hearings to examine closing legal loopholes, focusing on sexual assaults and other violent crimes committed overseas by American civilians in a combat environment, 9:30 a.m., SD–419.

Full Committee, to hold hearings to examine the nominations of Patricia M. Haslach, of Oregon, for the rank of Ambassador during her tenure of service as United States Senior Coordinator for the Asia-Pacific Economic Cooperation (APEC) Forum, Scot A. Marciel, of California, for the rank of Ambassador during his tenure of service as Deputy Assistant Secretary of State for East Asian and Association of Southeast Asian Nations (ASEAN) Affairs, D. Kathleen Stephens, of Montana, to be Ambassador to the Republic of Korea, and William E. Todd, to be Ambassador to the State of Brunei Darussalam, all of the Department of State, 3:15 p.m., SD–419.

Committee on Veterans' Affairs: to hold an oversight hearing to examine making the Department of Veterans Affairs the workplace of choice for health care providers, 9:30 a.m., SR–418.

House

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies, on Marketing and Regulatory Programs, 10 a.m., 2362–A Rayburn.

Subcommittee on Commerce, Justice, Science and Related Agencies, on USTR, 9:30 a.m., on ITA 11 a.m., and on Bureau of Alcohol, Tobacco and Firearms, 2 p.m., H–309 Capitol.

Subcommittee on Financial Services and General Government, on Federal Communications Commission, 10 a.m. 2220 Rayburn.

Subcommittee on Interior, Environment and Related Agencies, on Smithsonian Institution, 10 a.m., B–308 Rayburn.

Subcommittee on Legislative Branch, on U.S. Capitol Police Budget, 1 p.m., H–144 Capitol.

Subcommittee on Military Construction, Veterans' Affairs and Related Agencies, on Army Budget, 2 p.m., H–143 Capitol.

Committee on Armed Services, hearing on the status of the war and political developments in Iraq, 9 a.m., and on the current status of U.S. ground forces, 1 p.m., 2118 Rayburn.

Committee on Education and Labor, to mark up the following: H.R. 5522, Combustible Dust Explosion and Fire Prevention Act of 2008; and a measure Ensuring Continued Access to Student Loans Act of 2008, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, to mark up H.R. 5613, Protecting the Medicaid Safety Net Act of 2008, 10 a.m., 2123 Rayburn.

Committee on Financial Services, hearing entitled " Using FHA for Housing Stabilization and Homeownership Retention," 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on Report on Iraq, 1:30 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Emergency Communications, Preparedness, and Response, hearing entitled "Moving Beyond the First Five Years: Ensuring FEMA's Ability to Respond and Recover in the Wake of a National Catastrophe," 10 a.m., 311 Cannon.

Subcommittee on Management, Investigations, and Oversight, hearing entitled "Moving Beyond the First Five Years: Solving the Department of Homeland Security's Management Challenges", 2 p.m., 311 Cannon.

Committee on House Administration, hearing on the 2008 Presidential Primaries and Caucuses: "What we've learned so far," 11:30 a.m., 1310 Longworth.

Committee on Natural Resources, hearing on the following: H.R. 5608, Consultation and Coordination With Indian Tribal Governments Act, H.R. 3522, To ratify a conveyance of a portion of the Jicarilla Apache Reservation to Rio Arriba County, State of New Mexico, pursuant to the settlement of litigation between the Jicarilla Apache Nation and Rio Arriba County, State of New Mexico, to authorize issuance of a patent for said lands, and to change the exterior boundary of the Jicarilla Apache Reservation accordingly, H.R. 3490, Tuolumme Me-Wuk Land Transfer Act of 2007, S. 2457, to provide for extensions of leases of certain land by Mashantucket Pequot (Western) Tribe, and H.R. 5680, To amend certain laws relating to Native Americans, and for other purposes, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, to consider the following bills: H.R. 5687, To amend the Federal Advisory Committee Act to increase the transparency and accountability of Federal advisory committees; H.R. 5683, Government Accountability Act of 2008; H.R. 4791, Federal Agency Data Protection Act; H.R. 752, Federal Electronic Equipment Donation Act of 2007; H.R. 1734, To designate the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the "Dr. Martin Luther King, Jr. Post Office;" H. Res. 1073, Expressing the sense of the House of Representatives that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 5

through 11, 2008; H. Res. 1026, Recognizing the 100th anniversary of the founding of the Congressional Club; H.R. 5601, To designate the facility of the United States Postal Service located at 7925 West Russell Road in Las Vegas, Nevada, as the ''Sergeant Irving Joseph Schwartz Post Office Building;'' and H.R. 5631, To designate the facility of the United States Postal Service located at 1155 Seminole Trail in Charlottesville, Virginia, as the ''Corporal Bradley T. Arms Post Office Building.'' 10 a.m., 2154 Rayburn.

Full Committee, and the Subcommittee on Information Policy, Census, and National Archives, joint hearing on 2010 Census, Progress on the Development of the Field Data Collection Automation Program, 2 p.m., 2154 Rayburn.

Subcommittee on Government Management, Organization, and Procurement, hearing on Federal Security: ID Cards and Background Checks, 2 p.m., 2247 Rayburn.

Committee on Small Business, Subcommittee on Investigations and Oversight, hearing entitled ''The Impact of Increasing Gas Prices on Small Businesses,'' 10 a.m., 1539 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on Aviation Delays and Consumer Issues, 2 p.m., 2167 Rayburn.

Subcommittee on Highways and Transit, hearing on Transportation Challenges of Metropolitan Areas, 10 a.m., 2167 Rayburn.

Committee on Veterans Affairs, hearing on Ending Homelessness for our Nation's Veterans, 10 a.m., 334 Cannon.

Committee on Ways and Means, to mark up the following: the Housing Assistance Tax Act of 2008; and the Taxpayer Assistance and Simplification Act of 2008, 11 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, hearing on Assessing the Fight Against al-Qaeda, 12 p.m., 210 Cannon.

Select Committee on Energy Independence and Global Warming, hearing entitled ''Healthy Planet, Healthy People: Global Warming and Public Health,'' 10 a.m., B–318 Rayburn.

Next Meeting of the **SENATE**

9:30 a.m., Wednesday, April 9

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of H.R. 3221, New Direction for Energy Independence, National Security, and Consumer Protection Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Wednesday, April 9

House Chamber

Program for Wednesday: Consideration of the following suspensions: (1) H. Res. 838—Welcoming His Holiness Pope Benedict XVI on his first apostolic visit to the United States; (2) H. Res. 865—Expressing the sense of the House of Representatives that the March 2007 report of the United Nations Office on Drugs and Crime and the International Bank for Reconstruction and Development makes an important contribution to the understanding of the high levels of crime and violence in the Caribbean, and that the United States should work with Caribbean countries to address crime and violence in the region; (3) H.R. 5489—To designate the facility of the United States Postal Service located at 6892 Main Street in Gloucester, Virginia, as the ''Congresswoman Jo Ann S. Davis Post Office''; (4) H.R. 5472—To designate the facility of the United States Postal Service located at 2650 Dr. Martin Luther King Jr. Street, Indianapolis, Indiana, as the ''Julia M. Carson Post Office Building''; (5) H.R. 5395—To designate the facility of the United States Postal Service located at 11001 Dunklin Drive in St. Louis, Missouri, as the ''William 'Bill' Clay Post Office Building''; (6) H. Res. 1038—Recognizing the fifth anniversary of the Department of Homeland Security and honoring the Department's employees for their extraordinary efforts and contributions to protect and secure our Nation; and (7) H. Res. 1082—Recognizing the plumbing industry and supporting the goals and ideas of ''National Plumbing Industry Week''. Consideration of H.R. 2016—National Landscape Conservation System Act (Subject to a Rule).

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