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House of Representatives

The House met at 10:30 a.m.

MORNING-HOUR DEBATE

The SPEAKER. 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.

THE PELOSI PREMIUM

The SPEAKER. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Thank you, Madam Speaker.

I'm here to talk about the Pelosi Premium. Once a nightmare scenario, $4 gasoline may soon become a harsh reality on Speaker PELOSI's watch. Today, drivers are paying a dollar more per gallon at the pump than when the Speaker took office. This Pelosi Premium is hitting working families hard at a time when they are confronting soaring costs, a slowing economy and a housing crunch. Middle-class families and their increasingly tight budgets need relief, not more broken promises. We're operating under a set of broken promises.

Speaker PELOSI promised the American people a commonsense plan to lower gasoline prices, but House Democrats have not only failed to offer any meaningful solutions, they've put forward policies that will have precisely the opposite effect. We cannot tax middle-class families' and truckers' tanks from empty to full.

Speaker NANCY PELOSI on 4–18–2006: The Democrats have a plan to lower gas prices.

Speaker NANCY PELOSI on 4–24–2006: Democrats have a commonsense plan to help bring down skyrocketing gas prices.

August 4, 2007, Democrats have voted those four times to raise taxes in the 110th Congress: January 18, August 4, December 6, 2007, February 27, 2008. The Pelosi Premium continues.

Since Democrats took control of Congress, gasoline prices have skyrocketed by more than $1 per gallon forcing worker families to pay a Pelosi Premium at the pump. With reports indicating gasoline prices are beginning to hit $4 per gallon, the Pelosi Premium couldn't come at a worse time for middle-class families already being squeezed by the soaring costs of living.

The price we pay for both gasoline and oil is fundamentally an issue of supply and demand, but while U.S. oil consumption has largely remained the same over the past few years, world oil consumption has spiraled to 84 million barrels a day, up nearly 25 percent from 68 million barrels a decade ago. This results in a tremendous increase in prices.

As you are fully aware, gas prices have increased by $1.05 per gallon since NANCY PELOSI took control of Congress on January 4, 2007. This represents an increase of nearly 45 percent.

At the same time that world oil consumption has skyrocketed, access to world energy supplies has struggled to keep pace. Nowhere has this trend been worse than in the United States which stands today as the only industrialized Nation in the world that refuses to tap 85 percent of our available deep sea energy resources.

While the U.S. has held its consumption steady, more needs to be done to build a bridge from where we are today to the renewable and alternative energy future in which we all want to live. In fact, under the Democrats in Congress, we've gone from 50 percent of our oil imports coming from OPEC to 57 percent coming from OPEC in 1 year.

But before we achieve those things in the future, we'll have to figure out a way to live, work, and prosper in the present. For too many Democrats, growing our economy today, tomorrow, and next month isn't much of a priority. In fact, the majority has voted four separate times to raise energy taxes in the 110th Congress. But even if we had access to all of the oil in the world, we would need places to turn that oil into gasoline. Regrettably, the U.S. hasn't built a new refinery in 32 years and, in fact, has successfully shut down several at that time. The results are stunning. Today, the U.S. has only 149 operable oil refineries compared with 321 in 1981. That means roughly double the demand now must be handled with half of the number of refineries.

Let's remember this fall the broken promises made in 2006 and the Pelosi Premium which is costing us so much money.

THE PELOSI PREMIUM

The SPEAKER pro tempore (Mr. ISRAEL). The Chair recognizes the gentleman from Georgia (Mr. WESTMORELAND) for 5 minutes.

Mr. WESTMORELAND. Thank you, Mr. Speaker. I want to read to you, Mr. Speaker, a memo from the Democratic Congressional Campaign Committee that was sent out in 2006. This was sent out to the Democratic candidates, and it was obtained by the Chicago Tribune.

''Demonstrate your dedication for fighting for middle-class families by clearly explaining how you will work to keep down the price of gas if elected to Congress. Hold an event at a gas station or other logical locations where you will call for real commitment to bringing down gas prices and pledge that, as a Member of Congress, you will fight for families in your district, not the oil and gas executives for which

this Republican Congress has fought so hard.''

Now those are some pretty interesting comments coming from the DCCC. On May 10, 2006, BARON HILL said this: ''In Congress, I will support measures that will strengthen our economy and lower gas prices instead of rewarding big oil companies and special interest lobbies.''

Mr. Speaker, once Mr. HILL got elected to Congress and voted to raise taxes on the American energy producers, he was somehow shocked when higher taxes resulted in higher gas prices.

March 12, 2007, in a press release Mr. HILL said, ''Gasoline prices have increased significantly over the past few weeks, with little explanation for higher prices.'' The explanation for higher prices is because of higher taxes.

Mr. JOE DONNELLY in a July 3, 2006, interview: ''I will be an independent voice who will represent the people of the second district. Not the wealthy oil and pharmaceutical companies that have bought our Congress and are running our country. We need leaders who will stand up for good jobs, a better prescription drug plan for our seniors, and a real energy plan that will work to drive down skyrocketing gas prices.''

Mr. DONNELLY, I'm sure your constituents and the people of this country are waiting for that energy to go forth in some results.

April 26, 2006, press release by Mr. ED MARKEY: ''Congress once again has an opportunity to help the American people through this financial pinch.'' Keep in mind, the Republicans were in charge and the Democrats were trying to win votes, Mr. Speaker.

''But by ignoring legislation like the Windfall Profits and Consumer Assistance Act, Congress has shown, once again, that it would rather put the needs of the special interests ahead of the needs of the American people. There is a cost to this kind of corruption in Washington, and it's at $75 a barrel and climbing.''

Mr. MARKEY, the price today is $113 a barrel, and you have not reintroduced your Windfall Profits and Consumer Assistance Act to Congress.

But what have we done? I tell you what we have done. The chairman of Energy and Commerce has got a solution: raise gasoline tax by 50 cents a gallon. I don't think that's what the American people had in mind.

July 26, 2006, in a town hall meeting, JIM CLYBURN, who is now the majority whip, says this: ''Thomas from Orangeburg asks: What are you doing about gas prices? They're ridiculously high.'' Mr. CLYBURN answered, ''House Democrats have a plan to help curb rising gas prices. We have outlined our plan in a proposal called Energizing America. I join my fellow Democrats in believing that drilling for more oil is not a long-term solution to our Nation's energy crisis.''

What is it? Buying bicycles? The Pelosi plan? Thirty bicycles for $30,000? Raising taxes? Fifty cents a gallon by the chairman of Energy and Commerce proposal? Five cents a gallon by the chairman of Transportation? A dollar a barrel of oil from the chairman of Transportation? Those are some great ideas.

April 27, 2006, when gas was $2.91 a gallon, and I will remind you that it's $3.44 today, a letter to Speaker Hastert signed by 88 Democratic Members of Congress, they said this: ''Just this week, the price for oil increased to over $70 a barrel.'' Don't we yearn for those days of $70 a barrel when it's $113 today?

We believe Congress has an obligation to determine the underlying causes behind the skyrocketing prices. Congress has an obligation to take action on behalf of the consumer. Where is the action?

All bark, no bite.

GOP: THE GRAND OIL PARTY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Well, the Grand Oil Party is at it again. $500 billion in profits to the oil industry since George Bush, the oil man, and DICK CHENEY, the oil man, took office. Remember what they told us? They could deal with the industry. They'd talk the prices down. They could deal with OPEC. They'd talk the prices down. OPEC is violating international law. The President won't file a complaint in the World Trade Organization for their illegal constraint of production which is driving up the price. The President refuses to take any action against his friends in the OPEC consortium or cartel.

Now the big oil companies, $40 billion in profits for one, ExxonMobil, last year, their generous campaign contributors, the GOP, Grand Oil Party, is doing very well. But now they're crying crocodile tears here on the floor and saying they really care about consumers, after the Bush-Cheney energy bill, which gave subsidies to ExxonMobil who made $40 billion last year after the Republicans refused last year to strip those subsidies from the oil companies? They complain about the high price to consumers. They're born-again consumer advocates. That's great.

I've been a consumer advocate for a long time. I have consistently supported a windfall profits tax. I've also consistently said we've got to go after the OPEC cartel and file the complaints. And we need new technologies, and we need new fuels, and we need conservation. None of those things were in the Bush-Cheney energy bills written behind closed doors by big oil and the GOP, the Grand Oil Party.

But now, their presumptive political nominee, Mr. MCCAIN, has come up with a great idea, let's suspend the gas tax. Now, let's see. In 1993, the gas tax was 18.3 cents a gallon, and gas was $1.05 a gallon. Today, in my district, gas is $3.50 a gallon, and guess what? The Federal gas tax is still 18.3 cents a gallon. That money is a tax. It's a tax going to big oil and OPEC and to hedge fund speculators who are driving up the price of oil. That's the tax the American consumers are paying. They won't take on OPEC, and they sure as heck aren't going to take on their friends in big oil.

We're willing to do that. And suspending the gas tax, now I would ask the presumptive Republican nominee, Mr. MCCAIN, if we suspend the gas tax, how many highway projects and bridge projects are you going to cancel? How many thousand people are you going to put out of work when you already have a deficit in the trust fund? If you want to give relief to the American consumers, target the real culprits. It is not the gas tax that's been flat for the last 15 years; it's big oil and it's the OPEC companies and the hedge fund speculators on Wall Street. Let's go after them.

HOPE AND CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DAVID DAVIS) for 5 minutes.

Mr. DAVID DAVIS of Tennessee. Thank you, Mr. Speaker. I rise today to tell you something about my district. I go home every single weekend because I take the word ''representative'' very seriously. I go home and speak with people living and working in my district because they are the ones who sent me to Washington to express their ideas and their concerns. Two common themes come up from the people in northeast Tennessee: hope and change. We hear a lot about those words today.

They hope that sometime in the future they won't have to spend over $50 to fill up their pick-up truck. They want change, a change that will take them from dependence on foreign oil to clean, safe, and available American energy. Energy is the foundation and lifeblood of the American economy creating the conditions to help us support good-paying jobs here in the United States and allow our industrial base to compete with the rest of the world.

We all know that the middle-class families are feeling significant pain at the pump. But the American family isn't the only place where the strain of spiking fuel prices can be felt. According to recent news reports, local schools, law enforcement agencies, and other community services are paying the price for a record high-fuel cost. Unfortunately, Democrats in the House, who are now in charge, have been consistent in offering so-called energy legislation that weakens our ability to compete with emerging titans such as China, India, and Russia.

In the United States today, we are 63 percent dependent on foreign sources of energy. 63 percent. And that percentage is growing every year. Gasoline

prices have increased more than $1 per gallon since the majority party, under Speaker PELOSI, took control of the House last year, increasing from a nationwide average of $2.33 per gallon on the first day of the 110th Congress to now $3.34 a gallon. When Speaker PELOSI took office and had a plan to fix the energy cost, oil was selling for $56 a barrel. Now, it's selling for $113 a barrel. People are looking for hope and change.

Figures from the Energy Information Administration indicate the U.S. reliance on the Organization of Petroleum Exporting Countries, commonly known as OPEC, grew from 50.9 percent of our total crude imports in 2006 to 57.6 percent in 2007. Not only has the majority party failed to end our reliance on Middle Eastern oil for our essential energy needs, they've actually helped grow our dependence to historic and dangerous levels.

We need to make sure that we're not dependent on our energy needs from people that hate us and hate our freedoms all because of their refusal to allow responsible energy production here at home. We cannot tax and regulate our way out of an energy crisis. The American people want an energy policy that's comprehensive and addresses our needs for wind, water, solar, safe nuclear, clean coal technology and, most importantly, the use of American oil.

The American middle class deserves better. They deserve an energy policy that is dependent on American energy, not foreign energy.

CRISIS IN LEADERSHIP IN WASHINGTON AND THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. PRICE) for 5 minutes.

Mr. PRICE of Georgia. Thank you, Mr. Speaker.

Mr. Speaker, today is April 15th. It's a momentous day for Americans as all Americans know it's Tax Day. And it's a day that Americans tend to focus a little more attention on the amount of money that they send to Washington. And it's a lot of money. It's a lot of money, Mr. Speaker.

And most folks that I talk to say that would be okay, a lot of them have said that would be okay if they were getting good things for their money, if they were seeing progress happen here in Washington. But that's just not the case.

I, like most of my colleagues, go home every weekend. I went home last weekend, and what I hear from my constituents is what is happening? Where is the leadership in Washington? Mr. Speaker, I believe there is a crisis in leadership in Washington and here in the House of Representatives.

Whether it is supporting our troops, the leadership here apparently is determined that they are going to use our military troops as pack mules to carry their special projects across the finish line. Mr. Speaker, that's leadership lacking.

Whether it's protecting our Nation in the area of intelligence, this leadership believes that our intelligence community doesn't need to have the tools necessary to tell what the bad guys are going to do before they do it. Mr. Speaker, that's leadership lacking.

You have heard a lot about gas prices this morning. Sixteen months ago when this leadership took charge, a barrel of gasoline cost about $52, $53 a barrel. Today, it is about $112, $113 a barrel. Mr. Speaker, that's leadership lacking.

What's changed in Washington since that time? New leadership here in the House of Representatives. Mr. Speaker, that's not the kind of change that America voted for.

We need to work together in the area of energy. We need to make certain that we, as Americans, conserve more. We need to make certain that we utilize American resources for Americans. There's incredible resources in our land. We could utilize those resources in environmentally sensitive and technologically sound ways to make certain that we decrease our dependence on foreign oil.

And finally, Mr. Speaker, we need to make certain that we accelerate the use of alternative fuel, not picking winners and losers like this leadership in this majority wants to do, pick ethanol and raise the gas prices significantly by that, raise food prices around the world because of the action of this leadership. Mr. Speaker, that's leadership lacking.

Where else is leadership lacking here in the House? Well, Mr. Speaker, it is in helping our friends around the world. We have a former President meeting with Hamas terrorists. Where is the outcry from this leadership saying that that's not the correct thing to do for a former leader of our Nation?

In the area of fair trade, free trade, last week this leadership decided they were going to take one of our friends, Colombia and South America, who have worked with us time and time again, one of the glimmering hopes for democracy in South America, and what does this leadership do? Kick them in the teeth.

It is not just me saying that. Headlines all across the Nation last week: Financial Times, ''A setback on trade in Washington;'' Knoxville News Sentinel, ''House Democrats holding free trade hostage;'' Corpus Christi Caller Times, ''Congress should pass Colombia trade deal;'' Charleston Post Courier, ''Politics trump free trade;'' Orange County Register, ''Trading on ignorance;'' the Plain Dealer, ''Sidetracking American trade deal hurts U.S. businesses and workers;'' the Chicago Tribune, ''Caving on Colombia;'' Los Angeles Times, ''Pelosi plays politics;'' The Oklahoman, ''Pelosi's ploy: Colombia Deal Succumbs to Politics;'' New York Times, ''Time for the Colombian Free Trade Pact;'' the Denver Post, ''Historical failure on Colombia trade pact;'' San Francisco Chronicle, ''Trade pandering;'' New York Post, ''Pelosi's Putrid Sellout;'' Seattle Times, ''The Washington 6: tampering with trade;'' the Boston Herald, ''The Pelosi Doctrine: Duck;'' Las Vegas Review Journal, ''Trade Talks;'' National Review, ''Free Choice;'' St. Louis Post-Dispatch, ''The Politics of Trade;'' Washington Post, ''Drop Dead, Colombia;'' and the Wall Street Journal, ''Pelosi's Bad Faith.''

Mr. Speaker, there is a crisis of leadership here in Washington, here in this House of Representatives. The American people are paying attention. The American people want positive change. The American people want us to work together. I call on the Speaker of this House to bring forward the free trade deal with Colombia, to work together on gas prices, to make certain that we pass a Foreign Intelligence Surveillance Act that allows our intelligence communities to act positively.

Mr. Speaker, I call on our leadership to be responsible.

ETHANOL HAS NOT SAVED US YET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE. Thank you, Mr. Speaker. It has been said by folks that Washington, DC., is the only place in America that is surrounded by reality because people here, especially in Congress, those people say, are in a Disney World atmosphere and don't know how the world really is.

Probably the best example is what has taken place throughout our country in the area of gasoline prices. They are going up every day. Every day we come back to Congress, gasoline prices continue to rise. And there's a constant problem here. Retail operators who run those mom-and-pop independent gasoline stations are saying they're not even making a profit off of gasoline. They hope maybe they can make one cent a gallon. The way they make profit is selling lottery tickets and donuts, and the country continues to see higher and higher gasoline prices.

It's a tremendous problem that we have to deal with. We have to come out of this Disney World atmosphere and solve the problem. Some say what is going to save us all is ethanol. Let's take all of the farmland in America, let's till it up, let's grow some corn, and let's make some of that unproven, unpredictable ethanol to burn in our vehicles.

Of course, what we have done as a Nation by encouraging and subsidizing the special interest group of ethanol, we've raised the corn prices worldwide. In fact, they have tripled in the last 2 years. And because corn prices are going up, wheat prices are going up. And in the last 17 years, food prices in

the world are higher than they ever have been, all because the United States has seen this vision that ethanol is going to save us all.

Several years ago, those who talked about ethanol that weren't for the concept of ethanol said ethanol is not going to be profitable unless gasoline gets to $4 a gallon. Four years ago, people in this House said, oh, that's never going to happen. The problem with ethanol is it takes a gallon and a third of fuel, diesel, to produce a gallon of ethanol. And only when gasoline gets to be $4 a gallon will ethanol be profitable for this country.

In fact, it's driving up pollution. Science Magazine has stated, ''After taking into account worldwide land-use changes, corn-based ethanol will increase greenhouse gases 93 percent compared to gasoline over a 30-year period.''

In other words, the House was trying to be environmentally correct. We want to make sure we don't have pollution. Nobody wants pollution. Nobody wants greenhouse gases; but unproven, subsidized ethanol is going to raise worldwide greenhouse gases all because we're tilling up our farmland.

I have here a map of the United States. Now we're also finding out where the Mississippi River dumps into the Gulf of Mexico, there is a dead zone, and there is a dead zone there for various reasons. But because we're plowing up all in the Midwest this farmland and making corn, which takes a lot of fertilizer, that fertilizer is going down the Mississippi River, and the dead zone at the mouth of the Mississippi River is getting bigger. ''Dead zone'' means exactly what it says: Nothing grows there and fish don't live there, all because of this concept of ethanol.

So what are we doing about it? Well, first thing Congress did, we're going to punish those oil companies, those American oil companies, and we are going to tax them, raise the taxes on these oil companies, and that's what Congress did. Now it's a simple economic fact. You tax something, you get less of it. What does that mean? That means if you tax something, you're going to get less production. You're going to get less production of crude oil.

Now, we don't drill off our own shores. We're the only Nation in the world that doesn't take care of ourselves with the natural resources that we have been given. The only place we drill offshore, Mr. Speaker, is right here in this blue zone off the State of Texas where I'm from, off the State of Louisiana and parts of Mississippi and Alabama. But you see in all of these areas that are red on this map, there is crude oil out there in the ocean, but we don't drill out there even though crude oil is there.

In fact, we're going to see some new platforms out in the Gulf of Mexico, but they're not from America. Right here off the coast of Florida, right there at the tip, there is an oil site, but we're not drilling there because we don't drill offshore. So the next oil rig you will see out in the Gulf of Mexico will be built by the Cubans and the Chinese. They're drilling in areas that we ought to be drilling in because it has been said in this House we can't drill offshore safely. That is wrong.

I live in the area that was hit by Katrina and Hurricane Rita, and when those two hurricanes came through that area, 700 offshore rigs were damaged or destroyed. But yet, we didn't hear one word about crude oil seepage from the Gulf of Mexico because it did not happen.

We have the greatest technology in the world for drilling, and we can drill safely, we've proven that. We've drilled safely, and we will continue to drill safely.

And that's just the way it is.

ENVIROMENTAL GROUPS ARE DRIVING UP THE PRICE OF GASOLINE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN. Mr. Speaker, oil prices have reached $112, $113 a barrel, an all-time high. Gas prices have reached an average of $3.50 a gallon and in some places even higher, and the only people who seem to be happy about this are Sierra Club and some of these other environmental groups. I have noticed that almost all of these environmental radicals or environmental extremists seem to come from very wealthy or very upper-income families. They are elitist types, and perhaps they're not concerned when their policies destroy jobs and drive up prices because who they're really hurting are the poor and the lower income and the working people in this country.

As the previous speaker, Mr. POE, pointed out, now some of these environmental groups, their policies are causing food prices to go up worldwide and, in many countries, leading to starvation. But once again, the environmentalists are hurting the poor and the lower-income and the working people. So perhaps they don't care.

About a year and a half ago in one of my newsletters I wrote this: I said, many experts are still predicting that the price of oil, and thus the price of gas, is going to go way back up. Environmental groups think this is good because it will force people to drive less. However, many people already have difficulty paying their gas bills, especially people from small towns in rural areas where many people have to drive long distances to go to work.

And I might add, Mr. Speaker, that when you drive these gas prices up, as some of these environmental groups want, to $4, or $5, or $6 a gallon so people will drive less, you'll put the final nails in the coffins of some of the small towns in rural areas. The environmental groups loudly complain about urban sprawl, but yet their policies are leading to more urban sprawl as they continue to drive up these gas prices.

Syndicated columnist Walter Williams wrote recently, ''If I were an OPEC big cheese, I would easily conclude I could restrict output and charge higher prices were U.S. oil drilling restricted. I would see environmental groups as allies and make 'charitable' contributions to help them reduce U.S. output,'' and that's something I thought for quite some time that these OPEC and countries and foreign energy producers I'm sure are contributing big money to these environmental groups, and they're receiving huge multi-million dollar contributions that they were refusing to disclose the source of.

Leonardo Mangeri, of the Italian energy company ENI, said, there are proven oil reserves now, economically and technologically recoverable, of 1.1 trillion barrels, or 38 years of world usage. In addition, he says there are another 2 trillion barrels of recoverable reserves that will be obtainable as technology improves over the next few years.

Also, the International Energy Administration, Mr. Speaker, estimates that at current prices, it will be economic to recover at least another 2 trillion barrels of petroleum from tar sands and oil shale.

Just a couple of months ago, I wrote in another newsletter this: Gas prices are far too high and probably will go even higher. They could be much lower, but very powerful environmental groups want them to go higher so people will drive less. Thus, we have put 85 percent or 611 million acres of the outer continental shelf off limits to oil production. We will not allow drilling in 99.9 percent of Alaska where oil could be found, and have prohibited or restricted production in other parts of the U.S.

We've also placed so many rules, regulations and red tape on all types of domestic energy production that small- and medium-sized businesses cannot compete or even enter these industries in the first place. All of these productions can be done in environmentally safe ways. Some of these environmental groups help the big business giants and foreign energy producers tremendously, but they are really hurting lower- and middle-income people.

RECESS

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

Accordingly (at 11 o'clock and 7 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. BALDWIN) at noon.

PRAYER

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

God of the founders of this Nation, who has shown us mercy throughout our history, be attentive to Your people and our needs today. In Your wisdom, You have established us as stewards of creation. Guide the Members of Congress and all citizens of this great land in their work today.

May the dignity of their enterprise bear results, which will unite Your people and bring about a prosperity that will embrace the least in our midst and reveal the generosity of those richly endowed so to give You ever greater glory, both now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. HARE 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.

ECONOMY AND EFFORTS TO PASS SECOND ECONOMIC STIMULUS PACKAGE

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

Mr. WILSON of Ohio. Madam Speaker, with thousands of Americans losing their homes and jobs, skyrocketing costs for basic items such as gas prices at an all-time high, Americans everywhere are feeling the negative impact of these failed economic policies that we are living under.

Congress has already enacted an economic stimulus package that will provide relief to families in need. Last week, House Democrats called on President Bush to again work in a bipartisan manner on a second stimulus package, one that would help our economy get back on track.

House Democrats are also working on legislation to help 1.5 million American families to avoid foreclosure. This legislation goes further than the President's plan to help only 100,000 homeowners. This one goes to 1.5 million.

Congressional Democrats are proposing strong initiatives that will help stabilize the housing market and help jump-start an economy that is simply leaving just too many people behind.

THE PELOSI RECESSION

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

Mr. PITTS. Madam Speaker, taxes are a function of spending. If you spend more, you must tax more.

The spending budget we passed previously is predicated on the largest tax increase in American history. Tax increases are coming to all Americans. Tax increases are on autopilot.

Without even a vote, tax levels are going to snap back up to the old levels, the levels that existed before the 2001 and 2003 tax reductions. In other words, doing nothing is doing something.

One of the reasons for the uncertainty in the market is because people know these tax increases are coming. All marginal income tax rates will increase, capital gains rates will increase, the marriage tax penalty will come back, the child tax credit will decrease, the death tax will jump back up to 55 percent. This will hurt the economy.

The Democratic leaders have blocked free trade with Colombia, they have blocked efforts to produce more oil and natural gas resources, they have blocked lower taxes. All this will hurt the economy.

People are beginning to call this the Pelosi recession. Maybe they are right.

HONORING EVA GEIRINGER SCHLOSS

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

Mr. HARE. Madam Speaker, I rise today to honor and commend Eva Geiringer Schloss for her efforts to educate our Nation about the evils of racism and hate.

Eva was born in Austria in 1929. When the Nazis invaded, she and her family went into hiding in Amsterdam until they were arrested on Eva's 15th birthday.

Eva was sent to Auschwitz, where she endured the daily degradation of the concentration camp that robbed so many of their lives. Eva's father and brother were killed in the Holocaust. She and her mother were liberated by the Russian army.

Eva Geiringer Schloss has traveled throughout the United States educating thousands of people about the dangers of unchecked prejudice and hate. A play based on Eva's life entitled ''And Then They Came for Me'' has been presented all over the country and will be performed in my district to mark the Holocaust Remembrance.

It is my honor to recognize Eva, a courageous woman who endured unimaginable brutality and has dedicated her life to fighting injustice.

HONORING RIC FLAIR

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

Mrs. MYRICK. Madam Speaker, I would like to honor the career of a man whom I am proud to call both a constituent and a friend.

Ric Flair's professional wrestling career of 36 years, in which he entertained millions of people around the world, recently came to a close. He will be forever known as an innovator, a pioneer, and, perhaps, the greatest that his industry has ever seen. By any standard, Ric Flair is a living legend.

He is recognized all over the world, but he calls Charlotte, North Carolina, home. On his way to being named a record 16-time world champion, he became famous for his bleached blond hair, his designer suits, and his charismatic on-stage persona, while dishing out his trademark chops, and, of course, the dreaded Figure Four Leglock.

On March 29, 2008, Ric Flair became the first active wrestler to be ever inducted into the WWE Hall of Fame. Often imitated, but never duplicated, his legacy will forever be synonymous with the world of professional wrestling. He is a fixture at Carolina Hurricanes games and Panthers games in our State. The joy and emotion that Ric Flair's very presence evokes will continue on for a very, very long time.

Today I honor the career of Nature Boy and congratulate Charlotte's favorite son, Ric Flair.

Woooo!

TAX BENEFITS AND RELIEFS

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

Mr. COHEN. Madam Speaker, today is the dreaded April 15, and I, like millions and millions of Americans, have filed my returns and those for my mother and others.

This Congress has tried to provide and has provided relief for middle-class taxpayers and middle-income taxpayers and extended those tax benefits. We have also passed relief for the people who pay the alternative minimum tax.

But with the stimulus package, we provide moneys for people to get a refund. But to get that refund, people have to file their taxes. Be sure and file your taxes, and if your income is $75,000 or less or $150,000 for a couple, you can get your stimulus relief package passed by this Congress.

We wish our moneys weren't going to rebuild Baghdad and for war efforts, but with the work of this Congress, one day we will have peace, we won't be spending the money in Baghdad, and we will be spending the money in America to rebuild our infrastructure.

THE WASHINGTON ELITES

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

Mr. POE. Madam Speaker, the Washington elites are trying to rule the land like a monarchy, claiming they know

best for what they consider the peasants in the vast rural areas.

Those elitists grew up in privilege and look down on the rest of the country. The elitists in the imperial kingdom of Washington, DC feel it's their privileged right and obligation to make the peasants happier because those rural Americans don't know how to take care of themselves.

Well, let me tell you the truth about those peasants. These great Americans don't look to Washington or the elites or the monarchy for their happiness. They find their happiness in their individuality. The folks that I represent in southeast Texas are patriotic citizens, many from small-town rural America.

They love their families and are proud of America. They are honest, hard-working independent citizens who, when duty calls, go off to war to defend this Nation. They attend church on Sunday, and if they don't attend, they still feel strongly about their religion.

They believe they have the personal right to bear arms. They are not bitter about life, but they are generally happy. They are not in need of big government coming in in the name of hope and change to control more of their lives.

Those in Washington would do well to remember that the salt of the Earth lives in small-town America. Government should keep out of their way, instead of interfering with their lives, their faith, and their right to bear arms.

And that's just the way it is.

BIG OIL

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

Mr. DEFAZIO. Madam Speaker, the presumptive Republican nominee for president, JOHN MCCAIN, has a solution to skyrocketing gas prices.

Is he going to take on Big Oil, their price gouging, and their obscene profits? No. Is he going to take on OPEC and their collusion to restrict supply and drive up the price in violation of international trade law? No.

Is he going to take on the hedge fund speculators on Wall Street that are driving up the price unnecessarily 50 cents a gallon so then they can make money? No.

He is going to be the GOP nominee, the Grand Oil Party nominee. He can't take that money. He has a solution. Suspend the Federal gas tax.

In 1993, the Federal gas tax was 18.3 cents and a gallon of gas was a buck. In 2008, a gallon of gas is $3.50. The Federal gas tax is the same 18.3 cents. It's dropped to 5 percent of the cost.

If we follow his plan, we will cancel hundreds of needed bridge projects and highway projects across the country, throwing construction workers out of jobs, an already hard-hit sector, or maybe he is just going to borrow the money after he cancels the gas tax, because the only thing going up faster on the Republican administration than the price of gas is the national debt.

NATIONAL CRIME VICTIMS' RIGHTS WEEK

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

Mr. CARTER. Madam Speaker, this week is National Crime Victims' Rights Week.

This Congress should be working to make our cities, our streets, our States, our Nation safer for crime victims instead of talking about things like beaches and protecting union bosses.

The National Center for Missing and Exploited Children was created 10 years ago, and this is about to expire in a few months.

Let me tell you, having spent 21 years on the bench, I probably tried 250 to 300 aggravated sexual assault cases. One was an adult, the balance were children.

This is epidemic in this country. It's time for this Congress to get on board and work on the Internet Sex Offender Prohibition Act, which would punish people for using the Internet to find victims for their sexual offenses as child predators and would increase and enhance the punishment for those crimes.

This is important work. This is work this Congress needs to do to protect our children and make our streets safe.

DEMOCRATIC CONGRESS IS FIGHTING TO MAKE THE TAX CODE FAIR AND PRO-FAMILY

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

Mr. JOHNSON of Georgia. Madam Speaker, as millions of middle-class Americans rush to the post office tonight to drop their tax forms in the mail, this Democratic Congress is fighting to make the Tax Code fair and pro-family.

Already this year we passed a budget that makes middle-class tax relief a priority. Our budget calls for extending middle-income tax cuts, including child tax credit, marriage penalty relief and 10 percent tax bracket.

Rather than supporting our budget, President Bush and congressional Republicans continue to push permanent tax cuts for multimillionaires. For 7 years now, President Bush's tax policy has disproportionately benefited the wealthiest few in our Nation.

Consider that the average millionaire is being given $120,000 in tax breaks on their 2007 taxes, while middle-income taxpayers are, on average, receiving only about $740.

As the income gap between the wealthy and the middle class continues to grow, we should prioritize middle-class tax cuts. If Congressional Republicans are serious about providing continued relief to the middle class, they should support our final budget proposal.

□ 1215

MIDDLE CLASS TAX CUTS

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

Mr. ALTMIRE. Madam Speaker, congressional Democrats are prioritizing tax cuts for the middle class. Our budget made clear that we intend to extend and pay for the Bush tax cuts that directly impact middle class families.

In fact, the Democratic budget identifies the specific tax cuts that we would like to see extended, such as: marriage penalty relief; the 10 percent lower income bracket; the child tax credit; small business expensing; and the R&D tax credit.

But like our fiscally irresponsible colleagues who advocate a continuation of this administration's failed economic policies, the Democratic budget achieves balance in 4 years and ensures that any increased spending or decreased revenue must be offset by comparable budget cuts.

Rather than just charging the cost to the national credit card and increasing our indebtedness to foreign nations like China and Japan, Democrats want to go in a new direction by ensuring that our budgets are balanced and our Tax Code is fair for all Americans.

AMERICANS ASK: WHY IS BUSH SPENDING BILLIONS IN IRAQ

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

Mr. SIRES. Madam Speaker, on Tax Day, Americans have a right to ask why the Bush administration continues to spend taxpayer dollars on an Iraq war that has no end in sight and no plans for success.

Today, President Bush will spend more than $338 million in Iraq. What exactly does that mean for the taxpayer sending in his or her form today? The typical taxpayer covers the cost of the war in Iraq for only one-half a second.

And while we continue to ship billions of dollars to Iraq while our economy is going south and our budget deficit continues to hit record highs every year, the Iraqi government currently has a surplus and is expecting to receive $40 billion this year in oil revenues. Can someone please make sense of this policy?

Madam Speaker, the American taxpayer has every right to demand more accountability from Washington. Congressional Democrats continue to propose a change in policy, one that shifts more responsibility to the Iraqis themselves. They can certainly afford it. Unfortunately, President Bush and his supporters in Congress ignore the

American people and congressional Democrats who do not want to see taxpayer dollars wasted in Iraq any longer.

SUPPORT TAXPAYER ASSISTANCE AND SIMPLIFICATION ACT

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

Mr. MCNERNEY. Madam Speaker, I rise today on Tax Day 2008 in strong support of H.R. 5719, the Taxpayer Assistance and Simplification Act. I commend Chairman RANGEL and Ranking Member MCCRERY for bringing this bill to the floor and working hard to simplify our tax policies.

Today's Tax Code has become so complex that it takes more than 25 hours to complete an itemized tax return. That is an hour longer than 2003, and 10 hours longer other than 1989.

Families will benefit significantly from this legislation which strengthens identity theft and tax fraud protections, stops taxpayer harassment by ending the private collection of Federal taxes, and expands tax refund assistance for low-income Americans.

I am also pleased that the provisions in the Taxpayer Assistance and Simplification Act increase online fraud security and allows individuals to have better recourse in the event of a crime.

Madam Speaker, I urge my colleagues to support H.R. 5719.

AMERICANS ASK: WHY IS BUSH SPENDING BILLIONS IN IRAQ

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

Ms. WATSON. Madam Speaker, today, Tax Day, millions of Americans know that their tax dollars will support rebuilding Iraq instead of rebuilding America. Americans have already spent $44 billion in rebuilding Iraq at a time when the Iraqis have a huge oil revenue reserve.

Today, taxpayers may be wondering how this money could be spent in Iraq, our money, instead of rebuilding the U.S.A. With the $339 million that we are spending daily in Iraq, we could instead provide an additional 18,000 American students with Pell Grants so they can attend college. We could also hire and keep 4,400 ''COPS on the beat.'' Our moneys could be used, if we spent them here, to have 2,000 more border guard agents to protect our borders.

Madam Speaker, as Americans pay their taxes today, they have a right to know why billions are being spent each month in Iraq instead of here in the U.S.A.

DEMOCRATS' FISCALLY IRRESPONSIBLE BUDGET

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

Mr. CHABOT. Madam Speaker, House Democrats' fiscally irresponsible budget will impose on American workers and businesses a $683 billion tax hike, the largest in U.S. history.

With our economy slowing and many families losing their homes, the last thing Congress needs to do is to take more money from these hardworking Americans. Tax relief, not a tax increase, is the best stimulant to our economy. Socking 116 million Americans with an average tax hike of over $1,800 is an irresponsible fiscal strategy.

Working families would be hit especially hard by the Democrats' irresponsibility. A family of four with two children that currently earns $50,000 annually would have to pay an additional $2,155 in taxes under the Democrats' plan. That would amount to a 191 percent increase in their tax bill.

The last thing our economy needs right now is the largest tax increase in history. House Republicans are dedicated to protecting working families, investors, and small businesses from the irresponsible tax hike that is being foisted upon us.

TAXPAYER ASSISTANCE AND SIMPLIFICATION ACT

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

Mr. HALL of New York. Madam Speaker, my friend, the colleague who spoke just before me, was mentioning a fictitious tax increase. I want people to know that such a thing does not in fact exist, and I would be curious to see which law it is.

In the meanwhile, there is no better day than today, April 15, to talk about the commitment this Congress has made to the American people to ensure that the Tax Code becomes fairer and simpler for middle class families.

We must be consistent and make the Tax Code more helpful to families by prioritizing middle class tax relief, including the child tax credit, relief from the marriage penalty, and preserving our lowest tax brackets.

We must also commit to making sure our tax dollars are spent wisely. The average family pays over $13,000 in Federal taxes; they deserve to get their money's worth.

For that to happen, we must preserve fiscal discipline, as this Congress has done by reinstating the pay-as-you-go rules, PAYGO, meaning we only spend as much money as we have and we do not increase the deficit for our children and grandchildren. And we must prioritize important spending such as health care, education, and our national infrastructure.

WHY IS BUSH SPENDING BILLIONS IN IRAQ

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

Mr. YARMUTH. Madam Speaker, as our constituents put the finishing touches on their tax returns, many of them are probably wondering just how much we will be sending to Iraq.

Taxpayers are rightfully outraged, as are many Members of this body, by the massive levels of waste, fraud and corruption documented in large government contracts to well-connected firms. Under the Bush administration, the use of no-bid contracts has doubled and the Defense Contract Audit Agency believes that $10 billion of the taxpayers' money has been spent on questionable or unsupported costs in Iraq contracts.

Madam Speaker, House Democrats are bringing much-needed accountability to the government contracting business by cracking down on no-bid contracts, protecting Federal whistleblowers, and withholding Federal contracts from tax-delinquent companies.

While Democrats would like to see a change of policy in Iraq, we, like the average taxpayer, want to prevent our money from being wasted. We are taking the steps necessary to ensure that no longer happens.

ON TAX DAY, WHOSE SIDE ARE YOU ON?

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

Mr. KAGEN. Madam Speaker, today is Tax Day and everyone in America is asking the question: Whose side are you on?

Well, I am on the side of Wisconsin taxpayers, and my record proves it. I have kept my word.

In September of 2006, I stated we should do two things: First, balance our Federal budget here in Washington like people do back home; and, second, to reduce taxes for middle class families.

We have kept our word. And like other Democrats, I voted to cut taxes and balance our Federal budget. We saved 62,000 households in the Eighth District of Wisconsin from paying the AMT tax; for tax deductions for health care expenses and property taxes; we voted to cut taxes for small businesses and S corporations; and we are trying to make mortgage payments deductible for everyone, whether you itemize or do not.

We also voted to close tax loopholes that encourage our jobs to be shipped overseas. We are on the side of the taxpayers. My record proves it. Today is Tax Day. Whose side is your representative on?

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 later.

FEDERAL LAW ENFORCEMENT OFFICERS CONGRESSIONAL BADGE OF BRAVERY ACT OF 2008

Ms. ZOE LOFGREN of California. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4056) to establish an awards mechanism to honor Federal law enforcement officers injured in the line of duty, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4056

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Law Enforcement Officers Congressional Badge of Bravery Act of 2008''.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) According to the Department of Justice, in the past 7 years, an average of 150 Federal law enforcement officers per year sustained physical injuries while dealing with an assaultive subject.

(2) More than 70 Federal agencies employ Federal law enforcement officers but only 2 such agencies have an awards mechanism to recognize Federal law enforcement officers who are injured in the line of duty.

(3) In contrast to the lack of an awards mechanism for Federal law enforcement officers, the President awards the Purple Heart for military personnel wounded or killed during armed service, and most State and local police departments have commendations and medals for officers who are injured in the line of duty.

(4) Formal congressional recognition does not exist to honor Federal law enforcement officers who are injured in the line of duty.

(5) It is appropriate for Congress to recognize and honor the brave men and women in Federal law enforcement who are injured while putting themselves at personal risk in the line of duty.

SEC. 3. AUTHORIZATION OF A BADGE.

The Attorney General may award, and a Member of Congress or the Attorney General may present, in the name of Congress a Congressional Badge of Bravery (in this Act referred to as the ''Badge'') to a Federal law enforcement officer who is cited by the Attorney General, upon the recommendation of the Congressional Badge of Bravery Board, for sustaining a physical injury on or after January 1, 2007, while in the line of duty.

SEC. 4. NOMINATIONS.

(a) IN GENERAL.—An agency head may nominate for a Badge an individual who meets the following criteria:

(1) The individual is a Federal law enforcement officer working within the agency of the agency head making the nomination.

(2) The individual sustained a physical injury while in the line of duty.

(3) The individual faced personal risk when the injury described in paragraph (2) occurred.

(4) The injury described in paragraph (2) occurred during some form of conduct characterized as bravery by the agency head making the nomination.

(b) CONTENTS.—A nomination under subsection (a) shall include—

(1) a written narrative, of not more than 2 pages, describing the circumstances under which the nominee sustained a physical injury described in subsection (a) and how the circumstances meet the criteria described in such subsection;

(2) the full name of the nominee;

(3) the home mailing address of the nominee;

(4) the agency in which the nominee served on the date when such nominee sustained a physical injury described in subsection (a);

(5) the occupational title and grade or rank of the nominee;

(6) the field office address of the nominee on the date when such nominee sustained a physical injury described in subsection (a); and

(7) the number of years of service in the Federal government by the nominee as of the date when such nominee sustained a physical injury described in subsection (a).

(c) SUBMISSION DEADLINE.—

(1) INJURIES SUSTAINED BEFORE AUGUST 15.—In the case of an individual who sustained a physical injury described in subsection (a) on or after January 1 of a year and before August 15 of such year, to nominate such individual under such subsection for a Badge, an agency head shall submit such nomination to the Congressional Badge of Bravery Board by February 15 of the following year.

(2) INJURIES SUSTAINED ON OR AFTER AUGUST 15.—In the case of an individual who sustained a physical injury described in subsection (a) on or after August 15 of a year, to nominate such individual under such subsection for a Badge, an agency head shall submit such nomination to the Congressional Badge of Bravery Board by February 15 of the second year following the date on which the individual sustained such physical injury.

SEC. 5. CONGRESSIONAL BADGE OF BRAVERY BOARD.

(a) ESTABLISHMENT.—There is established within the Department of Justice a Congressional Badge of Bravery Board (in this Act referred to as the ''Board'').

(b) DUTIES.—The duties of the Board are the following:

(1) Design the Badge with appropriate ribbons and appurtenances.

(2) Select an engraver to produce each Badge.

(3) Not later than July 15 of each year, from among the nominations timely submitted to the Congressional Badge of Bravery Board by February 15th of such year, endorse as recipients of the Badge such nominations who meet the criteria described in section 4(a) and submit to the Attorney General a list of such nominations so endorsed.

(4) After submission to the Attorney General of the list described in paragraph (3)—

(A) procure the Badges from the engraver selected under paragraph (2);

(B) send a letter announcing the award of each Badge to the agency head who nominated the endorsed recipient of such Badge;

(C) send a letter to each Member of Congress representing the congressional district where the endorsed recipient of each Badge resides to offer such Member an opportunity to present such Badge;

(D) provide for the presentation of each Badge in accordance with section 7; and

(E) provide for the posting of the name of each endorsed recipient of the Badge on the public Internet site of the Department of Justice in a manner that acknowledges the Federal service and bravery of each such recipient.

(5) Set an annual timetable for fulfilling the duties described in this subsection.

(c) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—The Board shall be composed of 7 members (in this Act referred to as the ''Board members'') appointed as follows:

(A) One member jointly appointed by the majority leader and minority leader of the Senate.

(B) One member jointly appointed by the Speaker and minority leader of the House of Representatives.

(C) One member from the Department of Justice appointed by the Attorney General.

(D) Four members of the Federal Law Enforcement Officers Association appointed by the Executive Board of the Federal Law Enforcement Officers Association.

(2) LIMITATIONS.—

(A) APPLICABLE TO MEMBERS OF THE FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION.—No more than 5 Board members may be members of the Federal Law Enforcement Officers Association.

(B) APPLICABLE TO NOMINATING OFFICIALS.—In the case of a Board member who is an agency head, if such member nominates an individual under section 4(a), such member may not participate in any evaluation or recommendation process of the Board with respect to such individual.

(3) QUALIFICATIONS.—Board members shall be individuals with knowledge or expertise, whether by experience or training, in the field of Federal law enforcement.

(4) TERMS AND VACANCIES.—Each Board member shall be appointed for 2 years and may be reappointed. A vacancy in the Board shall not affect the powers of the Board and shall be filled in the same manner as the original appointment.

(d) OPERATIONS.—

(1) CHAIRPERSON.—The Chairperson of the Board shall be a Board member elected by a majority of the Board.

(2) MEETINGS.—The Board shall conduct its first meeting not later than 90 days after the appointment of a majority of Board members. Thereafter, the Board shall meet at the call of the Chairperson, or in the case of a vacancy of the position of Chairperson, at the call of the Attorney General.

(3) VOTING AND RULES.—A majority of Board members shall constitute a quorum to conduct business, but the Board may establish a lesser quorum for conducting hearings scheduled by the Board. The Board may establish by majority vote any other rules for the conduct of the business of the Board, if such rules are not inconsistent with this Act or other applicable law.

(4) STAFF.—The Board may appoint and fix the pay of additional qualified personnel as the Board considers appropriate to assist it in carrying out its duties under subsection (b).

(e) POWERS.—

(1) HEARINGS.—

(A) IN GENERAL.—The Board may hold hearings, sit and act at times and places, take testimony, and receive evidence as the Board considers appropriate to carry out the duties of the Board under this Act. The Board may administer oaths or affirmations to witnesses appearing before it.

(B) WITNESS EXPENSES.—Witnesses requested to appear before the Board may be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code. The per diem and mileage allowances for witnesses shall be paid from funds appropriated to the Board.

(2) INFORMATION FROM FEDERAL AGENCIES.—Subject to sections 552, 552a, and 552b of title 5, United States Code—

(A) the Board may secure directly from any Federal department or agency information necessary to enable it to carry out this Act; and

(B) upon request of the Board, the head of that department or agency shall furnish the information to the Board.

(3) INFORMATION TO BE KEPT CONFIDENTIAL.—The Board shall not disclose any information which may compromise an ongoing law enforcement investigation or is otherwise required by law to be kept confidential.

(f) COMPENSATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), Board members shall serve without pay.

(2) TRAVEL EXPENSES.—Each Board member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

SEC. 6. PRESENTATION OF BADGES.

(a) PRESENTATION BY MEMBER OF CONGRESS.—A Member of Congress may present a Badge to any Badge recipient who resides in such Member's congressional district. If both a Senator and Representative choose to present a Badge, such Senator and Representative shall make a joint presentation.

(b) PRESENTATION BY ATTORNEY GENERAL.—If no Member of Congress chooses to present the Badge as described in subsection (a), the Attorney General, or a designee of the Attorney General, shall present such Badge.

(c) PRESENTATION ARRANGEMENTS.—The office of the Member of Congress presenting each Badge may make arrangements for the presentation of such Badge, and if a Senator and Representative choose to participate jointly as described in subsection (a), the Senator and Representative shall make joint arrangements. The Board shall facilitate any such presentation arrangements as requested by the congressional office presenting the Badge and shall make arrangements in cases not undertaken by Members of Congress.

(d) LIMITATION.—A Badge may not be awarded under this section during the 60-day period before the date of a Congressional election.

SEC. 7. DEFINITIONS.

For purposes of this Act:

(a) FEDERAL LAW ENFORCEMENT OFFICER.—The term ''Federal law enforcement officer'' means a Federal employee—

(1) who has statutory authority to make arrests;

(2) who is authorized by his or her agency to carry firearms; and

(3) whose duties are primarily—

(A) the investigation, apprehension, or detention of individuals suspected or convicted of a Federal criminal offense; or

(B) the protection of Federal officials against threats to personal safety.

(b) AGENCY HEAD.—The term ''agency head'' means the head of any executive, legislative, or judicial branch government entity that employs Federal law enforcement officers.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Attorney General such sums as may be necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. 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 bill under consideration.

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

There was no objection.

Ms. ZOE LOFGREN of California. Madam Speaker, I yield myself such time as I may consume.

It is my pleasure to rise in strong support of H.R. 4056, the Federal Law Enforcement Officers Congressional Badge of Bravery Act of 2008.

This measure establishes a formal process by which Congress will be able to recognize acts of bravery by men and women in Federal law enforcement who become injured in the course of their duties.

Each year, approximately 150 Federal law enforcement officers are injured in the line of duty. Although more than 70 Federal agencies employ law enforcement officers, only two of these agencies have an awards mechanism to recognize officers who are injured in the line of duty.

This bill addresses a long overdue need to establish a process for congressional recognition of the dangers these officers face for our safety. It would authorize a Member of Congress or the Attorney General to present in the name of Congress a Congressional Badge of Bravery to an officer who is cited by the Attorney General based on the recommendation of a board established by this measure.

Madam Speaker, the men and women in Federal law enforcement, like many hardworking public servants, must often work long and sometimes irregular hours. Unlike other public servants, however, Federal law enforcement officers undertake their responsibilities with full knowledge that they are at risk of severe injury, or worse.

This bill will now accord these brave men and women formal congressional recognition, an honor that is so very much deserved. I thank the gentleman from Indiana (Mr. ELLSWORTH) for his leadership on this important legislation. I encourage my colleagues to support it.

Madam Speaker, I reserve the balance of my time.

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

I rise in strong support of H.R. 4056, the Federal Law Enforcement Officers Congressional Badge of Bravery Act of 2008. The men and women of American's Federal law enforcement agencies risk their lives every day protecting our communities, apprehending criminals and bringing them to justice. They are charged with the challenge of disrupting terrorist plots, combating violent gang activity, and stemming the flow of illegal drugs into this country. And they rise to this challenge every single day.

□ 1230

Over 100,000 law enforcement officers are employed by Federal agencies, including not only the FBI, DEA and ATF, but also the Secret Service, Forest Service, Park Police, Postal Inspectors and Immigration and Customs Enforcement officers.

Unbeknownst to many of us, approximately 150 of our Federal officers are injured in the line of duty each year in this country. However, of the more than 70 Federal agencies that employ law enforcement officers, only two, the Drug Enforcement Administration and Bureau of Alcohol, Tobacco, Firearms and Explosives, actually recognize agents injured in the line of duty.

H.R. 4056 establishes the Congressional Badge of Bravery to honor Federal law enforcement officers injured in the line of duty, the first formal congressional award honoring injured law enforcement officers throughout the entire Federal Government.

The Congressional Badge of Bravery will be awarded to those Federal law enforcement officers who demonstrate bravery in performance of their duties, faced personal risk to their safety, and were injured in the line of duty.

H.R. 4056 establishes a seven-member Badge of Bravery Board within the Department of Justice. The Board is charged with designing the badge, selecting recipients and coordinating the presentation of the award.

Federal law enforcement officers perform an invaluable service in protecting our Nation from terrorist attacks, apprehending violent criminals, including sexual predators who prey on our children, and ensuring the safety of thousands of visitors to America's parks and forests each year. This badge of bravery is the least we can do to recognize the dedication and sacrifice of those injured in the line of duty.

I urge my colleagues to support this legislation.

I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Madam Speaker, it is an honor to yield to the author of this legislation, Mr. ELLSWORTH, who represents his district in Indiana with distinction, but also represented the district as their sheriff for many years, and it is therefore very appropriate that I yield to him 5 minutes.

Mr. ELLSWORTH. Madam Speaker, I'd like to thank Ms. ZOE LOFGREN and Mr. CHABOT from Ohio for their support and recommended support for this. And I rise with great pride today to support the Federal Law Enforcement Officers Congressional Badge of Bravery Act.

As we all know, our Federal law enforcement agencies, including the Capitol Police that keep us safe every day, are responsible for providing much of the safety and security that all Americans expect and enjoy. In big cities and in small towns across the country, Federal law enforcement officers work to keep our Nation safe from terrorists, criminals and anybody who seeks to do us harm. This legislation gives Congress an opportunity to honor their service.

As a career law enforcement officer, I know about the sacrifices that all law enforcement officers make in service to their communities and the Nation. I've seen genuine acts of bravery and heroism, and have also been witness to

some of the injuries that can come with the job.

While my experiences are specific to local law enforcement, Department of Justice statistics show that over the last 7 years, an average of 150 Federal law enforcement officers each year sustained physical injuries while dealing with combative subjects as a direct result of their duties.

Unlike military personnel who are awarded a Purple Heart when wounded or killed during armed service, and in many States and local police who receive commendations and medals for sustaining physical injuries, most Federal law enforcement officers do not receive any official recognition for similar sacrifices. In fact, while more than 70 Federal agencies employ Federal law enforcement, only two such agencies, the DEA and the ATF, have an award mechanism to recognize those officers who were injured in the line of duty. This is an oversight that we can correct today.

The bill before us would make great progress in honoring the law enforcement officers who help keep us safe. It would establish a Congressional Badge of Bravery that would be awarded to officers injured in the line of duty while conducting an act of bravery. It would also provide Members of Congress the opportunity to present the Congressional Badge of Bravery to the injured officers who are truly hometown heroes in all of our districts.

It should also be noted that the Federal Law Enforcement Officers Association, which represents more than 26,000 members, supports this legislation.

Again, I'd like to thank Chairman CONYERS and his staff for their support and hard work and the assistance on this bill.

I urge my colleagues to support this legislation.

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

Ms. ZOE LOFGREN of California. I would just urge my colleagues to support this important legislation. It has bipartisan support.

Mr. SHULER. Madam Speaker, I rise today in support of H.R. 4056, establishing a Federal Law Enforcement Officers Congressional Badge of Bravery. This resolution will ensure that due public honor and recognition is given to those Federal law enforcement officers who are wounded in the line of duty while protecting our Nation and communities.

Federal law enforcement officers are employed by a multitude of agencies, yet only two of those agencies have distinct awards mechanisms to recognize officers wounded in the line of duty. Adopting this resolution will allow the Attorney General and Members of Congress the opportunity to honor Federal law enforcement officers from their districts and commend their actions, which resulted in being wounded, with a Badge. This honor will bolster recognition for those Federal officers, as well as raising awareness and pride of their work in the communities they serve and protect.

Madam Speaker, I commend Congressman ELLSWORTH on his leadership in bringing this legislation to the floor. I urge my colleagues today to vote for this important resolution that will give due honor and respect to those Federal law enforcement officers wounded in the line of duty by recognizing them with a Congressional Badge of Bravery.

Ms. ZOE LOFGREN of California. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 4056, 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.

SUPPORTING THE MISSION AND GOALS OF NATIONAL CRIME VICTIMS' RIGHTS WEEK

Ms. ZOE LOFGREN of California. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1053) supporting the mission and goals of National Crime Victims' Rights week in order to increase public awareness of the rights, needs, and concerns of victims and survivors of crime in the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1053

Whereas 23,000,000 Americans are victims of crime each year, and of those, 5,200,000 are victims of violent crime;

Whereas a just society acknowledges crime's impact on individuals, families, and communities by ensuring that rights, resources, and services are available to help rebuild lives;

Whereas victims' rights are a critical component of the promise of ''justice for all,'' the foundation for our system of justice in America;

Whereas although our Nation has steadily expanded rights, protections, and services for victims of crime, too many victims are still not able to realize the hope and promise of these gains;

Whereas we must do better to ensure services are available for underserved segments of our population, including crime victims with disabilities, victims with mental illness, victims who are teenagers, victims who are elderly, victims in rural areas, and victims in communities of color;

Whereas observing victims' rights and treating victims with dignity and respect serves the public interest by engaging victims in the justice system, inspiring respect for public authorities, and promoting confidence in public safety;

Whereas America recognizes that we make our homes, neighborhoods, and communities safer and stronger by serving victims of crime and ensuring justice for all;

Whereas our Nation must strive to protect, expand, and observe crime victims' rights so that there truly is justice for victims and justice for all; and

Whereas National Crime Victims' Rights Week, April 13, 2008 through April 19, 2008, provides an opportunity for us to strive to reach the goal of justice for all by ensuring that all victims are afforded their legal rights and provided with assistance as they face the financial, physical, and psychological impact of crime: Now, therefore, be it

Resolved, That the United States House of Representatives—

(1) supports the mission and goals of the 2008 National Crime Victims' Rights Week in order to increase public awareness of the impact of crime on victims and survivors of crime, and of the rights and needs of such victims and survivors; and

(2) directs the Clerk of the House of Representatives to transmit an enrolled copy of this resolution to the Office for Victims of Crime in the Department of Justice.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. 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 bill under consideration.

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

There was no objection.

Ms. ZOE LOFGREN of California. I yield myself such time as I may consume.

Madam Speaker, the National Center for Victims of Crime reports that approximately 23 million Americans are victimized by crime each year. Of these, more than 5 million are victims of violent crime.

Victims of crime can suffer from a broad range of adverse effects, ranging from the physical to the psychological. Some experience financial distress resulting from a disruption in employment.

Unfortunately, some of the most vulnerable of our society are also among those who are most commonly the victims of crime. People of color suffer disproportionately from violent crime. The poor and uneducated are often the target of financial schemes. And, sadly, children are victimized more than any other group.

A just society demands that we always bear in mind the suffering that crime victims endure and work to reduce the incidence of the crime that causes that suffering.

This bill will increase public awareness about the effects of crime on its victims and their families as well as our communities.

As part of today's debate, I would also like to point out that the Office for Victims of Crime offers a full array of assistance help for crime victims. By supporting this office and its programs on an ongoing basis we can help ensure that victims are afforded their legal rights and the necessary assistance to overcome the effects of being victimized by crime.

I encourage my colleagues to support H. Res. 1053.

I reserve the balance of my time.

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

Madam Speaker, I rise in strong support of this important resolution and the 28th annual observance of National Crime Victims' Rights Week. This year's theme, ''Justice for Victims, Justice for All'' is appropriate. Too often, victims of crime are made to be victims a second time, first as a result of the crime, but second as a result of our criminal justice system, the very system designed to protect them.

In 2004, 20 years after Congress enacted the Victims of Crime Act, Congress enacted the Justice for All Act. This was a significant victory for crime victims, as it extended a number of enforceable rights to crime victims, including the right to be reasonably heard at any public proceeding involving release, plea or sentencing, the right to file a motion to reopen a plea, or sentence in certain circumstances, and, most importantly, the right to be treated with dignity, fairness and respect.

Despite enactment, enforcement of these rights is just one of a number of important changes that needs to occur to ensure that our Nation's criminal justice system is just for both offenders and the victims of those crimes.

In a hearing held by the Crime Subcommittee 3 weeks ago, testimony was presented revealing that crime victims continue to bear the brunt of crimes. According to the Department of Justice, crime costs victims and their families more than $105 billion in lost earnings, public victim assistance and medical expenses.

For example, despite a victim's right to full and timely restitution, it remains one of the most underenforced victims' rights within our justice system. In fact, more than $50 billion in criminal debt, including restitution and fines, were uncollected in 2007. And the amount of outstanding criminal debt is only expected to increase, ballooning from $269 million to almost $13 billion. And in my own State of Ohio, more than $1.2 billion in criminal debt remained uncollected at the end of fiscal year 2007.

While I appreciate the majority's effort to recognize National Crime Victims' Rights Week, I believe that more than just lip service can be done to help victims. Many of us have introduced good legislation, such as H.R. 845, the Criminal Restitution Improvement Act of 2007, or H.R. 4110, restitution legislation introduced by Representative SHEA-PORTER that will do more to assist victims.

If we all agree that crime victims bear the brunt of crimes, then why not pass a bill such as H.R. 845, that makes restitution mandatory and strengthens collection efforts?

Enforcement of these rights is the type of legislation that crime victims and their families need and deserve to help rebuild their lives, not just the recognition that they exist on paper.

I appreciate the work that my colleagues, Mr. COSTA and Mr. POE, have done on the Victims' Rights Caucus and in introducing this resolution. National Crime Victims Week serves many purposes, including to remind us what victims have suffered and the need to include them in the criminal justice system, to thank those individuals and organizations who have selflessly dedicated themselves to assisting victims, and to urge us all to rededicate ourselves to advance the cause of the victims of crime.

I urge my colleagues to support the victims of crime and their families and those that help them rebuild their lives by supporting this resolution.

I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Madam Speaker, it is an honor to recognize my colleague from California, the author of this bill, Congressman JIM COSTA, for 5 minutes.

Mr. COSTA. Madam Speaker, I thank the gentlewoman from California for yielding me the time.

I rise today to introduce House Resolution 1053 with my colleague, Congressman TED POE. This supports the mission of the goals of National Crime Victims' Rights Week, and that designated that this week, April 13 to April 19, as National Crime Victims' Rights Week.

Congressman POE and I introduced this resolution on behalf of Victim Rights Caucus members who have joined this effort over the recent years.

In 1980 President Reagan first called for a national observance to recognize and honor millions of victims of crime in our country, their families and survivors. And with a bipartisan effort in Congress, that took place.

National Crime Victims' Rights Week also pays tribute to thousands of community-based systems for victims service providers, who, in fact, provide support to the criminal justice system and allied professionals, who, in fact, help those victims of crime every week throughout the country.

This year's theme for National Crime Victims' Rights Week is ''Justice for Victims, Justice for All.'' We, as a Nation, must do more to ensure that all victims of crime are afforded their legal rights and provided with assistance as they face financial, physical and oftentimes psychological impacts of crime.

When I first arrived in Washington almost 4 years ago, there was a lack of an advocacy group of behalf of victims' rights and issues. Congressman TED POE and I decided, as new Members, that we would put together a Victim Rights Caucus. We're very proud of the effects of this caucus in the first 4 years of its origin.

The goals of our caucus are simple: One, to represent crime victims in the United States in a bipartisan effort by supporting legislation that reflects their interests and their needs.

Two, to provide ongoing forum for proactive discussion between Congress and national victims assistance organizations to enhance mutual education, legislative advocacy and initiatives which promote justice for all, including, most importantly, the victims of crime.

Three, to seek opportunities for education to public education initiatives to help those in the United States to understand the impact on crime on victims and to encourage their involvement in crime prevention, victim assistance and community safety.

And, fourth, to protect the restitution fund that was initiated in the early 1980s. Those restitution funds go to the benefits of victims of crimes. Unfortunately, this administration has tried to redirect those restitution funds, which are not taxpayers dollars, but, in fact, criminal dollars, to the general fund. This Congress and the previous Congress prevented that from occurring.

Our caucus has been very successful. We have authored legislation, and I want to thank Congressman TED POE for cochairing the caucus with me, and for all of the Members of the House of Representatives who belong to this caucus.

Crime victims are our sons, our daughters, our brothers and our sisters, or neighbors and our friends. And they are struggling to survive in the aftermath of crime. They deserve our support.

□ 1245

Mr. CHABOT. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. POE), who before joining us here in Congress was a very distinguished judge who was recognized for his leadership in working to promote the interests of victims of crime.

Mr. POE. Madam Speaker, I appreciate the gentleman from Ohio yielding.

Madam Speaker, victims of crime are real people. They are our friends, our relatives and our neighbors, and unfortunately, because of our culture, they have been for many years overlooked in the criminal justice system. Well, I think those days are over because they are as important as defendants, because the same Constitution that protects the rights of defendants in the courtroom, that same Constitution protects the rights of victims of crime.

Since 1981, this country celebrates National Crime Victims' Rights Week in April. Local communities hold rallies and candlelight vigils and a number of other activities to honor the millions of crime victims and survivors in the United States and also to recognize those many individuals that work with crime victims.

This week is National Crime Victims' Rights Week, and this year's theme is ''Justice for Victims, Justice for All.'' It is a very appropriate theme because we cannot achieve justice for all until there is some justice, total justice, for victims of crime.

The victims' right movement has come a long way. The days when a victim was just a mere witness in the courthouse are not far gone.

While we are always sure to safeguard the rights of defendants, our justice system must also safeguard the rights of victims of crime.

The victims' rights movement dates all the way back to 1965 when the first crime victim compensation program was started in the State of California. Five States enacted similar legislation by 1970, and then we saw that organization, what we call the MADD mothers, Mothers Against Drunk Driving, come into being to advocate on behalf of victims of crime who had been hurt by those people who drink and drive.

In 1975, activists across the country united and formed the National Organization for Victim Assistance to expand victim services and promote the rights of victims.

In 1978, three more important organizations started: the National Coalition Against Sexual Assault, the National Coalition Against Domestic Violence, and a group of somber individuals called Parents of Murdered Children, all of them advocating on behalf of crime victims.

President Reagan in 1981 proclaimed the first National Victims' Rights Week in April, and that was also the year that 6-year-old Adam Walsh was abducted from a department store and later murdered, prompting a national campaign to educate the public on missing children and to pass better legislation—Federal legislation, to protect our greatest natural resource, the young that live among us.

In 1982, the Federal Government created the Office for Victims of Crime, or OVC, within the Department of Justice, a tremendous organization that sees after the victims of crime in our country.

Then, in 1984, the Congress passed the Victims of Crime Act, what we call VOCA, one of the most novel concepts that Congress has ever adopted. What it does is require that people convicted in Federal courts, those defendants, once they are convicted, they pay moneys into a fund, and that fund is used to help crime victims throughout the United States. It is a tremendous idea, making defendants pay for the system they have created, pay the rent on a courthouse as I like to call it. And today, Madam Speaker, that fund is over $1.7 billion, contributed not by taxpayers but by offenders, that goes for the specific purpose of helping victims, helping victims' organizations like rape centers, domestic violence shelters, and victim advocates that help victims throughout the turmoil of being a crime victim.

In 2005, my first year in Congress, I was honored to form the Victims' Rights Caucus with the gentleman from California (Mr. COSTA), who was a long-time victims' advocate in the State of California before he ever came to Congress. And this bipartisan, but yet nonpartisan, caucus now has 44 members, and we do everything we can to raise the awareness of crime victims here in the Federal Government.

In 2006, 25 years after Adam Walsh's murder that I just mentioned earlier, President Bush signed the Adam Walsh Child Protection and Safety Act, which requires sex offenders and child molesters, once they leave the Federal penitentiary or State penitentiaries, to register on the national database so that we keep up with those people who wish to prey on our communities.

Madam Speaker, crime victims don't have a lobbyist up here in Washington. They don't have some high-dollar lobbyist to work for them and advocate on their behalf. But we are their lobbyists. We advocate on behalf of all crime victims because that's what we do here in Congress, to take and protect the best that we have among us, and that's crime victims.

I urge community leaders and organizations to celebrate how far the victims' rights movement has come but also to continue to recognize the importance of crime victims that live among us because, Madam Speaker, justice is the one thing we should always find, and hopefully crime victims can find justice at the courthouse in our day and time.

And that's just the way it is.

Ms. ZOE LOFGREN of California. Madam Speaker, I wonder if the gentleman from Ohio has additional speakers.

Mr. CHABOT. We have no additional speakers, and we would be happy to yield back our time.

Ms. ZOE LOFGREN of California. Madam Speaker, I would urge my colleagues to support this resolution. It's bipartisan. It's important.

I just recalled, as I was listening to both Mr. POE and Mr. COSTA taking the lead and I thank them both for that, my more than 10 years on the Victim Witness Assistance Board, when I was in local government, and the tremendous need there is for people who have been victims and then who are also witnesses to receive the assistance from society that they need so much.

So I appreciate the efforts of both gentlemen and our colleagues who are in this caucus and urge support.

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 (Ms. ZOE LOFGREN) that the House suspend the rules and agree to the resolution, H. Res. 1053.

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

A motion to reconsider was laid on the table.

COMMEMORATING THE ANNIVERSARY OF THE FAIR HOUSING ACT

Mr. CONYERS. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1095) recognizing and honoring the 40th anniversary of congressional passage of title VIII of the Civil Rights Act of 1968 (the Fair Housing Act) and the 20th anniversary of the Fair Housing Amendments Act of 1988.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1095

Whereas April 11, 2008, marks the 40th anniversary of congressional passage of the Fair Housing Act;

Whereas September 13, 2008, marks the 20th anniversary of congressional passage of the Fair Housing Amendments Act of 1988;

Whereas the Chicago Freedom Movement, led by the Reverend Doctor Martin Luther King, Jr., expanded the fight for civil rights from the South to the North, raised the national consciousness about housing discrimination, and shaped the debate that led to the landmark fair housing legislation, the Fair Housing Act;

Whereas the National Advisory Commission on Civil Disorders, appointed by President Lyndon B. Johnson and commonly known as the Kerner Commission, found in 1968 that ''[o]ur nation is moving toward two societies, one black and one white—separate and unequal'';

Whereas Congress passed the Fair Housing Act as part of the Civil Rights Act of 1968, and President Lyndon B. Johnson signed the Act into law on April 11, 1968, one week after the assassination of the Reverend Doctor Martin Luther King, Jr.;

Whereas the Fair Housing Act prohibits discrimination in housing and housing-related transactions on the basis of race, color, national origin, and religion;

Whereas in section 808 of the Housing and Community Development Act of 1974, Congress amended the Fair Housing Act to include protection on the basis of sex;

Whereas the Fair Housing Amendments Act of 1988, passed by overwhelming margins in Congress, included protection on the basis of familial status and disability, created an important enforcement mechanism, and expanded the definition of ''discriminatory housing practices'' to include interference and intimidation, requiring the Department of Housing and Urban Development to issue regulations to implement and interpret the Fair Housing Act and report annually to Congress on the nature and extent of housing discrimination;

Whereas the intent of Congress in passing the Fair Housing Act was broad and inclusive, to advance equal opportunity in housing and achieve racial integration for the benefit of all people in the United States;

Whereas housing integration affects educational attainment, employment opportunities, access to health care, and home equity;

Whereas the majority of Americans support neighborhood integration, and numerous studies have shown the universal benefits of residential integration;

Whereas more than 4,000,000 violations of fair housing laws still occur each year against people of all protected classes, and testing of the enforcement of fair housing laws continues to uncover a high rate of discrimination in the rental, sales, mortgage lending, and insurance markets;

Whereas less than 1 percent of violations of fair housing laws are reported each year;

Whereas fair housing centers funded by Fair Housing Initiatives Program (FHIP) are the frontline in the effort to resolve housing discrimination;

Whereas in 2006, approximately 27,000 housing discrimination complaints were filed, of which 18,000 complaints were resolved by fair housing centers;

Whereas the Fair Housing Assistance Program (FHAP) funds fair housing grants annually on a non-competitive basis to State and local fair housing enforcement agencies which are used for complaint processing, administrative costs, special enforcement efforts, training and other projects designed to enhance the agency's administration and enforcement of its fair housing law;

Whereas fair housing education and enforcement play a pivotal role in increasing housing choice and minority homeownership and combating predatory lending; and

Whereas the Fair Housing Act is an essential component of our Nation's civil rights legislation: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes and honors the 40th anniversary of the enactment of the Fair Housing Act (42 U.S.C. 3601 et seq.) and the 20th anniversary of the enactment of the Fair Housing Amendments Act of 1988 (Public Law 100–430; 102 Stat. 1619);

(2) supports activities to recognize and celebrate the important historical milestones represented by the anniversaries of the enactment of the Fair Housing Act and the enactment of the Fair Housing Amendments Act of 1988; and

(3) encourages all people and levels of government to rededicate themselves to the enforcement and the ideals of fair housing laws.

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

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. 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 resolution under consideration.

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

There was no objection.

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

House Resolution 1095 recognizes the 40th anniversary of the Fair Housing Act, enacted as Title VIII of the Civil Rights Act of 1968.

On April 11, 1968, days after the assassination of Dr. Martin Luther King, Jr., President Lyndon Johnson signed into law the Fair Housing Act, which prohibits discrimination in housing based on race, color, religion or national origin. Twenty years later today, the law was expanded by the Fair Housing Amendments Act to include protections against discrimination based also on sexual orientation, familial status, and disability.

Many may not recall Dr. King's advocacy for fair housing, but he recognized the tremendous costs our society pays if patterns of segregated living continues, as it has.

While there is no question that the Fair Housing Act has become a powerful tool for advancing civil rights, there is much more to be done. For instance, most Americans still live in communities largely divided by race, according to the National Fair Housing Alliance.

An estimated 3.7 million people are discriminated against in housing transactions every single year. This number doesn't even include instances of discrimination against persons with disabilities, nor does it reflect discriminatory lending in insurance practices, planning and zoning, or other forms of profiling. We have so much more to do.

Enforcement is a key area where we need further improvement. For example, while 27,000 complaints of housing discrimination were filed with the Federal Government last year, Housing and Urban Development issued 31 charges, and the Justice Department filed 35 cases.

Landlords, real estate agents, lenders, insurance agents, and others know they face limited risk of prosecution for discrimination. Even those who are prosecuted often pay such a minor penalty that discrimination today becomes just another cost of doing business. It's no surprise that housing providers continue to discriminate and communities across our Nation sadly remain highly segregated.

The most recent manifestation of discrimination in housing is the current sub-prime foreclosure crisis, which presents some of the greatest fair housing and civil rights issues facing our Nation today. Fueled by reverse red-lining practices, the sub-prime foreclosure crisis is now causing extreme havoc for minority owners who were targeted for predatory home loans that stripped away their home equity and put their houses at risk of foreclosure. It's also affected financing markets all over the world.

If left unchecked, the foreclosure crisis threatens to wipe out many of the advances the country has made in the 40 years since the passage of the Fair Housing Act.

To be an effective tool in our fight against discrimination, the Fair Housing Act must be enforced, and we need to augment it with tough anti-predatory lending legislation, which is what I intend to do.

We should also enact legislation permitting bankruptcy judges to restructure home mortgages so deserving families can save their homes from foreclosure and, thereby, stem falling housing prices in communities all across our Nation.

After centuries of discrimination and denied opportunities, enactment of the Fair Housing Act 40 years ago marked a milestone in our Nation's efforts to achieve equal housing opportunities.

And so today, we celebrate the Fair Housing Act's 40th anniversary with, I hope, a renewed commitment to achieving and furthering its goals by supporting this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. CHABOT. Madam Speaker, I rise in strong support of H. Res. 1095, a resolution commemorating the 40th anniversary of the passage of the Fair Housing Act.

On April 4, 2008, just 11 days ago, this Nation joined together to pay tribute to the 40th anniversary of the assassination of Dr. Martin Luther King, Jr., and recognize his contributions to this Nation.

□ 1300

Thus, it's only fitting that we recognize one aspect of Dr. King's legacy, passage of the Fair Housing Act, which was signed into law by President Lyndon Johnson on April 11, 1968, just one week after Dr. King's tragic assassination.

The act, which prohibits discrimination in the sale, rental and financing of housing based on race, religion, national origin, sex, and later handicap and family status, was another tool to give meaning to the rights and protections afforded to all citizens by the Constitution.

Passage of the Fair Housing Act was a fitting memorial to Dr. King, as his name was closely associated with fair housing legislation since the 1966 ''open housing'' marches in Chicago.

At the same time, Senator Edward Brooke, the first African American ever to be elected to the Senate by popular vote, helped facilitate this Act's passage by describing his difficulties finding housing for his new family following his service in World War II.

The first official appointed to administer the act was former Governor George Romney. Secretary Romney assumed his position of Secretary of Housing and Urban Development after serving as Governor of Michigan, where he successfully campaigned for the ratification of a State constitutional amendment that prohibited discrimination in housing.

Since its enactment, the Fair Housing Act has prevented both countless instances of specific discrimination as well as broader patterns or practices of discrimination in housing programs. In addition, the act serves to punish those who attempt to disguise their discriminatory motives by giving false information to potential homebuyers, or by manipulating zoning codes. It prohibits sexual harassment in housing, and enables the disabled to more easily assimilate into our communities.

Madam Speaker, I would be remiss if I didn't also commend and recognize the chairman of the Judiciary, Mr. CONYERS, both for his remarks, and also working with myself in a bipartisan manner on the issue that he raised about those that find themselves at risk of having their homes foreclosed upon. And I agree with him that we ought to give the bankruptcy judges additional powers to modify those particular agreements so that they can have a better chance of retaining their homes. That certainly would move forward those that find themselves at risk

of losing their own homes. Again, I want to thank the chairman of the committee for working with us in a bipartisan manner on that issue.

I urge my colleagues to join me in supporting this resolution today, and in celebrating the 40th anniversary of passage of the Fair Housing Act.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I thank my colleague from Ohio (Mr. CHABOT), the ranking member, for his great work on the matter.

And now I recognize the Reverend AL GREEN of Texas, the author of this idea, for 4 minutes.

Mr. AL GREEN of Texas. Thank you, Mr. Chairman. However, the promotion I cannot claim. I'm still a lowly Member of the House of Representatives, not yet made it to that lofty level of being a reverend, but you are very kind. And I thank you for the many years of work that you have dedicated to this very issue that we have on the floor today. In fact, it can be said that your great work has caused us to have this opportunity to be here today.

I also would like to thank the ranking member, LAMAR SMITH, for his work in helping us to bring this to the floor, and the manager of the time, Member STEVE CHABOT, for your services that you've rendered as well. And I appreciate especially the comments that you've made today.

In celebrating or commemorating or recognizing the 40th anniversary of the Fair Housing Act of 1968, we are, in truth, recognizing the efforts of Dr. Martin Luther King because it was Dr. Martin Luther King who went to Memphis some 40 years ago to help what we call sanitation workers today, but back then we called them garbage men.

Dr. King had a basic premise of trying to help somebody. And to him, these persons, although known as garbage men, they were somebody. And he went there to help them in their efforts to obtain equal justice. And while there, the unfortunate circumstance occurred, and we lost Dr. King prematurely. But I do believe that he did not live in vain.

There is a spiritual song styled, ''If I can help somebody as I travel along, if I can help someone with a word or a song, if I can help someone from doing wrong, then my living shall not be in vain.'' Dr. King lived not in vain because this act, the Fair Housing Act, was passed after his demise. There are some historians who contend that it was his demise, in fact, that created the opportunity for it to pass as timely as it did.

And I am honored that Dr. King took up the cause of the lowly garbage men. However, 40 years later, there is still great work to be done, as has been indicated by the chairman, because 40 years later there are approximately four million acts of housing discrimination each year in this country. Forty years later, approximately 27,000 acts of housing discrimination and complaints are filed annually. Forty years later, 13 fair housing groups have closed their doors due to a lack of funding. Forty years later, 26 fair housing centers, or one-quarter of all fair housing centers, have either closed their doors or are at risk of closing their doors due to a lack of funding.

Forty years later, 87 percent of African Americans, Latinos and Asian Americans meet with real estate agents and experience some form of steering. Steering occurs when the agent will send a person of one ethnicity to an area where persons of this ethnicity may be residing, whites to white neighborhoods, blacks to black neighborhoods, or neighborhoods that are going into some form of transition. Forty years later, 20 percent of the African Americans and Latinos trying to buy or rent homes have their cause ignored.

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

Mr. CONYERS. I yield the gentleman 1 additional minute.

Mr. AL GREEN of Texas. Less than 1 percent of housing discrimination acts are reported 40 years later.

So we need to do something to change this. We need to fully fund the fair housing programs. FHIP, the Fair Housing Initiative Program, should be fully funded to about $52 million.

This program allows us to do what is known as testing, the means by which we acquired the empirical evidence that housing discrimination has actually occurred. There is no substitute for FHIP and the testing that takes place.

But also there is a piece of legislation, the Fair Housing Act of 2007, or H.R. 2926, which will give HUD some additional authority, will establish competitive grants, will help us to examine the causes of housing discrimination and talk about what we can do and, in fact, conclude what we can do to make remedies.

If we want to live not in vain as Dr. King did, let's help somebody. Let's do something about discrimination in housing and make real the great American ideal of owning a home.

Mr. CONYERS. I am pleased now to recognize a senior member of the House Judiciary Committee, MEL WATT, for as much time as he may consume. And I note that, although the gentleman from Texas is not a minister, we may all agree that he is a good preacher.

Mr. WATT. Madam Speaker, I rise in support of H. Res. 1095, the resolution recognizing the 40th anniversary of the Fair Housing Act.

The Fair Housing Act, title VIII of the Civil Rights Act, was passed by Congress and signed into law by President Lyndon Johnson in April of 1968, only 1 week after the assassination of Reverend Dr. Martin Luther King.

This landmark act, the primary purpose of which is to prohibit discrimination in housing, introduced meaningful Federal enforcement mechanisms for buyers and renters. The Federal Housing Act initially prohibited discrimination on the basis of race, color, religion and national origin. Sex was subsequently added to the list of protected classes in 1974, and disability and family status were added in 1988.

Forty years later, in 2008, effective and meaningful enforcement of these fair housing laws continues to be critically important. It is essential that we continue to combat housing discrimination, which still exists today, not just by enacting laws, but by enforcing those that we have on the books already.

This is a meaningful piece of legislation, and I'm honored to pay tribute to the importance of it, but more importantly, to pay tribute and to recognize that enforcement continues to be a problem, and that discrimination in housing continues to exist.

With that, I thank the gentleman for the time.

Mr. CONYERS. Madam Speaker, I am pleased now to recognize the Honorable MAXINE WATERS of California for as much time as she may consume.

Ms. WATERS. Madam Speaker, I am pleased to speak in strong support of this resolution offered by my colleague, Mr. GREEN, from Houston commemorating the 40th anniversary of title VIII of the Civil Rights Act of 1968 and the 20th anniversary of the Fair Housing Amendments Act of 1988.

The history of the Fair Housing Act embodies both our Nation's most noble instincts and recent behavior by our Federal Government, which should make none of us proud.

On April 11, 1968, one week to the day after the assassination of Dr. Martin Luther King, Jr., Congress passed and the President signed into law the Federal Fair Housing Act which now prohibits discrimination in housing based on race, national origin, religion, color, sex, familial status and disability.

Acting on this legislation, which has been stalled in this body for over 2 years, was a fitting tribute to Dr. King and reflected a belief that something constructive could be achieved in the aftermath of days of unrest in cities across the country.

In 1988, the law was amended by the Fair Housing Amendments Act, which significantly strengthened the enforcement powers of the act, giving the Departments of Housing and Urban Development and Justice the authority to mandate and to enforce the expanded and comprehensive requirements of the act. Unfortunately, while we can be proud of passing these landmark statutes, the sad fact is that the Fair Housing Act remains the least enforced of our Nation's civil rights laws.

Through the work of local housing groups like the Housing Rights Center in my district in Los Angeles, we know that more than 3.7 million people are discriminated against in housing transactions every year, and we are on the brink of an economic crisis fueled by a failed subprime lending market built

primarily on borrowers and neighborhoods of color.

The current foreclosure crisis is the outgrowth of persistent discrimination in housing, lending and insurance markets that took place under the negligent eyes of the very Federal agencies charged with enforcing our Nation's antidiscrimination laws. In 2007, the U.S. Department of Housing and Urban Development issued only 31 charges of discrimination, and the Department of Justice filed just 35 cases.

Sadly, the risk posed by lax enforcement of the Fair Housing Act is no less than the resegregation of America. While we have made some progress in reducing levels of residential segregation, most Americans live in communities largely divided by race and ethnicity. Perhaps more distressingly, our children are attending increasingly segregated schools. Recent research demonstrates that by 2000, minority students were in schools with substantially fewer white students than was the case a decade earlier. We must reduce those troubling trends.

To that end, I urge my colleagues to support this resolution offered by Mr. GREEN, whose dedication to the housing needs of America and America's most vulnerable households is second to that of no other member of the Housing and Community Opportunity Subcommittee, which I chair.

Additionally, in my role as Chair, I'm joining Mr. GREEN in rededicating myself to the enforcement of the Fair Housing Act, starting with making plans for a joint hearing with the Constitution Subcommittee, chaired by Mr. NADLER of New York, to hold the inadequate efforts of both HUD and the Department of Justice up to congressional scrutiny.

□ 1315

The best way to celebrate the anniversary of the Fair Housing Act is to take concrete actions to enforce both its letter and spirit.

Mr. Chairman of our Judiciary Committee, whose lifelong work has been to end discrimination and to enforce fair housing and to enforce civil rights, I just thank you for having the opportunity to work with you.

Mr. CONYERS. Madam Speaker, I recognize now the gentlewoman from Oakland, California, a valuable member of the House (Ms. LEE), for such time as she may consume.

The SPEAKER pro tempore. The gentleman from Michigan will note that there are only 3 minutes remaining.

Ms. LEE. Let me first say to the chairman of the Judiciary Committee, I want to thank you also for staying the course for freedom, justice, and equality for so many years. Thank you, Mr. CONYERS, and thank you for yielding.

Madam Speaker, let me say that I rise in strong support of H. Res. 1095, and I also must thank Congressman AL GREEN for introducing this very important resolution but also for his consistent voice for liberty and justice for all. Thank you, Congressman GREEN.

The Fair Housing Act was critical in ending the rampant discrimination in the housing industry 40 years. Today the Fair Housing Act continues to play a vital and significant role in ensuring fair and equal access to housing for all Americans.

It is in part due to the failure, however, of this administration to enforce these civil rights laws that led to the predatory lending practices that fueled the housing crisis our Nation now faces.

Just like many other innovative and progressive ideas about equality and fairness, I must remind us of the fact that the Fair Housing Act had a California precursor: the Rumford Fair Housing Act, one of the first fair housing laws in the Nation. Former Assemblyman William Byron Rumford, the first African American from Northern California elected to the California legislature, and whose seat I was later honored to hold, passed this landmark bill in 1963, and today I also honor his memory and his legacy.

But like many today who argue that the housing and financial services industries do not need further oversight or regulation, I must remind us also that during this period, a candidate for governor over 40 years ago, Ronald Reagan, fought very hard against fair housing laws. But, thankfully, Ronald Reagan lost his fight to make housing discrimination the law in California, and 40 years ago the Congress passed the Fair Housing Act to outlaw discrimination in housing in every State of the union. Like my colleagues, I also honor the legacy of Dr. Martin Luther King, Jr. today as we pass this resolution.

Unfortunately, today the promise of fair housing remains unfulfilled. De facto segregation has kicked in. Subprime mortgages have unfairly hit African Americans and the Latino community and other communities of color. So we must work to educate Americans about their right to fair housing and work together to enforce the law. And we must fully fund fair housing programs to at least the tune of $84 million in fiscal 2009.

So, Madam Speaker, we must recommit ourselves today to make these critical investments a guarantee for fair housing for all Americans. Housing should be a basic human right in our great country.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise in support of H. Res. 1095, "Commemorating the 40th Anniversary of the Fair Housing Act", introduced by a fellow Texan, Representative AL GREEN.

The Department of Housing and Urban Development (HUD) is the nation's housing agency committed to increasing homeownership, particularly among minorities; creating affordable housing opportunities for low-income Americans; and supporting the homeless, elderly, people with disabilities and people living with AIDS. The Department also promotes economic and community development and enforces the nation's fair housing laws.

However, according to the Department of Housing and Urban Development (HUD), more than 10,000 people filed housing discrimination complaints last year, mostly from persons with disabilities. HUD also found that race-based housing discrimination was the second most frequent reason individuals filed complaints.

Of the more than 10,000 complaints filed last year, 43 percent alleged discrimination against persons with disabilities while 37 percent alleged racial discrimination. Most complainants claimed to be victims of discrimination in the terms and conditions of the sale or rental of housing, or outright refusal to rent.

The Assistant Secretary for Fair Housing and Equal Opportunity at HUD stated that "Forty years after the passage of the Fair Housing Act, an alarming number of families are still being denied housing and still need the protections this landmark law offers." Assistant Secretary Kim Kendrick's remarks only underscore the importance of HUD's continued enforcement, instruction, and outreach activities to ensure that all Americans have equal access to housing opportunities.

Currently HUD has placed fair housing advertisements on more than 900 movie screens throughout the country. These advertisements inform viewers that it is unlawful to discriminate in the sale, rental, or financing of housing and provided HUD's toll-free telephone number, for those that may have experienced or witnessed unlawful discrimination.

Another part of HUD's outreach in this area is its training program, Fair Housing Accessibility FIRST, which has trained 1,351 individuals in 22 training sessions in 17 states on the Fair Housing Act's design and construction requirements for multifamily housing.

TEXAS

On March 27th, HUD announced that the Texas State Program and the cities of Houston and New Braunfels will receive a total of $234,868,077 to support community development and produce more affordable housing. HUD's annual funding will also provide down payment assistance to first-time homebuyers; assist individuals and families who might otherwise be living on the streets; and offer real housing solutions for individuals with HIV/AIDS.

This funding will help Texas to reconstruct its neighborhoods and affordable housing stock by helping communities to improve their infrastructure or assisting families to purchase their first home, HUD is helping improve neighborhoods from the ground up.

The funding announced includes: Community Development Block Grant (CDBG) funds; HOME Investment Partnerships (HOME) funding; American Dream Down payment assistance; Emergency Shelter Grant (ESG); and, Housing Opportunities for Persons with AIDS (HOPWA).

Since 1974, HUD's Community Development Block Grant (CDBG) Program has provided more than $120 billion to state and local governments to target their own community development priorities. The rehabilitation of affordable housing and the improvement of public facilities have traditionally been the largest uses of CDBG although the program is also an important catalyst for job growth and business opportunities. Annual CDBG funds are distributed to communities according to a statutory formula based on a community's population, poverty, and age of its housing stock, and extent of overcrowded housing.

HOME (HOME Investment Partnerships Program) is the largest federal block grant to state and local governments designed exclusively to produce affordable housing for low-income families. Since 1992, more than 600 communities have completed more than 834,000 affordable housing units, including 352,000 for new homebuyers. In addition, 186,000 tenants have received direct rental assistance.

The American Dream Down payment Initiative (ADDI) helps first-time homebuyers with the biggest hurdles to homeownership—down payment and closing costs. The program was created to assist low-income first-time homebuyers in purchasing single-family homes by providing funds for down payment, closing costs, and rehabilitation carried out in conjunction with the assisted home purchase. Since the program's inception, ADDI has assisted nearly 29,000 families to purchase their first home.

Emergency Shelter Grants (ESG) helps local communities to meet the basic shelter needs of homeless individuals and families. These grants also provide transitional housing and a variety of support services designed to move the homeless away from a life on the street toward permanent housing. This block grant program, along with more than $14 million HUD awarded New Orleans and Jefferson Parish by competition, helps thousands of local homeless assistance programs to help those who would otherwise be living on the streets.

HUD's Housing Opportunities for Persons with AIDS (HOPWA) grants are distributed to states and cities based on the number of AIDS cases reported to the Centers for Disease Control and Prevention. The grants provide resources for operating community residences and providing rental assistance and support services to individuals with HIV/AIDS and their families. In addition, the HOPWA program also helps many communities develop strategic AIDS housing plans and fill in gaps in local systems of care. A stable home environment is a critical component for low-income persons managing complex drug therapies and potential side effects from their treatments.

SUBPRIME MORTGAGE CRISIS AND HOUSING

Over the past year, we have seen a crisis in subprime mortgage lending, which has threatened the stability of the housing market and the livelihoods of large numbers of Americans. This Democratic Congress is committed to strengthening the housing market and stabilizing the economy, and we have passed important legislation to address this crisis.

Due to the lack of regulation by the federal government, many loans were accompanied by fraud, predatory lending, inadequate information and other failures of responsible marketing. With exceptionally high (and rising) foreclosure rates across the country, homeowners all over America are losing their homes.

The sub-prime mortgage crisis has impacted families and communities across the country. Home foreclosure filings rose to 1.2 million in 2006—a 42 percent jump—due to rising mortgage bills and a slowing housing market. Nationally, as many as 2.4 million sub-prime borrowers have either lost their homes or could lose them in the next few years.

It is critical that we address this crisis. The Bush administration and the mortgage industry must reach agreement that matches the scale of the problem. If you produce an inadequate agreement, or fail outright, the cost to our economy will be incalculable. The freeze on foreclosures would give the housing market time to stabilize and homeowner's time to build equity.

The 110th Congress has demonstrated its commitment to moving America in a New Direction by raising the minimum wage, implementing the recommendations of the 9/11 Commission, opposing the war in Iraq, improving children's health care coverage, increasing aid to the Gulf Coast, passing energy reform, instituting fiscal discipline through pay go budgeting, raising ethical standards for lobbying, and increasing oversight over the Bush Administration on a range of issues including Iraq, FISA, the CIA interrogation tapes, and the Jena 6 cases.

We have also made efforts to strengthen the housing market, including continued efforts to end discriminatory practices and stabilize the economy. Expanding affordable housing and mortgage opportunities for all American families is of paramount importance.

CONCLUSION

The 40th Anniversary of the Fair Housing Act comes only a few weeks after the Anniversary of the assassination of Dr. Martin Luther King, Jr. and—oh how fitting. The things he fought for then, the principles he gave his life for are still ideals we fight for today. We must continue the fight to end discrimination not just in the area of housing but in education, in healthcare, in politics. Madam Speaker, I remind colleagues of the importance of the Fair Housing Act, what it has meant to all Americans.

Mr. MORAN of Virginia. Madam Speaker, I rise to commend my colleague Congressman GREEN for sponsoring this resolution to recognize and honor the 40th anniversary of congressional passage of title VIII of the Civil Rights Act of 1968, the Fair Housing Act, and the 20th anniversary of the Fair Housing Amendments Act of 1988. It is important that we honor the legacy of Dr. Martin Luther King and reflect on how far we have come. It is equally important, as we witness tens of thousands of Americans who risk losing their homes to foreclosure this year, that we rededicate ourselves to standing firm for those victimized by this economy or victimized by residual discrimination. We must continue to encourage all people and all three levels of government to rededicate themselves to the enforcement and the ideals of fair housing laws.

The fair povision of housing and economic opportunity—and especially the drive to ensure safe shelter for those in need—has been a compelling foundation of my career in public service. As a council member and subsequently as mayor of Alexandria, I served as vice chairman of the Alexandria Economic Opportunity Commission when the commission began its efforts to ensure local, State, and Federal action to bring down the barriers in rental housing that so discriminated against single women with children.

The enactment of the Fair Housing Act of 1988 was a testament to many of our former colleagues in this region, including former Congresswoman Gladys Spellman, former Senator Charles MacMathias, and former Delegate, Reverend Walter Fauntroy. That enactment was an honor to them and to thousands of Americans who joined in a national effort to seek justice and enduring rights for women in that most fundamental of human needs: shelter.

In Alexandria, our commission—and our city—focus on special populations, such as at-risk preschool children and teens, the homeless, ex-offenders, single parents, as well as the low-income community in general. These populations, our most vulnerable, face enough of an uphill struggle everyday as it is without governmentally permitted discrimination. I am proud at what we were able to accomplish so many years ago, but I remain committed the vision that Dr. King and others set before us, which we honor and remember today.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and agree to the resolution, H. Res. 1095.

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

A motion to reconsider was laid on the table.

RELIGIOUS WORKER VISA EXTENSION ACT OF 2008

Mr. CONYERS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5570) to amend the Immigration and Nationality Act to eliminate the sunset in the special immigrant nonminister religious worker visa program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5570

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 ''Religious Worker Visa Extension Act of 2008''.

SEC. 2. SPECIAL IMMIGRANT NONMINISTER RELIGIOUS WORKER PROGRAM.

(a) REGULATIONS.—Not later than December 31, 2008, the Secretary of Homeland Security shall issue final regulations to eliminate or reduce fraud in the special immigrant categories described in subclauses (II) and (III) of section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)).

(b) EXTENSIONS.—

(1) IN GENERAL.—Section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)) is amended by striking ''October 1, 2008,'' each place such term appears and inserting ''January 1, 2010,''.

(2) CONDITIONAL FURTHER EXTENSION.—

(A) IN GENERAL.—Section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)), as amended by paragraph (1), is further amended by striking ''January 1, 2010,'' each place such term appears and inserting ''January 1, 2016,''.

(B) CONDITIONAL EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect on March 1, 2009, but only if the Secretary of Homeland Security has complied with subsection (a).

(c) REPORT.—Not later than September 30, 2010, the Inspector General of the Department of Homeland Security shall submit to

the Congress a report containing the results of a study of the effectiveness of the regulations described in subsection (a). The report shall also include an analysis of a random sample of non-minister special immigrant religious workers, before their second anniversary of being admitted, to determine whether they are still employed by the religious organization that petitioned for them, and if not, the reasons for their departure from such employment.

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

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. 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 bill under consideration.

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

There was no objection.

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

Members of the House, this week we are honored by a visit from His Holiness Pope Benedict XVI and are reminded of the good work that people of faith do all around the world. I am pleased to bring before the House at this time the Religious Worker Visa Extension Act of 2008.

This measure would reauthorize the Special Immigrant Non-Minister Religious Worker Program, which also allows non-minister religious workers to obtain special immigrant status in the United States so that they may do the work required of their faith. If we don't act, the program will sunset at the end of September of this year.

Non-minister religious workers are people of faith who are called to a vocation or who are in traditional religious occupations with a bona fide nonprofit religious organization in the United States. Examples of those called to a vocation include nuns, monks, and sisters. Examples of those in religious occupations include missionaries, counselors, translators, religious instructors, cantors, and other pastoral care providers.

The program provides up to 5,000 special immigrant visas per year that religious denominations or organizations in the United States may use to sponsor foreign nationals to perform religious service here. Once granted, this type of visa allows religious workers to immigrate permanently to the United States.

Since it was first enacted in 1990, the program has been extended four times, most recently in 2003. Working with the ranking member of our committee, LAMAR SMITH, we're making changes in the program for the first time to address potential fraudulent uses of the program. None other than our Immigration Subcommittee Chair, ZOE LOFGREN of California, has led the way in fashioning these proposals.

First, the bill requires that the Department of Homeland Security issue regulations by December 31 of this year to eliminate or reduce any fraud in the program. Then it extends authorization for only 15 months if the Department of Homeland Security fails to issue those regulations. This would enable Congress to better consider other possible avenues to address possible or potential fraud in the program if that proves necessary. If the department does issue the regulations, the authorization is extended for 6 more years, for a total of a little over 7 years. Finally, the bill requires the Inspector General to report on the effectiveness of the regulations by September 30, 2010.

With these significant anti-fraud provisions we have worked together with our Republican colleagues to add, I am confident Congress will be equipped with the information it needs to determine whether further action to prevent fraud in the program is warranted. And if it is, we do not hesitate to take such appropriate action.

So I hope that we will receive unanimous support on this bipartisan legislation.

Madam Speaker, I reserve the balance of my time.

Mr. KING of Iowa. Madam Speaker, I yield myself such time as I may consume.

I rise to address the legislation as so eloquently laid out by the chairman of the full Judiciary Committee. And, first, I would like to remark that I appreciate the cooperation in the negotiations that have taken place between Ranking Member SMITH and the chairman of the Immigration Subcommittee, Ms. ZOE LOFGREN, as well as Chairman CONYERS. And this is the right spirit to deal with a religious visas extension type of a bill, and the timing of this is perfect as well for it to be the very week that Pope Benedict XVI is arriving tomorrow morning here in Washington, DC, and I think a lot of our activity will be suspended while we commemorate the glorious day.

I have looked at a number of the statistics throughout this, and I have some reservations about what has transpired with the religious worker visas over the last several years, and I expect to take up some of those issues a little bit later in the debate.

But as the gentleman who is more eloquent in laying out this entire case is to my right, I would be very happy to yield 3 minutes to the ranking member of the full Judiciary Committee, the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. First of all, I want to thank the gentleman from Iowa (Mr. KING), who is the ranking member of the Immigration Subcommittee, for yielding.

I am happy to have played a part in the creation of the Religious Worker Immigrant Visa Program back in 1990. These visas enable American religious denominations, large and small, to benefit from committed religious workers from other countries.

However, I have also long been concerned about the high level of fraud that has been evident in this visa program. Like Mr. KING, I feel regulations can only go so far in preventing fraud and we do need additional statutory changes in the program.

The Office of Fraud Detection and National Security at the Department of Homeland Security has conducted a Fraud Benefit Assessment. It found that of 220 religious worker visa cases selected at random, 33 percent had ''a finding of fraud,'' the highest of any visa program.

Fraud involves everything from bogus churches and bogus jobs to ''religious workers'' who are found driving taxis soon after they arrive here.

So I especially appreciate the steps that the chairman of the Immigration Subcommittee, Congresswoman ZOE LOFGREN, has taken to address these concerns. She agreed that we would extend the expiring religious worker green cards for 7 years as long as the Department of Homeland Security issues long-needed regulations to address some types of fraud. In addition, she agreed to have the Inspector General complete a report on the effectiveness of the anti-fraud regulations. The Inspector General also will conduct an audit to determine to what extent religious workers continue to work for the religious institutions that sponsor them.

Madam Speaker, although the bill does not contain all of the provisions I would have liked, I want to express my thanks to Ms. ZOE LOFGREN for her comity in drafting this legislation, which I support.

Mr. CONYERS. Madam Speaker, I recognize now the gentlewoman from California (Ms. ZOE LOFGREN), Chair of Immigration, without whose inordinate leadership we would not have been able to arrive at the accommodations and agreements that is in the bill that is now before us, and I yield to her such time as she may consume.

Ms. ZOE LOFGREN of California. I thank Mr. CONYERS, Mr. SMITH, and Mr. KING.

Madam Speaker, I am proud to be the author of H.R. 5570, the Religious Worker Visa Extension Act of 2008.

Immigrant religious workers add vitality and depth to communities of faith throughout America. They provide much-needed help to people of all faiths. America is a great and diverse land. Our religious institutions, our churches, mosques, synagogues, temples, cathedrals, face daunting challenges today. They must reach out to more people from more countries and cultures than ever before. Religious workers serve these communities well and ably to the benefit of their communities and their many faiths. I have no doubt that religious communities in America will continue to have the need to find devoted people of faith to help them meet the needs of their members.

□ 1330

In Jewish community schools across the country, highly skilled religious instructors from Israel plant the fertile seeds of faith in our children. Mormon missionaries from around the world come to the U.S. to serve their community and deepen their faith. In Catholic dioceses around America, nuns from around the world provide needed community services and teach our children well. Muslim imams call their communities together to promote their faiths and a greater understanding of their beliefs. Protestant churches of every denomination benefit from the touches of religious workers in their diverse communities.

The call to faithful service in the United States will continue to grow as this Nation becomes more diverse. Because of this growing need, I introduced this bill. It follows my efforts in years past from the 105th and 106th Congress to permanently reauthorize the special immigrant nonminister religious worker visa program. I called those bills the Mother Theresa Worker Act in honor of her great service which inspired us and benefited the world.

I believed then as I believe now, that the special immigrant nonminister religious worker visa program represents an important and even critical piece of our immigration laws and that it should, like other religious worker programs, not sunset.

After four successive reauthorizations of this program in 1994, 1997, 2000 and most recently in 2003, each without a single substantive change in the program, I again introduced a bill to permanently reauthorize the program. However, as part of the process of putting the bill through the regular order and subjecting it to the robust discussion inherent in the legislative process, I offered an amendment worked out with the minority in the subcommittee to significantly reduce the potential for fraud in the program.

As mentioned by the chairman of the full committee, it requires DHS to issue its regulations. It limits the reauthorization to 15 months. If the department fails to issue regulations, it requires the Inspector General to issue a report on the effectiveness of the regulations. And rather than the permanent extension, as I had sought, Mr. SMITH and I worked out a compromise of 7 years of the regulations that are authored.

Finally, after additional discussion with the minority over the last several days, we have agreed that the Inspector General's report should also contain an analysis of a random sample of nonminister special immigrant cases to determine whether they are still employed by the religious organization that petitioned for them, and if not, the reasons for their departure from such employment. I am confident that these steps will make the issue and concern of fraud unnecessary because we will eliminate that problem.

I had an exit interview, if you will, with the director of the USCIS last week. Dr. Emilio Gonzalez is going back to his family in Florida. And he told me that with the initiation of site visits, which is something that should have happened long ago, the actual number of applications for this visa has dropped significantly, which is an interesting phenomenon.

So I think that we are well underway in eliminating any problems with the program so that our country can enjoy the richness that religious workers bring to our communities.

I thank the chairman for yielding to me.

Mr. CONYERS. I would like now to recognize the distinguished gentlelady from Texas, SHEILA JACKSON-LEE, who has worked on immigration as long as anyone on our committee, and her industry and cooperation have been very effective in bringing us together this afternoon. And I yield her as much time as she may consume or as much time as I have left, whichever is the longest.

Ms. JACKSON-LEE of Texas. To the distinguished chairman, let me thank you for the litany and list of achievements of human rights that you have achieved on this floor. And I appreciate the leadership of my subcommittee Chair, Ms. ZOE LOFGREN, on many hard issues that have come to her attention over the time of her tenure as chairperson. And as a member of the subcommittee, I am grateful for her leadership. And working with the minority, I thank them on this instance for the cooperation on H.R. 5570. It is an especially unique and important legislative initiative as we make note not only of the many religious leaders in this Nation, but as we make note of the visit of the Aga Khan that, who has spent time in the State of Texas and his followers who have had the privilege of seeing him for the first time in 10 years in the United States, someone who has funded major humanitarian efforts around the world, and of course, the people of New York and Washington, D.C. have the privilege of hosting the Pope in these coming weeks and certainly in Washington.

Religion is special, and is special to this Nation. This legislation is a special immigrant visa which allows qualified religious workers to immigrate to the U.S. and later become citizens if they so chose and meet the qualifications. The other is a nonimmigrant visa which allows qualified religious workers to entry temporarily and perform services in the U.S. for a prescribed period. It has already been noted that the actions of these religious workers may find themselves in parishes, mosques or synagogues, or really simply in the community, as Mother Theresa was in India. Both of these visas may be granted to both ministers and nonminister religious workers.

Yes, there is humanitarian work to be done in the United States. They work in some of our most impoverished communities. And they are sincere in their social and religious humanitarian work. The bill has come under closer scrutiny because of the allegations of abuse and fraud among the foreign petitioners. But I am glad that this bill will provide for a 7-year extension of the program, and it will require DHS to promulgate regulations to eliminate fraud.

We must work together with the Department of Homeland Security, and I do appreciate the work of Dr. Gonzalez to impress upon them that their task is, in fact, to secure America and that they must move quickly on these regulations. If the regulations are not in place by December 31, 2008, to reduce fraud, the program will only be extended for 15 months through January 1, 2010. But if DHS can get the regulations in place, it is automatically extended to January 1, 2016.

I think this is a great start. But I ask my colleagues to consider the expansion of this bill, one to authorize it permanently, but also to look at a small area of which I hope to write legislation on, and that is the insistence that the religious person coming must be of the same religion of that which the person is petitioning for.

I had this circumstance in my district. Grace Community Church is a church with thriving multiple ministries that wanted to bring a young man and his family, a bilingual pastor, to speak to their Spanish congregation and to minister to our Hispanic community in Texas. It was a very, very tough task to address the question of the denials that he received because he was not the same religion of Grace Community Church. He had the same faith. He believed in a higher power. He wanted to do missionary work. The church was legitimate. It had long years in the community. The father of the young man had worked with the pastor of Grace Community Church. But yet we could not get a visa except for the gracious reconsideration of the Department of Homeland Security.

We must reduce fraud. But we can't reduce faith. And when individuals come and want to be missionaries even in this land, we should recognize and grant the opportunity. We can reduce fraud by making sure the institutions exist, the time frame is a time frame that is credible, the individuals are credible, the time that the visa is issued is reviewed, if you will, or overseen by the Department of Homeland Security. But actually, we should encourage those who wish to come to this Nation for good reasons and those who come under this visa are doing so.

So in conclusion, I do want to note that we are celebrating the authorization of this bill this week for very special reasons. But we are also celebrating it because we believe that those who want to do good should be granted the opportunity. As we go forward on this legislation, I am hoping that we will look at some of the small fractures that keep good people from

coming to the United States, worshiping, practicing, serving and working with a great church like Grace Community and others who may wish to bring individuals who may not have the same religious affiliation but have the same belief in the greater goodness and the greater power.

Let me yield back by asking my colleagues to support H.R. 5570. And I thank my colleagues for the great work that they have done.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in support of H.R. 5570, the "Religious Worker Visa Program Extension Act of 2008", introduced by the Chairman of the Subcommittee on Immigration, Representative ZOE LOFGREN.

I urge my colleagues to support this bill. The religious worker visa program allows U.S. religious denominations to fill critical religious worker positions for which there are no qualified candidates in the U.S. with qualified religious workers abroad. The program provides for two types of visas.

The one is a special immigrant visa, which allows qualified religious workers to immigrate to the U.S. and later become citizens if they so choose and meet the qualification. The other is the non-immigrant visa, which allows qualified religious workers to enter temporarily and perform services in the U.S. for a proscribed period. Both of these visas may be granted to both ministers and non-minister religious workers.

This bill has come under closer scrutiny recently because of allegations of abuse and fraud among the foreign petitioners. H.R. 5570 would provide for a seven-year extension of the program and it would require DHS to promulgate regulations to eliminate fraud. If the Department of Homeland Security does not issue regulations to eliminate or reduce fraud in the religious worker program by December 31, 2008, the program is only extended for 15 months through January 1, 2010. If the Secretary of Homeland Security issues the regulation then the program is automatically extended until January 1, 2016.

While I support this bill, I would have liked to have this bill be expanded so that a religious worker does not have to work for a religious institution of the same denomination. Presently, a religious worker must be of the same religion as the institution by which the worker is employed. Recently this has created problems.

Pastor Riggle from Grace Community Church in my district in Houston, Texas contacted my office concerning Dr. David Scarpeta who needed a religious worker visa to work in his church. USCIS initially denied Dr. Scarpeta's religious worker petition because Dr. Scarpeta was not a member of Pastor Riggle's church.

In my view, Dr. Scarpeta should not have been excluded from the religious worker program merely because he was not a member of the church that was sponsoring him. This is inconsistent with religious work as I know it in this country. Often religious workers from different denominations and religious workers from different denominations work together in the religious vineyard.

Because I thought the law as interpreted was draconian and far too limited in its application, I worked tirelessly with USCIS to ensure that Dr. Scarpeta would be able to work for Grace Community Church. Through my efforts, I was able to get resolution of that case and now Dr. Scarpeta is an active member of the Grace Community Church.

Madam Speaker I urge my colleagues on both sides of the aisle to examine this bill and recognize that it benefits the religious worker and Americans. I fully support what Representative LOFGREN and the Subcommittee on Immigration, of which I am a member, have done in the area of immigration.

Mr. KING of Iowa. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to make sure that I am on record here as supporting religious worker visas. And one of the things that was well publicized during the Reagan administration was our ability to exchange students and business relationships and all parts of our culture with the rest of our world and bring people into the United States to get a feel and for us to learn from them and for them to learn from us. And I very much support that approach, and it has been important from the standpoint of promoting peace throughout the world.

I find that whenever you get to know people, you find out that people are human everywhere with the same values, the same interests and the same ideals at our core. We have different religions sometimes, we have different economics, different clothing, different food, different building structures and different climates. That all comes together as components of who we are as nations and nationalities. But inside of us, we are all one people. And that is my belief, and it is my profound commitment to continue to support the religious workers' visa.

Now I get to the "or what?" And that is that I have seen a significant amount of fraud in these applications. And I want to point out that where we will be welcoming Pope Benedict XVI here in Washington, D.C., and as I look through the statistics on the Catholic religious workers' visas, the fraud rate is very, very low as a proportion to the overall applications. So there is no implication in my remarks with regard to Catholics in particular, and many other denominations from that standpoint.

But the special immigrant religious worker visa program was created in 1990 and has been a magnet for people not only to come and share their faith with us, but also a magnet for people to be able to utilize the program in the system that it wasn't intended for.

The State Department's Bureau of Consular Affairs in September 2005 in their Fraud Digest reported that "religious worker visas are known as some of the most difficult to adjudicate." The Fraud Digest then goes on to discuss various cases in which people were prosecuted for fraudulent use of the program. So, for instance, in 2004 a Venezuelan national was convicted in Virginia of visa fraud. He had filed 179 fraudulent petitions for religious ministers. In addition to creating fraudulent certificates of ordination, diplomas and other supporting documentation, he also obtained a valid 501(c)(3) tax exemption from recognized religious organizations without their knowledge.

The Immigration Subcommittee has long been aware of fraud in their religious worker visa program. In 1997, a GAO investigation was requested by our subcommittee. The State Department conducted a field inquiry. They did that to get the views of consular offices as to the level and type of fraud. And in 41 percent of the 83 responding posts, some type of fraud or abuse was acknowledged. And the State Department also noted that under the program's regulations, almost anyone involved with a church, aside from the explicitly excluded occupations of cleaning, maintenance and support staff, arguably could be qualified as a religious worker. So this was an open door. And I recognize the chairlady of the subcommittee acknowledged that we need to tighten that up a bit. And that, I think, is the biggest reason why, in that particular quote from that report.

In 1999, the GAO released a final report. The agency noted that the types of fraud often encountered in the processing of religious worker visas "involved petitioners making false statements about the length of time that the applicant was a member of the religious organization and the nature of the qualifying work experience."

The report went on to say that evidence uncovered at that time by INS agents suggested that "some of these organizations exist solely as a means to carry out immigration fraud." That is what we should be guarding against. That is what we hope to be able to do with their new regulations that will be written as a result of the bill.

At his motion, I would be happy to yield to the chairman of the full committee, Mr. CONYERS.

Mr. CONYERS. Thank you very much, STEVE KING, ranking member.

Am I getting from your remarks that you are implying that Protestants commit more abuse than Catholics in this particular program?

Mr. KING. Mr. Chairman, reclaiming my time, no good deed goes unpunished.

I'm simply complimenting the Catholics without reference to Protestants. However, I do have some data I could bring out perhaps a little later in the debate.

Mr. CONYERS. Did you say yes or no?

Mr. KING of Iowa. I said, "No good deed goes unpunished." I complimented the Catholics and didn't remark with regard to the Protestants.

Mr. CONYERS. I thank the gentleman.

Mr. KING of Iowa. I thank the chairman for his levity in this debate and I reclaim my time.

□ 1345

Madam Speaker, most recently, in July of 2006, the U.S. Citizenship and

Immigration Services Office of Fraud Detection and National Security conducted a fraud benefit assessment on the Religious Worker Visa program. They selected 220 cases at random and found an astounding 33 percent fraud rate. That means one out of three was fraudulent. That is their finding.

In 32 of the fraudulent cases, the religious institution either did not exist or only existed on paper, and 39 of their fraudulent petitions included fraudulent supporting documentation or material misrepresentations within a document. Other instances of fraud included cases where the petitioner could not be located or connected to any religious entity and where the petitioning religious entity was unaware that the petition had even been filed and was unaware of the beneficiary.

Now that this Nation is involved in a global war on terror, we must be extremely vigilant, Madam Speaker. We must protect the safety and welfare of American citizens. We can't do that with an immigration policy that includes programs ripe with fraud.

Another example would be in 2003 Mohammed Khalil and three of his sons were arrested in connection with submitting false applications to bring over 200 individuals to the United States using the Religious Worker Visa program. Prosecutors revealed that Khalil made statements to an undercover witness professing allegiance to Osama bin Laden. He also allegedly stated, ''Hopefully another attack in the United States will come shortly.'' These are the kind of people that we don't need in this program. We must be ever vigilant.

This program needed some improvements before it was ready for reauthorization. Historically it has been reauthorized as a 5-year reauthorization. The initial proposal was to reauthorize it to make the program permanent. I appreciate the negotiations that have taken it down to a 7-year reauthorization. I would have preferred it be substantially less.

However, information that has been made available to me after such time as we took action on the bill in the Judiciary Committee gives me some hope that USCIS, the U.S. Citizenship Immigration Services, has already taken some steps that likely would have reduced the percentage and certainly reduced the number of fraud cases.

As I look at the verbal report from Director Emilio Gonzalez, the 2005 Religious Worker Visa applications were something slightly above 4,000 out of the 5,000 cap that is in the authorization. That was 2005. So that would be the year by which we have seen the highest percentage of fraud in the reports that I have seen, Madam Speaker.

In 2006, the applications, by the report language that I received, is 3,048. So we have seen these numbers going down, presumably because of the increased scrutiny on the Religious Worker Visa applications. Then by 2007 we only saw, and this is by a verbal report from the director, 454 Religious Worker Visa applications. That is a dramatic 80-some percent reduction in the number of visa applications. I think it is safe to conclude that a significant amount of this, Madam Speaker, is the result of increased scrutiny on the part of USCIS.

We need to be taking a particular look still, and I intend to sit down with Director Gonzalez and talk this through so I can get a full understanding of the decisions they made, the timing of their decisions and how that might have affected the Religious Worker Visa applications.

But as I look through their report, I see a couple or three places that we should be looking. One is the special registrant countries. These are the countries that required extra scrutiny post-September 11th, and we know which countries those are. They are listed in the report. That happens to be the source of, depending how you want to evaluate the information, those countries that made those self-attested reports show that either 70 percent, 73 percent or 80 percent were fraudulent in the special registrant countries category.

Then the non-affiliated groups, the groups that are not affiliated with a religious denomination, showed 63 percent fraud. That is worthy also of significant scrutiny, and I am hopeful that this has been addressed. And those numbers I believe also are shrinking. Then I looked at, for example, the countries of origin. There was one county that had 100 percent fraud of the report that was issued. That was Jamaica.

So these are things that I think are red flags. I intend to sit down and have this conversation with Director Gonzalez and get a better feel for it. But that is the statistics we are dealing with today as this bill to reauthorize and extend for 7 years Religious Worker Visas is before this Congress.

Then I would submit also that there is something that is actually missing in our policy. A nation that should be a nation that believes in free trade and smart trade also should believe in free and smart trade of our religious workers. I believe that we should have reciprocity. For us to welcome religious workers from countries that will disallow American religious workers from going to their countries and particular religions that come from America to go to those countries, I think is a great big gap in our oversight.

Recognizing the time of this legislation and the inability to offer an amendment in a closed rule, I have drafted a bill, and I have that bill with me today and I won't be able to introduce it unless there is a request for unanimous consent, and I don't intend to do that, but this bill is the Religious Worker Reciprocity Act of 2006.

What it does, it just extends reciprocal immigration treatment to nationals of the United States who are seeking resident status in order to work in religious vocation of other countries. In other words, it would simply say you send your religious workers here, we want to be able to send our religious workers there. I think that is the intent. And I would ask for support of that across the bipartisan effort, and particularly those that have taken particular interest in this issue. But I will be introducing that legislation in a subsequent day.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. ZOE LOFGREN), the chairwoman of the Immigration Subcommittee.

Ms. ZOE LOFGREN of California. Madam Speaker, may I inquire how much time remains.

The SPEAKER pro tempore. The gentleman from Michigan controls 6 minutes and the gentleman from Iowa controls 4½ minutes.

Ms. ZOE LOFGREN of California. Madam Speaker, I just want to make a couple of comments. I think it is important to note that the various analyses of this program back in the nineties and early in this century actually preceded reauthorization when Republicans were in the majority. We had a reauthorization with no changes at all in 1994, 1997, 2000 and 2003. So this is the first time we have actually had changes in the bill to address the issue of fraud, and I think is it is appropriate we do so. We want to welcome religious workers to our country, but we don't want to be scammed. So I think we have done the balance on this.

I would note that I believe, as does the ranking member, that the Catholics probably do have a low rate of fraud, but there is no way to know that, because the sample of 220 was so small that there was no way to pull out any one denomination as being more problematic than another.

I would ask unanimous consent that the e-mail from the USCIS making that point to me be included in the RECORD.

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

There was no objection.

From: Patrick N. Forrest.
Sent: Thursday, March 13, 2008.
To: Blake Chisam.
Subject: Re religious workers.

BLAKE, the Religious Worker BFA (non-immigrant) had a 32.73% fraud rate out of a sample of 220 cases. The public version of the BFA did not further break down the 220 cases into religious categories. The fraud rate for Muslim organization has been spoken of many times on the Hill for some time. The reality is that because the population sample for Muslim groups in the BFA is so small the rate of fraud is statistically insignificant. I'm still waiting on the site check data.

PATRICK.

Ms. ZOE LOFGREN of California. Madam Speaker, I would note also that, anecdotally, the non-affiliated may in fact be part of the issue, and

here is the problem that may have happened.

If there is no site visit to the petitioning church, you don't know whether it is a phony post office box or whether it is St. Joseph's Cathedral in downtown San Jose. So now that the Department of Homeland Security has done site inspections, anybody can see the beautiful St. Joseph's in downtown San Jose, and you can also find out there is something funny here because there is not a real church or it is just a post office box. And I think that is what has led to the dramatic decline in some of these more problematic applications.

I would note also, and I look forward to talking to the ranking member about his reciprocity bill, but let me just express a caution. Right now, Russia will not allow our evangelicals into their country to proselytize. I think that is the wrong thing for the Russian government to do. I think it denies the Russian people the opportunity to be exposed to those who believe that Christ is their personal saviour. But I don't think we ought to deny the Russian Orthodox believers in California the opportunity to receive assistance from Russian Orthodox religious workers simply because the Russian government has hostility towards religion and our government does not have hostility towards religion.

So I look forward to discussing this further with the ranking member, but I would want to add that cautionary.

Mr. KING of Iowa. Madam Speaker, I yield myself such time as I may consume.

In fact, I don't recall the unanimous consent request. Was that responded to by the Speaker?

The SPEAKER pro tempore. Yes, it was.

Mr. KING of Iowa. Okay, I didn't hear that. And I certainly don't reserve nor do I object to that e-mail from USCIS being introduced into the RECORD. In fact, I would like to read it into the RECORD.

It says, ''The religious worker BFA non-immigrant had a 32.73 percent fraud rate out of a sample of 220 cases. The public version of the BFA did not further break down the 220 cases into religious categories. The fraud rate for Muslim organization has been spoken of many times on the Hill for some time. The reality is that because the population sample for Muslim groups in the BFA is so small, the rate of fraud is statistically insignificant. I am still waiting on the site check data.''

I believe that is the e-mail referenced by the gentlewoman from California, and I reference it here to speak to the data that is in the report rather than a comment about the data that is in the report.

These 220 cases were drawn to give indicators for further scrutiny. When you see a 70, 73 or 80 percent fraud rate, there is an obligation to look into that and verify the sources of that fraud and also the indicators that it might be greater, not less. I don't imply it is, but we can draw just as much inference that it is greater than it is less from these statistics.

I pointed out that Jamaica has a 100 percent fraud rate out of the sample in this study. That doesn't mean there aren't other denominations we shouldn't be looking at. But I am looking at each one of these cases, and I referenced the special registrant countries that are part of that list. The special registrant counties would be, for the record, Iran, Iraq, Syria, Sudan, Libya, Afghanistan, Algeria, Bahrain, Eritrea, Lebanon, Morocco, North Korea, Oman, Qatar, Somalia, Tunisia, United Arab Emirates, Yemen, Egypt and Pakistan.

For the record, when I referenced then the special registrant countries, those are the countries. This is the record. It is the data we are dealing with. I think that it is something that we need to pay special scrutiny to. But we should encourage the reciprocity and the exchange of religious workers.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am very happy to yield back my time if the other side has no further speakers.

Mr. KING of Iowa. If the gentleman would yield, I would like perhaps 30 seconds just to wrap it up.

Mr. CONYERS. Absolutely.

Madam Speaker, I return any unused time.

Mr. KING of Iowa. Madam Speaker, I think this has been a very healthy debate. It has brought issues out into the Record that are going to be useful for us to reference. I pointed out that I do have data here that hasn't become part of the Record and I have withheld it for some reasons of discretion.

I look forward to reaching across the aisle and working with the Members across the aisle to look into those concentrated areas of fraud and work together to see if we can find a way to establish a policy of reciprocity for religious workers, and, at the same time, celebrate the great religions of the world and the exchange of those religions.

Mr. TANCREDO. Madam Speaker, I rise to oppose H.R. 5570, a bill which will again reauthorize the Religious Worker Visa. The new majority apparently thinks we need to add "ministry" to the list of jobs that "Americans won't do." Then again, with the level of hostility the Democrats have towards religion in America, there may come a time when we do have to import religious workers. Fortunately, we aren't to that point quite yet.

Regrettably, this program is far from comical. Just last year, the U.S. Citizenship and Immigration Service attested to the fact that this visa had been "compromised." The fraud rate is "excessively high" according to Emilio Gonzalez, head of USCIS. In fact, a DHS fraud-prevention task force found that a whopping 33 percent of the visas in this program were granted based on fraudulent information.

Even worse, rampant fraud and abuse has characterized this program, practically since its inception in 1990. A GAO report about the program back in 1999 found that, "As a result of . . . fraud investigations, both [the State Department and the INS] have expressed concern that some individuals and organizations that sponsor religious workers may be exploiting this category to enable unqualified aliens to enter or stay in the United States illegally."

Madam Speaker, some might point out that this program is not very large in the scope of the total number of visas. But I would remind them that we know the amount of damage a handful of determined enemies can inflict when they are allowed to abuse our visa system.

The last thing we want to do is perpetuate a program we know is fatally flawed, and continue a policy that just might be rolling out a welcome mat for some of the most radical imams in the Middle East. I urge a "no" vote on this bill. Let's close this giant loophole in our national security.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 5570, 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 amend the Immigration and Nationality Act with respect to the special immigrant nonminister religious worker program, and for other purposes.''.

A motion to reconsider was laid on the table.

□ 1400

EMERGENCY ASSISTANCE FOR SECURE ELECTIONS ACT OF 2008

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5036) to direct the Administrator of General Services to reimburse certain jurisdictions for the costs of obtaining paper ballot voting systems for the general elections for Federal office to be held in November 2008, to reimburse jurisdictions for the costs incurred in conducting audits or hand counting of the results of the general elections for Federal office to be held in November 2008, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5036

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 ''Emergency Assistance for Secure Elections Act of 2008''.

SEC. 2. PAYMENTS TO CERTAIN JURISDICTIONS CONDUCTING 2008 GENERAL ELECTIONS.

(a) REIMBURSEMENT FOR CONVERSION TO PAPER BALLOT VOTING SYSTEM.—

(1) IN GENERAL.—The Election Assistance Commission shall pay to each eligible jurisdiction an amount equal to the sum of the following:

(A) The documented reasonable costs paid or incurred by such jurisdiction to replace any voting systems used to conduct the general elections for Federal office held in November 2006 that did not use or produce a paper ballot verified by the voter or a paper ballot printout verifiable by the voter at the time the vote is cast with paper ballot voting systems.

(B) The documented reasonable costs paid or incurred by such jurisdiction to obtain non-tabulating ballot marking devices that are accessible for individuals with disabilities in accordance with the requirements of section 301(a)(3) of the Help America Vote Act of 2002.

(C) The documented reasonable costs paid or incurred by such jurisdiction to obtain ballot marking stations or voting booths for the protection of voter privacy.

(D) The documented reasonable costs paid or incurred by such jurisdiction to obtain paper ballots.

(E) The documented reasonable costs paid or incurred by such jurisdiction to obtain precinct-based equipment that tabulates paper ballots or scans paper ballots.

(F) The documented reasonable administrative costs paid or incurred by such jurisdiction that are associated with meeting the requirements for an eligible jurisdiction.

(2) ELIGIBLE JURISDICTION DEFINED.—In this subsection, an ''eligible jurisdiction'' means a jurisdiction that submits to the Commission (and, in the case of a county or equivalent jurisdiction, provides a copy to the State), at such time and in such form as the Commission may require, an application containing—

(A) assurances that the jurisdiction conducted regularly scheduled general elections for Federal office in November 2006 using (in whole or in part) a voting system that did not use or produce a paper ballot verified by the voter or a paper ballot printout verifiable by the voter at the time the vote is cast;

(B) assurances that the jurisdiction will conduct the regularly scheduled general elections for Federal office to be held in November 2008 using only paper ballot voting systems;

(C) assurances that the jurisdiction has obtained or will obtain a sufficient number of non-tabulating ballot marking devices that are accessible for individuals with disabilities in accordance with the requirements of section 301(a)(3) of the Help America Vote Act of 2002;

(D) assurances that the jurisdiction has obtained or will obtain a sufficient number of ballot marking stations or voting booths for the protection of voter privacy;

(E) assurances that the jurisdiction has obtained or will obtain a sufficient number of paper ballots;

(F) such information and assurances as the Commission may require to make the determinations under paragraph (1); and

(G) such other information and assurances as the Commission may require.

(3) DETERMINATIONS OF REASONABLENESS OF COSTS.—The determinations under paragraph (1) of whether costs paid or incurred by a jurisdiction are reasonable shall be made by the Commission.

(4) PAPER BALLOT VOTING SYSTEM DEFINED.—In this subsection, a ''paper ballot voting system'' means a voting system that uses a paper ballot marked by the voter by hand or a paper ballot marked by the voter with the assistance of a non-tabulating ballot marking device described in paragraph (1)(B).

(b) REIMBURSEMENT FOR RETROFITTING OF DIRECT RECORDING ELECTRONIC VOTING SYSTEMS TO PRODUCE VOTER VERIFIABLE PAPER RECORDS.—

(1) IN GENERAL.—The Commission shall pay to each eligible jurisdiction an amount equal to the documented reasonable costs paid or incurred by such jurisdiction to retrofit direct recording electronic voting systems so that the systems will produce a voter verifiable paper record of the marked ballot for verification by the voter at the time the vote is cast, including the costs of obtaining printers to produce the records.

(2) ELIGIBLE JURISDICTION DEFINED.—In this subsection, an ''eligible jurisdiction'' means a jurisdiction that submits to the Commission (and, in the case of a county or equivalent jurisdiction, provides a copy to the State), at such time and in such form as the Commission may require, an application containing—

(A) assurances that the jurisdiction has obtained or will obtain a printer for and retrofit each direct recording electronic voting system used to conduct the general elections for Federal office held in November 2008 so that the system will produce a voter verifiable paper record of the marked ballot for verification by the voter;

(B) such information and assurances as the Commission may require to make the determinations under paragraph (1); and

(C) such other information and assurances as the Commission may require.

(3) DETERMINATION OF REASONABLENESS OF COSTS.—The determinations under paragraph (1) of whether costs paid or incurred by a jurisdiction are reasonable shall be made by the Commission.

(c) REIMBURSEMENT FOR PROVISION OF BACKUP PAPER BALLOTS BY JURISDICTIONS USING DIRECT RECORDING ELECTRONIC VOTING SYSTEMS.—

(1) IN GENERAL.—The Commission shall pay to each eligible jurisdiction an amount equal to the documented reasonable costs paid or incurred by such jurisdiction to obtain, deploy, and tabulate backup paper ballots (and related supplies and equipment) that may be used in the event of the failure of a direct recording electronic voting system in the regularly scheduled general elections for Federal office to be held in November 2008.

(2) ELIGIBLE JURISDICTION DEFINED.—In this subsection, an ''eligible jurisdiction'' means a jurisdiction that submits to the Commission (and, in the case of a county or equivalent jurisdiction, provides a copy to the State), at such time and in such form as the Commission may require, an application containing—

(A) assurances that the jurisdiction will post, in a conspicuous manner at all polling places at which a direct recording electronic voting system will be used in such elections, a notice stating that backup paper ballots are available at the polling place and that a voter is entitled to use such a ballot upon the failure of a voting system;

(B) assurances that the jurisdiction counts each such backup paper ballot cast by a voter as a regular ballot cast in the election, and does not treat it (for eligibility purposes) as a provisional ballot under section 302(a) of the Help America Vote Act of 2002, unless the individual casting the ballot would have otherwise been required to cast a provisional ballot;

(C) such information and assurances as the Commission may require to make the determinations under paragraph (1); and

(D) such other information and assurances as the Commission may require.

(3) DETERMINATION OF REASONABLENESS OF COSTS.—The determinations under paragraph (1) of whether costs paid or incurred by a jurisdiction are reasonable shall be made by the Commission.

(d) AMOUNTS.—There are authorized to be appropriated to the Commission such sums as may be necessary for payments under this section. Any amounts appropriated pursuant to the authorization under this subsection shall remain available until expended.

SEC. 3. PAYMENTS FOR CONDUCTING MANUAL AUDITS OF RESULTS OF 2008 GENERAL ELECTIONS.

(a) PAYMENTS.—

(1) ELIGIBILITY FOR PAYMENTS.—If a State conducts manual audits of the results of any of the regularly scheduled general elections for Federal office in November 2008 (and, at the option of the State, conducts audits of elections for State and local office held at the same time as such election) in accordance with the requirements of this section, the Commission shall make a payment to the State in an amount equal to the documented reasonable costs incurred by the State in conducting the audits.

(2) CERTIFICATION OF COMPLIANCE AND COSTS.—

(A) CERTIFICATION REQUIRED.—In order to receive a payment under this section, a State shall submit to the Commission, in such form as the Commission may require, a statement containing—

(i) a certification that the State conducted the audits in accordance with all of the requirements of this section;

(ii) a statement of the reasonable costs incurred in conducting the audits; and

(iii) such other information and assurances as the Commission may require.

(B) AMOUNT OF PAYMENT.—The amount of a payment made to a State under this section shall be equal to the reasonable costs incurred in conducting the audits.

(C) DETERMINATION OF REASONABLENESS OF COSTS.—The determinations under this paragraph of whether costs incurred by a State are reasonable shall be made by the Commission.

(3) TIMING OF PAYMENTS.—The Commission shall make the payment required under this section to a State not later than 30 days after receiving the statement submitted by the State under paragraph (2).

(4) MANDATORY IMMEDIATE REIMBURSEMENT OF COUNTIES AND OTHER JURISDICTIONS.—If a county or other jurisdiction responsible for the administration of an election in a State incurs costs as the result of the State conducting an audit of the election in accordance with this section, the State shall reimburse the county or jurisdiction for such costs immediately upon receiving the payment from the Commission under paragraph (3).

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission such sums as may be necessary for payments under this section. Any amounts appropriated pursuant to the authorization under this subsection shall remain available until expended.

(b) AUDIT REQUIREMENTS.—In order to receive a payment under this section for conducting an audit, the State shall meet the following minimum requirements:

(1) Not later than 30 days before the date of the regularly scheduled general election for Federal office in November 2008, the State shall establish and publish guidelines, standards, and procedures to be used in conducting audits in accordance with this section.

(2) The State shall select an appropriate entity to oversee the administration of the audit, in accordance with such criteria as the State considers appropriate consistent with the requirements of this section, except that the entity must meet a general standard of independence as defined by the State.

(3) The State shall determine whether the units in which the audit will be conducted will be precincts or some alternative auditing unit, and shall apply that determination

in a uniform manner for all audits conducted in accordance with this section.

(4) The State shall select the precincts or alternative auditing units in which audits are conducted in accordance with this section in a random manner following the election after the final unofficial vote count (as defined by the State) has been announced, such that each precinct or alternative auditing unit in which the election was held has an equal chance of being selected, subject to paragraph (9), except that the State shall ensure that at least one precinct or alternative auditing unit is selected in each county in which the election is held.

(5) The audit shall be conducted in not less than 2 percent of the precincts or alternative auditing units in the State (in the case of a general election for the office of Senator) or the Congressional district involved (in the case of an election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress).

(6) The State shall determine the stage of the tabulation process at which the audit will be conducted, and shall apply that determination in a uniform manner for all audits conducted in accordance with this section, except that the audit shall commence within 48 hours after the State or jurisdiction involved announces the final unofficial vote count (as defined by the State) in each precinct in which votes are cast in the election which is the subject of the audit.

(7) With respect to each precinct or alternative audit unit audited, the State shall ensure that a voter verified paper ballot or paper ballot printout verifiable by the voter at the time the vote is cast is available for every vote cast in the precinct or alternative audit unit, and that the tally produced by counting all of those paper ballots or paper ballot printouts by hand is compared with the corresponding final unofficial vote count (as defined by the State) announced with respect to that precinct or audit unit in the election.

(8) Within each precinct or alternative audit unit, the audit shall include all ballots cast by all individuals who voted in or who are under the jurisdiction of the precinct or alternative audit unit with respect to the election, including absentee ballots (subject to paragraph (9)), early ballots, emergency ballots, and provisional ballots, without regard to the time, place, or manner in which the ballots were cast.

(9) If a State establishes a separate precinct for purposes of counting the absentee ballots cast in the election and treats all absentee ballots as having been cast in that precinct, and if the state does not make absentee ballots sortable by precinct and include those ballots in the hand count described in paragraph (7) which is administered with respect to that precinct, the State may divide absentee ballots into audit units approximately equal in size to the average precinct in the State in terms of the number of ballots cast, and shall randomly select and include at least 2 percent of those audit units in the audit. Any audit carried out with respect to such an audit unit shall meet the same standards applicable under paragraph (7) to audits carried out with respect to other precincts and alternative audit units, including the requirement that all paper ballots be counted by hand.

(10) The audit shall be conducted in a public and transparent manner, such that members of the public are able to observe the entire process.

(c) COLLECTION AND SUBMISSION OF AUDIT RESULTS; PUBLICATION.—

(1) STATE SUBMISSION OF REPORT.—In order to receive a payment under this section, a State shall submit to the Commission a report, in such form as the Commission may require, on the results of each audit conducted under this section.

(2) COMMISSION ACTION.—The Commission may request additional information from a State based on the report submitted under paragraph (1).

(3) PUBLICATION.—The Commission shall publish each report submitted under paragraph (1) upon receipt.

(d) DELAY IN CERTIFICATION OF RESULTS BY STATE.—No State may certify the results of any election which is subject to an audit under this section prior to completing the audit, resolving discrepancies discovered in the audit, and submitting the report required under subsection (c).

SEC. 4. PAYMENTS FOR CONDUCTING HAND COUNTS OF RESULTS OF 2008 GENERAL ELECTIONS.

(a) PAYMENTS.—

(1) ELIGIBILITY FOR PAYMENTS.—If a State, county, or equivalent location tallies the results of any regularly scheduled general election for Federal office in November 2008 by conducting a hand count of the votes cast on the paper ballots used in the election (including paper ballot printouts verifiable by the voter at the time the vote is cast) in accordance with the requirements of this section, the Commission shall make a payment to the State, county, or equivalent location in an amount equal to the documented reasonable costs incurred by the State, county, or equivalent location in conducting the hand counts.

(2) CERTIFICATION OF COMPLIANCE AND COSTS.—

(A) CERTIFICATION REQUIRED.—In order to receive a payment under this section, a State, county, or equivalent location shall submit to the Commission (and, in the case of a county or equivalent jurisdiction, shall provide a copy to the State), in such form as the Commission may require, a statement containing—

(i) a certification that the State, county, or equivalent location conducted the hand counts in accordance with all of the requirements of this section;

(ii) a statement of the reasonable costs incurred by the State, county, or equivalent location in conducting the hand counts; and

(iii) such other information and assurances as the Commission may require.

(B) AMOUNT OF PAYMENT.—The amount of a payment made to a State, county, or equivalent location under this section shall be equal to the reasonable costs incurred by the State, county, or equivalent location in conducting the hand counts.

(C) DETERMINATION OF REASONABLENESS OF COSTS.—The determinations under this paragraph of whether costs incurred by a State, county, or equivalent location are reasonable shall be made by the Commission.

(3) TIMING OF PAYMENTS.—The Commission shall make the payment required under this section to a State, county, or equivalent location not later than 30 days after receiving the statement submitted by the State, county, or equivalent location under paragraph (2).

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission such sums as may be necessary for payments under this section. Any amounts appropriated pursuant to the authorization under this subsection shall remain available until expended.

(b) HAND COUNTS DESCRIBED.—

(1) IN GENERAL.—A hand count conducted in accordance with this section is a count of all of the paper ballots on which votes were cast in the election (including paper ballot printouts verifiable by the voter at the time the vote is cast), including votes cast on an early, absentee, emergency, and provisional basis, which is conducted by hand to determine the winner of the election and is conducted without using electronic equipment or software.

(2) COMPLETENESS.—With respect to each jurisdiction in which a hand count is conducted, the State, county, or equivalent location shall ensure that a voter verified paper ballot or paper ballot printout verifiable by the voter at the time the vote is cast is available for every vote cast in the jurisdiction.

(c) PROCESS FOR CONDUCTING HAND COUNTS.—

(1) IN GENERAL.—In order to meet the requirements of this section, a hand count of the ballots cast in an election shall be conducted in accordance with the following procedures:

(A) After the closing of the polls on the date of the election, the appropriate election official shall secure the ballots at the polling place (or, in the case of ballots cast at any other location, at the office of the chief election official of the jurisdiction conducting the hand count).

(B) Beginning at any time after the expiration of the 8-hour period that begins at the time the polls close on the date of the election, the jurisdiction shall conduct an initial hand count of the ballots cast in the election, using the ballots which are eligible to be counted in the election as of the time the polls are closed.

(C) Any ballot which is eligible to be counted in the election but which is not included in the initial count conducted under subparagraph (B), including a provisional ballot cast by an individual who is determined to be eligible to vote in the election or an absentee ballot received after the date of the election but prior to the applicable deadline under State law for the receipt of absentee ballots, shall be subject to a hand count in accordance with this section and added to the tally conducted under subparagraph (B) not later than 48 hours after the ballot is determined to be eligible to be counted.

(D) The hand count shall be conducted by a team of not fewer than 2 individuals who shall be witnessed by at least one observer sitting at the same table with such individuals. Except as provided in paragraph (2), all such individuals shall be election officials of the jurisdiction in which the hand count is conducted. The number of such individuals who are members of the political party whose candidates received the greatest number of the aggregate votes cast in the regularly scheduled general elections for Federal office held in the State in November 2006 shall be equal to the number of such individuals who are members of the political party whose candidates received the second greatest number of the aggregate votes cast in the regularly scheduled general elections for Federal office held in the State in November 2006.

(E) After the completion of the hand count, the ballots may be run through a tabulating machine or scanner for comparison with the tally, if such a machine or scanner is available.

(2) USE OF OTHER PERSONNEL.—An individual who is not an election official of the jurisdiction in which a hand count is conducted under this section may serve on a team conducting the hand count or may serve as an observer of a team conducting the hand count if the jurisdiction certifies that the individual has completed such training as the jurisdiction deems appropriate to conduct or observe the hand count (as the case may be).

(3) LOCATION.—The hand counts conducted under this section of the ballots cast in an election shall be conducted—

(A) in the case of ballots cast at a polling place on the date of the election, at the polling place at which the ballots were cast; or

(B) in the case of any other ballots, at the office of the chief election official of the jurisdiction conducting the hand count.

(4) INFORMATION INCLUDED IN RESULTS.—Each hand count conducted under this section shall produce the following information with respect to the election:

(A) The vote tally for each candidate.

(B) The number of overvotes, undervotes, spoiled ballots, and blank ballots cast (or their equivalents, as defined by the State, county or equivalent location).

(C) The number of write-in ballots and the names written in on such ballots pursuant to State law.

(D) The total number of ballots cast.

(E) A record of judgement calls made regarding voter intent.

(5) PUBLIC OBSERVATION OF HAND COUNTS.—Each hand count conducted under this section shall be conducted in a manner that allows public observation of the entire process (including the opening of the ballot boxes or removal of machine-printed ballots from their containers, the sorting, counting, and notation of results, and the announcement of final determinations) sufficient to confirm but not interfere with the proceedings.

(6) ESTABLISHMENT AND PUBLICATION OF PROCEDURES.—Prior to the date of the regularly scheduled general election for Federal office held in November 2008, a State, county, or equivalent location shall establish and publish procedures for carrying out hand counts under this subsection.

(d) APPLICATION TO JURISDICTIONS CONDUCTING ELECTIONS WITH DIRECT RECORDING ELECTRONIC VOTING SYSTEMS.—

(1) REQUIRING SYSTEMS TO PRODUCE VOTER VERIFIABLE PAPER RECORD.—If a State, county, or equivalent location uses a direct recording electronic voting system to conduct an election, the State, county, or equivalent location may not receive a payment under this section for conducting a hand count of the votes cast in the election unless (in addition to meeting the other requirements applicable under this section) the State, county, or equivalent location certifies to the Commission that each such system produces a paper record printout of the marked ballot which is verifiable by the voter at the time the vote is cast.

(2) TREATMENT OF PAPER RECORD PRINTOUTS.—In applying this section to a hand count conducted by a State, county, or equivalent location which provides a certification to the Commission under paragraph (1), the paper record printout referred to in such paragraph shall be treated as the paper ballot used in the election.

(e) ANNOUNCEMENT AND POSTING OF RESULTS.—Upon the completion of a hand count conducted under this section, the State, county, or equivalent location shall announce the results to the public and post them on a public Internet site.

(f) USE OF HAND COUNT IN CERTIFICATION OF RESULTS.—The State shall use the results of the hand count conducted under this section for purposes of certifying the results of the election involved. Nothing in this section may be construed to affect the application or operation of any State law governing the recount of the results of an election.

SEC. 5. STUDY, DEVELOPMENT OF TESTING METHODS, AND ACCELERATION OF DEVELOPMENT OF PRODUCTS AND STANDARDS TO ENSURE ACCESSIBILITY OF PAPER BALLOT VERIFICATION AND CASTING FOR CERTAIN INDIVIDUALS.

(a) STUDY, TESTING, AND DEVELOPMENT.—In accordance with OMB Circular A-119, the Director of the National Institute of Standards and Technology (hereafter in this section referred to as the ''Director'') shall study, develop testing methods, and accelerate the development of products and standards that ensure the accessibility of paper ballot verification and casting for individuals with disabilities, for voters whose primary language is not English, and for voters with difficulties in literacy, including the mechanisms themselves and the processes through which the mechanisms are used. In carrying out this subsection, the Director shall investigate existing and potential methods or systems, including non-electronic systems, that will assist such individuals and voters in creating voter verified paper ballots, presenting or transmitting the information printed or marked on such ballots back to such individuals and voters in an accessible form, and enabling the voters to cast the ballots.

(b) REPORT.—Not later than June 30, 2009, the Director shall submit a report to Congress on the results of the studying, development of testing methods, and acceleration of the development of products and standards under subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director such sums as may be necessary to carry out this section, to remain available until expended.

SEC. 6. DEFINITIONS.

In this Act—

(1) the term ''Commission'' means the Election Assistance Commission; and

(2) the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the United States Virgin Islands.

The SPEAKER pro tempore (Mr. SERRANO). Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H.R. 5036 and to include extraneous matter.

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

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, H.R. 5036, the Emergency Assistance for Secure Elections Act 2008, is a bill that provides State and local governments the opportunity to have safe, secure and auditable elections in this, the election, year.

I commend Congressman HOLT and his bipartisan cosponsors for their continued dedication to the issue of election reform.

This bill recognizes that 2008 is quickly approaching and options must be provided to ensure the integrity of the vote. Our election process must be open and transparent to ensure public confidence. We are now 8 months from the general election and cannot place State and local governments in a position to require change. Therefore, the bill is 100 percent optional.

State and local governments can choose which provisions they can successfully implement. Opting in entitles the State or jurisdiction to reimbursement. In committee, several changes were made to this bill through bipartisan cooperation, and I want to thank Mr. EHLERS for his support during the committee markup. Changes were also made to meet the concerns of disability groups, as well as State and local government.

H.R. 5036, as amended, reimburses jurisdictions for retrofitting paperless touch-screen voting machines, or DREs, with systems that produce a voter verifiable paper record, allows for reimbursements for jurisdictions to obtain backup paper ballots in the event of failure of electronic voting systems and authorizes reimbursement for jurisdictions which conduct a manual audit of a Federal and any State and local election in November, 2008, in no less than 2 percent of the precincts.

During the markup, all the amendments offered by the Republicans were accepted by voice vote, and those four amendments were to allow for audits to commence within 48 hours after States or relevant jurisdictions involved announced the unofficial vote count. It requires no hand count to commence until at least 8 hours after the polls close and requires the ballots to be in a secured location until the hand count commences, and ensures that the hand-counting teams, when conducting a hand count of the election results, have equal representation from both political parties of the candidates who received the two greatest numbers of aggregate votes cast, and requires that after the hand count is complete the ballots be run through a tabulating machine or scanner for verification of the tally, if such a machine or scanner is available.

Having a voter verified paper trail with an automatic routine audit will go a long way to increase voter confidence and deter fraud.

Post-election audits are an essential tool to increase voter confidence in the election process. While the bill authorizes such sums as necessary, the CBO has come back to us with a score of $685 million, about what we expected, and a sum that was in the original Holt bill.

The CBO score, however, anticipates the participation of everyone in this bill. I think it is highly unlikely that every jurisdiction will participate in every aspect of the bill, since they have the opportunity to do nothing or to pick and choose portions of the bill. It is clear that the actual score or total would be less.

I would note that we are spending over $10 billion a month in Iraq and that we have spent a total of $1.32 billion on democracy-building programs in Afghanistan and Iraq. The CBO figure is certainly less than that. It seems to me, if we can't protect our elections at home, really, how are we supposed to be a model of democracy without safe and secure and auditable elections.

The country could end up revisiting the contentious and mistrusted count

of 2000 and, even more recently, in the contested election of District 13 where people could not verify votes through an actual written ballot.

The bill reported out of committee makes the changes requested by the minority to the legislation but keeps the core purpose of the bill, providing a voter verifiable paper and auditable paper trail.

If this bill is enacted promptly, jurisdiction should have adequate time to purchase and implement the voting system upgrades and the other provisions of this bill and provide voter confidence in the integrity of the 2008 election.

I urge all of my colleagues to support this option bill, this bipartisan effort.

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

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

Mr. Speaker, I rise today to discuss this bill and, first of all, to commend Mr. HOLT for his efforts and his concerns.

He is sincerely and extremely concerned about accuracy in voting, and what can be done to make certain that the results are accurate. He expressed that in his first bill, H.R. 811, which did not receive committee consideration.

I spent considerable time with him trying to work out the details of that bill, but we simply could not reach agreement or even come close to agreement.

I commend Mr. HOLT again for his concern and his persistence, as he authored H.R. 5036. When I reviewed it with him I thought this might be a much better basis for agreement and, that by working together, we might be able to achieve that.

Unfortunately, we have not achieved full agreement on it, although we did get it out of committee. I supported it out of committee because I thought it should reach the floor for floor debate. I anticipated that it would be taken up under a rule where we might have the possibility for an additional compromise, but that has not happened.

There are a number of issues that still remain. I agree with Mr. HOLT that we should have some type of redundancy in our recording systems. I disagree that it has to be paper. I think there are other methods of achieving redundancy.

Recently we had an exposition in the House Administration Committee room where we had demonstrations of equipment which shows redundancy in an electronic fashion, and I think would be fully as reliable as redundancy in paper.

Another area where we disagree is in the hand counting of ballots. I have enough experience with elections in local politics to recognize that hand counting is not as accurate as almost any machine counting that I have seen.

There are ways of achieving what Mr. HOLT wishes. I think the optical-scan method is certainly a valid one, and that is what the State of Michigan uses. Other States are beginning to go use that.

But the final blow to our efforts was the judgment of the CBO that it was $685 million for 1 year. I realize that Mr. HOLT had estimated that would be the cost in his original bill. In fact he had included it as an authorization in his original bill.

But having the CBO report that large sum that casts a pall over this particular bill in respect to the opinions of the Members of this body, and I am afraid that is likely to be the death knell.

In summary, I certainly commend Mr. HOLT for his concerns. I commend him for his efforts. I just don't think we have achieved enough agreement to effectively make this a bipartisan bill. Therefore, I suspect it will not pass, and I will have great difficulty supporting it at this point.

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

Ms. ZOE LOFGREN of California. Mr. Speaker, I would like to recognize the author of the bill, Congressman Rush Holt from New Jersey, who has been tremendously diligent in pursuing these reform measures. Really, without his persistence, we would not be here today.

I would recognize him for 5 minutes.

Mr. HOLT. I thank the gentlelady.

Mr. Speaker, I rise to urge my colleagues to support the Emergency Assistance for Secure Elections Act of 2008.

This is a bill that is optional for counties. It's to encourage counties and States to do the right thing. We should all want national standards of accessibility, reliability and auditability for our elections. This is an emergency stop-gap measure to see that we achieve as much of that as possible before the November elections.

The principle is simple. Anything of value should be auditable. Votes are valuable. They should be audited so that voters can have the confidence that each vote is recorded the way the voter intended. In too many places around the United States, votes are not audited.

In too many places around the United States, they are not even auditable. Voters leave the polling places wondering if their vote will be counted as they intended and election losers and their supporters are left wondering if they can believe the results.

Already in this primary season, there have been numerous, numerous problems, questions, and unresolved disputes.

In county after county, in State after State, electronic voting systems have failed in many ways, failure to start-up in the morning, a mismatch between the electronic count and the end-of-day printout, failed memory cards, and on and on and on. In too many places, the irregularities can not be resolved. There is no way to resolve them. There is no way to know because there is no record of the voter's intentions.

This legislation would reimburse counties and States for allowing voters to inspect paper-based records of their vote, in other words, paper ballots. That would not only make it possible for audits, but this legislation would go further and reward States for putting in place procedures to conduct those audits. This would go a long way toward restoring confidence in the process.

There is still time before November to secure our election system. If our Emergency Assistance for Secure Elections Act is enacted, localities could choose to convert to paper ballot voting systems, offer emergency paper ballots if machines fail, and to conduct audits to confirm the accuracy of the electronic tallies.

I want to stress that this is optional. We took great pains to accept the suggestions of the minority party, to take suggestions of election officials, to take suggestions of people all over the country, lawyers and others who have looked at elections in detail. We simplified this so that counties could not object that we were making them do something that we weren't going to support them on. This is optional. We have simplified it as much as possible so that it could be implemented in time for this year's election, and it could be.

□ 1415

This modest bill simply entitles jurisdictions to reimbursement for the costs to conduct fully auditable, fully audited elections. It will encourage States and counties that want to do the right thing on behalf of their voters. But time is of the essence.

If we don't take action immediately, we will not leave enough time for States that wish to opt to do so before the November election. Voters will lose further confidence in the system, and candidates will leave on election night wondering if they can trust the results.

Common Cause wrote: ''The security and reliability problems with electronic machines have been well documented. Both the State of California with the Top to Bottom Review and the State of Ohio with their study have documented numerous security vulnerabilities and have systems and have taken action to protect voters. Additionally, a number of academic and public policy experts have recommended that the shortcomings of these systems be addressed. Finally, there have been a number of incidents in which voters have been disenfranchised and election outcomes thrown into doubt because the machines have simply failed to work properly.''

The Brennan Center for Justice at the New York University School of Law writes: ''Reports of machine problems during States' recent Presidential primary elections provide a preview of potentially widespread machine failure and disenfranchisement in November.''

They and others go on to argue that this simple, straightforward legislation

will allow many counties and States around the country to address these problems in time for their November election so that we can have a truly reliable, accessible and auditable election that voters can believe in.

I yield back the balance of my time with thanks to the gentlelady from California for her diligent work in putting together such a good piece of legislation.

Ms. ZOE LOFGREN of California. I thank the gentleman, and I reserve the balance of my time.

Mr. EHLERS. I yield 3 minutes to the gentleman from Ohio (Mr. REGULA).

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

Mr. REGULA. Mr. Speaker, I rise in opposition to H.R. 5036.

CBO estimates that this bill will cost the taxpayers $685 million to reimburse jurisdictions for the cost of converting to voting systems that produce paper ballots, manual audits and hand recounts. We have already provided the States with $3.2 billion in grants to implement the Help America Vote Act, including $115 million appropriated in fiscal year 2008.

The administration of elections is a State and local responsibility. Many jurisdictions have already decided to change their election systems to require paper ballots using their own resources. This bill would encourage other jurisdictions to rush the implementation of new paper ballot systems for the November election.

In written testimony before the Appropriations Subcommittee, the bipartisan Election Assistance Commission stated: ''Experience has taught election officials that a minimum of 6 to 8 months, and preferably longer, is needed to effectively implement a new voting system and to educate the voting public about how to use the system. Consistency in procedures and process is key in creating a secure, accurate and effective election. As we have seen in Ohio and in several other jurisdictions, the hasty attaching of a printer to some machines has led to paper jams, long lines, and confusion. While jurisdictions may find a voter verified paper audit trail to be suitable for their needs, hastily requiring such a thing for this year's election has the potential to lead to more problems than it can possibly solve. At this point in the election cycle, election officials are better served by sharpening their already existing policies than trying to apply patchwork fixes that could lead to greater problems.''

That was from the Election Assistance Commission which is a bipartisan group.

I would add, this bill will not only put the country further in debt, but would encourage jurisdictions to implement new voting systems between the primaries and general election, leading to additional election problems.

I urge my colleagues to vote ''no'' on this legislative proposal.

Ms. ZOE LOFGREN of California. Mr. Speaker, Mr. DAVIS of Virginia is a principal cosponsor and I don't see him here, so I will yield to Mr. HOLT for 1 minute.

Mr. HOLT. I thank the gentlelady. I just wanted to address a couple of the points that the gentleman from Ohio made.

The first is we don't in this legislation tell the counties how to run their elections. We leave this up to them, and it is entirely optional. There are States around the country who have instituted complete auditable election systems in a matter of months.

If a county or a State feels they cannot do it, then I would advise them not to opt in to this program. But we believe they can. Let's leave that to them rather than as the gentleman from Ohio would, try to decide for them whether this is something that they would want.

We believe from a number of indications that this will be useful in many counties and States around the country.

Mr. EHLERS. I yield 4 minutes to the Republican whip, the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. I thank the gentleman for yielding and I come to the floor to talk about this bill with real appreciation for the hard work that the gentleman from New Jersey has put into this effort. I know it is a heartfelt effort on his part.

In fact, I first met his mother when we were both serving as the Secretaries of State of respective States, West Virginia and Missouri, at the time. I just come here to say that the States have handled the responsibility of the mechanics of election administration well for a very long time.

The process of voting, how you vote, the mechanics of what the ballot looks like, whether you have a straight ballot voting system, all that has been left to the States, and I think wisely so.

In the Help America Vote Act, the Congress provided States with over $3 billion to modernize their voting systems, including allowing the States to decide whether they wanted to have a paper backup. In my State, the State of Missouri, the Secretary of State determined if that money was used, there would be no system authorized in our State unless the paper backup was part of that system. As it turned out, that was a very good decision.

But in the aftermath of the 2000 elections, many States took that incentive, that $3 billion that was out there, and in my view made decisions more quickly than they otherwise would have.

This bill now offers a second round of money that would be available to encourage changing their systems, many of them that we know about today changing their system from a system they just used Federal money to change to. I think this is neither wise nor the responsible thing for us to do.

I also very much think that there is no reason to rush this bill at this time. There is not enough time left between now and the November election to change voting systems. Over 30 States have already conducted primary elections with the system they will use in November. The very worst time to change a voting system is an election that has overwhelming participation, as we believe this one will.

Election administration and the mechanics of election grew up in this country over decades and generations of voting and voting habits. To try to change those voting habits from a primary election some time earlier in the year to a new system, to be frankly tested the first time in probably the biggest election turnout that we have had or will have in a long time, is just a mistake.

To think that we should pass this bill today for the November election, I think, is as far off base as we could be. I am not absolutely opposed to the Federal Government encouraging States to do better with their election process; I am opposed to this feeling that we get into that creates an environment where the States have to make these decisions more quickly than they should, and particularly to make a decision like this just in advance of a high-participation election.

I don't think the $3.2 billion so-called solution produced the right results. In fact, several States are now complaining that it produced problems. But they are the ones that decided that they would deal with those problems. Those problems, frankly, become less significant every time voters use a system. Maybe you made an investment that you wished you didn't make, but you made that investment. It is not impossible to either reverse it on your own or decide you are going to make it work.

I think this is the wrong approach at the wrong time. I encourage my colleagues to vote ''no'' on this bill today, not to give up in working with our friend from New Jersey to find a bill that would be helpful to the States, but not to pass a bill today that would only create with certainty more problems in November than we will have without it.

Ms. ZOE LOFGREN of California. Mr. Speaker, I just want to make it clear that the Holt bill is optional for jurisdictions. No one is required to opt in, so no one would be rushed unless they wanted and felt they could take advantage of this legislation. I would note also that several States have undergone very rapid conversion. I would note that Governor Crist from Florida was a witness before the Election Subcommittee in House Administration, and he had the entire State of Florida switch from the electronic machines to optical scan in really a matter of months. This is a matter of intention if you want to do it.

I reserve the balance of my time.

Mr. EHLERS. I am pleased to yield 3 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Michigan for yielding, and I appreciate the privilege to address you here on the floor of the House with regard to integrity in the ballot system.

I will say as a compliment to Mr. HOLT, he and I have had a number of conversations about integrity in the electoral process. We share concern that the electoral process here in America have the highest level of integrity. I, for one, actually sat in my chair for all but a couple of 37 days following the election of the year 2000 watching television, scooting around and surfing the Internet, chasing down the rabbit trails. I was on the telephone. At the time I was the chairman of the Senate State Government Committee in Iowa, and I didn't want Iowa to become a Florida.

As I educated myself, it was a crash course in the electoral process. I found fraud in elections in a number of States, at least solid newspaper and journalistic reports of fraud, and I became convinced that it was scattered throughout this country. And the pattern is hard to follow, but the conclusion I drew was if this country ever loses its faith in our electoral system, this constitutional republic will collapse due to a lack of faith of the people.

So integrity in the electoral process is important. I would rather lose an election than lose the integrity of the electoral process.

I come to this floor today to oppose this bill, however, because this is Tax Day, 2008, election year 2008, and we are watching the Presidential debates unfold and soon we will hear the congressional debates light up. To try to jump on this horse in the middle of this fast current of stream that we have racing toward an election, I think is a bridge too far for us to be able to get there without further damaging the integrity, rather than improving it.

□ 1430

I would urge this House to step back, take a look, take a deep breath, and come together with some legislation that would provide, of course, for a paper audit trail, which I support, but one that does so in a reasoned fashion, not in the middle of an election year, not something that's designed to patch some of the flaws that came with the Help America Vote Act, but something that's well thought out, something that's bipartisan, something that's reasoned, something that's cautious, and something that will preserve the integrity of the electoral system that we have. And that's why I come to the floor, Mr. Speaker, for that purpose.

And I support the position taken by the ranking member from Michigan and my colleagues, although I intend to continue to work with Mr. HOLT. Another point that I would make is that we do have a disagreement in our viewpoint, and that is that I think we should, at the very last resort, impose obligations on the States. The States have run this electoral process. The Federal Government has a minimal involvement.

And so my view is, if the States have integrity, we have to be very careful because the voters within the States will be determining the next leader in the free world. I think the number was just 527 votes in Florida made the difference on who the leader of the free world was in the year 2000. That integrity is important. We must hold it together.

But I urge a ''no'' vote on this bill at this time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I would just like to note that this has not been a hurried effort. In fact, we reported out of the House Administration Committee the original Holt bill before last Easter, Easter of 2007, and have been working with interested parties and across the aisle since that time.

It's worth noting that these changes can happen responsibly and also quickly. For example, in Lackawanna County, Pennsylvania, they're going to switch from DREs to optical scan in 7 weeks, before this primary.

And I would note that the legislature in Iowa has voted, I understand the vote was nearly unanimous, to transition from DREs to optical scan, and that's going to be done before this November election. So I think that this measure would help cities and counties who want to take those responsible steps.

I would yield to the author of the legislation, Mr. HOLT, an additional minute.

The SPEAKER pro tempore. The Chair will note that the gentleman from Michigan has 6½ minutes remaining. The gentlewoman from California has 6 minutes remaining.

Mr. HOLT. Mr. Speaker, under this legislation, the States and counties still have the responsibility for the mechanics of the elections. All we're saying is, if they put in place procedures to make them auditable, and procedures to audit the votes, we will assist them in the cost.

There are many things the gentleman from Iowa (Mr. KING) said we could be dealing with, and, indeed, we are not dealing with questions of registration and purging of names on registration lists and absentee voting and the openness of the tabulation phase of results. We are just talking about what happens in the voting booth, so that each voter will be able to verify, on paper, that her vote or his vote is recorded the way they intended, and then, those voter verified records be used to audit the results. It's that simple.

I can promise you that if jurisdictions don't take these steps, there will be many questions around the country that cannot be resolved. This is a simple, straightforward way to take care of it.

Mr. EHLERS. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Florida, who has considerable voting experience, Mr. MICA.

Mr. MICA. I want to thank Ranking Member EHLERS and others for working on this bill.

I join in opposition to the legislation. First of all, let me say, my colleagues, there's nothing more important than the integrity of the election process in the United States and confidence that all Americans would have in making certain our system of election is secure.

But let me tell you, folks, this is compounding error and mistake Congress made, and here it is on Tax Day, 2008, that we're going to commit another two-thirds of a billion dollar mistake.

I sat on House Administration that oversees elections. I was there in 2000 when we had the problems in Florida with the hanging chads. We've all heard of the hanging chads. And everybody rushed here, and every vote's got to count; we've got to spend taxpayer dollars and make sure that every vote is counted; and we're going to put in a system, and we have to make it look like we're doing something to make certain that system's secure.

Now, we listened to the witnesses and they came before House Administration and they told folks that an electronic voting system, which would cost billions of dollars to implement, would have the possibility of error and just about the same percentage of error if you choose a lever, if you use a hanging chad ballot, if you use optical scan, if you use a paper ballot. And you can mess up any of those elections.

They told us. And then everybody rushed down. They voted it out of committee. We passed it. We spent $2 billion or $3 billion to put in place a system that they told us, well, somebody can pull the plug, the electronic thing doesn't work. Duh. Somebody can come up with some sort of electronic device. Even one of these might set it off and you might get some results.

They told us there might be errors, and they told us they didn't have a paper trail. Duh.

So here we are putting in place the system. On Tax Day, spend another two-thirds of a billion dollars. Keep working out there, Americans. Send it here because they'll spend it in some dumb fashion, and this follows that.

Now, we do want the system to work, but there are errors in everything. You heard them talking about the scan.

I went down and sat all night and watched the scan voting. It's simple. You just take a pen and you fill in the space. My God, I couldn't believe, hundreds of people, they put X's all the way around, they circled optical scan. They could screw up any kind of a ballot. A paper ballot. Actually I'm told that the old levers are probably the

best, that we took out for $2 billion or $3 billion worth of hard-earned taxpayer dollars and replaced with these electronic machines which now we're coming to correct. But they still have the same rate of error.

I guess it never stops around here. But here we are again spending that money on another whim. But we'll do it.

Ms. ZOE LOFGREN of California. Mr. Speaker, I just want to make a couple of comments. In the last several years, the United States has spent at least $240 million to make sure that democratic elections in other countries met the same standards that we're hoping elections will be held to here. And so, obviously, every dollar that we have is precious tax money, but I would hope that we would be at least as interested in protecting the integrity of the elections in America as we are in protecting the integrity of the elections in Pakistan, Afghanistan and the like.

Secondly, I was not a member of the House Administration Committee when Mr. MICA, the gentleman from Florida, was. But I was on the Florida 13 Task Force, and we reached a conclusion. It was unanimous and it was bipartisan, and I don't second-guess them. We had GAO go in and they gave us a report, and we accepted that report. But had there been a paper trail we wouldn't have had to have the GAO go in and examine these machines.

And I would finally note that the gentleman is right. If you can mess it up, it will be messed up. But at least, with a paper ballot, you can discern intent. And if somebody circles the name instead of fills it in, and there is a recount, you can see what a voter meant to do. You cannot see that with an electronic machine.

So with that, and I understand the points being made, but I would hope that we can come together and support this bipartisan bill.

I reserve the balance of my time.

Mr. EHLERS. I yield 30 seconds to the gentleman from Florida (Mr. MICA).

Mr. MICA. I didn't get a chance to say this, but there is a quote that I think should be part of the record. And the quote is: ''An informed electorate is the cornerstone of democracy and an educated electorate.'' And that's what we need to do.

And they make errors. Folks make errors. They just don't circle one and it's very clear. I'd love to bring the ballots here. Sometime I'll have to do that to show you how people can mess it up. But an informed electorate is the cornerstone of democracy. And, yes, we need to do all we can to make certain that they're provided with all the assistance from the Federal level to make certain that we have a fair, open, honest election.

Ms. ZOE LOFGREN of California. We don't have additional speakers. I wonder if the gentleman has additional speakers.

Mr. EHLERS. We have no further speakers. If you have none then I will make some concluding remarks.

I yield myself such time as I may consume.

We've heard a good deal of discussion on this bill. Some of you may recall Parkinson's laws from some years ago in which he commented that when there's a debate on a subject, the more the people know, the longer the debate. And I suspect we could go on considerably longer if we had more of the Members of Congress here simply because all of us have experience with elections.

I would like to point out a few items. First of all, the comments about the integrity of the system. I agree totally. The objective should be the complete integrity of the system to insure that every vote is counted accurately, and that every voter can be assured that their vote is not cancelled out by someone who has illegally voted the wrong way; in other words, through fraud or through mistakes by the machine.

I believe that the audits that Mr. HOLT has proposed are very important and should be developed. It should be developed with the help of the Secretaries of State and local election officials to develop a system that works, so that we can ensure that the count is as accurate as possible.

I also want to comment that the White House also has taken a dim view of this. They've issued a SAP this afternoon, somewhat to my surprise, that indicates that they oppose this bill and urge Members of the Congress to vote against it.

But I do want to look at this from the historical perspective, and as an older person, I've been around a while, and I've seen a lot of different elections. Recalling the early history of our country, all balloting was with paper. But because there was too much miscounting on opportunity for fraud, machines were developed: the iron monsters, as they called them, meaning the lever machines. And those were used for years, even though their error rate also was note zero. And then we've gone to many other voting methods over the years.

Now we're using high tech approaches with computers, and we have encountered some of the same difficulties.

I am not saying that you can't make a perfect machine. I am saying that as long as people are involved in operating them, there are likely to be mistakes.

And one of my classics that I remember is from the presidential election in 2004, when in Los Angeles County there were something like nine candidates for President listed on the ballot. This was an optical scan ballot. Over 3,600 voters crossed through the oval for candidates other than President Bush and left his blank.

Now, how is one to interpret that? Did these voters think they should leave the Bush oval blank because that was who they wanted to vote for? Or were they saying ''Anyone but the President? Who knows. As long as those types of mistakes are possible, they will be made. And we have to do our best here to work diligently, with, and I emphasize ''working with'' very strongly, working with the local elected officials, the State-elected officials, and continue to do as best we can to perfect the best possible voting system.

And with that, I will yield back.

Ms. ZOE LOFGREN of California. Mr. Speaker, I urge that we pass this important legislation today.

I will confess that I am disappointed that the ranking member is not today in support of this measure. We, on the majority side, accepted every amendment offered by Republicans in the committee mark-up on this bill, and I had hoped and expected that we would be able to continue to work together and support this measure on the floor.

We reported the original Holt bill out of the committee over 1 year ago, and in that time, between now and then, we have worked with Secretaries of State, the National Association of Counties, disability rights groups, voting rights groups, civil rights groups, to try and get a measure that could garner broad support across the country. And I believe that we have that measure before us today.

I will say that the White House issuing an SAP today, after a year's work, I think, is really bad faith. We have worked very hard, and to come out at the last minute is really very unprofessional.

I'd finally like to say that the dollar amount estimated by the Congressional Budget Office is a worst-case scenario. There's no way that that would be the full amount.

But even if it were, I would ask Members to think of this: Isn't the American democracy worth as much as the Iraqi or the Pakistani democracy?

□ 1445

Aren't we willing to spend as much to make sure that our precious American votes are counted as we are the votes of foreigners in other countries? I would hope that as we consider our responsibility as Members of Congress to our wonderful America and our wonderful country, that the answer to that would be yes and therefore, a ''yes'' on the whole bill.

There have been various quotes made today, but I think back of the second Californian to ever be President of the United States, his phrase was not used about voting, but it was this: Trust but verify. That's what the Holt bill would do. It would trust but verify, and I hope that Members today can come together and support the Holt bill.

I would like to commend once again Congressman HOLT for his enormous efforts that brought us here today.

Mrs. CAPPS. Mr. Speaker, as a cosponsor of the Emergency Assistance for Secure Elections Act, I rise in strong support of the bill.

Voting is the most fundamental element of democracy. It is the mechanism by which citizens hold their government accountable for its actions. This most critical of democratic actions depends, however, on voters' confidence

that their votes are counted fairly and accurately.

Voters have lost this confidence.

Election after election, year after year, millions of voters cast votes not knowing if their votes will count because the machines produce no paper records.

The Help America Vote Act of 2002 was supposed to resolve these problems. However, it failed to address several major issues that continue to plague the system and undermine the legitimacy of our elections.

This so-called response to the 2000 election debacle in Florida failed to implement accountability measures to ensure that every vote is cast and counted accurately.

The Emergency Assistance for Secure Elections Act would address this problem by providing funding for states and counties to implement safe, secure and auditable voting systems in time for the 2008 general election.

It would reimburse jurisdictions that choose to convert to paper-based voting systems. The reimbursements also cover emergency paper ballots used in the event of machine failure, and the cost of conducting hand-counted audits or hand counting the results of elections.

We must act to restore confidence in our election system. The Emergency Assistance for Secure Elections Act will help restore this confidence and help ensure that all votes are counted and recorded properly. I urge my colleagues to fulfill their responsibility to American voters by voting yes on this critical bill.

Ms. SCHAKOWSKY. Mr. Speaker, I rise in support of H.R. 5036, the Emergency Assistance for Secure Elections Act of 2008.

I think everyone in the chamber today remembers the frustration and disbelief we all felt in November 2000 as hundreds of volunteers poured into Dade County Florida to oversee the recount of the Presidential election. As the future of our nation swayed in the balance, we all thought to ourselves, Can this actually be happening in America?

The answer, unfortunately, was yes. As devastating as that event was, I think we learned two very important lessons. The first is that every vote really does count. Every person who is eligible must get to the polls. The second lesson learned is that our system of elections is broken. Changes must be mandated, improvements must be made.

That is why I am proud to rise in support of H.R. 5036. This bill takes real steps to improve the transparency and accuracy of electoral process by minimizing the financial burden placed on local governments to ensure the accuracy of election results.

H.R. 5036 fully reimburses jurisdictions that choose to offer paper ballots on Election Day. In the 2006 election cycle, we learned that electronic voting machines are not always reliable, often malfunctioning and creating substantial complications on Election Day. H.R. 5036 also subsidizes manual recounts of elections results if basic minimum requirements are met. We must provide resources to the states to ensure that the elections they conduct are fair and accurate.

Both provisions provide absolutely necessary funding to alleviate the significant burden placed on local and county governments when holding elections. This relief is critical to ensure that local government entities can protect the legitimacy of election results without enduring financial hardship.

While, I recognize the fact that more must be done, I also believe that this bill is a very good start and I want to commend my good friend and colleague, RUSH HOLT, for his leadership on this issue. Even a month ago, it appeared that passing this bill was impossible. However, thanks to Representative HOLT's tireless efforts to work with members of Congress on both sides of the aisle, that impossibility becomes reality today. America will be a better for place for his efforts on this Issue.

Mr. KUCINICH. Mr. Speaker, elections are the bedrock of our republic. Our capacity to function as a tripartite government of co-equal branches rests in the public's assurance that those of us entrusted to administer and legislate assumed our offices through free, fair and open elections.

I laud Congressman RUSH HOLT and his efforts to ensure the integrity and accuracy of our voting system. However, today I must rise in opposition to H.R. 5036, the Emergency Assistance for Secure Elections Act of 2008.

H.R. 5036 acknowledges that problems exist in our system of voting, and that without action now these problems will grow. For this reason the legislation has merit. While H.R. 5036 includes a provision to reimburse jurisdictions that convert their paperless voting system to one that includes a paper trail, it may also include optical scan technology. I have serious concerns with optical scan technology and its susceptibility to hacks and security breaches. Recent tests and research have demonstrated the ease with which a person can manipulate the configuration files to change votes. What's more, most of the equipment necessary to accomplish this can be purchased off-the-shelf at most technology stores.

Indeed, our voting system needs improvement, but replacing one flawed technology with another will do little to garner public faith in the electoral process. Let us make comprehensive electoral system reform a priority, and let us enact a policy that ensures system integrity, system security, and that each and every vote is counted.

Ms. ZOE LOFGREN of California. Mr. 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 (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 5036, 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. EHLERS. Mr. 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.

HOUSE SALARIES

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5493) to provide that the usual day for paying salaries in or under the House of Representatives may be established by regulations of the Committee on House Administration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5493

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

SECTION 1. AUTHORITY OF COMMITTEE ON HOUSE ADMINISTRATION TO ESTABLISH DAY FOR PAYING SALARIES IN OR UNDER THE HOUSE OF REPRESENTATIVES.

Section 116(a) of the Legislative Branch Appropriations Act, 2002 (2 U.S.C. 60d–1) is amended by adding at the end the following new sentence: ''Notwithstanding the previous sentence, the Committee on House Administration may by regulation provide for the payment of salaries with respect to a month on a date other than the date provided under the previous sentence as may be necessary to conform to generally accepted accounting practices.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on this bill.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5493 is a bill to address the frequency of staff pay periods in the House. It provides that the day for paying staff may be regulated by the Committee on House Administration. The House of Representatives currently pays the staff once a month. The executive branch, the Senate, and most private companies pay their employees twice a month or every two weeks.

We are considering a change because once-a-month pay can be difficult for staffers budgeting on a tight paycheck. In addition, the committee's oversight experience with payroll software suggested adopting a more common approach will save money, reduce errors and increase efficiency. Unfortunately, the committee can't change the pay schedule for House staff until we change the law.

This bill will give the committee the authority to change the date that staffers are paid. It won't change the pay schedule right away. Once this bill is enacted, the committee will adopt regulations that change the pay cycle.

I would like to thank my friend and colleague, Mr. EHLERS, for cosponsoring this bill.

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

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

Mr. Speaker, I rise in support of H.R. 5493, which would establish that the pay date in the House be determined by Committee on House Administration

regulations. However, I want to make clear that, while I support the committee establishing its authority to determine the House's pay date, I do not necessarily support alteration of the current House pay schedule at this time.

Along with the obvious administrative challenges that would impact the CAO, there are a number of cultural implications within the House population that must be addressed prior to making such a change.

Many employees pay their mortgages, utility bills, and other financial obligations in concert with a monthly pay schedule. To change a system that has been in place for such an extended period of time will have a pervasive impact and must be considered and communicated thoroughly before it is instituted.

This bill is the first step on a very long road, and it should be followed by hearings and surveys to allow House employees to express their opinions.

However, I fully support the efforts of Chairman BRADY to ensure that the committee take a decisive role in determining whether or not changes to the House pay schedule are made.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 5493.

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

A motion to reconsider was laid on the table.

HOUSE EXERCISE FACILITY

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1068) permitting active duty members of the Armed Forces who are assigned to a Congressional liaison office of the Department of Defense at the House of Representatives to obtain membership in the exercise facility established for employees of the House of Representatives, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1068

Resolved, That any active duty member of the Armed Forces who is assigned to a Congressional liaison office of the Armed Forces at the House of Representatives may obtain membership in the exercise facility established for employees of the House of Representatives (as described in section 103(a) of the Legislative Branch Appropriations Act, 2005) in the same manner as an employee of the House of Representatives, in accordance with such regulations as the Committee on House Administration may promulgate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on this resolution.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H. Res. 1068 responds to a specific request from the liaisons who serve in each branch of the military and assist us daily in the House of Representatives. They have just a simple favor to ask that they be allowed to use the House staff gym since they work here far away from the ordinary military fitness facilities.

In order to ensure that the military liaisons can maintain the physical fitness and readiness while they serve in the House, this resolution will allow them to use the House staff gym. The committee will adopt regulations for the use of this facility.

We anticipate that the Armed Forces personnel who use the facility would do so consistently with military policy and, to the extent possible, during off-peak hours.

Again, I would like to thank my friend and colleague, the gentleman from Michigan (Mr. EHLERS), for cosponsoring this resolution.

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

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

Mr. Speaker, I rise today in support of H.R. 1068, which would permit military liaisons who are assigned to official duty within the House of Representatives to join the House Staff Fitness Center. The center has been a welcome benefit to many House employees since it opened in December of 2005. Located in the southwest corner of the Rayburn building, the fitness center covers 11,000 square feet in which gym members can take advantage of health screenings and fitness assessments, take part in health wellness workshops and seminars, and receive individualized exercise programs, in addition to using the state-of-the-art exercise equipment.

While membership in the House Staff Fitness Center will prove a convenient and useful operation to those military personnel who work in the House campus, I think it's also important to recognize that these gentlemen and women are part of the military. They must remain in shape because they may be called into active duty at any time.

And so I believe this is a good bill, and I thank Chairman BRADY for his work on the bill.

I yield back my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and agree to the resolution, H. Res. 1068, 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.

The title was amended so as to read: ''A resolution permitting active duty members of the Armed Forces who are assigned to a Congressional liaison office of the Armed Forces at the House of Representatives to obtain membership in the exercise facility established for employees of the House of Representatives.''.

A motion to reconsider was laid on the table.

AUTHORIZING THE USE OF THE ROTUNDA OF THE CAPITOL FOR THE PRESENTATION OF THE CONGRESSIONAL GOLD MEDAL TO MICHAEL ELLIS DEBAKEY, M.D.

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent to discharge the Committee on House Administration from further consideration of S. Con. Res. 71 and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

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

Mr. EHLERS. Mr. Speaker, reserving the right to object, I will not object, but I would like to make a few comments.

I am proud to support S. Con. Res. 71, which authorizes the use of the Rotunda of the Capitol for a ceremony to award the Congressional Gold Medal to Dr. Michael Ellis DeBakey.

A pioneer in the field of cardiovascular surgery, Dr. DeBakey became chairman of the Department of Surgery at Baylor University College of Medicine in 1948. Over the last half century, he has created a number of medical devices, techniques, and procedures that have saved countless lives. He is perhaps best known for his pioneering efforts in cardiovascular surgery, as he was one of the first physicians to ever perform coronary bypass surgery.

Additionally, Michael DeBakey is credited with developing the concept for the Mobile Army Surgical Hospital, or M.A.S.H., units which were used in the Vietnam and Korean War to treat injured soldiers, saving even more lives.

An adviser to nearly every President for the past 50 years, Dr. DeBakey has served the public through his vast knowledge on a variety of medical issues. He has published more than

1,300 medical articles and has performed over 60,000 cardiovascular procedures. He is a beloved educator, so much so that in 1976, his students across the globe worked together to establish the Michael E. DeBakey International Surgical Society in his honor.

Dr. DeBakey has received numerous awards for his work, including the Presidential Medal of Freedom in 1969 and the National Medal of Science, which was awarded to him by the late President Ronald Reagan in 1987.

I am extremely pleased that this bill will enable us to bestow another honor upon Dr. DeBakey as he receives the Congressional Gold Medal in the Rotunda of the United States Capitol.

Mr. BRADY of Pennsylvania. Mr. Speaker, would the gentleman yield?

Mr. EHLERS. Mr. Speaker, I yield to the gentleman from Pennsylvania.

Mr. BRADY of Pennsylvania. Mr. Speaker, the concurrent resolution provides for the use of the Capitol Rotunda to award the Congressional Gold Medal, and I support the resolution.

Mr. Speaker, Dr. Michael DeBakey is a pioneer in the field of heart surgery and research. Dr. DeBakey honed his skills as an Army doctor during World War II. While chairman of the Department of Surgery at the Baylor College of Medicine, Dr. DeBakey performed the first heart bypass surgery. He has saved countless lives.

Dr. DeBakey has received a Presidential Medal of Freedom and the National Medal of Science, as well as awards from the American Medical Association, the American Heart Association, and the Academy of Surgical Research.

We are honored to authorize the use of the Capitol Rotunda to present Dr. DeBakey with the Congressional Gold Medal, and again, I thank the gentleman from Michigan for his support.

Mr. EHLERS. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The text of the Senate concurrent resolution is as follows:

S. CON. RES. 71

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF THE ROTUNDA OF THE CAPITOL FOR THE PRESENTATION OF THE CONGRESSIONAL GOLD MEDAL.

The rotunda of the United States Capitol is authorized to be used on April 23, 2008, for the presentation of the Congressional Gold Medal to Michael Ellis DeBakey, M.D. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks in the RECORD on the concurrent resolution just considered.

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

There was no objection.

□ 1500

PROVIDING FOR CONSIDERATION OF H.R. 5719, TAXPAYER ASSISTANCE AND SIMPLIFICATION ACT OF 2008

Ms. SUTTON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1102 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1102

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5719) 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. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 5719 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from Ohio is recognized for 1 hour.

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

GENERAL LEAVE

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

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

There was no objection.

Ms. SUTTON. I yield myself such time as I may consume.

Mr. Speaker, H. Res. 1102 provides for consideration of H.R. 5719, the Taxpayer Assistance and Simplification Act of 2008, under a closed rule. The rule provides for 1 hour of debate on the bill controlled by the Committee on Ways and Means.

Mr. Speaker, today, April 15, is Tax Day, which has long been a source of stress and anxiety for many working families. However, today we will bring good news. We will consider legislation that will alleviate many of the tax-related difficulties Americans face today and throughout the year. This legislation will streamline the tax filing process for individuals and businesses as well as improve IRS customer service and strengthen privacy protections.

The Taxpayer Assistance and Simplification Act is also fully paid for by ensuring funds from tax-advantaged health savings accounts will be used for qualified health care expenses, and by temporarily delaying a withholding requirement on government payments to contractors.

It also contains provisions to strengthen the integrity of the Tax Code, making it simpler and fairer for all Americans. It eliminates incentives for U.S. companies to outsource work by ensuring they cannot escape paying employment taxes on government workers.

In addition, this legislation will also prevent thousands of elderly and disabled individuals from owing employment taxes for in-home care workers provided through State and local government programs.

This legislation also improves IRS service and outreach to low-income taxpayers in several ways. First, it allows IRS employees to refer taxpayers requiring assistance with tax cases to qualified low-income taxpayer clinics. It also requires that the IRS notify taxpayers of their potential eligibility for the Earned Income Tax Credit, which has been the largest need-based, anti-poverty program in the United States, lifting millions of Americans out of poverty every single year.

GAO estimates that in 2004, Americans failed to claim $8 billion in earned income tax credits, hundreds of millions of dollars in my home State of Ohio alone. These credits have the potential to help strengthen families and their financial security while also benefiting our communities at large by stimulating local economic development and job growth. And in order to ensure that eligible families can continue to take advantage of the earned income tax credit, this legislation authorizes an annual $10 million grant to Volunteer Income Tax Assistance, or VITA, programs. VITA provides free assistance to qualified low-income taxpayers, thanks to these grants as well as the assistance of dedicated volunteers across the country.

The availability of these valuable services makes it unnecessary for working families to turn to high-cost tax preparers and unscrupulous organizations engaging in predatory practices like offering what is called ''Refund Anticipation Loans.''

The Taxpayer Assistance and Simplification Act also includes several

provisions to strengthen privacy protections and government accountability. Importantly, it prohibits the IRS from providing individual taxpayer information to private entities employing predatory loan tactics. And it requires the IRS to notify taxpayers of suspected identity theft and fraud. It also takes the important step of repealing the authority of the IRS to contract with private debt collection agencies.

Mr. Speaker, there is no duty more central to the functioning of the Federal Government than the collection of its revenue. But under the Bush Administration, this inherently governmental responsibility has been farmed out to private collectors who keep up to 25 percent of the tax revenues they collect. The program has caused confusion and aggravation for many taxpayers because these private debt collectors frequently demand sensitive personal information without revealing the nature of their phone calls, as was documented in a Ways and Means Committee hearing last year.

In addition, the operations of private contractors are not held to the same standard of transparency as required of the Federal Government. There is the danger that sensitive personal information could be compromised through careless handling of these cases without accountability. The Taxpayer Advocate Service has reported over 1,500 complaints related to this program. And not only are there serious privacy and service issues, but the promised cost savings of the private debt collection program has simply not materialized. One needs to look no further than a headline on the front page of today's Washington Post that proclaims, ''Collectors Cost IRS More Than They Raise.''

Private debt collectors are also less efficient than the IRS. As the IRS Taxpayer Advocate Service points out, the Department of the Treasury estimates that private collection agencies collect $4 for every dollar it invests in tax collection efforts, but every dollar invested in IRS collections yields five times that amount.

The downside of continuing to outsource the duties of the Internal Revenue Service clearly outweigh any benefits. It's just another disturbing example of a poor governmental function being outsourced to private contractors with subpar results and a lack of transparency and accountability. It is a waste of taxpayer resources, and it is about time that we eliminated the IRS's authority to outsource this government responsibility.

The Taxpayer Assistance and Simplification Act improves government accountability and makes the Tax Code simpler and fairer for all Americans. I urge my colleagues to support this rule and the underlying legislation.

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

Mr. SESSIONS. Mr. Speaker, I rise in opposition to this 52nd closed rule of the 110th Congress, a new record for the United States Congress. And I oppose, also, the underlying legislation which would have been passed by this House in a bipartisan fashion without the inclusion of two partisan and controversial measures that have already drawn veto threats from President Bush's senior advisers.

Mr. Speaker, I will insert a Statement of Administrative Policy for H.R. 5719 in the CONGRESSIONAL RECORD outlining the administration's oppositions to these two provisions.

STATEMENT OF ADMINISTRATION POLICY, H.R. 5719—TAXPAYER ASSISTANCE AND SIMPLIFICATION ACT OF 2008

(Rep. Rangel (D) New York and 16 cosponsors.)

The Administration strongly opposes H.R. 5719, the so-called ''Taxpayer Assistance and Simplification Act of 2008.'' The bill includes provisions that would impose new administrative burdens on the trustees of Health Savings Accounts (HSAs). These new burdens on HSA administrators are unnecessary for efficient tax administration, inconsistent with the flexibility purposely afforded HSAs at their inception, and could undermine efforts by employers, individuals, and insurers to reduce health care costs and improve health outcomes by empowering consumers to take greater control of health care decision-making. If H.R. 5719 were presented to the President with these provisions, his senior advisors would recommend he would veto the bill.

Also, the Administration strongly opposes the provisions of the bill that would repeal the current statutory authorization for the Internal Revenue Service (IRS) private debt collection program. As of February 2008, over 98,000 cases have been referred to contractors, representing over $910 million in delinquent accounts. Terminating this program would result in a loss of $578 million in revenue over the next ten years, according to Congress' Joint Committee on Taxation. These are tax dollars that are legally owed to the Government and are otherwise very unlikely to be collected by the IRS due to workload demands. As noted in previous Statements of Administration Policy, the Administration strongly opposes elimination of this program, which is not consistent with the Administration's commitment to a balanced approach toward improving taxpayer compliance and collecting outstanding tax liabilities. If H.R. 5719 were presented to the President with these provisions, his senior advisors would recommend that he veto the bill.

The first partisan provision unnecessarily included by our friends, the Democrats, in this otherwise noncontroversial measure would require all HSA account holders to verify independently the qualified nature of medical expenses for all withdrawals subject to those transactions not substantiated to income taxes.

In theory, it is extremely important to make sure that health savings accounts are being used for qualified medical expenses and not for everyday use. Unfortunately, this language takes the reporting process way too far and risks discouraging health savings accounts enrollment, limiting patient choice, and further burdening our banks and financial organizations with implementing the substantial requirements.

The current system requires that nonqualified withdrawals from a health savings account are subject to individual income taxes as well as a 10 percent penalty. If the Internal Revenue Service is not enforcing these penalties, it should be, and it would make sense that Congress would take the necessary steps to ensure the appropriate audits take place. Our constituents' health and our Nation's financial institutions should not suffer from the Federal Government's inefficiency.

The Joint Committee on Taxation has said that this provision would save money, though they are unable to determine how much savings would result from the newly captured penalties and taxes that make HSAs, health savings accounts, less attractive to consumers, in turn, giving them less health care choices.

I might add that HSAs are there to provide consumers that do not have the tax advantages that corporate employees have, it gives employees health care on a pretax basis and is very important to families across this country.

But consumers are not the only ones who would suffer. Introducing a new step of independent substantiation would increase costs for banks and account administrators. Should that happen, it is very possible that they will pass on these costs to employees, and ultimately, consumers.

Over the past several weeks, Democrats have loudly complained about the charges that banks and other commercial lending institutions pass on to their customers, yet provisions allow for the possibility of increasing those costs further when it now applies to an HSA. I think Members of this body should be opposed to that.

The other controversial and partisan provisions included in this legislation would revoke the Internal Revenue Service's authority to contract out collection authority for those small accounts that in the private sector would often be referred to as ''old and cold.'' In 2004, Congress gave the IRS the ability to utilize the best practices and advantages created by the private sector to address its growing backlog of unpaid debt. Today, it is estimated that $345 billion of these unpaid taxes exist, meaning that every year the average taxpayer who plays by the rules must pay an extra $2,700 to cover the taxes not paid for by these people who are not paying.

This new practice, which begins as a small pilot program that grows as it continues to succeed, is estimated to bring in approximately $2.2 billion in the first 10 years alone. And under this agreement, the IRS would get the first 25 cents of every dollar to hire new collections professionals, a provision that will have a positive, compound effect by helping to bring in even greater amounts of this uncollected revenue for the government in the future.

The program, even in its beginning stages and despite numerous attempts by the Democrat majority to kill it before it could succeed, has been hugely

successful, bringing in over $30 million worth of uncollected taxes. Mr. Speaker, that means that $30 million worth of taxes that the IRS chose not to collect has been brought in as a result of what these outside collectors have done. It has received a 98 percent rating from the IRS for regulatory and procedural accuracy as well as a 100 percent rating for professionalism. Additionally, less than 1 percent of the taxpayers contacted by these private agencies have filed complaints with the IRS, not one of which has been validated.

Despite this program's track record of success on behalf of taxpayers who play by the rules and pay their designated share, not to mention the increased revenues that it brings in to fund the Democrats' other new, big spending legislation, there are many opponents on the other side of the aisle that want to prevent it from continuing to work, supposedly to protect the dues of big government union bosses.

□ 1515

They have claimed, despite the fact that 40 out of the 50 States in America already contract out their services, that this is something that only the government can do. You don't have to take my word for it to be said that this is untrue. Even the nonpartisan Government Accounting Office found that ''the IRS may benefit from using private collectors . . . and it is reasonable to assume that the IRS could learn from their best practices as it works to resolve longstanding problems with its debt collection activities.''

As well, in July of 2007, over 51,667 ''cold cases'' that the IRS was incapable of collecting were given to private agencies, resulting in over 5,300 full repayments to the Treasury and almost 2,000 full agreements to repay these debts incrementally. This means that the government received over $24 million of gross revenue that it would not have otherwise received, which was about one-eighth of what it cost for these nonexisting services to be paid for.

In fact, the IRS has publicly stated that no government employee will lose his or her job as a result of this highly efficient private contracting. Instead, the IRS will benefit from the opportunity to focus their talent, expertise, and resources on higher priority, more complex cases.

Last night in the most-closed-Congress-in-history Rules Committee, I offered an amendment coauthored by my friend Congressman KEVIN BRADY of Texas to strike this unfortunate provision, which was unsurprisingly defeated by the Democrat majority along party lines.

I encourage all my colleagues to vote against this closed rule and the underlying legislation that includes these two provisions.

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

Ms. SUTTON. Mr. Speaker, before I yield, I'd just like to clarify for the record some of the things that have been presented.

The National Taxpayer Advocate, who is appointed by the Treasury Secretary, reported to Congress that ''the money spent on the IRS Private Debt Collection initiative is an inefficient use of government dollars.'' The Chief of the National Taxpayer Advocate Service testified that the IRS employees bring in $20 for every dollar IRS spends, whereas private debt collectors bring in only $4.

Mr. Speaker, at this time I yield 3 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise to support the rule and the underlying legislation. The Taxpayer Assistance and Simplification Act is an important step toward a more straightforward, just tax system. I commend Chairman RANGEL for his tireless leadership.

Among other things, this bill will allow IRS employees to refer taxpayers needing assistance to qualified low-income taxpayer clinics, boost outreach, supporting the earned income tax credit. For so many families facing such great income insecurity during these difficult times, the EITC is a powerful initiative whose benefits reach our entire economy.

In particular, I want to recognize Representative ELLSWORTH and highlight this bill's Fair Tax Provision, rooted in our belief that no one, no one, should receive special privileges under our tax system. After all, what does it say about our Nation and our priorities when American companies like Kellog, Brown & Root, by far the largest contractor in Iraq, are allowed to take their Department of Defense dollars and filter them through offshore shell companies in order to avoid paying significant Social Security and Medicare taxes? It is my understanding that there are no other contractors in Iraq who are doing this.

KBR, which received a no-bid contract to rebuild Iraq's oil infrastructure and provides logistical support to the military, employs roughly 14,000 Americans in Iraq, and nearly all of them, approximately 10,500, are listed as employees of two Cayman Islands' shell companies, contracted by KBR solely to avoid paying payroll taxes for those workers.

And that means big cost savings passed on to a Defense Department that is contracted to reimburse KBR for all its labor costs while guaranteeing a profit, a Defense Department that is more than ready to look the other way as long as the bottom line works out in its favor. Indeed, the department knew KBR was shirking its responsibilities since 2004; yet they took no action. This kind of setup may mean a smaller price tag on any particular contract, but the long-term costs to the government and the taxpayer are far greater, $846 million over 10 years, according to the Joint Committee on Taxation. And the only one who really wins in the end is the company who gets the contract thanks to its unfair competitive advantage.

Mr. Speaker, these practices must end. This bill amends current law to treat foreign subsidies of U.S. companies under contract with the U.S. Government as American employers. And it changes the degree of common ownership to 50 percent, ensuring that more companies owing taxes are subject to the new law and greater transparency.

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

Ms. SUTTON. Mr. Speaker, I yield an additional minute to the gentlewoman.

Ms. DELAURO. Mr. Speaker, it is unacceptable for the Department of Defense to pay for this war by doing business with a company that siphons money from its own workers and its own government, undermining the Social Security and the Medicare trust funds in the process. When tax dodgers try to avoid their responsibility, the American taxpayer suffers. This company should not be allowed to shirk their responsibilities and then be able to reap the rewards of very large Federal contracts. It is wrong. It should end. And we can no longer afford to look the other way.

I thank the gentlewoman for yielding.

Mr. SESSIONS. Mr. Speaker, I'm starting to get it. The IRS has a lot of work to do, and then as accounts become older because they don't get to those and they become 2, 3, 4, 5 years old but they are still debts that are owed this country, the IRS now, or at least we are led to believe this, would go collect that money when they hadn't done it their first 5 years.

Well, Mr. Speaker, it's not true. They will not go collect these accounts. They are old. And the point is it's still a debt that is owed to the United States Government. And that's where these private collectors come in. Private collectors that collect for at least 40 out of 50 States. Private collectors that have a 100 percent rating.

Mr. Speaker, what we're trying to say is that the IRS probably does do a good job with what it does do. But when it has not handled an account, it is unwise and bad for the taxpayer not to receive that money that is due from its services and from the taxes that took place, and that's what these collectors are all about. To say that they're not as efficient an outside collector as an IRS collector is silly because these cases are ones the IRS didn't want to handle in the first place.

Mr. Speaker, at this time I would like to yield 4 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. I thank the gentleman for yielding.

Mr. Speaker, I rise today in opposition to the rule and the underlying bill, H.R. 5719.

As we are all aware, today is April 15, and once again Americans from all

across this land and from all walks of life must fork over their hard-earned income to the IRS. So to ease the burden on the taxpayer, the House Democratic leadership, under a closed rule, no opportunity for amendment, brings up this so-called Taxpayer Assistance and Simplification Act.

However, Mr. Speaker, anyone who takes a good, hard look at the language in the bill, they might not think today is April 15 but rather April Fools Day. In fact, this legislation should really be entitled the ''Tax Evader Assistance and Simplification Act.''

For example, this legislation will provide assistance to those who just don't feel like paying their taxes by eliminating a successful debt collection program that my friend from Texas just mentioned. Instead of lowering taxes for hardworking Americans of over half a billion dollars, this majority would rather give a tax break to these tax evaders to the tune, Mr. Speaker, of about $600 million.

And, unfortunately, to pay for these tax-evader protections, this bill targets what? Health Savings Accounts and the millions of Americans who are trying to take control of their own health care decisions. This legislation will cost those Americans who use HSAs, as my children do, nearly $500 million. It effectively works to destroy market-based solutions in order to force government-run health care down the throats of the American people.

Mr. Speaker, I mentioned earlier that this bill makes today seem more like April Fools Day. Well, that moniker already belongs to April 1; so perhaps we can just call today ''Thank a Congressional Democrat Day.''

I would say to the American people if they are happy that this Congress today will basically give away $600 million to tax evaders, thank a congressional Democrat.

If they are happy with the fact that this Congress has done nothing to repeal the deplorable death tax, thank a congressional Democrat.

If they are happy with the fact that this Congress has refused time after time to extend the tax cuts of 2001 and 2003 when our economy needs it most, thank a congressional Democrat.

If they are happy with the fact this Congress has for 2 straight years passed budgets that included the largest tax increase in United States history, thank a congressional Democrat.

And if they look forward to the prospect of writing an even bigger check to the IRS next year than they did this year, well, you guessed it, they can thank a congressional Democrat.

Mr. Speaker, I again ask all my colleagues, Democrat and Republican, to oppose this rule so this bill can be amended to provide real assistance to the American taxpayer. But if this rule passes, I call upon them to oppose the underlying ''Tax Evader Protection and Simplification Act.''

Ms. SUTTON. Mr. Speaker, at this time I yield 1 minute to the distinguished gentlewoman from Arizona (Ms. GIFFORDS).

Ms. GIFFORDS. Mr. Speaker, I rise today to support moving forward with this legislation.

I was a former small business owner, and I understand the real costs of health care, health insurance, increasing year after year. It's my understanding that the health savings account provision is not going to increase the burden on employers. The bill does not intend for employers to be subject to any additional burdens or obligations. And what it simply does is it closes the tax gap by requiring HSA trustees to report amounts paid to individuals that are not identified with medical expenses. Furthermore, we are going to be asking the GAO to study the uses of distribution from the HSAs.

So I'm really pleased to know that we are ensuring that this provision does not negatively impact our business community.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentlewoman from Arizona's letting us know about her understanding of what's happening.

What I would like to tell her is that a number of companies, including the National Association for the Self-Employed, National Association of Health Underwriters, National Association of Manufacturers, National Restaurant Association, National Retail Federation, National Taxpayers Union, Principal Financial Group, Retail Industry Leaders Association, Financial Services Roundtable, the HSA Council, the UnitedHealth Group, U.S. Chamber of Commerce, WellPoint, these people that employ people that utilize the HSA, are all saying it will have a negative impact upon the use of HSAs making it easier for individuals to get and have health care on a pretax basis.

Mr. Speaker, at this time I would like to yield 4 minutes to the gentleman from California (Mr. ROYCE).

□ 1530

Mr. ROYCE. Mr. Speaker, let me just make the observation that today is Tax Day, and effectively what we are doing to the American taxpayers is making them jump through more hoops. Certainly if they have an HSA, and the costs of this program are projected to be about a half a billion dollars a year, what we are going to be doing, what we are doing in bringing this bill to the floor, is enacting burdensome bureaucratic regulations that are going to undermine those health savings accounts which have been proven successful at slowing the growth of health costs and cutting insurance premiums for millions of individuals and small businesses. And my colleague has just listed all the business groups that are opposed to this legislation.

The question I guess I have is in the last session, we had a largely bipartisan bill that the Republicans put forward, with Democratic support, 407–7 it passed. But now we have this provision dropped into this bill that cripples health savings accounts. Now I know we have a philosophical difference of opinion on whether we want to keep health care private and do it through the marketplace, or whether we want to have a government nationalization and takeover of health care. What I am sharing with you is if you cripple HSAs in this way, I guess you do build momentum for a government takeover of health care. But that is not going to make savings for the American consumers.

HSAs are effective in reducing costs for the consumer. And I have got to tell you, these new burdens are unnecessary. They are inefficient. They are inconsistent with the flexibility purposely afforded HSAs at their inception. These provisions undermine efforts by employers, individuals and insurers to reduce health care costs and improve health outcomes.

How is it possible that we are going to consider a program here where it will take longer to receive reimbursements and will require individuals to come up with money out of their own pocket, potentially hundreds of dollars, on occasion $1,000 or so, at one time under this new proposal?

I just think that this new step of independent substantiation frankly helps only one company, or a very limited number of companies who offer such bureaucratic systems and imposes costs on all of the rest. This is going to increase the costs for the banks, for the account administrators, and for the individual who uses them. And it is going to be passed on to the consumers.

So we do complain about the charges which banks and other commercial lending institutions pass on to their customers. But why have this provision that is going to increase those costs on the consumer? This does not make sense. Health savings accounts were created to reduce the growth of health care costs. And they have achieved some noteworthy successes. But this bill is going to lead to increased health care costs for individuals by crippling HSAs. Don't taxpayers have enough to worry about on Tax Day?

I urge my colleagues to vote against this rule so we can fix this bill and provide a little relief to hardworking Americans on April 15.

Ms. SUTTON. Mr. Speaker, at this time, I yield 5 minutes to the distinguished gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. This is an important bill and a timely bill. This is a bill that is due as a gift to the American people on this day which is referred to as Tax Day, April 15.

Now, Mr. Speaker, this bill simplifies the Tax Code. It also deals with antiharassment. It also deals with making sure that companies who do business in foreign lands are not using offshore accounts as scams to avoid paying their fair share of taxes.

And most importantly, Mr. Speaker, it deals with the simplification of the code and applies that to those people

who need it the most, because so many people, Mr. Speaker, are not even getting the advantages and getting their due from paying the taxes because of the fact that our Tax Code is so complicated. It is so complex. And this bill streamlines that.

Now let me take just a few minute to go through some very salient points. The Government Accountability Office estimates that Americans overpaid their taxes by over $1 billion a year because they failed to claim deductions. This bill deals with that. About a quarter of Americans who are eligible for the earned income tax credit failed to claim that due to its complexity.

But what this bill does, Mr. Speaker, is it makes the Tax Code simpler and fairer. It strengthens the IRS's outreach program to make sure that people know that they are entitled to the tax refunds and to payments earned under the earned income tax credit. As I mentioned, there are 25 percent of households who are eligible for the earned income tax credit in 1999 that did not even claim it. And working Americans may have lost out on approximately $8 billion. This bill corrects that.

And one of the most important measures of this bill, Mr. Speaker, is that the American people are tired of the harassment. They are tired of the phone calls, the abuse by these private collectors in which jobs are outsourced by the IRS to go collect the Federal debt. We have talked with the IRS. We have talked with the commissioner of the IRS. And he agrees with us that that can best be done not by outsourcing these jobs out, but by having the IRS employees collect that debt. Personal financial information of our American people is too precious and it is too confidential to be in the hands of private contractors on the outside.

And just very quickly, Mr. Speaker, we have foreign companies like KBR that are working and having millions of dollars of contracts servicing in Iraq. But they are using offshore accounts to hide that money to make sure that they do not have to pay the important taxes that go to Medicaid and to Medicare, not only not paying their fair share, Mr. Speaker, and hundreds of millions of dollars, but not even allowing their employees to qualify for Medicare and for Social Security. This bill corrects that.

And another important area, Mr. Speaker, is the new taxpayer protections against identity theft and tax fraud. It cracks down on misleading web sites that seek to get personal information by using their web sites and imitating and pretending that they are the IRS. Now Mr. Speaker, the American people are certainly fed up with being abused by these private collectors, being abused by these Web siters who are posing themselves as IRS agents.

This is a very important measure. I support this rule going forward. This is a very important bill, giving the taxpayers a due recognition, making the Tax Code simpler, and making sure it is fair for all. It is a good bill. I support this bill rule, and let's pass this bill and move it forward.

The SPEAKER pro tempore. The Chair will note that both sides have 13½ minutes remaining.

Mr. SESSIONS. Mr. Speaker, at this time, I would like to yield 4 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

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

Mr. Speaker, I rise today in opposition to this closed rule. I am opposed because the majority continues to punish States without an income tax, States like Florida. Under the Republican leadership, Congress allowed States to once again allow their residents to deduct the State sales tax from their Federal income tax, just as other States are able to deduct their State income tax. My colleagues and I have repeatedly asked the chairman of the Ways and Means Committee to extend the deduction. But we have repeatedly been ignored.

As we all know, providing tax relief is a very important and effective way to stimulate our economy. Yet, the majority is choosing to pass a tax increase on to Floridians and residents of other States that only have a State sales tax.

Florida has the second highest foreclosure rate in America. And this, ladies and gentlemen, would increase taxes on people already stressing to pay their mortgage payments, and today being April 15, obviously, to rush down to the post office to pay their Federal income tax.

The Taxpayer Assistance and Simplification Act will not assist the average taxpayer nor simplify their tax burden. Even though the bill is being considered today, I haven't had a single constituent contact me in support of this measure. I have, however, had some pretty upset constituents come in about the fact that this is going to be the last year that they can deduct the sales tax on their Federal income tax.

Instead of heading off their requests, the majority is passing this bill under a closed rule, disallowing Members to help our cash-strapped constituents. The majority should really be ashamed of what they are doing today.

I urge all Members to vote against this rule and also the underlying bill.

Ms. SUTTON. Mr. Speaker, at this time, I yield 2 minutes to the distinguished gentleman from Indiana, (Mr. ELLSWORTH).

Mr. ELLSWORTH. Mr. Speaker, I thank the gentlelady for recognizing me and yielding.

Mr. Speaker, I rise today in support of the Taxpayer Assistance and Simplification Act that is before us today. As everyone knows, it is April 15, Tax Day. No one likes paying taxes. But what folks really hate is when they have to pay more because bad actors are gaming the system and not paying their fair share. In fact, recent reports in the Boston Globe has shown that some government contractors have been using offshore Cayman Islands places, tax havens, to avoid paying their payroll taxes that they owe. A few weeks ago, I introduced the Fair Share Act to put a stop to this abuse, and I am proud to have this legislation included as part of today's important bill.

My constituents back in the Eighth District of Indiana don't want to pay even more taxes to shore up programs like Social Security and Medicare because companies who receive billions of dollars from this very government are exploiting the tax system today.

I urge my colleagues to support this bill and send a strong message that Congress is not going to stand by and let contractors cheat their workers, cheat the government or the American taxpayers.

Mr. SESSIONS. Mr. Speaker, we will reserve our time.

Ms. SUTTON. Mr. Speaker, I would inquire of the gentleman from Texas if he has any remaining speakers.

Mr. SESSIONS. I appreciate the gentlewoman asking. At this time, I do not have any additional speakers other than my close.

Ms. SUTTON. Mr. Speaker, I am the last speaker on this side, so I'll reserve my time until the gentleman has closed on his side and yielded back his time.

Mr. SESSIONS. I thank the gentlewoman.

Mr. Speaker, as every American taxpayer is acutely aware, today is Tax Day, or the final day for individuals and families to file taxes without incurring financial penalties.

This is not to be confused with Tax Freedom Day, which the Tax Freedom Foundation has defined as the day on which the average American has finally earned enough money to pay this year's tax obligations at the Federal, State and local level, which won't arrive this year until next week, April 23.

In recognition of these two important days on every taxpayer calendar, today I will be asking each of my colleagues to vote ''no'' on the previous question to this rule. If this previous question is defeated, I will amend the rule to make it in order for the House to consider H.R. 2734, a bill offered by my friend, the gentleman from Michigan, Congressman TIM WALBERG.

This legislation repeals the sunset date of the 2001 Economic Growth and Tax Relief Reconciliation Act and makes the tax reductions enacted by that act permanent. Let me say that again in regular English. That means that we will make the tax cuts permanent to make sure that all these hardworking taxpayers that we are talking about won't have to pay an increase of taxes because the new Democrat majority wants tax increases for every single taxpayer in this country.

Today is an opportunity where we can make those tax cuts permanent to

make sure that our Tax Code encourages not only employers, but employees, and to grow our economy. It also repeals the termination date for provisions of the 2003 Jobs and Growth Tax Relief Reconciliation Act of 2003, thereby reducing income tax rates on dividends and capital gains. It amends the Internal Revenue Code to make permanent the tax deduction for State and local sales taxes, the tax deduction for tuition and related expenses, the increased expensing allowance for small business assets and related provisions, and the tax credit for increasing research activities.

□ 1545

In summary, I would just say this, that what it will do is to maintain in a time of uncertainty the ability for America to continue to grow jobs, which means that America can compete globally. On the other hand, if you are for tax increases, if you want to tax taxpayers more, just simply vote with the Democrat majority.

Finally, it expresses the sense of the House of Representatives and the Committee on Ways and Means that they should report legislation on or before the end of the year to simplify the Federal income tax system.

Mr. Speaker, I can think of a no more fitting action for Congress during the week between Tax Day and Tax Freedom Day to provide this kind of certainty to the American taxpayer.

By voting ''no'' on the previous question, Members will not be voting to kill or delay this debt relief legislation. They will simply be voting to provide tax relief to Americans as they provide debt relief the same day to the world's poorest countries. I encourage all of my colleagues on both sides of the aisle to vote ''no'' on the previous question.

Mr. Speaker, on behalf of taxpayers who want to continue economic growth in America, I say let's vote to make the tax cuts permanent.

AMENDMENT TO H. RES. 1102 OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution, add the following:

SEC. 3. That immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider the bill (H.R. 2734) to make the Economic Growth and Tax Relief Reconciliation Act of 2001 and certain other tax benefits permanent law. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) an amendment in the nature of a substitute if offered by Representative Rangel of New York, which shall be considered as read and shall be separately debatable for 40 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution. . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

Ms. SUTTON. Mr. Speaker, the Taxpayer Assistance and Simplification Act of 2008 is a strong pro-taxpayer bill that adopts legislative recommendations and tackles many of the most serious problems detailed in the National Taxpayer Advocate's Report to Congress.

In this weakening economy, America's working families will face many challenges in the months ahead and we in Congress need to do what we can to help. This legislation will streamline the tax filing process and ease the burden of tax law compliance, it will ensure that we are good stewards of taxpayer funds by eliminating unnecessary and wasteful programs that compromise the integrity of our governmental functions, and it makes the Tax Code simpler and fairer by eliminating unduly burdensome compliance requirements and providing commonsense solutions.

I am proud, Mr. Speaker, to support this legislation, because it makes the needs of working Americans a priority.

Mr. UDALL of Colorado. Mr. Speaker, I support ordering the previous question because I think the House should proceed to considering H.R. 5719, the Taxpayer Assistance and Simplification Act, without unnecessary delay.

Some have urged that Members oppose ordering the previous question so that the House could consider legislation to make permanent all the tax cuts the Bush Administration pushed through Congress in 2001.

I supported some of those reductions, but opposed others, and am not convinced that they should all be made permanent. But in any event, they will remain in effect until 2010. There is no need for us to consider today which should be extended, either as they stand or in modified form. I think instead we should proceed to the debate on H.R. 5719, and so I am voting to order the previous question.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 1102, the Rule to Consider H.R. 5719, "Taxpayer Assistance and Simplification Act of 2008". This legislation, introduced by Chairman CHARLES B. RANGEL (D–NY) and Oversight Subcommittee Chairman JOHN LEWIS (D–GA), modernizes Internal Revenue Service functions to make filing taxes simpler while improving outreach to taxpayers.

This Rule allows considerations:

SUMMARY OF H.R. 5719

Key provisions included in H.R. 5719 as agreed to by the Committee would eliminate the special requirements for individuals to keep detailed records of calls made on employer-provided cell phones; delay for one year the imposition of a three-percent withholding requirement on government payments for goods and services made after December 31, 2010; stops federal contractors from using foreign subsidiaries to evade Social Security and other employment taxes; make the administrators of state and local government programs liable for paying the employment taxes on amounts paid by government programs to in-home care workers provided to elderly and disabled persons; repeal the IRS's authority to use private debt collection companies to collect Federal taxes; prohibit the misuse of Department of the Treasury names and symbols in misleading websites and "phishing" schemes; protect low-income taxpayers by prohibiting IRS debt indicators for predatory

refund anticipation loans, allowing IRS employees to refer taxpayers to qualified low-income taxpayer clinics, and authorizing funding for Volunteer Income Tax Assistance, "VITA" programs, and require the IRS to notify taxpayers if it suspects theft of a taxpayer's identity.

PROGRAMS FOR THE BENEFIT OF LOW-INCOME TAXPAYERS

There are parts of this tax bill that help the working poor and our elderly, making this tax bill truly live up to its name of being one of Taxpayer Assistance—not just give a credit to the top 2% of Americans.

This bill would authorize an annual $10 million grant for Volunteer Income Tax Assistance, "VITA" programs, increasing the annual aggregate limitation authorized on grants to qualified low-income taxpayer clinics to $10 million.

This bill would allow IRS employees to refer taxpayers needing assistance with tax cases to qualified low-income taxpayer clinics so they can get the help they need. Many people are struggling with how to manage complicated tax cases when they can barely afford to pay their mortgage. This portion of the bill will alleviate the fear that is sometimes associated with IRS tax cases particularly among people who cannot afford legal counsel.

ELDERLY AND DISABLED INDIVIDUALS RECEIVING IN-HOME CARE

This bill would make the administrators of state and local government programs liable for paying the employment taxes on amounts paid by government programs to in-home care workers provided to elderly and disabled persons. This is yet another provision of the bill that benefits our most vulnerable populations.

CONCLUSION

Mr. Speaker I urge my colleagues on both sides of the aisle to allow for full consideration of this bill by supporting H. Res. 1102, the Rule providing for consideration of the Taxpayer Assistance and Simplification Act of 2008. I fully support what Representative RANGEL and the Committee on Ways and Means has done to alleviate some of the burden on taxpayers.

AMENDMENT OFFERED BY MS. SUTTON

Ms. SUTTON. Mr. Speaker, I offer an amendment to the rule which I have placed at the desk.

The Clerk read as follows:

Amendment offered by Ms. SUTTON:

Add at the end the following new sections:

SEC. 3. Notwithstanding any other provision of this resolution, the amendment considered as adopted under the first section of this resolution shall be modified as specified in section 4.

SEC. 4. The modification referred to in section 3 is as follows:

Page 21, line 26, insert ''as related to account beneficiary substantiation requirements'' after ''flexible spending arrangements''.

Add at the end the following new section:

SEC. 20. GAO STUDY ON HEALTH SAVINGS ACCOUNTS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the use of distributions from health savings accounts.

(b) SUBMISSION OF REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit a report on the findings of the study conducted under subsection (a) and shall include therein recommendations (if any) relating to such findings. The report shall be submitted to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

Ms. SUTTON. Mr. Speaker, I move the previous question on the amendment and on the resolution.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on agreeing to the amendment to House Resolution 1102, if ordered; adopting House Resolution 1102, if ordered; and suspending the rules with respect to H.R. 5036.

The vote was taken by electronic device, and there were—yeas 220, nays 196, not voting 15, as follows:

[Roll No. 186]

YEAS—220

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

NAYS—196

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—15

Blunt
Capuano
Culberson
Delahunt
Gohmert
Honda
LoBiondo
Mack
Meek (FL)
Pallone
Pascrell
Peterson (PA)
Richardson
Rush
Wilson (NM)

□ 1612

Messrs. LAMBORN, McHENRY and STEARNS changed their vote from ''yea'' to ''nay.''

Mr. HIGGINS changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the amendment offered by the gentlewoman from Ohio (Ms. SUTTON).

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 222, noes 195, not voting 14, as follows:

[Roll No. 187]

AYES—222

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

NOES—195

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Boyda (KS)
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Capuano
Culberson
Delahunt
Gohmert
Gutierrez
Honda
LoBiondo
Mack
Pallone
Pascrell
Peterson (PA)
Richardson
Rush
Wilson (NM)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes are left.

□ 1620

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EMERGENCY ASSISTANCE FOR SECURE ELECTIONS ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the bill, H.R. 5036, 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 (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 5036, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 239, nays 178, not voting 14, as follows:

[Roll No. 188]

YEAS—239

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Gerlach
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Porter
Price (NC)
Ramstad
Reyes
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher

Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—178

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Coble
Conaway
Crenshaw
Cubin
Davis (KY)
Davis, David
Deal (GA)
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Capuano
Culberson
Delahunt
Gohmert
Honda
LoBiondo
Mack
Pallone
Pascrell
Peterson (PA)
Rangel
Richardson
Rush
Wilson (NM)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes are left.

□ 1628

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

□ 1630

GENERAL LEAVE

Mr. LEWIS of Georgia. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the bill, H.R. 5719.

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). Is there objection to the request of the gentleman from Georgia?

There was no objection.

TAXPAYER ASSISTANCE AND SIMPLIFICATION ACT OF 2008

Mr. LEWIS of Georgia. Madam Speaker, pursuant to House Resolution 1102, I call up the bill (H.R. 5719) 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, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). Pursuant to House Resolution 1102, the amendment in the nature of a substitute printed in the bill is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 5719

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

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Taxpayer Assistance and Simplification Act of 2008''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title, etc.
Sec. 2. Modification of penalty on understatement of taxpayer's liability by tax return preparer.
Sec. 3. Removal of cellular telephones (or similar telecommunications equipment) from listed property.
Sec. 4. Delay of application of withholding requirement on certain governmental payments for goods and services.
Sec. 5. Elderly and disabled individuals receiving in-home care under certain government programs not subject to employment tax provisions.
Sec. 6. Referrals to low income taxpayer clinics permitted.
Sec. 7. Programs for the benefit of low-income taxpayers.
Sec. 8. EITC outreach.
Sec. 9. Prohibition on IRS debt indicators for predatory refund anticipation loans.
Sec. 10. Study on delivery of tax refunds.
Sec. 11. Extension of time for return of property for wrongful levy.
Sec. 12. Individuals held harmless on wrongful levy, etc., on individual retirement plan.
Sec. 13. Taxpayer notification of suspected identity theft.
Sec. 14. Repeal of authority to enter into private debt collection contracts.
Sec. 15. Clarification of IRS unclaimed refund authority.
Sec. 16. Prohibition on misuse of Department of the Treasury names and symbols.
Sec. 17. Substantiation of amounts paid or distributed out of health savings account.
Sec. 18. Certain domestically controlled foreign persons performing services under contract with United States Government treated as American employers.
Sec. 19. Time for payment of corporate estimated tax.

SEC. 2. MODIFICATION OF PENALTY ON UNDERSTATEMENT OF TAXPAYER'S LIABILITY BY TAX RETURN PREPARER.

(a) IN GENERAL.—Subsection (a) of section 6694 (relating to understatement due to unreasonable positions) is amended to read as follows:

''(a) UNDERSTATEMENT DUE TO UNREASONABLE POSITIONS.—

''(1) IN GENERAL.—If a tax return preparer—

''(A) prepares any return or claim of refund with respect to which any part of an understatement of liability is due to a position described in paragraph (2), and

''(B) knew (or reasonably should have known) of the position,

such tax return preparer shall pay a penalty with respect to each such return or claim in an amount equal to the greater of $1,000 or 50 percent of the income derived (or to be derived) by the tax return preparer with respect to the return or claim.

''(2) UNREASONABLE POSITION.—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, a position is described in this paragraph unless there is or was substantial authority for the position.

''(B) DISCLOSED POSITIONS.—If the position was disclosed as provided in section 6662(d)(2)(B)(ii)(I) and is not a position to which subparagraph (C) applies, the position is described in this paragraph unless there is a reasonable basis for the position.

''(C) TAX SHELTERS AND REPORTABLE TRANSACTIONS.—If the position is with respect to a tax shelter (as defined in section 6662(d)(2)(C)(ii)) or a reportable transaction to which section 6662A applies, the position is described in this paragraph unless it is reasonable to believe that the position would more likely than not be sustained on its merits.

''(3) REASONABLE CAUSE EXCEPTION.—No penalty shall be imposed under this subsection if it is shown that there is reasonable cause for the understatement and the tax return preparer acted in good faith.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply—

(1) in the case of a position described in subparagraph (A) or (B) of section 6694(a)(2) of the Internal Revenue Code of 1986 (as amended by this section), to returns prepared after May 25, 2007, and

(2) in the case of a position described in subparagraph (C) of such section (as amended by this section), to returns prepared for taxable years ending after the date of the enactment of this Act.

SEC. 3. REMOVAL OF CELLULAR TELEPHONES (OR SIMILAR TELECOMMUNICATIONS EQUIPMENT) FROM LISTED PROPERTY.

(a) IN GENERAL.—Subparagraph (A) of section 280F(d)(4) (defining listed property) is amended by inserting ''and'' at the end of clause (iv), by striking clause (v), and by redesignating clause (vi) as clause (v).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2008.

SEC. 4. DELAY OF APPLICATION OF WITHHOLDING REQUIREMENT ON CERTAIN GOVERNMENTAL PAYMENTS FOR GOODS AND SERVICES.

(a) IN GENERAL.—Subsection (b) of section 511 of the Tax Increase Prevention and Reconciliation Act of 2005 is amended by striking ''December 31, 2010'' and inserting ''December 31, 2011''.

(b) REPORT TO CONGRESS.—Not later than 6 months after the date of the enactment of this Act, the Secretary of the Treasury shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report with respect to the withholding requirements of section 3402(t) of the Internal Revenue Code of 1986, including a detailed analysis of—

(1) the problems, if any, which are anticipated in administering and complying with such requirements,

(2) the burdens, if any, that such requirements will place on governments and businesses (taking into account such mechanisms as may be necessary to administer such requirements), and

(3) the application of such requirements to small expenditures for services and goods by governments.

SEC. 5. ELDERLY AND DISABLED INDIVIDUALS RECEIVING IN-HOME CARE UNDER CERTAIN GOVERNMENT PROGRAMS NOT SUBJECT TO EMPLOYMENT TAX PROVISIONS.

(a) IN GENERAL.—Chapter 25 (relating to general provisions relating to employment taxes) is amended by adding at the end the following new section:

"SEC. 3511. ELDERLY AND DISABLED INDIVIDUALS RECEIVING IN-HOME CARE UNDER CERTAIN GOVERNMENT PROGRAMS.

''(a) IN GENERAL.—In the case of amounts paid under a home care service program to a home care service provider by the fiscal administrator of such program—

''(1) the home care service recipient shall not be liable for the payment of any taxes imposed under this subtitle with respect to amounts paid for the provision of services under such program, and

''(2) the fiscal administrator shall be so liable.

''(b) DEFINITIONS.—For purposes of this section—

''(1) HOME CARE SERVICE PROGRAM.—The term 'home care service program' means a State or local government program—

''(A) any portion of which is funded with Federal funds, and

''(B) under which domestic services are provided to elderly or disabled individuals in their homes.

Such term shall not include any program to the extent home care service recipients make payments to the home care service providers for such in-home domestic services.

''(2) HOME CARE SERVICE PROVIDER.—The term 'home care service provider' means any individual who provides domestic services to a home care service recipient under a home care service program.

''(3) HOME CARE SERVICE RECIPIENT.—The term 'home care service recipient' means any individual receiving domestic services under a home care service program.

''(4) FISCAL ADMINISTRATOR.—The term 'fiscal administrator' means any person or governmental entity who pays amounts under a home care service program to home care service providers for the provision of domestic services under such program.

''(c) RETURNS BY FISCAL ADMINISTRATOR.—For purposes of this section—

''(1) IN GENERAL.—Returns relating to taxes imposed or amounts required to be withheld under this subtitle shall be made under the identifying number of the fiscal administrator.

''(2) IDENTIFICATION OF SERVICE RECIPIENT.—The fiscal administrator shall, to the extent required under regulations prescribed by the Secretary, make a return setting forth—

''(A) the name, address, and identifying number of each home care service recipient for whom amounts are paid by such fiscal administrator under the home care services program, and

''(B) such other information as the Secretary may require.

''(d) REGULATIONS.—The Secretary may prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including requiring deposits of any tax imposed under this subtitle.''.

(b) SERVICE RECIPIENT IDENTIFICATION RETURN TREATED AS INFORMATION RETURN.—Paragraph (3) of section 6724(d) is amended by striking ''and'' at the end of subparagraph (C)(ii), by striking the period at the end of subparagraph (D)(ii) and inserting '', and'', and by adding at the end the following new subparagraph:

''(E) any requirement under section 3511(c)(2).''.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 25 is amended by adding at the end the following new item:

''Sec. 3511. Elderly and disabled individuals receiving in-home care under certain government programs.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid after December 31, 2008.

SEC. 6. REFERRALS TO LOW INCOME TAXPAYER CLINICS PERMITTED.

(a) IN GENERAL.—Subsection (c) of section 7526 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) TREASURY EMPLOYEES PERMITTED TO REFER TAXPAYERS TO QUALIFIED LOW-INCOME TAXPAYER CLINICS.—Notwithstanding any other provision of law, officers and employees of the Department of the Treasury may refer taxpayers for advice and assistance to qualified low-income taxpayer clinics receiving funding under this section.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to referrals made after the date of the enactment of this Act.

SEC. 7. PROGRAMS FOR THE BENEFIT OF LOW-INCOME TAXPAYERS.

(a) VOLUNTEER INCOME TAX ASSISTANCE PROGRAMS.—Chapter 77 (relating to miscellaneous provisions) is amended by inserting after section 7526 the following new section:

"SEC. 7526A. VOLUNTEER INCOME TAX ASSISTANCE PROGRAMS.

''(a) IN GENERAL.—The Secretary may, subject to the availability of appropriated funds, make grants to provide matching funds for the development, expansion, or continuation of volunteer income tax assistance programs.

''(b) VOLUNTEER INCOME TAX ASSISTANCE PROGRAM.—For purposes of this section, the term 'volunteer income tax assistance program' means a program—

''(1) which does not charge taxpayers for its return preparation services,

''(2) which operates programs to assist low and moderate-income (as determined by the Secretary) taxpayers in preparing and filing their Federal income tax returns, and

''(3) in which all of the volunteers who assist in the preparation of Federal income tax returns meet the requirements prescribed by the Secretary.

''(c) SPECIAL RULES AND LIMITATIONS.—

''(1) AGGREGATE LIMITATION.—Unless otherwise provided by specific appropriation, the Secretary shall not allocate more than $10,000,000 per year (exclusive of costs of administering the program) to grants under this section.

''(2) OTHER APPLICABLE RULES.—Rules similar to the rules under paragraphs (2) through (6) of section 7526(c) shall apply with respect to the awarding of grants to volunteer income tax assistance programs.''.

(b) INCREASE IN AUTHORIZED GRANTS FOR LOW-INCOME TAXPAYER CLINICS.—Paragraph (1) of section 7526(c) (relating to aggregate limitation) is amended by striking ''$6,000,000'' and inserting ''$10,000,000''.

(c) CLERICAL AMENDMENTS.—

(1) Section 7526(c)(5) is amended by inserting ''qualified'' before ''low-income''.

(2) The table of sections for chapter 77 is amended by inserting after the item relating to section 7526 the following new item:

''Sec. 7526A. Volunteer income tax assistance programs.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 8. EITC OUTREACH.

(a) IN GENERAL.—Section 32 (relating to earned income) is amended by adding at the end the following new subsection:

''(n) NOTIFICATION OF POTENTIAL ELIGIBILITY FOR CREDIT AND REFUND.—

''(1) IN GENERAL.—To the extent possible and on an annual basis, the Secretary shall provide to each taxpayer who—

''(A) for any preceding taxable year for which credit or refund is not precluded by section 6511, and

''(B) did not claim the credit under subsection (a) but may be allowed such credit for any such taxable year based on return or return information (as defined in section 6103(b)) available to the Secretary,

notice that such taxpayer may be eligible to claim such credit and a refund for such taxable year.

''(2) NOTICE.—Notice provided under paragraph (1) shall be in writing and sent to the last known address of the taxpayer.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 9. PROHIBITION ON IRS DEBT INDICATORS FOR PREDATORY REFUND ANTICIPATION LOANS.

(a) IN GENERAL.—Subsection (f) of section 6011 (relating to promotion of electronic filing) is amended by adding at the end the following new paragraph:

''(3) PROHIBITION ON IRS DEBT INDICATORS FOR PREDATORY REFUND ANTICIPATION LOANS.—

''(A) IN GENERAL.—In carrying out any program under this subsection, the Secretary shall not provide a debt indicator to any person with respect to any refund anticipation loan if the Secretary determines that the business practices of such person involve refund anticipation loans and related charges and fees that are predatory.

''(B) REFUND ANTICIPATION LOAN.—For purposes of this paragraph, the term 'refund anticipation loan' means a loan of money or of any other thing of value to a taxpayer secured by the taxpayer's anticipated receipt of a Federal tax refund.

''(C) IRS DEBT INDICATOR.—For purposes of this paragraph, the term 'debt indicator' means a notification provided through a tax return's acknowledgment file that a refund will be offset to repay debts for delinquent Federal or State taxes, student loans, child support, or other Federal agency debt.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 10. STUDY ON DELIVERY OF TAX REFUNDS.

(a) IN GENERAL.—The Secretary of the Treasury, in consultation with the National Taxpayer Advocate, shall conduct a study on the feasibility of delivering tax refunds on debit cards, prepaid cards, and other electronic means to assist individuals that do not have access to financial accounts or institutions.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the Treasury shall submit a report to Congress containing the results of the study conducted under subsection (a).

SEC. 11. EXTENSION OF TIME FOR RETURN OF PROPERTY FOR WRONGFUL LEVY.

(a) EXTENSION OF TIME FOR RETURN OF PROPERTY SUBJECT TO LEVY.—Subsection (b) of section 6343 (relating to return of property) is amended by striking ''9 months'' and inserting ''2 years''.

(b) PERIOD OF LIMITATION ON SUITS.—Subsection (c) of section 6532 (relating to suits by persons other than taxpayers) is amended—

(1) in paragraph (1) by striking ''9 months'' and inserting ''2 years'', and

(2) in paragraph (2) by striking ''9-month'' and inserting ''2-year''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) levies made after the date of the enactment of this Act, and

(2) levies made on or before such date if the 9-month period has not expired under section 6343(b) of the Internal Revenue Code of 1986 (without regard to this section) as of such date.

SEC. 12. INDIVIDUALS HELD HARMLESS ON WRONGFUL LEVY, ETC., ON INDIVIDUAL RETIREMENT PLAN.

(a) IN GENERAL.—Section 6343 (relating to authority to release levy and return property) is amended by adding at the end the following new subsection:

''(f) INDIVIDUALS HELD HARMLESS ON WRONGFUL LEVY, ETC. ON INDIVIDUAL RETIREMENT PLAN.—

''(1) IN GENERAL.—If the Secretary determines that an individual retirement plan has been levied upon in a case to which subsection (b) or (d)(2)(A) applies, an amount equal to the sum of—

''(A) the amount of money returned by the Secretary on account of such levy, and

''(B) interest paid under subsection (c) on such amount of money,

may be deposited into such individual retirement plan or any other individual retirement plan (other than an endowment contract) to which a rollover from the plan levied upon is permitted. An amount may not be deposited into a Roth IRA under the preceding sentence unless the individual retirement plan levied upon was a Roth IRA at the time of such levy.

''(2) TREATMENT AS ROLLOVER.—If amounts are deposited into an individual retirement plan under paragraph (1) not later than the 60th day after the date on which the individual receives the amounts under paragraph (1)—

''(A) such deposit shall be treated as a rollover described in section 408(d)(3)(A)(i),

''(B) to the extent the deposit includes interest paid under subsection (c), such interest shall not be includible in gross income, and

''(C) such deposit shall not be taken into account under section 408(d)(3)(B).

For purposes of subparagraph (B), an amount shall be treated as interest only to the extent that the amount deposited exceeds the amount of the levy.

''(3) REFUND, ETC., OF INCOME TAX ON LEVY.—If any amount is includible in gross income for a taxable year by reason of a levy referred to in paragraph (1) and any portion of such amount is treated as a rollover under paragraph (2), any tax imposed by chapter 1 on such portion shall not be assessed, and if assessed shall be abated, and if collected shall be credited or refunded as an overpayment made on the due date for filing the return of tax for such taxable year.

''(4) INTEREST.—Notwithstanding subsection (d), interest shall be allowed under subsection (c) in a case in which the Secretary makes a determination described in subsection (d)(2)(A) with respect to a levy upon an individual retirement plan.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid under subsections (b), (c), and (d)(2)(A) of section 6343 of the Internal Revenue Code of 1986 after the date of the enactment of this Act.

SEC. 13. TAXPAYER NOTIFICATION OF SUSPECTED IDENTITY THEFT.

(a) IN GENERAL.—Chapter 77 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

''SEC. 7529. NOTIFICATION OF SUSPECTED IDENTITY THEFT.

''If, in the course of an investigation under the internal revenue laws, the Secretary determines that there was or may have been an unauthorized use of the identity of the taxpayer or a dependent of the taxpayer, the Secretary shall, to the extent permitted by law—

''(1) as soon as practicable and without jeopardizing such investigation, notify the taxpayer of such determination, and

''(2) if any person is criminally charged by indictment or information with respect to such unauthorized use, notify such taxpayer as soon as practicable of such charge.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

''Sec. 7529. Notification of suspected identity theft.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to determinations made after the date of the enactment of this Act.

SEC. 14. REPEAL OF AUTHORITY TO ENTER INTO PRIVATE DEBT COLLECTION CONTRACTS.

(a) IN GENERAL.—Subchapter A of chapter 64 is amended by striking section 6306.

(b) CONFORMING AMENDMENTS.—

(1) Subchapter B of chapter 76 is amended by striking section 7433A.

(2) Section 7811 is amended by striking subsection (g).

(3) Section 1203 of the Internal Revenue Service Restructuring Act of 1998 is amended by striking subsection (e).

(4) The table of sections for subchapter A of chapter 64 is amended by striking the item relating to section 6306.

(5) The table of sections for subchapter B of chapter 76 is amended by striking the item relating to section 7433A.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) EXCEPTION FOR EXISTING CONTRACTS, ETC.—The amendments made by this section shall not apply to any contract which was entered into before March 1, 2008, and is not renewed or extended on or after such date.

(3) UNAUTHORIZED CONTRACTS AND EXTENSIONS TREATED AS VOID.—Any qualified tax collection contract (as defined in section 6306 of the Internal Revenue Code of 1986, as in effect before its repeal) which is entered into on or after March 1, 2008, and any extension or renewal on or after such date of any qualified tax collection contract (as so defined), shall be void.

SEC. 15. CLARIFICATION OF IRS UNCLAIMED REFUND AUTHORITY.

Paragraph (1) of section 6103(m) (relating to tax refunds) is amended by inserting '', and through any other means of mass communication,'' after ''media''.

SEC. 16. PROHIBITION ON MISUSE OF DEPARTMENT OF THE TREASURY NAMES AND SYMBOLS.

(a) IN GENERAL.—Subsection (a) of section 333 of title 31, United States Code, is amended by inserting ''Internet domain address,'' after ''solicitation,'' both places it appears.

(b) PENALTY FOR MISUSE BY ELECTRONIC MEANS.—Subsections (c)(2) and (d)(1) of section 333 of such Code are each amended by inserting ''or any other mass communications by electronic means,'' after ''telecast,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring after the date of the enactment of this Act.

SEC. 17. SUBSTANTIATION OF AMOUNTS PAID OR DISTRIBUTED OUT OF HEALTH SAVINGS ACCOUNT.

(a) IN GENERAL.—Paragraph (1) of section 223(f) (relating to amounts used for qualified medical expenses) is amended by inserting ''(and, in the case of amounts paid or distributed after December 31, 2010, substantiated in a manner similar to the substantiation required for flexible spending arrangements)'' after ''account beneficiary''.

(b) REPORTS.—Subsection (h) of section 223 (relating to reports) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively,

(2) by moving the text of subparagraphs (A) and (B) (as so redesignated) and the last sentence 2 ems to the right,

(3) by striking ''(h) REPORTS.—The Secretary may require—'' and inserting the following:

''(h) REPORTS.—

''(1) IN GENERAL.—The Secretary may require—'', and

(4) by adding at the end the following new paragraph:

''(2) RELATING TO SUBSTANTIATION.—Not later than January 15 of each calendar year after 2011, the trustee of a health savings account shall make a report regarding such account to the Secretary and the account beneficiary setting forth—

''(A) the name, address, and identifying number of the account beneficiary, and

''(B) the amount paid or distributed out of such account for the preceding calendar year not substantiated in accordance with subsection (f)(1).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to amounts paid or distributed out of health savings accounts after December 31, 2010.

SEC. 18. CERTAIN DOMESTICALLY CONTROLLED FOREIGN PERSONS PERFORMING SERVICES UNDER CONTRACT WITH UNITED STATES GOVERNMENT TREATED AS AMERICAN EMPLOYERS.

(a) FICA TAXES.—Section 3121 (relating to definitions) is amended by adding at the end the following new subsection:

''(z) TREATMENT OF CERTAIN FOREIGN PERSONS AS AMERICAN EMPLOYERS.—

''(1) IN GENERAL.—If any employee of a foreign person is performing services in connection with a contract between the United States Government (or any instrumentality thereof) and any member of any domestically controlled group of entities which includes such foreign person, such foreign person shall be treated for purposes of this chapter as an American employer with respect to such services performed by such employee.

''(2) DOMESTICALLY CONTROLLED GROUP OF ENTITIES.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'domestically controlled group of entities' means a controlled group of entities the common parent of which is a domestic corporation.

''(B) CONTROLLED GROUP OF ENTITIES.—The term 'controlled group of entities' means a controlled group of corporations as defined in section 1563(a)(1), except that—

''(i) 'more than 50 percent' shall be substituted for 'at least 80 percent' each place it appears therein, and

''(ii) the determination shall be made without regard to subsections (a)(4) and (b)(2) of section 1563.

A partnership or any other entity (other than a corporation) shall be treated as a member of a controlled group of entities if such entity is controlled (within the meaning of section 954(d)(3)) by members of such group (including any entity treated as a member of such group by reason of this sentence).

''(3) LIABILITY OF COMMON PARENT.—In the case of a foreign person who is a member of any domestically controlled group of entities, the common parent of such group shall be jointly and severally liable for any tax under this chapter for which such foreign person is liable by reason of this subsection, and for any penalty imposed on such person by this title with respect to any failure to pay such tax or to file any return or statement with respect to such tax or wages subject to such tax. No deduction shall be allowed under this title for any liability imposed by the preceding sentence.

''(4) COORDINATION.—Paragraph (1) shall not apply to any services which are covered by an agreement under subsection (l).

''(5) CROSS REFERENCE.—For relief from taxes in cases covered by certain international agreements, see sections 3101(c) and 3111(c).''.

(b) SOCIAL SECURITY BENEFITS.—Subsection (e) of section 210 of the Social Security Act (42 U.S.C. 410(e)) is amended—

(1) by striking ''(e) The term'' and inserting ''(e)(1) The term'',

(2) by redesignating clauses (1) through (6) as clauses (A) through (F), respectively, and

(3) by adding at the end the following new paragraph:

''(2)(A) If any employee of a foreign person is performing services in connection with a contract between the United States Government (or any instrumentality thereof) and any member of any domestically controlled group of entities which includes such foreign person, such foreign person shall be treated as an American employer with respect to such services performed by such employee.

''(B) For purposes of this paragraph—

''(i) The term 'domestically controlled group of entities' means a controlled group of entities the common parent of which is a domestic corporation.

''(ii) The term 'controlled group of entities' means a controlled group of corporations as defined in section 1563(a)(1) of the Internal Revenue Code of 1986, except that—

''(I) 'more than 50 percent' shall be substituted for 'at least 80 percent' each place it appears therein, and

''(II) the determination shall be made without regard to subsections (a)(4) and (b)(2) of section 1563 of such Code.

A partnership or any other entity (other than a corporation) shall be treated as a member of a controlled group of entities if such entity is controlled (within the meaning of section 954(d)(3) of such Code) by members of such group (including any entity treated as a member of such group by reason of this sentence).''.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to services performed after the date of the enactment of this Act.

SEC. 19. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAX.

The percentage under subparagraph (C) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 in effect on the date of the enactment of this Act is increased by 0.25 percentage points.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LEWIS) and the gentleman from New York (Mr. REYNOLDS) each will control 30 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. LEWIS of Georgia. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, on Tax Day, it is so important that we bring H.R. 5719 to the floor of the House. Taxpayers must be treated fairly, and they deserve all the help we can give them.

This bill draws, in part, on legislation authored by myself and many members of the Ways and Means Committee. Most of the pieces of this bill enjoy bipartisan support.

This bill will assist victims of identity theft and prevent the misuse of the IRS name in schemes that defraud the public.

The bill helps low-income taxpayers by allowing IRS employees to refer them to low-income taxpayer clinics, expanding earned income tax credit outreach, and authorizing funding for low-income taxpayer programs.

It would, once and for all, repeal the authority of the IRS to enter into private debt collection contracts. This program violates the public trust and must end.

The bill also protects elderly and disabled persons from tax liability on workers provided to them under government programs.

H.R. 5719 enhances the fairness of our tax code and deserves this House's total support.

Madam Speaker, I reserve the balance of my time.

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

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

Mr. REYNOLDS. Today is Tax Day, Madam Speaker, and all across the country, millions of Americans will wait patiently, or not so patiently, in line at the local post office, making sure that their taxes are postmarked by the midnight deadline.

Having recently struggled through the process of filling out my own tax forms, I share the frustrations of millions of American taxpayers, not just with the amount of taxes that we have to pay, but with the dizzying maze of forms, worksheets and calculations required by the IRS as well.

But instead of working together in a bipartisan way to simplify the process and enhance taxpayers rights, the majority has chosen to bring forward a partisan, political bill that has already drawn a veto threat from the administration, and is almost certainly ''dead on arrival'' in the other body.

To be sure, this legislation does contain a number of positive, pro-taxpayer provisions, most of which have already passed the House last year in an overwhelmingly bipartisan basis as part of H.R. 1677. Unfortunately for this House, and for taxpayers across the country, the majority has now abandoned that commonsense bipartisan approach that we brought to last year's bill.

Instead the majority has included a pair of highly controversial proposals that kill any hope of bipartisan cooperation, one imposing a new substantiation requirements on withdrawals from health savings accounts, and another cutting off the ability of carefully selected private businesses to assist the IRS in collecting delinquent tax debt.

Over the course of today's debate, we'll hear much more about the concerns that many Members have about the HSA provision, a provision that was not subject to a single hearing in the Ways and Means Committee, and was inserted into the bill just prior to mark-up without any real understanding of the potential consequences.

So let me take a moment to focus on the other provision of concern, the proposal to repeal the IRS's authority to work with private collection agencies to ensure that acknowledged tax debt is actually paid.

For some Members of this body on both sides of the debate, this particular issue is simple and is simply about policy. For them, it's an abstract question about whether these private collection agencies, so called PCAs, should be able to play a limited supplementary role in ensuring that undisputed tax debts are, in fact, paid.

As we debate this particular issue yet again this afternoon, we'll hear again persuasive evidence making clear just how successful the PCA program has already been in narrowing the tax gap, and while carefully protecting taxpayers rights. And we will also hear how much additional promise this program holds for the future if it's allowed to continue.

But for me and the area I represent, Western New York, the issue is much more than an abstract policy debate. It's also about jobs. As the Member of Congress who represents rural Wyoming County in Western New York, I'm actually more familiar than most Members with the work that PCAs do. After all, the largest single private employer in Wyoming County, Pioneer Credit Recovery, is one of the only two companies nationwide that the IRS has selected to help get this important program underway.

Madam Speaker, Pioneer Credit is a highly respected local business that has created more than 1,400 high-paying jobs for families living in either my district or neighboring districts around Buffalo and Rochester. And as my fellow Members of Western New York's Congressional Delegation know, these jobs have been created in a region that has faced serious economic challenges.

This IRS contract has allowed Pioneer Credit to turn an empty warehouse in Perry, New York into a thriving job center for newly hired employees. In short, it's been a great economic success story in part of Western New York that has desperately needed it.

As someone who fought to give the IRS the authority to partner with these private companies in the first place, I am deeply troubled that the new majority is once again threatening to deauthorize this important program just as it's getting underway.

If this program is allowed to continue, Pioneer Credit will have the opportunity to compete for future IRS contracts that could create many additional jobs in the area of Western New York that I represent. Killing this program, on the other hand, would cost my constituents real jobs at a time when Congress should be working to expand employment opportunities, particularly in hard-hit areas that are struggling economically.

I would also like to note, Madam Speaker, that under the Democrats convoluted PAYGO rules, proposals that reduce anticipated Federal revenues must be offset by other provisions that raise revenue. As a result, today's

proposal to eliminate the PCA program, a program that is currently expected to bring in more than a half billion dollars to the Federal Treasury, over the next decade, also requires them to raise Federal revenue or taxes by the same amount somewhere else. That's right. The majority is raising taxes by a half a billion dollars today in order to eliminate the very program that's helping us to collect undisputed tax debts, more effectively. Only in Washington, Madam Speaker, only in Washington.

This bill is wrong on policy, it's wrong on job creation and it's on the way to mark April 15 for America's hard-working taxpayers.

I urge a ''no'' vote.

I reserve the balance of my time.

Mr. LEWIS of Georgia. Madam Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), a member of the Ways and Means Committee.

Mr. VAN HOLLEN. I thank my colleague from Georgia and thank him for his leadership on this important issue.

Madam Speaker, I rise in strong support of this legislation, the Taxpayer Assistance and Simplification Act. It's a set of commonsense reforms designed to make the Tax Code a little more consumer friendly for hardworking Americans.

If the IRS has reason to believe that you've been a victim of identity theft, this bill says the IRS should let you know.

If you're entitled to an unclaimed refund, this bill empowers the IRS to do more to find you.

And if you need help with your taxes, this bill lets the IRS refer you to a qualified taxpayer clinic that can provide assistance.

So whether it's from eliminating nuisance paperwork to publicizing the earned income tax credit to clamping down on predatory ''refund anticipation loans,'' this bill, time and again, sides with the taxpayer.

I'm particularly pleased that it includes legislation many of us have worked on to end the practice of bounty hunting and terminate the program of contracting out the collection of taxes to private debt collectors.

Proponents of this program say it's necessary to close the tax gap. The facts just say they're wrong. The program, to date, hasn't returned a single dime of additional revenue to the U.S. Treasury. In fact, so far as we gather here today, it's been a revenue loser, an ideological driven black hole that has sucked $50 million out of the Treasury last year alone. And we would have been able to raise, and this is according to both Republican and IRS commissioners, we would have been able to raise $1.4 billion in revenue from people who hadn't paid taxes if we'd simply hired more IRS agents to do the job. And that's also the testimony of the National Taxpayer Advocate at the Department of Treasury. That's the person whose job it is to look out for the taxpayers, and she testified this is a bad deal for taxpayers. We should get rid of it.

And we shouldn't be surprised. We had a similar program in the 1990s that was ended because of abusive practices, and it failed to collect the money. Let's learn from history. Let's adopt this legislation.

Mr. REYNOLDS. Madam Speaker, I yield 3 minutes to my distinguished colleague on the Ways and Mean Committee from Wisconsin (Mr. RYAN), an expert on HSAs and other matters for consideration today.

□ 1645

Mr. RYAN of Wisconsin. Madam Speaker, why are we here? We're here because it's Tax Day and the majority decided they had to have a tax bill to come to the floor to pass on Tax Day.

There are some good provisions in this bill. I want to talk about one provision that is not a good provision. That's what we call HSA substantiation. What that basically means is without a single hearing, the majority wants to bring these new red-taped complicated rules to health savings accounts so that every time somebody goes and makes a health care purchase that's under the deductible, they have to first get permission from their banker or from the government before they do it. That's essentially what substantiation does.

Now, we've heard from banks, from the credit unions, from the NFIB and the small businesses. They're all saying, we're not going to do it anymore. We're not going to offer HSAs to our clients.

Madam Speaker, the key with health savings accounts is that people can save tax free for their out-of-pocket health care savings. Why on earth would we want to bring a bill to the floor which we know will reduce the use of health savings accounts?

The goal of this Congress ought to be to make health care more accessible and more affordable. Unfortunately, this bill goes in the wrong direction. So we want to inflict all of this red tape that we don't inflict on individual retirement accounts or on home equity lines of credits on this, and this will make it harder for people to save tax free for health care. It will tie them up in red tape. It will say to the banks and credit unions that offer these things, don't offer them anymore, and more to the point, we're doing this clumsy legislating without having had one hearing in the Ways and Means Committee.

More to the point, Madam Speaker, is this. The market is already fulfilling the need to have better recordkeeping. The market is already showing us they can do this without this law. But if you impose this law, as this bill does, guess what's going to happen? People in rural America, people in some small towns, people in Janesville, Wisconsin, they won't be able to subscribe to this law. Their retailers don't have the technology that's being required here. So you're going to leave rural America, small town America out, and only urban areas can comply with this.

This is not good legislating. This has not been seen through. No foresight. No hearings. More to the point, it's going to make it harder for people in rural and small towns to save tax tree for health care. It's going to make it harder for anybody to save tax free for health care. This is going to raise health care costs, and it is going to make it harder for patients to really get control of their health care destiny.

And that is why this bill should be defeated. For this piece of policy alone, this bill should be defeated because it was not thought through. It was slammed in there at the last minute, and that is enough of a reason that on this day, on Tax Day, we should not be telling the American people, we're going to raise your taxes if you want to go buy health care. That's wrong, but that's what this bill does; and I think we should reject this bill for that reason alone.

Mr. LEWIS of Georgia. Madam Speaker, I yield 2 minutes to the gentleman from North Dakota (Mr. POMEROY), a wonderful friend who is a member of the Ways and Means Committee.

Mr. POMEROY. Madam Speaker, I appreciate very much the gentleman from Georgia's leadership of the Oversight Subcommittee on the Ways and Means Committee.

A couple of things to respond to.

The matter before us involves a pay-for, because unlike much of the work of my friend, the ranking member of the Budget Committee, this majority pays for things that cost the Treasury.

Now, the HSA issue he just raised involves tax-free accounts and savings accounts to be used for health care. We ask that there be some verification to show the money withdrawn was spent for health care. That's all. What drives us to this is a report that we had from one account manager that shows these funds being withdrawn for everything from body shop repair to fast food restaurants.

Mr. RYAN of Wisconsin. Madam Speaker, will the gentleman yield?

Mr. POMEROY. Sure I will yield.

Mr. RYAN of Wisconsin. As the gentleman knows, this is their money, and if they choose to withdraw their money for non-health care reasons, they pay taxes.

Mr. POMEROY. Reclaiming my time, and I only have 2 minutes, this HSA, I believe the gentleman would agree, in fact I think he said it in his comments, is for the cost of health care. It gives a tax incentive cost, a tax assistance to taxpayers for health care costs, not for body shop costs. We don't tax incent body shop costs. So we would like to shut that abuse down.

The question is legitimately raised. Is this too onerous? Absolutely not. Many of us have flex savings accounts that are used for medical costs. Now,

all we ask is that the same verification any Federal employee uses when they make a withdrawal in their flex savings account would be used to substantiate withdrawal from the health savings account. This isn't inventing something new. We've done it. It works well.

Another feature of the bill that's drawn such objection is this business of putting out of business the whole notion of private bill collectors being loosed on our taxpayers to collect revenues owed the Federal Government.

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

Mr. LEWIS of Georgia. Madam Speaker, I yield the gentleman an additional minute.

Mr. POMEROY. Madam Speaker, I refer my colleagues to the Washington Post, the front page story today, ''Collectors cost IRS more than they raise.''

We have had, in fact, kind of the bill collection version of the $600 toilet seat for the old Pentagon contract procurements. This was advertised to cost very little, $10 to $14 million, well now up to $70 million and counting, a multiple of what was initially advertised. That's the set-up cost. They said it was going to bring all of this money. Well, the reality is it has brought in only a fraction of the money advertised.

And so on a net basis, this whole initiative to bring in money owed us has cost us money. We've been shipping more money to contractors. This is an administration and this is a minority that loves private contractors. And if it costs the Federal Government on the net balance, it doesn't matter because they just so ideologically love private contractors.

We should pass this bill and end this failed experiment of private debt collection.

Mr. REYNOLDS. Madam Speaker, I've been listening to some of my colleagues, and I'm sure we'll have more on the Democratic side of the aisle that have been such proponents of doing away with the collection. I just want to remind some of them of a couple of things that we should look at.

First, this is money that the IRS will not go after. It is part of the goal that Congress said we will pursue to get this money, and it was going to show a $1 billion over 10-year revenue.

Now, we have seen the start-up of PCAs, one in Iowa and one in New York, after a very clear scrutiny by the IRS and by strong oversight of the Congress. And there are start-up costs of the $50 million, as we're beginning to see the program come under way, to pursue money that the IRS either hasn't collected, can't collect, will not collect as the PCAs are pursuing it.

And I have listened to a lot of people describe what they think they understand of a PCA, but they have never really been in tune with it. It kind of reminds me of somebody debating ATM legislation and never actually used an ATM.

Madam Speaker, I yield 2 minutes to the distinguished senior member of the Ways and Means Committee from California (Mr. HERGER).

Mr. HERGER. Madam Speaker, as Americans send their checks to the IRS today, they have a number of concerns. There are the dozens of tax provisions that expired last year and have not yet been extended adding to economic uncertainty. There is the inefficiency of many Federal agencies resulting in waste of hard-earned tax dollars, and there are the entitlement programs that threaten to double the Federal tax burden over the coming decades if they are not reformed. All of these issues Congress should be considering this Tax Day.

One complaint I have never heard from my constituents is that the IRS doesn't ask them for enough information. Yet the legislation before us would impose burdensome new reporting requirements on 5 million Americans with health savings accounts. Although Congress has held no hearings to determine whether misuse of HSA funds is a real problem, these requirements would make HSAs less convenient for consumers and could lead financial institutions to stop offering HSAs.

Ironically, this bill would also repeal a program that collects bad tax debts. The majority's message seems to be that if you're not paying your taxes, we will let you off the hook, but if you follow the rules, we will increase your burden of compliance.

Madam Speaker, that is the wrong message to send this Tax Day. I urge a ''no'' vote.

Mr. LEWIS of Georgia. Madam Speaker, no one on this side of the aisle is suggesting that we all shouldn't pay our fair share.

Madam Speaker, I now yield 2 minutes to the gentleman from Illinois (Mr. EMANUEL), a member of the Ways and Means Committee.

Mr. EMANUEL. Madam Speaker, to pick up on my colleague's comments about fairness, one of the provisions in this legislation deals with closing the loophole for KBR, a former Halliburton subsidiary, that used the Cayman Islands to avoid paying taxes. And that is, it was discovered that in fact KBR, they're a company that was doing its operations in Iraq, was not paying and consciously set up a company in the Cayman Islands, just a post office box, set up a company to avoid paying Social Security, Medicare, and unemployment insurance, which is how they became the low bid.

It is the company, by the way, I'm sure you remember this, that served contaminated water to our troops, costing the taxpayers more money to take care of the health of those troops.

They set up an operation in the Cayman Islands, and in fact, their post office was Post Office Box 847, One Capital Place, 4th Floor, Shedden Road, Grand Cayman, Cayman Islands, KY1–1103. And the reason they were the low bidder? They didn't pay their fair share.

And the truth is the American people care about two things when it comes to American taxes: Simplicity of the code and fairness. And this is an example of the unfairness of our code.

In fact, if you look at the Ugland House in the Cayman Islands, one building houses 12,000 companies who have established post office boxes or ZIP codes or modems there, and the only purpose they're there for is to avoid paying their fair share of their taxes. And one of the pieces of this legislation is, in fact, to shut down the operation so companies cannot get contracts doing government work here in the United States, paid for by the taxpayers, whose sole purpose is to avoid paying their fair share.

The company acknowledges that the reason they set up the Cayman Islands was so they didn't pay Social Security, they didn't pay unemployment, they didn't pay Medicare.

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

Mr. LEWIS of Georgia. Madam Speaker, I yield the gentleman an additional 30 seconds.

Mr. EMANUEL. And the way this was discovered was on a worker who was laid off with 10,000 employees, went to go collect unemployment insurance and was told no, you don't have the money for that because you didn't pay insurance. He said no, I work for an American company, and then discovered, in fact, he didn't work for an American company. KBR was a company set up in the Cayman Islands for the purpose of avoiding paying their fair share of taxes, and it is right here on April 15, when Americans are facing bigger tax bills, higher costs for health care, higher costs for education, higher costs for gasoline, that in fact those companies that are servicing in Iraq pay their fair share and not use the tax code to avoid their responsibility.

Mr. REYNOLDS. Madam Speaker, I would like to yield 2 minutes to my colleague, the distinguished ranking member of the Health Committee of Ways and Means from Michigan (Mr. CAMP).

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

Madam Speaker, here we are on Tax Day, April 15, talking about a bill called the Taxpayer Assistance and Simplification Act. A great title, but this bill falls remarkably short.

What this Congress should be debating today is legislation to simplify and reform the tax code. The tax code is over 67,000 pages long. It takes taxpayers 6 billion hours and over $260 billion to comply with current tax laws. That's unacceptable.

Instead of this bill, Congress needs to pass legislation to make filing tax returns simpler and fairer. While more and more Americans are demanding Congress make our tax laws easier to comply with, the Ways and Means Committee has held only one hearing on tax reform since the beginning of last year.

And just as the economy struggles in the face of problems in the housing and the credit markets, rising gas and food prices and an up-take on employment, the House Democrat budget proposes to hit families with the largest tax increase in history.

□ 1700

Instead of reforming the Tax Code and lowering the tax burden, the bill before us ignores both those questions. And while there are some good provisions in it, like I support the provision that no longer requires employees to keep track of the cell phone calls they make on their office cell phones, other measures in the bill make it objectionable.

I reject the majority's attempts to impose new administrative burdens on the use of health savings accounts. Millions of Americans are enrolled in HSAs because they provide consumers with the ability to affordably manage their own health care costs. H.R. 5719 will make it harder for people to save for their own health care.

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

Mr. REYNOLDS. I yield the gentleman an additional minute.

Mr. CAMP of Michigan. HSAs already have a built-in enforcement mechanism that seeks to ensure HSA funds are spent on qualified medical expenses. If a person spends those dollars on a nonqualified expense, they're subject to individual income taxes and a 10 percent penalty. The IRS also has the right to audit HSA withdrawals.

Americans are concerned about the cost of health care. Before Congress rushes to impose new burdens on HSAs, the one innovation that helps patient-centered, individual health care, helps individuals take control of their health care, we should find out first if there really is a problem, and then, how we can fix it without restricting the ability of consumers to take greater control of their health care decision making.

I urge my colleagues to reject this flawed legislation.

Mr. LEWIS of Georgia. Madam Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a member of the Ways and Means Committee.

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

I find no small amount of irony listening to our friends from the other side of the aisle talk about complexity on Tax Day because for the 12 years that they were in charge there was an explosion, hundreds of thousands of additional words added to the IRS code; loopholes and complexity, not simplification.

It is absolute hogwash that there are areas that the IRS won't go after to collect and we have to use private collection agencies. They are the people who decided to underfund the IRS. Testimony before our committee was conclusive: The IRS-trained employees collect eight times as much per person as these bounty hunters that they contract out. With the minimum of a $70 million investment, we will raise over $1.4 billion.

Equally specious is the argument here that we're hearing about HSAs. There are millions of Americans who have benefits, as my good friend from North Dakota pointed out, flexible savings accounts. We have them for our Federal employees. And all they have to do, however, is there is some minimal verification. What they're proposing is that we just ignore it and allow people to use it for car washes and country club memberships and rely on an occasional audit, which is much more difficult because they have cut back on the IRS. That's foolish. It works for millions of Americans with flexible benefit accounts, there's no problem doing it with HSAs.

It is time for us to move forward with these simple, commonsense efforts, steps that make the IRS more effective. More money for the taxpayers prevents inappropriate use of tax exempt money.

Mr. REYNOLDS. Madam Speaker, may I inquire as to how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from New York has 15 minutes remaining. The gentleman from Georgia has 19 minutes remaining.

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

Well, I just want to make sure at least the taxpayers from the countryside I come from realize that H.R. 5719, which we're considering, the Taxpayer Assistance and Simplification Act of 2008, really sounds good. It sounds real good on Tax Day, as I open my remarks by saying that taxpayers are in line now or will be until midnight tonight to have a postmarked April 15 date. But we know that this legislation will face a steep consideration of some saying ''dead on arrival'' in the other body. We've seen the administration have its advisers threaten veto. And yet, while there were so many things that we agreed upon in the Ways and Means Committee, Republicans and Democrats, we have a bill that brings controversy, that brings another one-House bill. It gets tough, as we move towards November of an election year, to explain that we didn't get much done, but boy did we have a lot of action on one-House bills.

I want to just share for the record here on this body what I did in the Ways and Means hearing. Because I think there's two important documents that my colleagues, as this debate goes today, and some of the consideration of what will be difficult on seeing PCAs, as the legislation may come to pass from this body, we will see difficult sledding in the other body, as well as the administration, are two reports.

The Treasury Inspector General for Tax Administration wrote one on March 26, only weeks ago, that had inadequate security controls over routers and switches that jeopardize sensitive taxpayer information. It was done by the Inspector General. And I want to just report, because we had it confirmed by representatives of the administration under our examination that this, in fact, has occurred and it's in the report which was submitted to the Ways and Means Committee. And it says, ''Impact to the Taxpayer: Because the IRS sends sensitive taxpayer and administrative information across its networks, routers on the networks must have sufficient security controls to deter and detect unauthorized use. Access controls for IRS routers were not adequate, and reviews to monitor security configuration changes were not conducted to identify inappropriate use. A disgruntled employee, contractor or a hacker could reconfigure routers and switches to disrupt computer operations and steal taxpayer information in a number of ways, including diverting information to unauthorized systems.''

Madam Speaker, that same very day, on March 26, the same Treasury Inspector General for Tax Administration issued a second report called, ''The Private Collection Agencies Adequately Protected Taxpayer Data.'' And this information also was confirmed under examination as we made inquiries to the administration that confirmed that the reports exist, and they were well aware of these findings as well. And on page 2 of the Inspector General's report it said, ''We reviewed the computer security controls over taxpayer data provided to the two current PCAs,'' or private collection agencies for those maybe not following the debate, ''and determined that the controls were adequate. In particular, files were securely transmitted from the IRS to the contractors and adequately secured on the contractor systems. In addition work stations used by contractor collection personnel were adequately controlled to prevent unauthorized copying of taxpayer information to removable media or transfer via e-mail. The contractors also maintained adequate audit trails and performed periodic reviews, including reviews to identify unauthorized access to taxpayer data.''

Now, the response from the IRS, contained also on page two of the Treasury Inspector General said, ''The key IRS management officials reviewed the report prior to issuance and agreed to the results of the review.''

We know that in the operation of PCAs, we are going to see the collection pursuit of $500 million over that over the next 10 years. And we know that if this legislation prevails, there is going to be a tax increase of $500 million to pay for this under the majority's PAYGO rules. And so as we continue the debate, make it clearly understood that the pursuit of these PCAs was on proceeds that were not collected, could not be collected, needed to be collected in order to put into the Treasury this money owed by taxpayers to the government. And that as

we look at this legislation, what has brought the controversy to uncontroversial legislation, legislation that both parties could agree to, was the adding of HSA changes and dealing with the PCAs. My colleagues need to consider the type of consequences we're seeing in what will be a misguided change on PCA legislation.

Madam Speaker, I reserve the balance of my time.

Mr. LEWIS of Georgia. Madam Speaker, I am delighted to yield 2 minutes to the gentlewoman from Nevada, my good friend, Congresswoman BERKLEY, a member of the Ways and Means Committee.

Ms. BERKLEY. I want to thank the chairman for recognizing me.

I don't have any long Treasury reports to read to you, and I'm not here to tell you what should have been, what we could have done, should have done, would have done. But I'm here to talk on behalf of H.R. 5719 because there are some important components and provisions of this bill that, when taken together, will make future tax days more fair and less strenuous for the average American taxpayer.

H.R. 5719 contains provisions to ensure that taxpayers receive all the tax benefits they're entitled to. This bill will increase outreach to help taxpayers benefit from the earned income tax credit and find unclaimed refunds, effectively lowering taxes for many Americans. I think this is a good provision.

This bill also prevents the IRS from using private debt collectors to collect Federal income taxes. Private debt collectors have proven to be poorly equipped for the job, actually costing the IRS and taxpayers 37 million more than they have collected. This change is an important move to protect taxpayer privacy. And as a taxpayer and as a citizen, I want the government and the IRS to do its job and not send this responsibility out to someone else.

I'm also very supportive of a provision to postpone implementation of the 3 percent withholding requirement on government payment to vendors. This requirement will cause significant administrative and financial burdens on local governments, unfairly penalizing companies, and raising prices on consumers. I think this is a good provision in this legislation.

The bill also helps protect taxpayers by requiring the IRS to notify individuals if unlawful use of their identity is detected by cracking down on Web sites that try to defraud people through use of the official IRS logo.

The SPEAKER pro tempore. The time of the gentlewoman from Nevada has expired.

Mr. LEWIS of Georgia. I yield the gentlelady 15 seconds.

Ms. BERKLEY. All of these taken together aren't earth-shattering and they're not going to change the way that we collect taxes in this country, but it's going to help, and it's going to help millions of our fellow Americans.

On Tax Day, let's pass something and do something positive for the American people.

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

Mr. LEWIS of Georgia. Madam Speaker, I am delighted to yield 2 minutes to the gentleman from New York, a member of the Ways and Means Committee, my good friend, Mr. CROWLEY.

Mr. CROWLEY. I want to thank my good friend from Georgia (Mr. LEWIS) for yielding me this time.

My colleagues, this is a good bill, and I ask all my colleagues to support this worthy effort.

And Chairman LEWIS, I want to thank you personally, and your staff. You went out of your way to include language that I had concerns of and wanted to include in this bill to increase the access of eligible taxpayers to the EITC, the earned income tax credit. So I want to personally thank you and your staff for your outreach to our office and including that. Ronald Reagan himself referred to the EITC as the greatest anti-poverty program in the history of our country, so I think it deserves worthy bipartisan support.

Madam Speaker, we heard in testimony last week in the Committee on Ways and Means from the Taxpayer Advocate of the United States that identity fraud against taxpayers is skyrocketing. This bill establishes some of the strongest protections for taxpayers against identity theft scams, especially those at greatest risk of fraud, our seniors and veterans filing this year to claim the economic stimulus rebate check. But my colleagues on the other side of the aisle, my Republican colleagues and the Bush Administration, are adamantly opposed to this taxpayer protection act because they're opposed to the offset that we provide.

□ 1715

No one can argue that some of my Republican colleagues philosophically oppose paying for anything and support the continuation of what I believe was 7 years of Republican economic theory of ''borrow and spend.'' And in case you're keeping count, the results of the Republican borrow and spend credit card economic policy is a $30,000 birth tax on every person born in this country today. In fact, in my own home, it's at $90,000 because I have an 8-, 7-, and 2-year-old. I can't imagine that they would be very happy if they understood what the birth tax was that was placed upon them by irresponsible and reckless fiscal policies over the last 7 years.

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

Mr. LEWIS of Georgia. Madam Speaker, I yield an additional minute to the gentleman from New York.

Mr. CROWLEY. Madam Speaker, that's why Democrats are trying to be responsible and we implemented the pay-as-you-go principles, meaning all new tax cuts and new spending increases need to be paid for as we move forward.

In regards to the health savings account, I really don't understand the opposition here. What we're simply asking for is accountability. We know that health savings accounts have been spent for country club membership, massage parlors, women's lingerie shops, casinos and gambling, dating and escort services.

Let's really put this all in perspective. What we're talking about is accountability in health savings accounts. We're not saying they shouldn't be used for health purposes, but they should be held accountable.

People right now, hardworking, honest, faith-loving Americans that want to donate to a charity or to their church with after-tax payments have to account for that charitable contribution before they can take a tax deduction. When it comes to health savings accounts, there is not that requirement. And we're talking about pretax dollars on health savings accounts. There's something wrong here. I wish my Republican colleagues would better understand it. It's simply absurd that they don't support simple accountability.

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

Mr. LEWIS of Georgia. I yield to the gentleman an additional minute.

Mr. CROWLEY. It is simply absurd to me that my Republican colleagues can't understand that we're simply asking for accountability, that we're not looking to eliminate them, that if they are using it for legitimate health purposes, that's fine.

Now, I did note that the HSA, the Health Savings Account Council, says that the IRS has the authority to audit these accounts. Are they suggesting that the IRS audit every health savings account to make sure that health savings accounts are being used for health reasons? I daresay that the IRS is looking at probably more often than not the charitable contributions that hardworking Americans make and making sure that those are legitimate charities before they're able to deduct them from their taxes.

So what we are looking for is a little balance here in terms of what really are legitimate tax savings purposes in health savings accounts. That's really simply what the Democrats are looking for.

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

I have listened very carefully to my friend and colleague from New York as he sees his views.

I thought maybe I might for the record just outline that I have a copy of a letter that numerous groups sent in opposition to this legislation, primarily due to HSAs, to both Chairman RANGEL and Ranking Member MCCRERY. And it leads off with the NFIB and goes down to the National Taxpayers Union, and it has the U.S. Chamber and it has the Retail Industry

Leaders Association, the National Retail Federation, the National Restaurant Association, the National Association of Manufacturers, and so many others. And I will make it available in case some of my colleagues haven't seen it.

This isn't something Republicans on this side of the aisle just kind of dreamed up that there are problems that make this legislation controversial with HSA legislation or with the PCAs. It's well documented by the experts that are using the program.

I also think, rather than some of my colleagues interpreting what the administration may have for support or rejection of the legislation, maybe I should read into the RECORD exactly what the Statement of Administration Policy is on H.R. 5719 so that we all know what the administration's concerns are.

And for the record: ''The administration strongly opposes H.R. 5719, the so-called 'Taxpayer Assistance and Simplification Act of 2008.' The bill includes provisions that would impose new administrative burdens on the trustees of health savings accounts. These new burdens on HSA administrators are unnecessary for efficient tax administration, inconsistent with the flexibility purposely afforded HSAs at their inception, and could undermine efforts by employers, individuals, and insurers to reduce health care costs and improve health outcomes by empowering consumers to take greater control of health care decision making. If H.R. 5719 were presented to the President with these provisions, his senior advisers would recommend he veto the bill.

''Also, the administration strongly opposes provisions of the bill that would repeal the current statutory authorization for the Internal Revenue Service private debt collection program. As of February 2008, over 98,000 cases have been referred to contractors, representing over $910 million in delinquent accounts. Terminating this program would result in a loss of $578 million in revenue over the next 10 years, according to Congress' Joint Committee on Taxation. These are tax dollars that are legally owed to the government and are otherwise very unlikely to be collected by the IRS due to workload demands. As noted in previous Statements of Administration Policy, the administration strongly opposes elimination of this program, which is not consistent with the administration's commitment to a balanced approach toward improving taxpayer compliance and collecting outstanding tax liabilities. If H.R. 5719 were presented to the President with these provisions, his senior advisers would recommend that he veto the bill.''

That is a Statement of Administration Policy on the record relative to this.

Mr. REYNOLDS. I now would yield to my colleague from New York for a question.

Mr. CROWLEY. Thank you.

Madam Speaker, I note that the gentleman made reference to the fact that the legislation, or at least the interpretation of the administration, that the legislation places onerous responsibilities on the trustees of the HSAs.

Where in the legislation does it say that?

Mr. REYNOLDS. Well, I will ask you to look that up, and at a later time I will yield and you can point it out in my record.

Mr. CROWLEY. Will the gentleman continue to yield?

Mr. REYNOLDS. One more time.

Mr. CROWLEY. I just would point to the record that, in fact, it is not the responsibility of the trustees but of the individual who opens an HSA account that we're placing the burden on, that they prove that the HSA account is for legitimate medical purposes.

Mr. REYNOLDS. Reclaiming my time, Madam Speaker, I thank the gentleman.

I just think it's important we look at this. First, I heard the debate coming from the majority, from the gentleman, that outlined his interpretation of why the administration was opposed to the bill. I listened carefully. I made a decision to read into the RECORD exactly what the administration's policy position was on this so that it was no longer an interpretation from a Member of Congress but exactly in written word what the administration said relative to this bill.

And I think while we're looking at other aspects of this legislation, we do know the following: That the administration is going to veto this legislation, that we also know it has difficult sledding in the other body. And it has in the past because there's a track record, that it appears just with PCA alone, let alone some of the concerns that have been put forth in the letter that I read from earlier on HSAs, that we now have another one-House bill being trumped up and laid out on Tax Day.

And I will say the majority is superb in showmanship. We seem to be able to move legislation to the floor on significant days. Today is tax legislation on Tax Day, April 15.

But I also know that the public is not going to be confused by the fact that while we trump up an extravaganza of legislation on special days, today tax legislation on April 15, that the voters are going to take a real hard look at what really got done, what has gotten through, what was made better for America. And, again, we have another one-House bill that just, sadly, had too much partisanship in it and fell away.

Madam Speaker, I reserve the balance of my time.

Mr. LEWIS of Georgia. Madam Speaker, I would like to note that the NFIB has endorsed and supported H.R. 5719. Passage of H.R. 5719 will be considered a key vote for the NFIB.

Madam Speaker, I would like to yield 2 minutes to the gentleman from New Jersey (Mr. ROTHMAN), a member of the Appropriations Committee.

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

Mr. ROTHMAN. I thank the chairman for the time.

Madam Speaker, I rise today in strong support of H.R. 5719, the Taxpayer Assistance and Simplification Act of 2008.

Let me tell my colleagues that this bill simply closes a lot of loopholes that were created when my Republican friends controlled this Congress in the majority years ago and it also addresses some of the disastrous Bush administration policies that were adopted by my friends the Republicans when they were in the majority. But they're no longer in the majority this year.

Let me tell you what this is all about. My Republican friends and the Bush administration love to privatize. They wanted to privatize Social Security. Remember that? They wanted to privatize prescription drugs, and they got away with it, and that's why it's so expensive and convoluted. They wanted to privatize health care at Walter Reed Hospital, and you know the disasters that happened there. Trying to privatize the delivery of the United States mail; privatize security in Iraq by letting private contractors handle these things for the U.S. Army. Blackwater and Halliburton, sound familiar?

Well, one of the things that this bill that we're passing today in the House will do will be to eliminate one of the disastrous Bush and Republican policies that they inserted in a 2004 bill. That policy was where they slashed the number of IRS tax collectors, and then they said, oh, my gosh, we can't collect enough taxes; so you know what we'll do? We'll privatize the collection of taxes. This was after they removed the number of IRS tax collectors. They said we'll hire private folks to collect taxes, but we'll pay them eight times more than it would cost a Federal Government employee.

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

Mr. LEWIS of Georgia. Madam Speaker, I yield the gentleman an additional 1 minute.

Mr. ROTHMAN. I thank the gentleman.

So can you imagine, Madam Speaker, they slashed IRS collectors from people who owed taxes, slashed the tax collectors, and wanted to privatize it and pay eight times more to their friends in private industry to do it. Eight times more. It only took now when the Democrats are in control of the House that we are able now to pass this bill today to end that program.

And when my friend from New York on the other side of the aisle says, well, you know, it's only a one-House bill because the Senate won't approve this, ask yourself why that is. Because there are only 51 Democrat Senators in the Senate, and you need 60 votes in the Senate to overcome a filibuster. We

only have 51 Democrats in the Senate. We can't get 9 Republicans to get rid of this ridiculously wasteful program of privatizing tax collection. So it's like that terrible story of the kid who kills his parents and pleads for mercy from the Court because he's an orphan. They slashed the tax collectors. Then they gave it to their cronies. Now they say they can't get Republicans to help us fix this problem that they created. Fortunately, the House has a majority that will.

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

Mr. LEWIS of Georgia. Madam Speaker, I yield the gentleman another 30 seconds.

Mr. ROTHMAN. So do you get, my colleagues, the hypocrisy? They slashed the tax collectors, paid eight times more to this private contractor cronies, and then when we get a Democratic majority in the House to pass this to eliminate this wasteful program, they say it won't pass the Senate. Because the Republicans in the Senate won't do it, and we need them to add up to the 60 votes to avoid the Republican filibuster, which they expect to do, to filibuster getting rid of this privatization of tax collection.

I urge the passage of this bill.

Mr. REYNOLDS. Madam Speaker, I think I heard my colleague when he said that Democrats are in the majority in this body, Democrats are in the majority in the other body, but it's the Republicans' fault that this legislation isn't going to happen.

Now, I have explained a lot of tough, challenging things to my constituents, but I don't think they're going to buy that. It's just another one-House bill that is going to the other body and going to see death. It isn't going to see the light of day.

□ 1730

Now, moving to my colleague from New York who asked me the question. I didn't think I could provide the answer to his question quite as soon as I could, and saving him looking it up, because I assume as he went off the floor, he might be looking up this. I want to go back again to the statement of administration policy. The bill includes provisions that would impose new administrative burdens on the trustees of health savings accounts. That is what the administration said in their veto threat.

Now on the bill as reported out of committee by the majority, page 22, line 7, 8 and 9 to my colleagues, says the trustee of the health savings account shall make a report regarding such account to the Secretary and account beneficiary setting forth. So I want everyone to know, including my colleague who asked the question, it is clear in your bill that you set forth that the HSA trustees would have new administrative burdens.

I reserve the balance of my time.

Mr. LEWIS of Georgia. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Georgia, a member of the Financial Services Committee, my friend, Mr. SCOTT.

Mr. SCOTT of Georgia. To my distinguished colleague from Georgia, I want to commend you on your excellent leadership on this very, very important and timely piece of legislation. A lot has been said here today. The two points of contention that the other side has brought have been in two areas. And let me just speak to those directly so that we can get to the facts of the matter.

Now the other side says that they are opposed to the health savings accounts compliance. Now, what we are saying on our side is this: The health savings accounts are set up for the purpose of helping our constituents with health care services. Now if that is the case, then it is very important that we set up a mechanism so that we can check the abuses of that. They are not set up for them to go and to use those accounts for massage parlors, for country clubs, for other issues and areas, and escort services.

So it is important for us to be able to simply do this. The bill simply requires the reporting of a holder of the health service account of any funds used for nonhealth care purposes in order to reduce the tax gap. That's simple.

Now, ladies and gentlemen, the American people are holding on by their fingernails in this terrible economy. And you may laugh and scorn about this being April 15. Of course it is April 15. And it is a day that the American people's minds are totally focused on their personal finances. And it is important that this House of Representatives respond in a way that responds to that interest. And so we are closing the gap.

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

Mr. LEWIS of Georgia. Madam Speaker, I am pleased to yield an additional 1 minute to the gentleman from Georgia.

Mr. SCOTT of Georgia. So it is very important. And let me get to the other area very quickly, and that is the area of these private contractors. We have received complaint after complaint after complaint from your constituents and our constituents who have been abused by calls. Let me give you one example of an elderly couple that was called 150 times, Madam Speaker, including five times in one day, asking for a taxpayer. And it comes to find out that they are innocent.

Again, the GAO found out that debt collectors were placing over 1 million calls to innocent people just to reach 35,000 taxpayers. The Federal Trade Commission had 130 complaints as of last year giving unaccountable private tax collectors the right to look into and examine personal financial information of our taxpayers. It is wrong.

Now let me tell you this, that the commissioner of the IRS himself, Mr. Douglas Sherman, has asked for this legislation. Madam Speaker, I just simply say that if the IRS is asking for this, that they could do a better job, they are the ones who we are holding responsible. We should make sure we pass this legislation and let the IRS do their job of collecting the taxes and not hand it off to these private bounty hunters.

Mr. REYNOLDS. Madam Speaker, may I inquire on the amount of time left, please.

The SPEAKER pro tempore. The distinguished gentleman from New York has 1 minute remaining. The distinguished gentleman from Georgia has 6½ minutes remaining.

Mr. REYNOLDS. I reserve the balance of my time.

Mr. LEWIS of Georgia. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from North Dakota, (Mr. POMEROY), a member of the Ways and Means Committee.

Mr. POMEROY. I thank the chairman for yielding.

I want to begin my remarks by commending the fine job Mr. REYNOLDS has done today. He has indicated that this legislation uniquely affects him because many of the people at the Pioneer Call Center, a private debt collector hired to collect this debt, are in his district. And I think we all recognize he has done a fine job in fighting for that business activity in his district today. He has given it everything he has, and I commend him for the job he has done.

But the reality in the policy context is summed up in a simple headline in today's Washington Post, ''Collectors Cost IRS More Than They Raise.'' Why in the world would we want to continue with an arrangement like that? But there are many other parts of this bill that are simplifying the process and are helpful to taxpayers. And that is why we have the support of the American Institute of Certified Public Accountants, the National Association of State Auditors, Comptrollers and Treasurers, the National League of Cities, U.S. Conference of Mayors, Citizens for Tax Justice, National Consumer League, Consumer Federation of America, and a late-breaking one. In fact, this organization has been mentioned on both lists, the NFIB.

Mr. REYNOLDS has indicated they were opposed to the bill. This is probably a development that broke later than Mr. REYNOLDS' information. But in fact, they are for the bill and indicate in a ''key vote alert'' that they will be scoring this as a key vote. They indicate that the ''provisions in this legislation seek to enact simpler tax rules and reduce the paperwork burden associated with tax compliance.''

They talk about a few provisions. One of them is that right now we have an onerous paperwork requirement on employers providing cell phones to employees for business purposes. I commend my Republican colleague on Ways and Means, SAM JOHNSON, for bringing this to our attention. I was pleased to cosponsor legislation with him now included in the bill that

makes this paperwork requirement go away.

The SPEAKER pro tempore. The time of the gentleman from North Dakota has expired.

Mr. LEWIS of Georgia. Madam Speaker, I yield the gentleman an additional 1 minute.

Mr. POMEROY. I thank the gentleman for yielding.

And so including the Pomeroy-Johnson or the Johnson-Pomeroy bill in this I think was an important feature to the NFIB deliberation that this is indeed lessening paperwork requirements on small employers, and therefore they support it. They do cite a couple of other provisions, another provision of this legislation amending a recent change to the Tax Code that helps tax preparers better assist their clients by changing an established higher standard of reporting for preparers. That creates a potential conflict of interest between clients and themselves. That is addressed in this legislation.

And they also talk about the legislation including a 1-year delay of the implementation of the 3 percent withholding requirement by Federal, State and local governments on payments for goods and services which puts both an administrative burden on all parties involved and a strain on the daily operating cash flow of small businesses. There are other provisions, as well, but I appreciate the NFIB's laying them out as they have done on this letter.

In balance, this is a bill designed to help taxpayers. That is why we passed it out of the Ways and Means Committee. That is why it is before us on Tax Day. We urge its adoption.

Mr. REYNOLDS. Madam Speaker, I am prepared to close if the gentleman is. I would proceed and then have you close if you are ready.

Mr. LEWIS of Georgia. Madam Speaker, we are ready to close.

Mr. REYNOLDS. I thank the gentleman from Georgia who has done a magnificent job of managing his time, and I've enjoyed working with him.

Madam Speaker, today represents yet another missed opportunity on the floor of this House. We could have approached the issues of taxpayer rights and tax simplification in a bipartisan way just as we did last year. But with the election season now in full swing, the majority seems more interested in staging political theater than in actually getting something done for hard-working, middle-class taxpayers. This House and this country deserve more, especially on April 15, Tax Day. I urge a ''no'' vote.

I yield back the balance of my time.

Mr. LEWIS of Georgia. Madam Speaker, I want to thank the gentleman from New York. I enjoyed working with him on this bill. There being no more speakers, I will close, Madam Speaker.

Madam Speaker, H.R. 5719 is good. It is good. It is good for the taxpayers. And today, when so many people are filing their tax return, we should let them know that we are looking out for them, giving them protections they need and support that they deserve.

This is a good bill. This is a necessary bill.

The private debt collection program is an insult to the American taxpayers and our Federal tax system. It violates the public trust, and this bill will bring it to an end. It must end.

I urge all of my colleagues to support this important bill.

Mr. BRALEY of Iowa. Madam Speaker, today the House considers legislation related to the burdens placed on everyday taxpayers—the Taxpayer Assistance & Simplification Act. This bill includes a number of good provisions, of which I am supportive. However, the bill also includes a provision which would cost Eastern Iowa hundreds of jobs. While there are various, well-thought-out taxpayer protections in this bill, they do not outweigh the negative impact this bill would have on jobs in the First District. For this reason, I intend to oppose H.R. 5719.

Currently, the Internal Revenue Service is allowed to contract with outside agencies for assistance in collecting overdue taxes. After a rigorous competitive bidding process for these contracts, an Eastern Iowa company was fortunate enough to receive one of the contracts, and has been hard at work ever since. While nobody likes to defend the tax man, the fact is, this company employs more than 625 people in Waterloo and another 200 in West Des Moines.

Unfortunately, the bill on the floor today includes a provision that would threaten these Waterloo and West Des Moines jobs. This provision would disallow any future contracts, which could directly result in the loss of hundreds of Iowa jobs. As the Representative of Iowa's First District, I cannot support the elimination of these jobs.

While I intend to vote against this bill due to this provision, I would like to stress my support for other provisions in this bill:

I am supportive of the provision in this bill that requires the IRS to notify taxpayers who may have had their identity stolen. It is unfortunate that the IRS does not already provide this notification, and I believe that protecting the identities of American taxpayers should be a primary goal of government.

I am supportive of the provisions in this bill that strengthen additional protections against identity theft, by increasing the penalties for those who mislead our citizens in order to steal private information. Identity theft is a very serious problem, and I am glad Congress is working to help protect Americans from this growing epidemic.

I am supportive of the provision in this bill that ensures elderly and disabled individuals receiving in-home care are not subject to employment tax provisions. This is a much-needed change that helps protect our senior citizens and disabled citizens.

I am supportive of the provision in this bill to establish a grant program to expand and improve income tax assistance programs to provide services to taxpayers. I am also glad to see that the bill allows IRS employees to refer taxpayers needing assistance with tax cases to taxpayer clinics. As an ardent supporter of tax simplification, this provision ensures help is available to those having trouble with the very complicated process of filing taxes. Just last night I passed H.R. 3548, the Plain Language in Government Communications Act, out of the House. This bill would greatly simplify income tax forms and documents, but until my bill becomes law, these taxpayer assistance clinics will continue to provide valuable services to taxpayers as tax day approaches.

I am supportive of the provision in this bill that requires the IRS to notify taxpayers if they are potentially eligible for the Earned Income Tax Credit. This is a good tax credit that should be utilized by everyone who qualifies, and I believe the IRS should help make sure that those who are eligible receive the full benefit.

I am supportive of the provision in this bill that looks into the feasibility of providing tax refunds on debit cards. This could create a more convenient process of receiving tax refunds for many taxpayers.

I am supportive of the provision in this bill which delays the requirement that Federal, State, and local governments withhold 3 percent from many government payments for goods or services. This 3 percent withholding is bad for small businesses and creates a bureaucratic mess, and I believe this withholding should be eliminated. I am also a cosponsor of H.R. 1023, which would completely repeal the 3 percent withholding.

I am supportive of the provision in this bill that eliminates the requirement for individuals and small businesses to keep onerous records of calls made on cell phones to substantiate business use of such devices. I have heard from employers in Iowa's First District about the administrative burden that this creates, and I am glad Congress is reducing this burden.

I am supportive of closing the loophole that allows foreign subsidiaries of U.S. companies, performing services as American companies, to avoid paying taxes. This loophole results in a higher tax burden being placed on America's working families, so I am glad this bill takes this action.

Finally, I am supportive of the provision that helps protect against predatory lending by barring the IRS from providing certain services to companies that offer refund anticipation loans, if the IRS determines that the company charges predatory rates.

Again, I believe that many of the provision in the Taxpayer Assistance & Simplification Act will help protect American taxpayers and simplify the process of filing taxes. However, these good parts of the bill do not outweigh the direct, negative impact that the bill would have on jobs in Iowa's First District, which is why I oppose this legislation.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in support of H.R. 5719, ''Taxpayer Assistance and Simplification Act of 2008'', introduced by my good friend from New York, Representative CHARLES RANGEL.

COST AS COMPARED TO THE WAR IN IRAQ

This bill is estimated to cost $22 million dollars over the next 10 years. Before my Republican colleagues balk at this number I want to remind them over the past year, the Administration requested a total of $195.5 billion for FY 2008 emergency war funds at three times—in its original FY 2008 request in February 2008, in an amendment for Mine Resistant Ambush Program (MRAP) vehicles on July 31, 2008, and in an amended request to cover

additional costs submitted on October 22, 2008. Thus far, we have appropriated $90.4 billion for war-related costs of the Defense Department, State/U.S. Agency for International Development, USAID, and the Veterans' Administration including funds in both regular and emergency appropriations acts. As of the enactment of the FY 2008 Consolidated Appropriations, this brings the total for funds appropriated to date to $700 billion for the wars in Iraq, Afghanistan and enhanced security.

Let me be clear, we must support our troops and we must defend our Nation, but at a time when this country's economy is spiraling downward, this tax bill will impact Americans regardless of their political affiliation providing assistance at time when they most need it.

SUMMARY OF H.R. 5719

Taxpayer Assistance and Simplification Act of 2008—Amends the Internal Revenue Code to: (1) modify penalty provisions for tax return preparers who take an unreasonable position in the preparation of a tax return causing an underpayment of tax; (2) eliminate certain restrictions on the tax deduction for employee use of cellular telephones; (3) exempt recipients of home care services from liability for employment taxes for payments made to home care service providers; (4) authorize the Secretary of the Treasury to make grants for volunteer income tax assistance programs; (5) require written notice to taxpayers of eligibility for the earned income tax credit; (6) place restrictions on information relating to refund anticipation loans; (7) require the Secretary to notify a taxpayer of any unauthorized use of such taxpayer's identity (suspected identity theft) uncovered during an tax investigation; (8) repeal the authority of the Internal Revenue Service, IRS, to enter into private debt collection contracts; (9) extend the period during which the IRS may return property seized in a wrongful tax levy; and (10) increase penalties for failures to provide correct tax information and to file partnership or S corporation tax returns.

This bill delays until 2012 the 3 percent withholding requirement on government payments to contractors providing goods and services. It also directs the Secretary of the Treasury to conduct a feasibility study on alternative means of delivering tax refunds. H.R. 5719 seeks to expand the prohibitions against the misuse of Department of the Treasury names and symbols to include misuse on an Internet domain address.

PROGRAMS FOR THE BENEFIT OF LOW-INCOME TAXPAYERS

There are parts of this tax bill that help the working poor and our elderly, making this tax bill truly live up to its name of being one of Taxpayer Assistance . . . not just a credit to the top 2 percent of Americans. This bill would authorize an annual $10 million grant for Volunteer Income Tax Assistance, VITA, programs, increasing the annual aggregate limitation authorized on grants to qualified low-income taxpayer clinics to $10 million.

This bill would allow IRS employees to refer taxpayers needing assistance with tax cases to qualified low-income taxpayer clinics so they can get the help they need. Many people are struggling with how to manage complicated tax cases when they can barely afford to pay their mortgage. This portion of the bill will alleviate the fear that is sometimes associated with IRS tax cases particularly among people who cannot afford legal counsel.

ELDERLY AND DISABLED INDIVIDUALS RECEIVING IN-HOME CARE

This bill would make the administrators of State and local government programs liable for paying the employment taxes on amounts paid by government programs to in-home care workers provided to elderly and disabled persons. This is yet another provision of the bill that benefits our most vulnerable populations.

CONCLUSION

Madam Speaker, I urge my colleagues on both sides of the aisle to examine this bill in its entirety and recognize that it benefits all Americans. I fully support what Representative RANGEL and the Committee on Ways and Means has done to alleviate some of the burden on taxpayers.

Mr. UDALL of Colorado. Madam Speaker, I rise in support of this very timely and important measure. Its enactment will make a number of worthwhile changes in the current tax laws and the policies of the Internal Revenue Service, IRS.

To protect people against identity theft, it will require the IRS to notify a taxpayer if IRS finds that someone else may have made unauthorized use of the taxpayer's identity.

It will increase both the civil and criminal penalties that can be imposed on those who use misleading websites that imitate to seek to get personal information. This is important because people are losing thousands of dollars in tax refunds to such frauds.

It will strengthen IRS outreach to make sure that people know that they are entitled to tax refunds or to payments under the Earned Income Tax Credit, EITC. It would also permit the IRS to refer these taxpayers to low income tax clinics and increase funding for those clinics, and strengthen taxpayer protections from ''predatory'' providers of refund anticipation loans. And it clarifies that the IRS can use its website to publicize unclaimed taxpayer refunds.

To help small businesses, the bill will eliminate the outdated requirement to maintain and submit detailed call records to substantiate business use of employer-provided cell phones.

Of great importance to State and local governments—including every county in Colorado—it will delay for one year the imposition of a 3 percent withholding requirement on government payments for goods and services made after December 31, 2010.

Further, to protect all of us, the bill includes the ''Fair Share Act,'' which closes a loophole that now allows government contractors to avoid paying Social Security and Medicare taxes.

An example of how the current law could permit this was recently reported in the press account of how a company operating under Federal contracts for reconstruction work in Iraq has listed the people doing that work as being employees of a subsidiary company based in the Cayman Islands. As a result, while people formally employed by the company with the Federal contract would be subject to the 15.3 percent payroll tax for Social Security and Medicare (half technically paid by the employer, the other half technically paid by employees), that is not the case with people who are counted as working for a foreign company. This is not fair or just. It should not be permissible, and this bill would stop it by closing the loophole.

In addition, the bill would strengthen accountability and protect taxpayers by repealing the authorization for the Internal Revenue Service to use private contractors to collect Federal income taxes.

Just today, the press is reporting that this program, while perhaps well-intentioned, has cost the government—that is, the taxpayers—some $37 million more than the total amount of taxes it has collected, while the contractors have collected commissions of up to 24 percent for their efforts. The program has been marked by harassment, abusive calling, and violations of taxpayer rights and disclosure protections. The Government Accountability Office has reported that debt collectors placed over one million calls, many to innocent people, trying to reach 35,000 taxpayers and the Federal Trade Commission reports that as of last year it had received 130 complaints and the National Taxpayer Advocate has counted many more. The House has already twice voted to end this private collection program, and we should do so again today.

Madam Speaker, some have criticized this bill because it includes measures to implement the requirement that taxes be paid on funds withdrawn from a Health Savings account for purposes other than those related to health care. I think the purpose of these provisions is appropriate, but it may be that they could be more finely-tuned in order to achieve that purpose in a better way—something that may occur as the legislative process proceeds. In any event, I am not convinced that whatever shortcomings there may be in that or other parts of the bill are sufficient to outweigh the benefits of the rest of the legislation.

Overall, this is a good bill that will help the taxpayers and our country, and I urge its passage.

Mr. KNOLLENBERG. Madam Speaker, I rise today to express my opposition to H.R. 5719, the Taxpayer Assistance and the Simplification Act of 2008. While this bill has some good provisions, such as the delayed implementation of the 3-percent withholding on Government contracts, the bad provisions simply outweigh the good. Specifically, I am troubled by the section that would alter reporting requirements for Health Savings Account, HSA, owners.

This bill would require individuals using HSAs to provide exhaustive documentation of their medical expenses in order to qualify as a tax-exempt expense. More than 5 million Americans are taking advantage of these accounts, and approximately 25 percent of HSA owners had no health insurance prior to their participation. Currently, every HSA account holder must file specific tax forms to provide details about spending from the account. We must expand this program so we can help families afford healthcare coverage and bring healthcare costs down. Requiring unnecessary and duplicative paperwork is not the right way to accomplish this goal.

HSAs are a very valuable asset to many of my constituents. The manufacturing industry is one of the premier sources of jobs in my district, and most of these manufacturing entities are small in nature. In fact, approximately 93 percent of the more than 1,500 manufacturing firms in my district employ less than 100 people. Employees of these small businesses are the primary beneficiaries of HSAs. In a time when the cost of health care is sharply rising, it is crucial for us to promote the use of innovative health care products such as HSAs, helping families afford the health care they

need. I am concerned that we will inevitably deter these families from utilizing HSAs by adding such draconian reporting requirements for HSA owners. This will ultimately increase the cost of health care for a large number of my constituents who currently take advantage of this valuable product.

It is also worth noting that the best assistance we could provide to taxpayers is to protect them from the largest tax increase in American history. Sadly, many of my colleagues are more interested in dealing with minutia in the Tax Code rather than addressing the looming massive tax hike. Families in my district in Michigan, home of this country's worst economy, simply cannot afford to pay any more in taxes. A tax increase of this size would devastate families struggling with sky-high unemployment, the mortgage crisis, and rising gas prices. It would add insult to injury to ask them to pay more to this Government as well.

A tax increase of this scope would also be devastating for job providers and small businesses, This Congress should be doing everything it can to be helping our economy by creating jobs and encouraging growth. Dramatically raising taxes would do just the opposite.

Madam Speaker, implementing the largest tax increase in American history is a slap in the face to all the families currently struggling to make ends meet. It has been made abundantly clear today who stands with working families and who stands with wasteful Washington spending. I, for one, stand with the hard working men and women of Michigan and across this great land.

Mr. CANTON. Madam Speaker, I rise today to oppose a provision in this bill that will discourage the use of HSAs. HSAs are a new and innovative product in the health insurance field. Their glowing track record promises a tremendous breakthrough in the effort to expand and improve health care. In 3 short years, we have seen these accounts grow to cover 4.4 million people, and will likely reach 6 million when the new numbers come out next month.

For those Americans who need health care most, HSAs are working. Of HSA applicants, 43 percent did not indicate previous insurance when they signed up, and 66 percent of HSA account holders are families with children. HSA users have demonstrated a greater likelihood to seek preventive care, something we have always strived to achieve across the entire health arena. And, one-third of small employers who now offer HSAs did not previously offer insurance.

We need to be looking for bipartisan ways to help people get access to affordable health care, not take it away from them.

Mr. CARSON of Indiana. Madam Speaker, I rise today in strong support of H.R. 5719. It is fitting that we are debating a bill that provides much needed assistance for low and moderate income taxpayers. The Taxpayer Assistance and Simplification Act recognizes the need for enhanced financial literacy for those individuals by authorizing an annual $10 million grant for the Volunteer Income Tax Assistance programs and increases the authorization levels for grants targeted to qualified low-income taxpayer clinics to $10 million.

These free taxpayer assistance programs walk these individuals through what can be a daunting tax preparation process and alert them to assistance they may be eligible for.

A provision of particular importance to me and the taxpayers in the 7th Congressional District is a requirement for IRS to notify taxpayers of potential eligibility for the Earned Income Tax Credit for all open tax years and directs the IRS to notify individuals who have not filed a return, but who may be eligible for the credit based on previous return information.

In Indianapolis, there are tens of thousands of individuals who qualify for the credit who do not claim it. This credit assistance is critically needed by many families in my district.

As an advocate for financial literacy I am pleased to lend my support to this legislation that enables organizations to better reach out to those low income individuals who have been hit so hard during this turbulent time in our economy. I thank Chairman RANGEL and my colleagues on the Ways and Means Committee for their hard and thoughtful work on this bill.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1102, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT OFFERED BY MR. HERGER

Mr. HERGER. Madam Speaker, I have a motion to recommit at the desk.

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

Mr. HERGER. I am opposed to the bill in its current form.

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

The Clerk read as follows:

Mr. Herger moves to recommit the bill H.R. 5719 to the Committee on Ways and Means with instructions to report the same back promptly with the following amendment:

Add at the end the following new sections:

SEC. 20. DENIAL OF TAX EXEMPT INTEREST WITH RESPECT TO BONDS OF SANCTUARY STATES AND CITIES.

(a) IN GENERAL.—Paragraph (1) of section 103(c) (defining State or local bond) is amended by adding at the end the following new sentence: ''Such term shall not include any obligation of a State or political subdivision thereof, if such State or political subdivision has in effect a policy (whether statutory or otherwise) specifying that employees of such State or political subdivision are not required to notify Federal officials of an alien who may be unlawfully present in the United States.''

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to bonds issued after the date of the enactment of this Act.

SEC. 21. EFFORTS TO ADMINISTER EARNED INCOME TAX CREDIT.

The Secretary of the Treasury shall increase the efforts of the Internal Revenue Service to ensure, to the extent possible, that aliens unlawfully present in the United States are not allowed a credit under section 32 of the Internal Revenue Code of 1986 (relating to earned income).

Mr. HERGER (during the reading). I request unanimous consent that the reading be dispensed with.

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

Mr. LEWIS of Georgia. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

The Clerk continued to read.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California is recognized for 5 minutes in support of his motion and a Member in opposition to the motion will be recognized for 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HERGER. Madam Speaker, Federal law requires local governments to cooperate with the Department of Homeland Security's Immigration and Customs Enforcement. Local law enforcement authorities may turn over individuals who have been apprehended if the police believe they are not legally present in the United States.

Unfortunately, many local governments flaunt this requirement and openly boast that they refuse to cooperate with the Federal Government in helping to enforce our immigration laws establishing an irresponsible precedent and frustrating our shared goal of having safe and secure borders.

As you know, taxpayers all across the country subsidize local governments through a provision of Federal law that permits States and localities to issue debt that is exempt from Federal taxes.

□ 1745

The motion presents the Members of Congress with a simple question: Is it reasonable to put some strings on this subsidy?

If adopted, the motion would clarify that the Federal tax subsidy does not apply to new debt issued by States or localities that declare themselves by statute or other manner to be a sanctuary city for illegal immigrants. In other words, having self-helped themselves out of helping the Federal Government address the growing burden of illegal immigrants, then they should not expect American taxpayers to subsidize their debt.

Madam Speaker, on April 15, we are reminded again about the many Americans who are playing by the rules, yet still feel the squeeze on their family budgets, particularly at tax time. Isn't it only fair that we ask our city mayors and county boards to do the same?

This brings me to the second piece of our motion to recommit. Many American families benefit from the Earned Income Tax Credit. It has helped millions of low-income families help make ends meet, though its cost to the Treasury is not insubstantial. Studies have often showed that the earned income tax credit is overclaimed by as much as 30 percent. In other words, many of those who receive the benefit are not actually entitled to it.

As the underlying bill includes a provision directing the IRS to conduct outreach to inform individuals that they may be eligible for the earned income tax credit, the motion would add language directing the IRS to improve its efforts to identify individuals who may be ineligible for the EITC on account of their citizenship status.

Madam Speaker, I encourage all of my colleagues to vote for this motion to recommit. While I am greatly concerned about the message sent by the underlying bill that somehow we are going to take away an effective tool to ensure we all pay our fair share of taxes, this motion helps correct that wrong-headed tilt by trying to prevent tax benefits from going to illegal aliens and cities and States who shelter them from our immigration laws.

I urge passage of the motion.

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

Mr. POMEROY. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from North Dakota is recognized for 5 minutes.

Mr. POMEROY. Madam Speaker, we have just obtained the motion in terms of trying to sort through the tax provisions, with an eye, among other things, to wondering whether or not people holding bonds of municipalities could suddenly find themselves with taxes they didn't think they were going to have when they bought these bonds.

Trying to work our way through these, one word jumped out on this motion to recommit that really has shut down all further analysis by us, and that is the word ''promptly,'' because this is yet another one of those motions to recommit that is designed for one purpose and one purpose only, and that is to kill the bill they are trying to attach it to. That is because this would take the Taxpayer Assistance and Simplification Act that we want to pass than April 15th and pack it off back to the Ways and Means Committee, dispensing any possibility of passing it off the floor today. It is a procedural move by the minority to try and stop us from moving forward with this legislation.

What is unfortunate about that is there are taxpayers that are going to be benefited, benefited substantially, by this legislation, small businesses that right now are subject to IRS audit exposure if they are not keeping detailed call records on cell phones that they give their employees. We want to take this relief away through this motion to recommit? I don't think so.

We go through so many positive, taxpayer-friendly provisions in this bill, provisions that have received the support of so many diverse organizations, from the League of Cities, Association of Mayors, NFIB and Consumers Federation of America, it would take that and take it off the table today, preventing the House from moving this forward.

Now, you think, why? What is the motive behind a motion like this? Why would they not want this taxpayer bill to move forward? Well, my friends, you can find it on the front page of today's Washington Post. Basically, they are trying everything they can to preserve private bill collectors hired by the IRS to chase after taxpayers.

So here on Tax Day, April 15th, we are trying to stop private bill collectors from going after taxpayers on behalf of the IRS, an endeavor that has cost taxpayers millions and brought in not enough by any measure to cover the cost; a forgone revenue opportunity of $81 million, testified by the Taxpayer Advocate, if we simply took the money we sent to these private contractors and hired employees to go ahead and collect that debt. But they are so completely convinced that they have got to pull every trick out of their hat to try and stop our efforts to rein in these private bill collectors that they brought this motion to recommit.

I would yield such time as I have remaining to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. I thank the gentleman.

I perused the motion to recommit by Mr. HERGER. I think it is interesting, the other side has pointed out we have chosen today, Tax Day, to bring this bill to the floor. It is also interesting they take this motion to recommit the same day that the Pope has arrived here in the United States, who is with the President right now at the White House; the same Pope who has decried the xenophobic nature of some of the legislation that has been coming out of this House by the other side of the aisle.

I think it is interesting to note that no illegal aliens will be hurt by this motion to recommit. In fact, it will be the elderly woman who relies upon her opportunities to buy these bonds for their income later in life. I would also point out it is quite possible that New York State and California, the States of two of the gentleman here today, could potentially be hurt by this motion to recommit.

I think it is foolhardy. It obviously is an attempt to kill the bill by requiring it be promptly reported back to committee, and therefore the attempt is clear, once again to use anti-immigrant rhetoric to kill the bill and to use ''promptly'' to kill the bill.

I urge my colleagues to reject this motion to recommit and to vote for the underlying legislation.

Mr. POMEROY. I yield back the balance of my time.

PARLIAMENTARY INQUIRY

Mr. PRICE of Georgia. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. Will the gentleman please state his parliamentary inquiry.

Mr. PRICE of Georgia. Madam Speaker, isn't it true the Chair has ruled multiple times on the fact that a bill reported promptly out of the House may return to the House floor at the discretion of the committee, and the fact that the Ways and Means Committee brought this to the floor, it could easily do so within a relatively short period of time, a matter of days?

The SPEAKER pro tempore. As the Chair reaffirmed on November 15, 2007, at some subsequent time, the committee could meet and report the bill back to the House.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; and suspension of the rules with respect to H.R. 5517.

The vote was taken by electronic device, and there were—yeas 210, nays 210, not voting 12, as follows:

[Roll No. 189]

YEAS—210

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Kanjorski
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mahoney (FL)
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre

McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Space
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NAYS—210

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—12

Culberson
Cummings
Delahunt
Gohmert
Honda
Mack
Pallone
Peterson (PA)
Radanovich
Richardson
Rush
Wilson (NM)

□ 1821

Ms. ESHOO, Messrs. ALLEN, BRADY of Pennsylvania, NADLER and Mrs. DAVIS of California changed their vote from ''yea'' to ''nay.''

Messrs. BURGESS, SOUDER and TERRY changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRIES

Mr. WESTMORELAND. Madam Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his parliamentary inquiry.

Mr. WESTMORELAND. Madam Speaker, is it not true that you are the deliberator and the decider of rules in this House?

The SPEAKER pro tempore. The Chair rules on questions of order. Does the gentleman have a parliamentary inquiry?

Mr. WESTMORELAND. Madam Speaker, further parliamentary inquiry. Is it not the job of the Speaker to interpret the rules of this House?

The SPEAKER pro tempore. Does the gentleman have an inquiry to state? Would the gentleman please state that inquiry.

Mr. WESTMORELAND. Madam Speaker, is it not true that under rule XX of this House, that it says that no votes will be kept open to change the outcome of that vote; is that true?

The SPEAKER pro tempore. As the Chair advised on March 11, 2008, a challenge to the Chair's actions under clause 2 of rule XX may be raised collaterally.

Mr. WESTMORELAND. Madam Speaker, further parliamentary inquiry.

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

Mr. WESTMORELAND. Madam Speaker, as a parliamentary inquiry, and I beg your pardon, but I don't believe this is a hard question to answer.

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

Mr. WESTMORELAND. The parliamentary inquiry, Madam Speaker, is this: Is the Speaker the deliberator and the decider if the rules of this House are being followed?

The SPEAKER pro tempore. The Chair rules on questions of order.

Mr. WESTMORELAND. Ma'am, I don't know how else to put it other than maybe a point of order.

The SPEAKER pro tempore. The gentleman may state his point of order.

Mr. WESTMORELAND. The point of order is: Is the Speaker of this House the deliberator and the decider if the rules of this House are being followed?

The SPEAKER pro tempore. The Chair has recognized the gentleman for a point of order. Would the gentleman please state his point of order.

Mr. WESTMORELAND. The point of order is: Is it the Chair's responsibility to rule on a point of order?

The SPEAKER pro tempore. The gentleman has stated a parliamentary inquiry. The Chair does rule on points of order.

Mr. WESTMORELAND. Madam Speaker, I make a point of order that the electronic vote just completed violated clause 2(a) of rule XX which provides in part ''a recorded vote by electronic device shall not be held open for the sole purpose of reversing the outcome of such vote.''

The SPEAKER pro tempore. As the Chair advised on March 11, 2008, a challenge to the Chair's actions under clause 2 of rule XX may be raised collaterally.

Mr. WESTMORELAND. Madam, I am raising that point.

The SPEAKER pro tempore. The Chair has just ruled.

The question is on the passage of the bill.

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

RECORDED VOTE

Mr. REYNOLDS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 238, noes 179, not voting 14, as follows:

[Roll No. 190]

AYES—238

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brown, Corrine
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Feeney
Filner
Foster
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch

Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pascrell
Pastor
Payne
Perlmutter
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOES—179

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Davis (KY)
Davis, David
Deal (GA)
Dent
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
Latta
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (SC)
Wittman (VA)
Young (AK)
Young (FL)

NOT VOTING—14

Culberson
Delahunt
Gohmert
Honda
Johnson, E. B.
Mack
Pallone
Paul
Peterson (MN)
Peterson (PA)
Radanovich
Richardson
Rush
Wilson (NM)

□ 1833

Mr. CRENSHAW changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TEXAS MILITARY VETERANS POST OFFICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 5517, 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 gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 5517.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 18, as follows:

[Roll No. 191]

YEAS—413

Abercrombie
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
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
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
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
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
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—18

Cardoza
Chandler
Courtney
Culberson
Delahunt
Dicks
Gohmert
Honda
Linder
Mack
Pallone
Paul
Peterson (PA)
Radanovich
Rangel
Richardson
Rush
Wilson (NM)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1840

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5719, TAXPAYER ASSISTANCE AND SIMPLIFICATION ACT OF 2008

Mr. MCNULTY. Madam Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 5719, to include corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of appropriate headings.

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

There was no objection.

HONORING THE 125TH ANNIVERSARY OF THE NATIONAL CRITTENTON FOUNDATION

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

Mr. WATT. Madam Speaker, I rise today to recognize an historic anniversary of the National Crittenton Foundation, which was the first charitable organization created under a congressional charter, and is celebrating 125 years of service.

People who recognize the Crittenton name often recall only the maternity homes that were usually hidden and welcomed girls and young women seeking support during their unplanned pregnancies. Much less is known about the influence of the national network of affiliated Crittenton agencies and their lasting impact on the social work profession.

The unique relationship between the National Crittenton Foundation and the Crittenton family of agencies is based on the belief that addressing compelling social issues in the United States is best done through a network of independent local agencies supported by a national body.

There are now over 23 Crittenton agencies across the country. Together they have provided over 2,200 years of continuous service to 5 million vulnerable girls, young women and their families.

Madam Speaker, I ask you and my colleagues to join me in wishing the National Crittenton Foundation and its family of agencies across the country happy anniversary, and our best wishes for another 125 years of success.

□ 1845

TAX DAY

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

Mr. MCCAUL of Texas. Madam Speaker, once again, the tax man cometh. Today, April 15, is a day American taxpayers scramble to comply with a tax code over 67,000 pages long.

In 2007, individual taxpayers spent over 3 billion hours complying with the Federal income tax laws. Individuals spent $26.5 billion for tax software, tax repairs, postage, and other costs related to filing their Federal income taxes. And corporations spend over $156 billion to comply with the Federal tax laws.

Americans may send $2.5 trillion to the IRS, but the costs to our economy is much greater. Despite this, the majority party is forcing a $654 billion tax increase on the American people, the largest tax increase in American history. It is time to scrap this oppressive tax code. It is time to take a look at the fair tax or the flat tax as viable alternatives to our overly burdensome tax code, and it's time to stop punishing taxpayers and pass fundamental tax reform.

AMERICA, WE ARE ON YOUR SIDE ON TAX DAY

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, today is Tax Day, April 15, and that's why the Democrats have risen today to be able to tell the American people we're on your side. The Taxpayer Assistance and Simplification Act of 2008 may cost $22 million, but I can assure you that it pales in comparison to the money that my friends are spending on the unending war in Iraq.

I am glad to stand with the taxpayers of America, making sure that the elderly and the disabled are exempted from liability for employment taxes or payments to home care service providers. They deserve our respect, and today we give it to them.

I am glad that we are requiring a written notice to taxpayers of the eligibility of the earned income tax credit. It's a shame that so many think that there is so much fraud for hardworking Americans who don't file for their taxes who deserve it, and I'm delighted to stand with Americans to repeal the authority of the IRS to enter into private debt collection, those guys who have harassed the elderly, the shut-ins, hardworking Americans because they are private bounty hunters.

Today we stand with hardworking Americans. We will do so as well. And we honor our troops, declare the war's end, bring them home and reinvest in America.

LOWERING THE COST OF FUEL

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

Mr. SHIMKUS. Madam Speaker, it is, in essence, the third day in the legislative schedule when I come to the floor to talk about energy prices.

When this Democrat majority took over the House, the price of a barrel of crude oil was $58 a barrel. Today, it hovers around $111 a barrel.

In 2006, the Democrat leadership promised lower gas prices. What we've seen, in reality, is higher gas prices. We've seen negative change, which has caused bitterness in rural America with the high-increasing cost to travel around rural America. All we're asking is for a plan to bring on more supply.

I have been in this well numerous times in this Congress to talk about coal-to-liquid technologies. We shouldn't limit it to that. We should talk about expanding renewable fuels. We should talk about the outer continental shelf. We ought to talk about ANWR. We need to bring more supply to lower the cost of fuels because the average American citizens are tired of paying these high gas prices, and it hurts the economy of this country.

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. BOYDA of Kansas). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Arizona (Ms. GIFFORDS) is recognized for 5 minutes.

(Ms. GIFFORDS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

IRS EQUALS IRAQ REVENUE SUPPLIERS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, today is April 15, Tax Day. Right now, millions of Americans are hurrying to report their incomes to the IRS. Usually, ''IRS'' stands for ''Internal Revenue Service,'' but today, it might as well stand for ''Iraq revenue suppliers'' because so much of our tax revenue is paying for the occupation of Iraq.

Joseph Stiglitz, the Nobel Prize winning economist, has calculated the occupation will cost at least $3 trillion. That means that the occupation will cost each of our 300 million citizens $10,000, or an incredible $40,000 for a family of four.

America's hardworking families are struggling to keep their heads above water as we sink into a deep, what I

call, Iraq recession. Yet, they're being asked to hand over $40,000, most of which goes to the foreign nations that are lending us the money to keep the occupation going. And that $40,000, Madam Speaker, will get much bigger if the occupation goes on for another few years, for 100 years as some cheerleaders for the occupation are discussing.

What have we gotten for our occupation money? General Petraeus told us last week that the security situation in Iraq has gotten much better. But 19 of our incredibly brave soldiers died last week. And our top military leaders continue to warn us that our obsession with Iraq is breaking our military and that we may wake up one day to find that we can't meet a real threat to our national security.

Next month, the IRS will mail out economic stimulus checks. I'm glad that that relief is on the way. But the best economic stimulus plan would be to end the occupation of Iraq. The American people agree. A recent New York Times/CBS poll found that 89 percent of the American people believe that the cost of the occupation has contributed to our economic problems.

Last month, the Progressive Caucus put forth an alternative budget that showed that we can actually achieve an end to the occupation in Iraq and reorder our spending priorities. The budget is truly remarkable. We were able to fully fund the education that our children deserved and that our Nation must have to remain competitive in the global economy.

We were able to invest in green jobs that could employ millions of our citizens and put our Nation on the path to the energy independence we must have to fuel our economy and ensure our national security. And we were able to provide health care coverage to every American who lacks it, not only fulfilling our promise to care for each other, but making our country stronger and more competitive in the process.

But instead of revving up these engines of economic growth and social justice, the administration will soon send to Congress yet another request for emergency Iraq funding. This time around, the request will be for $108 billion.

Madam Speaker, I agree that we must spend money on Iraq but not the way the administration wants to spend it. It wants an open-ended occupation. Instead, we must fully fund the safe, responsible redeployment of our troops and military contractors out of Iraq.

And we must help, not do it all, but we must help to reconstruct Iraq. We've all heard of the so-called Pottery Barn rule: If you break it, you own it. We need to expand that saying: If you break it, you have a moral obligation to help rebuild it.

It's time for the madness to end, Madam Speaker. It's time to bring our troops home, get our fiscal house in order, give the Iraqi people back their sovereignty and help them rebuild their country and their lives.

AMERICA'S DOMESTIC OIL SUPPLY CANNOT MEET ITS DEMAND

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, the price of gasoline goes up every day, and Congress is partially to blame. The price of crude oil is increasing because demand is increasing. Our domestic energy supply cannot meet that demand. The global demand for oil is also rising with the industrialization of China. And increased demand for oil leads to increased prices for many products, including products made out of plastic.

The problem is that Congress has made it difficult for our supply to meet that demand. There is a solution to the problem. The solution is to increase our supply by exploring domestic energy sources and drilling in ANWR.

Like it or not, crude oil is still the energy base of our Nation. Unlike every other country on the planet, the United States does not take advantage of its own natural resources. When Congress abolished tax credits for domestic exploration and production, Congress effectively abolished reasonable oil prices and then raised taxes on oil companies to $18 billion, taxes that are eventually passed on to us, the consumer. Thus, higher prices at the pump.

And this Congress decided to even award Venezuelan Dictator Chavez and his nationalized oil company with a large tax break, a tax break they did not give to American oil companies.

It's common knowledge that, if you tax something, you're going to get less of it. If you tax oil, you get less of it. Less of what? Less production and less crude oil. Less oil on the market equals higher prices at the pump. And if we look at the world crude oil reserves, 80 percent of the world crude oil is controlled by foreign nationalized oil companies. We call them OPEC. Six percent is controlled by Russian companies, and only six percent of the world oil reserves is controlled by American-owned oil companies. You know, those American-owned oil companies that are capitalistic, that have stockholders, we call them Americans. And those companies are making about 8 percent, 8½ profit.

So the world is controlled by OPEC, not American oil companies. We may be the world power, but the United States does not control the world oil market.

The only control we have is over our domestic energy supply, which we don't take advantage of because of the U.S. restrictions on offshore drilling and exploration. We have succumbed to the environmental fear myth that we cannot drill safely offshore. Other nations, including Britain, Norway, Holland, and Denmark, take full advantage of their natural resources and even permit offshore drilling in the North Sea, that area of the world where offshore drilling is the most difficult, and they do it without environmental damage.

□ 1900

We can increase our energy supply and reduce the price of gasoline at the pump by also allowing drilling in ANWR.

On top of the heightened demand for crude oil, there is a heightened demand for new refineries. Madam Speaker, I represent 21 percent of the Nation's refineries in southeast Texas, but we don't have any new ones. The last oil refinery was built 32 years ago. Our oil refineries have been punished by bureaucracy and unnecessary Federal regulations. Too many unnecessary Federal regulations, too many government controls, too many high taxes, the second highest corporate income tax in the world, and what happens? They leave town, they go somewhere else. We must lift these burdens and encourage refinery development. Our gasoline prices will eventually drop as soon as we build new refineries and we drill offshore and we drill in ANWR.

The high prices of gasoline have thrown the airline industry into chaos. Twenty-two percent of the Nation's jet fuel is made in my district. But one example, Madam Speaker, it costs an airline company $44 a minute to allow a plane to idle on the runway. Thus, every plane that takes off that's been sitting there about 30 minutes costs $1,500 in additional oil prices.

The high gas prices even affect the 170,000 independently owned gas stations in the country. They no longer make a profit on selling fuel. They hope to make one cent on every gallon, so they are thrilled if they make that penny. They make money by selling lottery tickets, donuts and beer, that's how they make their profit.

It's time for us in Congress to encourage more domestic oil production, lift the restrictions to offshore drilling, and take care of ourselves. We must stop relying on unstable, volatile regions in the world and pompous dictators who hold Americans hostage with their crude oil.

We have a problem, but we can solve it. Otherwise, we'll be parking our vehicles on the side of the road, riding bicycles to work, then blissfully wondering where all the crude oil went.

And that's just the way it is.

THE STATE OF OUR ECONOMY

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

Mr. SCOTT of Georgia. Madam Speaker, I appreciate this opportunity to address the House for a few moments.

I think it's very appropriate for us to pause for a moment here and just reflect on where we are as a Nation and as a people when it comes to our economy and our financial House. This April 15, it's Tax Day. It's important

that this House of Representatives be mindful of the difficulties that the American people are faced with.

Madam Speaker, millions of American people and families are absolutely hanging on by their fingernails. They're on the verge of losing their homes. Many have already. And so much of it has been because of bad policies by their government. It is important for us to understand that, Madam Speaker, so much of this could possibly have been prevented had we moved quicker, had we made different policies.

This is a very sobering time. Two major events happened today. One is, the American people, many are in line at post offices as we speak trying to meet the midnight deadline to pay their taxes. Others are struggling to do so. Others are having difficulty even beginning to comprehend the complexities, the complications of a tax code that even if they sat down to read it, it would take them over 1 year trying to read the tax code, let alone trying to understand it, just the volume of trying to read it.

And Madam Speaker, we in Congress must take into consideration how difficult that is, the fact that the American people, many are not even taking the credits or getting the deductions that they should have because they don't understand it. Twenty-five percent of American families that are entitled to the Earned Income Tax Credit don't even get it because they don't understand how to do it.

Last year, over 65 percent of American families had to get a private person from the outside to come help them with their taxes. That has increased up 25 percent, since just 10 years ago it was 40. And in 1950, it was just 20 percent that did that. The complexity of our tax code is just out of whack. Many are gathered around the kitchen tables right now trying to find out how they're going to have ends meet.

And Madam Speaker, the other phenomenal event in our economy that took place today was the merger of Delta Airlines and Northwest Airlines, making the largest airline company in the world. That is certainly room to celebrate, but it's very important that we be very mindful to both Delta and Northwest to understand the implications of that, to have the sensitivity that there are many thousands of families that are impacted, and that we do not use the word ''synergy'' to equate with a loss of jobs, but that there are no jobs lost.

We in Congress must have the empathy of putting ourselves into the mindset of the American people, and we must show that we understand the difficulties that the American people are faced with; we understand the difficulties of knowing when they wake up the next morning, their car may be repossessed, they may have a foreclosure notice.

Our policies must be, here in this House of Representatives going forward, to keep Americans in their homes, even if it means coming up with the policies and moving as fast as we can. If we could move with lickety-split speed to save Wall Street, Bear Stearns, and Madam Speaker, I believe that was the right thing to do because, had we not, global markets would have cascaded and we would have had an extraordinary world calamity in the financial markets, but just as aggressively as we moved with those policies that helped Wall Street and Bear Stearns, we must move to help our homeowners and our families.

And then finally, Madam Speaker, the real elephant facing us in the room, the real looming threat economically and financially to this country is our overwhelming debt. Madam Speaker, it is staggering to look at the debt that we are in. Every dime we are spending is on borrowed money. And we have spent, Madam Speaker, as I conclude, in the last 5 or 6 years, more money from foreign governments than in the entire history of this country.

Madam Speaker, that's the state of our economy. And it's very important that we reflect it from the perspective of the American people. And I thank you for this opportunity.

COMPLEXITY OF TAX CODE

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

Mr. BURGESS. Madam Speaker, you know, it is said that nothing in the world is certain except death and taxes. And I'll tell you, being a physician in my former life, that sometimes even death is a little less complicated than our tax system.

The complexity of the tax code is a consequence of countless deductions and exemptions that are aimed not at collecting revenue, but steering a social agenda. And the result is a Federal law that is fraught with opportunities for avoiding taxes and full of loopholes to be exploited, all at the expense of fellow Americans.

My criticizing the tax code is as American as apple pie and baseball, and for good reason, because every year Americans spend billions of hours and billions of dollars, and that's not counting the billions of hours that we spend complaining about the tax code. Time is money, and time should be spent growing the economy and creating jobs.

There is a strong prescription for real change in our tax code. We caught a glimpse of it when Ronald Reagan cut the tax code in half back in 1986. As a result of that reform, the economy grew, revenues increased, and jobs were created. The prescription is pretty simple: Flatten the tax, broaden the base, and shift the burden away from families and small businesses.

And we do have a practical and effective blueprint, it's called the flat tax. Back in 1981, Robert Hall and Alvin Rabushka proposed a radically simple structure that would transform the Internal Revenue Service and our economy by creating a single tax rate for all Americans. Today, several States have implemented a single rate tax structure for their State income tax, and from Utah to Massachusetts citizens are realizing the benefit.

In Colorado, a single rate tax generated so much income that it was reduced 10 years after its implementation. In Indiana, the economy boomed after a single rate went into effect in 2003, and since that time the corporate income tax receipts have grown by 250 percent.

Now, several people in Congress are working on the problem. I have a bill, H.R. 1040, which is a voluntary flat tax. A companion bill was introduced by the senior Senator from Tennessee just this past week. We have bills from DAVID DREIER, the gentleman from California, PAUL RYAN from Wisconsin, all trying to accomplish the same goal, and it is so simple. You have a single rate, you have a single piece of paper. You put in your name, just a little bit of identification data, write in your income, there's a line for personal exemptions, calculate your deductions from personal exemptions and calculate your taxable income, multiply it by a flat rate, subtract the taxes already withheld, and you're done. And what did that take? Not even 30 seconds. No more expensive tax attorney bills, no more hours of stressful research, no more headaches. It is much less costly, saving the taxpayers more than $100 billion per year. And it would increase tax compliance. The result: Increase in personal savings, and there is a stimulus package that would have an immediate effect on our American economy.

Recent polling by a group called American Solutions shows that over 80 percent of Americans favor an optional one-page tax return form with a single rate. Now, we hear a lot of talk about change this year. You practically cannot turn on the television without some political commercial talking about change. Well, let's consider how change could improve the most complicated of institutions, the Internal Revenue Service. And more importantly, consider how that change could deliver prosperity and return time, the precious commodity of time, to the American taxpayer. Now, that's a stimulus package worthy of everyone's vote.

THE REAL CULPRIT FOR RISING FOOD PRICES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, the world is beginning to understand what my constituents have known for far too long, higher food prices and higher

commodity prices are destroying prosperity for millions and millions of people here at home and abroad. Whether there is a hungry person in Toledo, Ohio or in Haiti, the rising costs of basic food are really placing the world's marginalized and poor in even a tighter squeeze.

Getting in the front of devastation that higher commodity prices can cause is a challenge to all of us. While I am pleased that the leaders of the International Monetary Fund and the World Bank have called for half a billion dollars more to feed the poor of the world, I'm deeply troubled that these leaders have pointed to the same tired rhetoric in diagnosing the cause of these rising prices. It's been very interesting for me to hear them say they're blaming higher food prices on the production of ethanol and biodiesel in agricultural America, which is actually a new value-added market for our farmers. It's actually a new market that's taking land that is just laying fallow for years, where we have paid commodity payments and gotten nothing, now we are beginning to reuse some of that land again.

The real culprit for rising food prices is rising oil prices. Our world is facing a crisis precipitated by the greater competition for dwindling supplies of world energy that has caused all the prices of basic goods to skyrocket. But instead of dealing with that reality of how oil is embedded in every aspect of life in this country and globally, they're trying to blame this on the new developing market of renewable energy.

Yes, under current technology biofuels consume some food stocks for the production of fuel. Corn has been utilized by some ethanol producers, for example. But to claim that biofuels are the cause of rising food prices, that's disingenuous at best. Look to the rising oil prices at over $113 a barrel, and this oil-dependent economy must become energy independent here at home again. And renewable fuels based in agriculture are a part of the solution for this country in the world.

Take a look at the rising cost of fertilizer that can be directly attributed to the increasing cost of natural gas and smaller crop sizes. According to the recent Texas A&M Agriculture and Food Policy Center analysis, rising fertilizer costs have led to a $3 million acre reduction in planted corn in the 2006, 2007 crop year.

Let's look at another major cause globally of why food prices are going up: Drought. World food production has gone down because in Australia and eastern Europe, and because of poor weather in Canada and western Europe and Ukraine, we've seen overall production reduced. With such world stocks for wheat at 30-year lows, buyers are turning to the United States for supplies. Has the IMF offered suggestions to these nations for dealing with the drought that global warming is causing? No. They're just blaming America's farmers.

Higher incomes around the world are boosting demand for processed foods in countries such as India and China. And this higher demand has skyrocketed the need for products produced across the supply chain. Now, has the IMF sought to better manage the uncontrolled growth in developing countries? No. They're just blaming America's farmers.

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With the U.S. dollar in free fall, American agricultural goods have become extremely attractive internationally and have placed great demand on foodstuff production domestically. With greater competition for food, with more U.S. exports, our weak dollar due to terrible economic policies here at home has decreased the power of Americans to purchase food produced right here in our country. Has the IMF identified the weak dollar as the challenge to millions of Americans faced with food shortages? Of course not. They just blame the U.S. farmer and the new developing market of biofuels.

With the price of oil reaching over $110 a barrel, the world's addiction to oil is driving up the production costs of agricultural products. How much do you think it costs to haul a truckload of bell peppers from Salinas Valley in California to Cleveland, Ohio?

I cannot accept IMF's wanton attack on the investment in rural America. If we follow their formula, we would not be growing any food domestically. If we were following IMF's advice, we would not be developing the infrastructure and capacity to produce our own renewable energy here at home and help lead the world in a real energy-independent transformation of this country.

Madam Speaker, Americans simply must commit to cutting off our oil addiction and restoring energy independence here at home.

[From IMF Survey Magazine, Apr. 10, 2008]

FOOD PRICE RISES THREATEN EFFORTS TO CUT POVERTY—STRAUSS-KAHN

Higher food prices have particularly adverse effect on the poor.

Projections show nearly all African countries suffering food price shocks.

IMF Spring Meetings to discuss global strategy on food price crisis.

A rise in food prices of 48 percent since end-2006 is a huge increase that may undermine gains the international community has made in reducing proverty, IMF Managing Director Dominique Strauss-Kahn warned.

He told an April 10 news conference in Washington that policy responses to higher food prices have to be tailored to meet the needs of each country.

Strauss-Kahn said the IMF could take four steps to help address higher food prices in the short term:

Support countries in designing appropriate macroeconomic policies to deal with shocks; provide advice and technical assistance for countries where rising food prices are eroding terms of trade, through targeted income support for the poor—without jeopardizing hard-won gains on economic stabilization; in countries where price shocks are affecting the balance of payments, provide assistance through IMF lending facilities, and work, along with other agencies and donors, to help countries mitigate negative impacts.

OPEN TRADE POLICIES

Longer-term answers to the problem of higher food prices centered on removing obstacles to increased supply, Strauss-Kahn said.

The IMF cites increased trade as a policy option for mitigating the effects of higher commodity prices on national economies. IMF chief economist Simon Johnson told an April 9 World Economic Outlook briefing: ''As a way to reduce global pressure on food and energy prices, more open trade policies in those products would be a good start. Less insular biofuels policy in advanced economies would help relieve some pressure. At the same time, we encourage countries to avoid raising taxes or imposing quotas on their food exports. These reduce incentives for domestic producers and also increase international prices.''

IMPACT ON INFLATION

IMF research shows that higher prices for food pose new challenges for African policymakers and could have particularly adverse effects on the poor. Because food represents a larger share of what poorer consumers buy, a global increase in food prices has a bigger impact on inflation in poorer countries.

IMF studies show the rise in food prices reflecting a mixture of longer-term factors such as food crops being diverted to biofuel production; higher food demand from emerging economies; and higher energy and fertilizer costs. Temporary factors, such as droughts, floods, and political instability, also contributed to higher food prices.

Strauss-Kahn displayed a map at the press briefing that showed the impact of projected food price increases on global trade balances.

''Almost all African countries have a negative impact from these food prices,'' Strauss-Kahn told the briefing. A problem in trade balances meant problems in current accounts. Problems in current accounts meant problems that the IMF could help address, he said.

New projections on the effects of higher food prices follow publication of a World Bank-IMF report warning that most countries will fall short on the Millennium Development Goals, a set of eight globally agreed development targets that the international community is aiming to achieve by 2015. The report said that though much of the world is set to cut extreme poverty in half by then, prospects are gravest for the goals of reducing child and maternal mortality, with serious shortfalls also likely in primary school completion, nutrition, and sanitation goals.

NEW KIND OF IMBALANCE

In Africa and Asia the effect of higher food prices would have to be seen not only in terms of undermining the efforts to fight against poverty but also as representing a new kind of macroeconomic imbalance, Strauss-Kahn said. For a large part of Africa, a shock could be expected that was as big as, and maybe bigger than, previous shocks.

Strauss-Kahn welcomed an initiative launched by U.K. Prime Minister Gordon Brown that urges the IMF, the World Bank, and the United Nations to develop a global strategy to address higher food prices. ''The initiative taken by Gordon Brown is perfectly timely, We need now to consider the rise in food prices as something which is not just happening for one or two months but as probably more structural,'' Strauss-Kahn said.

The Brown proposal would probably be on the agenda of the IMF-World Bank Spring Meetings and of the ministerial meeting of the Group of Seven industrial countries, he added.

FOREIGN SHORTFALLS IN IRAQ AID PLEDGES

The SPEAKER pro tempore (Mrs. BOYDA of Kansas). Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Madam Speaker, I would like to bring to the attention of the House and to the American people a disturbing situation involving a shortfall in Iraq aid pledges. This morning during a hearing of the House Armed Services Committee, I also brought this issue to the attention of Secretary of State Condoleezza Rice, Secretary of Defense Robert Gates, and Admiral Michael Mullen.

On January 30, 2008, USA Today reported that allied countries have paid only $2.5 million of the more than $15.8 billion they pledged to help rebuild Iraq. The article further reports: ''The biggest shortfalls in pledges by 41 donor countries are from Iraq's oil-rich neighbors and U.S. allies, namely Saudi Arabia and Kuwait.

Madam Speaker, it is extremely troubling that some of the countries that may benefit most from a secure and stable Iraq, particularly its neighbors in the region, are not providing the money they pledged to help achieve that goal.

The United States, on the other hand, has already spent $29 billion to help rebuild Iraq, and Congress has approved an additional $16.5 billion. And unlike the United States, which is borrowing money from foreign governments to pay its bills, many of Iraq's neighbors are running record surpluses because of profits their governments receive from their national oil companies.

In 2001 a gallon of gasoline cost Americans $1.42. Today that same gallon costs us $3.36. In 2001 oil was $28 per barrel. Today that same barrel is almost $114. Many of the countries who are falling short on their pledges to Iraq are withholding oil production and causing gas prices to rise on the American consumer. These countries have the economic resources to meet their commitments to Iraq.

Madam Speaker, in a letter on February 8 of this year, I expressed these concerns to Secretary Rice. Since then I received a response from the Department of State. They say they share my concern that for some countries the pace of their assistance to Iraq has been too slow. The State Department also indicates that top officials continue to urge their government to follow through on their pledges, and with the increased successes, the department is working through multilateral forums to encourage donors to meet their pledges.

During this morning's hearing, Secretary Rice also pledged that she will redouble her efforts to encourage allies in the region to pay their way in Iraq. Madam Speaker, out of fairness to the American taxpayer, I am hopeful that these efforts will be successful. It is time for Arab countries that are running surpluses to start paying their share of the bills in Iraq.

Madam Speaker, I have said many times and said it today at the hearing that it's our men and women who are in Iraq losing their legs, being paralyzed for the rest of their life, and losing their life for this country. It is the least that these Arab countries can do that are making dollars every time we put gas in our cars. It is time that they meet their obligation to fulfill the $15.8 billion that they pledged to help rebuild Iraq.

With that, Madam Speaker, before I close, I ask God to continue to bless our men and women in uniform, and I ask God to continue to bless America.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5715, ENSURING CONTINUED ACCESS TO STUDENT LOAN ACT OF 2008

Ms. CASTOR, from the Committee on Rules, submitted a privileged report (Rept. No. 110–590) on the resolution (H. Res. 1107) providing for consideration of the bill (H.R. 5715) to ensure continued availability of access to the Federal student loan program for students and families, which was referred to the House Calendar and ordered to be printed.

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.)

WEEK OF THE YOUNG CHILD

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

Mr. LOEBSACK. Madam Speaker, this week is Week of the Young Child, and I stand before you and my colleagues this evening to call for the full funding of Head Start, our Nation's premier early education program, and for Child Care and Development Block Grants.

I understand firsthand how important Head Start and subsidized child care programs are for low-income working families. I grew up in poverty, and I had a single mother who suffered from mental illness. I relied on support from my extended family, community, and friends. And as a result of the support that I received, I was able to focus on school, work hard, and achieve the American Dream. However, not all children are fortunate enough to have this sort of support system outside of their homes, and even with this additional support, many of Iowa's children could benefit from attending Head Start. Additionally, many hard-working, low-income parents could more easily push their families out of poverty if provided access to affordable and reliable child care. This is why it is critical that we properly fund Head Start and Child Care and Development Block Grants so we can expand enrollment and provide greater support to working families and opportunity to our Nation's children.

For years we have been provided with statistics proving the benefits of Head Start and affordable child care. We know that children enrolled in Head Start will excel academically, have fewer health problems, and adapt better both socially and emotionally.

However, to appreciate fully the benefits, Madam Speaker, one simply has to speak with the parents of these outstanding young students. In Iowa's Second District, which I am proud to represent, I have been lucky enough to visit a number of Head Start locations, and I have received letters from the parents of a number of these students. One of these letters was from Trina Thompson, a single, hardworking parent of two. Her youngest child attends Head Start in Iowa City, where she shared with me that ''The staff and the program itself at Head Start are invaluable to my family and many others. It is a well-run program that has been vitally beneficial to my daughter and my family.'' Ms. Thompson went on to say, ''I can go to work every day secure in the knowledge that my daughter is safe in a positive learning environment with amazing people.'' Ms. Thompson is not alone in her praise of these critical programs and the outstanding educators and child care providers.

The photo behind me today is a photo of one of these exceptional providers. Kelly Mathews of Iowa City is pictured here with children at the child care center she runs in Iowa. Ms. Mathews works 50 hours a week with the children at this center. Then she spends additional time filling out paperwork, completing continuing education credits, shopping for supplies, and creating a challenging and exciting curriculum for the children under her care. Ms. Mathews does all this for one clear reason: ''to change the world.'' But we know this goal isn't easy, especially when Ms. Mathews is receiving a very modest salary with no benefits and no paid time off. We must do better for Ms. Mathews, better for all the child care providers and Head Start teachers, better for the children in Iowa and across the country, and better for hard-working families.

Unfortunately, this year the President failed to stand up for our country's children. He failed to prioritize their needs, forgetting that these children are the key to our country's future success. This year the President proposes flat funding for child care that will cause 200,000 children to lose access to child care assistance by 2009. The administration also acknowledges that fewer children will be served in

Head Start under their proposal. Should these cuts be implemented, the Kelly Mathews of the world will find it even more difficult to make ends meet, and the Trina Thompsons and their young children will find it next to impossible to secure a spot at their local Head Start. And this is simply not acceptable.

I urge all of my colleagues to take a moment this week in honor of the Week of the Young Child to think about the tens of thousands of children you represent that could be provided a wealth of opportunity and hope in their lives if we simply reject the President's budget proposal and choose to invest in the future and well-being of our children.

SUNSET MEMORIAL

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

Mr. FRANKS of Arizona. Madam Speaker, I stand once again before this body with yet another Sunset Memorial.

It is April 15, 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 12,867 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." Mr. 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 12,867 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 15, 2008—12,867 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.

THE U.S.-COLOMBIA TRADE PROMOTION AGREEMENT

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. Madam Speaker, I rise to express concern about an action taken by this House this past week, and let me begin by asking this House who is America's best friend in Latin America?

Well, the answer is pretty loud and clear, and that is America's best friend in Latin America is the democratic Republic of Colombia, a nation of 42 million people, the second largest Spanish-speaking nation in the world, a nation which is recognized throughout Latin America and, frankly, throughout the world as United States' most reliable partner in counterterrorism, United States' most reliable partner in counternarcotics. It's the Republic of Colombia.

Well, this passed week the House of Representatives, the Democratic majority, which controls it, voted to turn its back, this Congress's back, on our most reliable partner in Latin America, sending a terrible signal to all of Latin America that if you are a good friend of the United States, you're not very important and you're not a very big priority, and when we have an agreement, we'll ignore it.

Ladies and gentlemen, we have a trade promotion agreement with Colombia and the United States. It's a good agreement. Why is it a good agreement? Because it's a win-win-win for Illinois workers, Illinois farmers, Illinois manufacturers. The majority of this House, an overwhelming bipartisan majority of this House, voted earlier this past year to pass trade preferences for the Andean region, for countries like Colombia, Ecuador, Bolivia and Peru. And what the trade preferences do is allow all the products that come in from Colombia that enter the United States duty free, no taxes, no tariffs. So agricultural products and manufactured goods made in Colombia and produced in Colombia enter the United States duty free. However, without the trade promotion agreement, products made in Illinois by Illinois workers or farm goods like corn and soybeans produced by Illinois farmers and, of course, manufacturers and workers all suffer taxes or tariffs on U.S.- and Illinois-made goods exported to Colombia.

We have often heard from constituents that say trade's important in Illinois and it just doesn't seem right when one country's products come into the United States duty free but we don't get reciprocity. And the U.S.-Colombia Trade Agreement gives us that reciprocity. In fact, farm organizations will tell you that the U.S.-Colombia Trade Agreement is the best ever negotiated to give U.S. farmers and growers and producers access to a foreign market. And when it comes to manufactured goods, 85 percent of the manufactured goods exported to Colombia would be duty free immediately.

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In my district, I have 8,000 constituents, union members, who work for a company which makes the yellow bulldozers and yellow construction equipment. Right now, those bulldozers made in America suffer a 15 percent tariff, which means the cost of that product is 15 percent more, making Illinois-manufactured construction equipment, like bulldozers and mining trucks, 15 percent more expensive but also less competitive with Asian competition.

We need this trade promotion agreement. And we need to have that brought to the floor for an up-or-down vote. Because I believe if it is brought to the floor for an up-or-down vote, the majority of this House would agree that we need to continue to expand our markets overseas for Illinois-manufactured goods and Illinois farm products as well as American farm products and American manufactured goods. It is a good agreement.

Now, there are those who say, ''Colombia, yeah, they are our partner, and, of course, they are the oldest democracy in Latin America. But there has been violence in that country.'' Historically they are right. President Uribe, when he was elected, pledged to defeat the FARC, the left-wing narcotrafficking terrorist group which has troubled the nation of Colombia over the last 40 years. And he has made tremendous progress.

In fact, President Uribe today enjoys 80 percent approval. Eight out of 10 Colombians approve of the leadership of President Uribe. And if you look at this Congress, this House of Representatives, this Congress has an 18 percent approval rating. So clearly, the Colombians think more of their president than the American people do this Congress. And at the same time that he has made progress defeating the left-wing narcotrafficking FARC, 73 percent of the Colombian people believe he has made Colombia more secure and safer while respecting human rights. In fact, today the murder rate in Colombia is lower than in Washington, D.C. It is lower than in Baltimore. In fact, it is safer in Colombia than it is in our Nation's Capital.

The U.S.-Colombia trade promotion agreement is a good agreement for American workers, American farmers and American manufacturers. Let's bring it to a vote.

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 North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

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

DISTRICT OF COLUMBIA VOTING RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. NORTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material.

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

There was no objection.

Ms. NORTON. Madam Speaker, this is a special day for all Americans, none more so than the people I represent, the residents of the District of Columbia. And so I have come this evening to offer some remarks, remarks that I think are particularly justified today when the residents of the District of Columbia, like all other American citizens, are paying their Federal income taxes. The difference is they are doing so without any voting representation on the floor of the House or the Senate.

First, I begin with some gratitude to my colleagues, the so-called Blue Dogs, for whom this hour had been claimed, but who gave it to me this evening because of the subject matter of this special order. I very much appreciate their support. For those of you who don't know who the Blue Dogs are, they are the more conservative Members of the House. They supported the D.C. Voting Rights bill that indeed passed the House, one of the first.

We hadn't been here 6 months, I don't think we had been here more than 4 months before this bill to give the District of Columbia citizens, the citizens of the Nation's Capital, voting rights only in this chamber, the people's House. It was indeed passed by the House of Representatives, mind you, the only House that is affected. In a Nation known more for its incrementalism than for rapid change to effect justice, we have accepted the notion that we must begin with the House, the people's House. After more than 200 years of meeting every obligation that has been met by every other citizen, we think it is not too much to ask that the residents of the Nation's Capital have the vote at least in the people's House. We are asking for no more than that.

Our thanks go especially to the Speaker of the House, NANCY PELOSI, who made it a priority to pass this bill and put her full energy behind it. She was willing to bring it to the floor. She made it clear that she, as the leader, the first woman to lead the House of Representatives, wanted to put her signature on this bill and asked four Members on both sides of the aisle to support it. Majority Leader STENY HOYER, a longtime supporter of this bill, as well, put all of his energy in it. Particularly when it was stopped first by a parliamentary maneuver, he worked tirelessly until he got this bill passed. He has been with us every step of the way. These two leaders have stood for full representation and equality for Americans in so many ways. No one should be surprised at the leadership they have given us on this bill.

I have to very especially mention Congressman TOM DAVIS who doggedly started us on what has been a truly bipartisan path. When I was in the minority and he indeed became the chief sponsor of the House-only bill, I discovered indeed a partner for us. The State of Utah barely missed getting a House vote in the last census. And they missed it for reasons I have to put into the RECORD. Utah sends many of its citizens who willingly agree to go away and become missionaries when they are young for a few years of their lives. They, of course, are missionaries for their Mormon church. And they are coming home to their families. Like others who come home, the State of Utah wanted them counted since they remained residents. They took the matter all the way to the Supreme Court. And because of the way the Census Bureau and the administrative process had ruled, the Court allowed the census to stand. And all of these missionaries exercising their freedom of religion, their freedom of speech, while being residents of their State, lost their State a seat.

To say the least, residents of Utah were not joyful about this. And they have joined us in what would seem to be the example par excellence of win-win in our country. A heavily Republican district and State, some would say the most Republican State in the union, a big city in the United States tends to be Democratic, this one is, joined together. It's a wash politically. Nobody gains and nobody loses. Why hasn't this bill passed?

Well, it has almost passed. And we will get into that in a minute. Just a few more indications of gratitude. HENRY WAXMAN, chairman of the committee that has direct jurisdiction, along with another chairman, JOHN CONYERS, were extraordinary leaders in this process. I mentioned Utah. I thank Governor Jon Huntsman for coming here to testify about the importance of the bill and the entire Utah delegation, Representatives BISHOP, CANNON, and MATHESON.

I particularly thank the 219 Democrats and 22 Republicans who won a vote of 241–177 and passed this bill last year. And may I thank the 8 Republicans and 49 Democrats who have brought us so close that it is hard to believe that we are not already there.

Only in the other body is 57 percent not a majority. The Senate has required 60 votes. We are three votes short. We are so close. I have every reason to believe that we will, in fact, this year pass the D.C. Voting Rights Act, creating a historic 110th Congress that every Member, I think, will be proud of.

I have to thank the local and national civil rights organizations that have been a formidable force spreading around the country the message. There are too many of them to name on the local level. The great leader has been DCVote Ilir Zerka and his army of residents in the region and in the city carrying a message for us, the leadership conference on civil rights, the Nation's great leader on civil rights matters has been a major figure in this bill. We could not possibly have gotten this far without them, along with every major civil rights organization in the country.

I particularly thank my own mayor, Adrian Fenty, and city council chair, Vincent Gray, who joined every mayor and city council of the District of Columbia in supporting our residents and

this bill. And I especially thank the residents of the District of Columbia, living and dead, who have fought for equal citizenship over the ages.

I have not yet mentioned my Senate partners, but they have been equally important to this bill. You don't pass a bill just in the House. Senator JOE LIEBERMAN was the lead Democratic sponsor. Consistent with the way he has helped me on voting rights in every iteration, and there have been several different kinds of bills, he became the lead sponsor here.

A very special word of thanks goes to Senator ORRIN HATCH of Utah. Some of you may think that ORRIN HATCH comes to this because, after all, he represents Utah. And he does. But had you had the pleasure of hearing Senator HATCH in the committee hearings, you would understand that he is moved by a deep principle about voting rights. His principal reason for voting rights dominated much of what he had to say about people who pay taxes and go to war without representation. I thank Senator ORRIN HATCH who was a good friend of mine before this bill. He has endeared himself to me in ways I will never be able to pay by the way in which he has stood fast with us, yes, because his State is involved. Of course, that is his primary obligation. But making it clear in the way he discusses the bill that there is a deeply rooted principle in his support.

The many supporters of this bill will forgive me for not making this a calling of the roll. But I come to the floor because on tax day in the District of Columbia, people have gone all over the city to assure residents of the very substantial progress we are making. DCVote and its coalition have been all across the United States targeting seven States and have done a remarkable job. I have a little bit to say about that.

What I want to do this evening during this special order hour is to essentially discuss this issue from three perspectives. Whose rights are we talking about? What barriers are there? And whose responsibility is it to remedy this matter?

□ 1945

I start with whose rights they are, because the greatest frustration I have had as a Member of the House is that most Americans do not know that 600,000 people live in the Nation's Capital and don't have the same rights as they have. A lot of them have been in the armed services with people in Washington, DC. They come here, 20 million of them, every year. There is no indication, until they begin to see license plates that say ''no taxation without representation'' on those official license plates, which was put there precisely to relieve our frustration that most people simply do not know.

I have a word to say about that, because increasingly people do know and support us. According to the Washington Post poll, 61 percent say they support the bill I have come to the floor to speak to tonight. That is close to an American consensus today.

Why would people be for the vote? They are Americans, that is why. Do you really think that in this country today, at war, a country where love of country is manifest in everything we do, they will do anything but say that people who have fought, yes, and died in every war since the country was created, including the war that created the country itself, the American Revolutionary War, that people who pay taxes the same way they do, are just like them, should not have representation? It is a thoroughly American idea. So don't be surprised that 61 percent today support this bill, in the House only, because that is all that is before the other body, the Senate, as we speak.

Who are these people? We thought we would let you see exactly who we are talking about. This man's name is Larry Chapman, a resident of the District of Columbia. I am proud to represent him. I don't know him. I checked him out. He lives here. I represent him. By the way, note his uniform. He is a firefighter. He is a man who risks his life for whoever is here, a Member of Congress, a visitor, a resident, a regional resident.

I don't represent this man, Jayme Heflin. He lives in Maryland. He does the same thing for Maryland that Mr. Chapman does for the District of Columbia.

I don't think you will find an American citizen, if you went out with a microphone, who thinks that Larry Chapman, who lives in the District of Columbia, should not have representation in the Congress, someone who can vote on war or peace or raising or lowering taxes, and that Jayme Heflin should.

That is who I represent. The difference between these two men cannot be seen in their faces, cannot be seen in their jobs. The only difference is where they live. They live within a few miles of one another, because Maryland is part of our region, a region without borders, as a matter of fact. If you go to Maryland, you won't even know you are there.

Both of them pay Federal taxes. Both of them don't like it, and both of them do it. There should be no difference between Larry Chapman and Jayme Heflin. There is no difference. The only difference is a difference that only this body can correct.

Why do I say only this body? Because the Congress has exclusive jurisdiction over the Nation's Capital. The Framers were intent upon one thing and one thing only when they set up the Nation's Capital. It certainly wasn't to deprive us of the vote. It was to make sure we weren't in a State, because you couldn't tell when the State's jurisdiction would conflict with the Federal jurisdiction. That is the only principle that was at stake. And, indeed, all the evidence is that the last thing they would have done would have been to give a vote to Mr. Heflin and not to Mr. Chapman.

The reason we know it is that four signers of the Constitution which gave the Congress this jurisdiction were from Maryland and Virginia, which contributed the land for the city where we are today, two from Maryland and two from Virginia. They contributed land on which a sizable number of their own constituents were living.

They made sure that in the 10-year transition period during which the land was being shifted, that their residents would still have the vote. But once, of course, it left the jurisdiction of Maryland and Virginia, it was up to the Congress. And the first Congress, in so many words, promised that when the land came after 10 years under the complete jurisdiction, that these residents would indeed continue to have the vote.

We know it for sure, because not only were these residents of Maryland and Virginia living in the territory, but among them were men who had fought in the Revolutionary War. The one slogan that every school child knows from that war is we are fighting against no taxation without representation. It is inconceivable and it is impossible and it simply did not happen that the Framers of the Constitution from Maryland and Virginia gave the land and said, take away the vote from the people we represent once you have jurisdiction.

Maryland couldn't give us the vote once we became the Nation's Capital. Virginia couldn't do it. Only the Congress can do it. The Constitution itself makes clear that the grant of exclusive jurisdiction to the Congress means that the Congress is empowered to offer this correction that has been needed for much too long.

This is another resident of the District of Columbia whose work all of us would admire, because she is a teacher. Her name is Chandra Jackson-Sounders, teaching and counseling in the D.C. public schools for 17 years. A native Washingtonian, like me. She pays Federal income tax, like all the rest of us who live here. We are not immune from that. There she is, teaching children.

Who would deny this young woman, who has committed herself to one of the hardest jobs in the country, who pays hefty federal income taxes, the same rights that they have? No American. No one imbued with the spirit of our Constitution or of the native ethic, the ethic that gave birth to the country, no taxation without representation.

The more people know about D.C. voting rights, the more support we have. I ought to thank Stephen Colbert right here on the House floor, because at least four times he has invited me on the Colbert Report to make fun of the District of Columbia for not having voting rights, until under cross-examination one day on his program I found

out that he was born in the District of Columbia himself. He has managed to get himself in the portrait gallery, to be sure, either in the men's room or in a corner close to it.

But I must here pay tribute to Stephen, whom I call Colbert, because, more than all we have been able to do, he has gotten the message out that 600,000 people live in the Nation's Capital, pay taxes, and do not have the same representation as they do. He makes fun of me. That is why I go on and allow it. ''You must not be in the United States.'' He said, ''Who could you possibly represent?'' ''Why don't you move into the country?'' That is what I have to take.

But taking what Colbert has thrown at me has gotten people to understand, yes, through his jostling and joking, what is a very serious matter; that in a country that is trying to bring democracy all over the world, including particularly Iraq, where we have given so many American lives, over 4,000, there are people right here who don't have the same rights that people from the District of Columbia are, as I speak, fighting to get for the residents of Iraq, Afghanistan and so many other countries.

Support for D.C. voting rights keeps going up. I noted earlier that 61 percent say that they are specifically for that bill, because that is the question we asked. You ask them the question, this is the kind of response you get. ''Do you support equal voting rights for the people of the District of Columbia?'' In 1999, you got 72 percent of Americans saying yes. In January 2005, you got 82 percent.

Thank you, Colbert, D.C. Vote, Leadership Conference on Civil Rights, and all of those who have helped us get the message out. Eighty-two percent of the American people. Not a surprising figure, not in the United States of America.

What you may believe is that, well, they have got a lot of liberals up here, and what do you expect? A very scientific poll was done behind these figures. With 72 percent and 82 percent, you know there must be some bipartisanship here.

But are they all piled up in one part of the country? Are they all really young people or older people? Who are these people who support D.C. voting rights? ''Norton says who the people are who want voting rights. Well, who are these people who registered these large numbers, 61 percent for this bill, up to 82 percent if you ask the bald question about equal voting rights in Congress for the people who live in the Nation's Capital?''

This is perhaps the most important data, and it is fascinating for the Senate in particular to bear in mind, because it breaks down who we are talking about in the American public.

Notice how far out the blue bar goes. That is because there is no support less than 77 percent among all adults, and 82 percent is that figure I just showed you. Women, 86 percent; men, 78 percent.

Let's look at the age groups. Is this all a young persons' thing, or what? Young people, well, they were raised to believe that democracy is for everybody. They are off the charts, 87 percent. But look at 35–54. They are at 78 percent. And look at 55 years old and above, many of whom were raised at a time when many Americans did not have equal rights and perhaps imbued that culture. 55-years-old and above, 82 percent of the American people support equal voting rights for the people who live in the Nation's Capital.

Sometimes we find that some parts of the country favor certain kinds of action more than others. You are quite aware that some parts of the country are more military, some parts of the country are considered more liberal, so it was important to know who are we talking about. And this I found perhaps the most fascinating part of the revelation.

□ 2000

Northeast, 84 percent of the people; midwest, 80 percent of the people, these are for equal voting rights; south, ladies and gentlemen, put aside your stereotypes, 84 percent of southerners support equal voting rights in Congress for the people of the District of Columbia; west, 80 percent.

So the south and the northeast give us the largest majority or super majorities, 84 percent each with midwest and west right behind them at 80 percent. In this metropolitan area, where they know us best, have seen us at our best and our worst, the metropolitan area includes Virginia, Maryland, and the figure is 82 percent.

In the nonmetropolitan area, beyond the counties immediately surrounding the District where people tend to be more conservative, hardly any difference, 83 percent there support it; 82 percent in the immediate area.

I am still looking, friends, for some break in the public of the kind we regularly see on things like guns or the military or the war. It will not be found in this graph, not on this Tax Day, not tomorrow, not in the America of the 21st century, maybe in the America of the 19th century, early 20th century.

But now for decades, I believe it would be difficult to find Americans who would stand up and salute the proposition that people who are paying Federal income taxes, that people who are fighting and dying in war are being denied a say-so on those issues in this House.

You break it down even further to see who you are talking about, how about those who have a family member in the military, 82 percent support D.C. voting rights. How about a favorite that is often cited as difference among Americans, regularly attend services, we note at a moment when the Pope has just arrived in town, but we see that that's 82 percent of those who regularly attend religious services.

We, of course, have family or friends living in D.C., I wouldn't even cite those. You would expect those people to perhaps be more aware and more inclined to be with us.

Registered voters, 81 percent of registered voters support equal voting rights for the residents of the city, and here is one that cannot be put aside, because this is the great divider, Republicans and Democrats, 77 percent of Republicans, 82 percent of independents, 87 percent of Democrats, no statistical difference even by party on so basic a matter as whether or not the people I represent, and I should be required to do whatever this chamber says, along with the others, and not have any say, utterly and thoroughly un-American even to state such a proposition.

Well, the Republicans who supported us in the House on this bill, led by TOM DAVIS, including a number of others who voted for us, didn't have this figure before them. They had a gut instinct of what it means to be an American.

There are any number of them who could be quoted. Among the most eloquent was Representative MIKE PENCE, who actually wrote out what was in his head and published it and posted it, ''Why I Voted for D.C. Representation in the House,'' and the senior Senator LUGAR, one of the eight Republicans who voted for this bill. But it was MIKE who started it here, because the bill started here.

Let me quote from Representative MIKE PENCE, a leader of most conservative matters here, understood to be a leader in the House and particularly a much-respected conservative leader. He is a wonderfully affable man, but he would be the first to note that he and I have considerable differences on issues that come before this House.

But at the time this bill was pending, Representative PENCE wrote, ''The fact that more than half a million of Americans living in the District of Columbia are denied a single voting representative in Congress is clearly a historic wrong and justice demands that it be addressed.''

He goes on to say, ''The old book tells us what is required,'' and he quotes the Bible, ''do justice, love kindness and walk humbly with Your God.''

Then he says, ''I believe that justice demands we right this historic wrong. The American people should have representation in the people's House. I believe that kindness demands that, like Republicans from Abraham Lincoln to Jack Kemp, we do the right thing for all Americans regardless of race or political creed. And I believe humility demands that we do so in a manner consistent with our Constitution, laws and traditions. The D.C. voting bill gets this test, and I am honored to have the opportunity to continue to play some small role in leading our constitutional republic ever closer to a more perfect

union.'' Those are the words of Representative MIKE PENCE. I believe they are words that history will remember.

The support continues to grow, the support reflected here, just to name a few of the States that have been visited, not by me but by residents in the city of the region. I want to thank the citizens of Oregon; of New Hampshire, where a whole resolution has been introduced to support the bill; of Montana, where the editorial boards of the major newspapers, in Montana, the Butte Chamber of Commerce, have accorded the residents of the District of Columbia every courtesy in meeting with them and the papers have editorialized for voting rights. I named those States because DC Vote—Leadership Conference on Civil Rights have targeted those States among others.

I particularly note a resolution in New Hampshire, pending in both the New Hampshire House and Senate that is quite extraordinary. It expresses regret that New Hampshire's two U.S. Senators voted against the D.C. voting rights bill and calling upon them to correct that in the next vote.

As one of the sponsors, Representative Cindy Rosenwald said, and I am quoting her, ''We are, here in our small corner of the country, democracy's most passionate supporters. Therefore, I believe we should expect the same level of commitment and passion for representative democracy from those elected officials who represent New Hampshire in Congress.''

Thank you, New Hampshire. I thank many others whose efforts today, up to 10 States, I cannot specifically acknowledge in the time allotted to me.

I bring you deep gratitude from the residents of the District of Columbia who have only my voice, no voice in the Senate, only my voice, and whose voice, of their own, you will see in the Internet but who do not have ways to reach you, which is why I am here this evening.

I must thank, in particular, the legal scholars who have come forward. In searching for legal comment, we found many willing to come forward, and from constitutional scholars of various views, there were any number who were particularly helpful in expressing and answering the hard questions that have been raised, hard questions, not because most Americans would consider them such, but if you happen to be a constitutional lawyer, and I, myself, practice constitutional law, these questions become closer questions than if you are an American who does not have to take the Constitution into effect in forming your own view.

I particularly thank Kenneth Starr, former judge Kenneth Starr; former judge, Patricia Wald. Kenneth Starr is a Republican. Patricia Wald is a Democrat. Both have testified for the bill.

I thank Professor Viet Dinh who has come forward in a quite extraordinary way. He is the point man on constitutional issues, or was, when Mr. Ashcroft was the attorney general. He has been, perhaps, the foremost conservative scholar to come forward for the bill.

I particularly thank Walter Smith, a former corporation counsel, or attorney general, as it is now called. Richard Bress of Latham & Watkins, Walter Smith of D.C. Appleseed, these are different scholars who are from different parts of the constitutional spectrum who have come forward to be helpful.

But you I think that I ought to cite conservative scholars. Frankly, those are the scholars on whom we have chiefly relied because we believe that if we relied chiefly on Judge Wald or Walter Smith or many others who have helped us, then we would have greater difficulty in showing that this bill is eminently constitutional.

Remember, it's the constitutional issue to which the opponents have been pushed back. They can't make an argument that sounds in American terms that the average person could understand. So they go into the Constitution.

That, my friend, is defamation to the framers, because what they are saying, hey, the framers did it to you. We don't have anything to do with it.

Of course, if the Framers did it to us, then we must pass the bill and let the only part of our Government that is empowered to tell us that do so, and that's the Supreme Court.

But, no, they sit back and fancy themselves constitutional scholars for the purpose of saying that 600,000 residents who pay taxes like they do, have served in the country's wars, should not have the same rights they do. This in the 21st century, no less.

Professor Viet Dinh, who served as a scholar, who served in the Bush Justice Department under former Attorney General Ashcroft, and, therefore, advised the whole Justice Department, he was the man who advised them on constitutional matters, testified there are no indications, textual or otherwise, to suggest that the Framers intended that congressional authority, under the District clause, that's the District of Columbia clause, extraordinary and plenary power in all other respects, would not extend to grant District residents representation in Congress.

You see, we are left with either the Framers intended to have the people who lived in the Nation's Capital they just set up without the same rights as everybody else, or they intended somebody to be able to give it. Now, if they intended us not to have the same rights then we, of course, have to amend the Constitution.

But I would suggest that unless you can cite evidence of somebody getting up and saying that, that you have got to find a better reason.

□ 2015

To hide behind the Framers is an act close to cowardice. If you think we shouldn't have it, you should say why. Take the responsibility, but do not say that the Framers of the Constitution from Maryland and the Framers of the Constitution from Virginia meant to disenfranchise their own residents. Do not say that the Framers of the Constitution meant once you crossed the District line, you would lose the rights you had on the other side in every other State of the Union.

The opponents rest on one word, and that is the Constitution says that the vote in the House should go to Members of States. They say ah-hah, the District is not a State; ergo, no vote for you people.

Well, the fact is that since the passage of the Constitution, this government, this Congress, has defined the District as a State in over 500 provisions of United States Code. The only way in which we are not defined as a State respects our voting rights, and that brings me to the floor today.

Cite chapter and verse to prove that, and I shall. And what I am citing is not only the language of the Constitution, I am citing the Supreme Court of the United States who interprets the Constitution. The Supreme Court has approved action by this Congress equating the District of Columbia with the States for constitutional purposes. Here is the language from the Constitution that the Supreme Court over the years says includes the District of Columbia although the word ''State'' is used.

''Commerce among the States'' taken to court, the District is not a State and shouldn't be included in the commerce clause. Answer from the Supreme Court: For these purposes, the Nation's Capital is included when the word ''State'' is used.

Suits between citizens of different States, means something special for the District of Columbia, it was alleged, not a State, took it to the Supreme Court. The Supreme Court says citizens of different States of course includes the Nation's Capital. They said this is not what we meant, we only meant that the District of Columbia would not be a part of a State. We set up something that for lack of a better word we called a District of Columbia.

What, is the Commonwealth of Virginia not a State? Are they not a State because they are called a Commonwealth? Is the Commonwealth of Massachusetts not a State? How in the world can one hinge a right so precious in this democracy on the use of the word ''State'' when it has been interpreted by the Supreme Court of the United States in decade after decade to include the District of Columbia?

I must cite on this April 15, Tax Day, my very favorite. If indeed States means or does not mean the District of Columbia, the people I represent want every dime we have paid to the Federal Treasury back because the 16th amendment says there shall be direct taxes by the Federal Government. Direct taxes only on citizens of the States; if we are not a State, you owe us a lot of money. It is almost silly to even try to argue from so slim a use of language.

When one reads the Federalist Papers, if one reads American history, if one reads decade after decade where the matter of State has been challenged when someone was trying to pay less taxes or trying to get out of the commerce clause, and in a dozen other ways I could name and the Supreme Court has simply pushed them back, I don't think you would be quick to continue to make that argument.

I want to especially thank the Blue Dogs again for their generosity in giving me their hour. I want to thank all of those on both sides of the aisle who have rallied after more than two centuries finally to this idea.

I want to leave you with a picture in your mind, this young woman, Chandrai Jackson-Saunders who pays her Federal income taxes and teaches our children and doesn't have the vote.

I am moved to tears and to laughter by a series of cartoons making fun of our country for not giving the residents of the District of Columbia a vote. Here is one that happened to be in the Washington Post. It says ''Import Democracy'' on a raised placard, then in small print at the bottom it says ''No Invasion Necessary.'' No, all that is necessary is that we face up to 200 years of obligation.

For me, I confess that this matter is deeply personal. I am the third generation of Holmes family to live here. My great grandfather, Richard Holmes, was really born in Virginia as a slave. One day he left the plantation. He just walked away; nobody must have been looking. In my family no one says that he gathered together in some kind of heroic way—he left the plantation—and got as far as here and started our family.

My father was born and raised in District public schools, just like my grandfather. My grandfather entered the D.C. Fire Department in 1902. We have long been without our rights here. So for me it is first and foremost a matter for the people I represent.

But in the interest of revealing all that is concerned, hiding nothing, it is hard for me to say that there is not a personal matter associated here, particularly when I see it is in the Senate that the bill is now awaiting 60 votes, although it already has 57 percent of the Senate, because what I remember as a child growing up without a mayor, without a city council, there was no representation whatsoever here. The place was ruled by the Congress. The President appointed three commissioners; no democracy of any kind. And it was a segregated city. Oh, how segregated. The schools were not integrated until Brown v. Board of Education.

When I was at Dunbar High School and had mostly finished high school, the District was one of six Brown v. Board of Education cases. So the notion of filibuster rings far too personal to me. I remember the filibusters of the Senate, my friends, as a child. In the Senate, the N-word was routinely used. This place was entirely controlled by southern Democrats who controlled every subcommittee and every committee because racial rhetoric and racial prejudice were used to get them back to the House each and every year.

It gives me great grief and sadness to see that Republicans have not been in the forefront of this bill except for those who have stepped forward and unabashedly embraced the bill and Republican traditions because it was after the Civil War that the District first got a delegate and home rule. It was the Republican Congress that first gave us democracy. It was the so-called radical Republicans who in the Nation's Capital exercised their right and their obligation to see that democracy came here. It was the end of Reconstruction and the Tildon-Hayes compromise with the withdrawal of Federal troops from the South and the resurrection of Democrats that overturned home rule for the District of Columbia and sent a delegate who had only a term or two back to where he came from. It was Republicans who were in the leadership then. In the name of the great leaders who gave birth to their party, you would expect them to be in the leadership now.

The interesting thing is that this is a now-majority African American city, but that is a recent vintage. The segregated city I grew up in was a majority white city. It didn't become majority black until close to 1960. Black people in the minority took a lot of white people down with them because the fact is that race played a central role in the denial of voting rights and home rule to the District of Columbia. Today it is partisanship. But it was unabashedly race. Even though blacks were a minority, there were enough blacks here so that southern Democrats wanted to be sure there was no home rule and no representation, even a delegate. They were not bashful about it.

To quote one Alabama Democratic Senator, ''The Negroes flocked in, and there was only one way out, and that was to deny suffrage and power to every human being in the District,'' that means regardless of race, creed or color.

□ 2030

I don't want to hide from whence cometh what gave birth to the issue here.

Senator Ed Brooke, a native Washingtonian, became the first popularly elected Black Senator, born and raised in the District of Columbia, went to the same high school I did. But he had to go outside the District of Columbia to get any vote at all, and certainly a vote in the Senate.

So there's a very sorry racial history behind it all. The last thing Republicans want to do is to attach their partisanship to that history because they're not a part of that history. That history was led by Democrats, and mostly southern Democrats.

Now, the Democratic Party, to its great credit, has taken that off of itself, scrubbed that terrible stain, that racial stain off. To their great credit, the Republicans joined us when we reauthorized the 1965 Voting Rights Act.

There is no difference, no difference whatsoever here. There's no difference when you are talking about the District of Columbia which, in the Vietnam war, lost more men than did 10 States; in World War II, lost more men than did four States; World War I, lost more men than did three States, and the Korean War, lost more than did eight States. We have fought, died, bled for the country we love.

The notion that there would be a Member who'd have to come to the floor to ask for such a right in 2008 should be unthinkable.

I particularly, tonight, dedicate these remarks not only to those who paid their taxes today, but to those who've given their lives in Iraq and Afghanistan and most recently, Darryl Dent, the D.C. National Guard, Specialist Darryl Dent, Army Reservist Lieutenant Colonel Paul Kimbrough, Marine Lance Corporal Gregory MacDonald, Marine Lieutenant Colonel Kevin M. Shea, among thousands over the years that we have sent to war, proudly so.

I dedicate these remarks to Wesley Brown, the first black graduate of the U.S. Naval Academy is still living. There have been at least 20 Blacks who had gone to the Naval Academy. They had to be what we called super Black. They were driven out by the most horrendous racial harassment. The story of sacrifices made—what's my time?

The SPEAKER pro tempore (Ms. TSONGAS). Ten seconds.

Ms. NORTON. The story of sacrifices made is not a story I should need to tell. All I should need to say is what I leave you with this evening, with my gratitude for your support and friendship.

I am an American. I represent 600,000 Americans. Please do all you can to see to it that we are treated as you would want to be treated, like other Americans.

Ms. JACKSON-LEE of Texas. Madam Speaker, today is Tax Day and it is the day that D.C. residents pay their Federal income taxes. Yet D.C. residents remain without a vote. D.C. residents enjoy many of the benefits of U.S. citizenship but they lack the vote.

The rest of the Nation votes as District residents pay their taxes and serve in wars abroad in Iraq and Afghanistan. Andy Shallal, a D.C. citizen said it best, "People like me of Iraqi ancestry and even my son, who was born in the United States, are entitled to vote in the Iraqi's election due in large part to the service of the citizens of the District of Columbia and other Americans who have fought and died in Iraq." In spite of D.C. residents' service in foreign wars and even in the American Revolution, and every war since where U.S. was involved, D.C. residents cannot vote in their own country.

Tax Day is a bitter reminder to the Nation that the founders of our country who staged their revolution for representation would then deny representation to residents of their very

own capital city. Professor Viet Dinh, President Bush's former assistant attorney general for constitutional matters, has wiped away the major argument that because the District is not a state, its American citizens cannot vote in the House by detailing the many ways in which "since 1805 the Supreme Court has recognized that Congress has the authority to treat the District as a state and Congress has repeatedly exercised this authority." My favorite is the 16th amendment which requires only that citizens of states pay Federal income taxes. Why then have District residents continuously been taxed without representation?

There is a terrible racial stain that has been at the core of the denial of the rights of D.C. citizens. Congress required the same racial segregation in schools and public accommodations in D.C. and other parts of the South until the 1954 Brown decision. As one southern Senator put it, "The Negroes . . . flocked in . . . and there was only one way out . . . and that was to deny . . . suffrage entirely to every human being in the District."

Former Republican Senator Edward Brooke, a native Washingtonian and the Nation's first popularly elected black Senator wrote, "The experience of living in a segregated city and of serving in our segregated armed forces perhaps explains why my party's work on the Voting Rights Act reauthorization last year and on the pending D.C. House Voting Rights Act has been so important to me personally. The irony of course, is that I had to leave my hometown to get representation in Congress and to become a Member."

Today, on Tax Day, we need to move to abolish the irony and the tragedy of the many who have come to the Nation's capital seeking freedom for well over 200 years. It is on this day, that D.C. residents pay their Federal income taxes without a vote.

Presently, only three votes are needed for Senate passage of the D.C. Voting Rights Bill. I am a supporter of the bill in the House. I appeal to your conscience and ask for your vote so that finally there will be a vote for your fellow Americans here, who have paid for this precious right many times over in blood and tears. Support the voting rights bill today.

COLOMBIA FREE TRADE AGREEMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. DREIER) is recognized for 60 minutes as the designee of the minority leader.

Mr. DREIER. Madam Speaker, thank you very much. It is true that today is the day that the American people have their obligation to pay taxes for the American government to continue to function. And obviously, there are many good things that the Federal Government does, and there are many not so good things that the Federal Government does.

But one of the things that I think is very important for us to focus attention on, especially as we deal with a challenging economy, is the need for us to ensure that, as stewards of those taxpayer dollars, those dollars fund this institution, the greatest deliberative body known to man, and we need to ensure that we put into place policies that will encourage strong, dynamic, economic growth and to make sure that there are opportunities for every single American. And Madam Speaker, we're going to talk about that this evening.

I have to say that my original intentions for this special order were a little different than they are going to end up being tonight. I'd planned to join tonight with several of my colleagues who have spent time in Colombia. I'd planned to talk about what I've personally witnessed there, and I'd invited many of my colleagues to do the same.

I'd hoped to make this a bipartisan endeavor, and I extended invitations to several of my Democratic colleagues to participate this evening. And I will say that I still do hope that we might have a chance to do that. And one of our Democratic colleagues did come up to me and say that he had hoped to participate.

I thought that this was very important, because I knew that when the President sent, a week ago today, when he sent the implementing legislation for the U.S/Colombia Free Trade Agreement, a 60-day clock, under trade promotion authority, would begin. We would have 60 legislative days to hold a vote on the agreement. This meant that the House of Representatives would face a vote on the U.S./Colombia Free Trade Agreement some time in probably late July. That would leave us 3 months for debate, discussion, education, and enlightenment about what this agreement would mean to the American people.

However, despite the ample time granted under trade promotion authority, I knew that many of my colleagues, particularly my Democratic colleagues, remained deeply ambivalent on the trade agreement itself. We certainly saw that as we had this debate last week.

For this reason, it was my hope that this special order this evening would be opening the 3-month discussion in a bipartisan way, and what I wanted to do was I wanted to shift the focus away from the free trade agreement, and I'd hoped that a group of Republicans and Democrats who've gone to Colombia could come together here on the House floor to simply share our experiences and describe what we've seen in Colombia, over the past year, or at least a half a year.

I knew that much of the free trade agreement debate would hinge on the current situation, as it exists in Colombia, what progress has been made, what steps has the Colombian government taken.

I wanted this debate to stay grounded in facts and a full understanding of the Colombia, of 2008, not a caricature of the Colombia past. I'd thought that bipartisan, firsthand testimony would further that goal of allowing the American people and our colleagues to understand the changes that have taken place in Colombia.

Unfortunately, Madam Speaker, the landscape here in the House was drastically altered last week when my California colleague, Speaker PELOSI, took the unprecedented step, never before had this been done, but it was a step of changing the Rules of the House in order to block a vote on the free trade agreement.

In one fell swoop, she ended 3 months, what would be the beginning, and tonight would have been part of that, of substantive, bipartisan deliberation before it even had the chance to begin. Apparently, she didn't like her odds in what would clearly have been a fair fight, so she changed the rules in the middle of the game.

The condemnation from around the country came swiftly. Now, I have control of the floor now for an hour, and I could easily fill the entire 1 hour simply by reading the scathing editorials that have come about over the past week reproaching the Democratic leadership for their petulant act. The New York Times, the Los Angeles Times, the Washington Post, hardly mouthpieces for Republicans or President Bush. And even Speaker PELOSI's hometown newspaper, the San Francisco Chronicle. All, Madam Speaker, have had the harshest of words for the dangerous and unprecedented action that was taken here last week.

Now, I'll read just a few of those highlights. I mentioned Speaker PELOSI's hometown newspaper, the San Francisco Chronicle, a paper that I actually enjoy reading myself, but again, far from being a Republican mouthpiece. They accuse Speaker PELOSI of "pandering" and "playing politics."

It points out that the decision to block a vote on the agreement is especially egregious, considering that she represents a region that heavily depends on exports for its economic competitiveness and job creation, particularly through its ports.

My hometown paper, the Los Angeles Times, stated it very plainly, and I quote. "Halting the vote wasn't about the U.S. economy and wasn't about Colombia. It was about politics." That's what the Los Angeles Times, again, hardly a Republican mouthpiece, had to say.

It points out that the FTA creates quite a bind for the Democratic leadership because what is good for their party is bad for the United States of America.

It highlights the current imbalance in our trade relationship. We have an open market, yet face barriers in Colombia.

I'll say that again. And Los Angeles Times pointed that out, Madam Speaker. We allow the rest of the world, including Colombia now, under the ATPA, the Andean Trade Preference Agreement, we allow them access to the U.S. consumer market. All this agreement that we had hoped to be debating now, but the clock has stopped on that. All this agreement would do was level that playing field and allow

U.S. workers to have a chance to send their products into Colombia.

The New York Times, in its editorial, Madam Speaker, emphasizes not just the economic consequences but the foreign policy implications as well. It declares that last week's actions ''reduce the United States' credibility and leverage in Colombia and beyond,'' adding that it ''serves human rights in Colombia no good'' whatsoever. The cause of human rights, about which many of our colleagues rarely talk, and which we're all concerned about, would do no good by not proceeding with consideration.

The New York Times is certainly, as I said, no knee-jerk supporter of the agreement. Actually, they, last year, in the New York Times, proposed postponing the consideration. And that was last year. And yet this year they are strong proponents of our moving ahead with this.

The Washington Post, Madam Speaker, was the quickest of all the major papers to condemn Speaker PELOSI's decision, equating the move to telling Colombia to ''drop dead.'' That's what the Washington Post had to say, and calling into question the Democrats credibility and judgment.

The message from around the Nation has been clear and unequivocal. The unprecedented rule change was a grave mistake that should be corrected immediately by proceeding with a vote. The damage described in those editorials is twofold, economic and international. Now, I would add an additional level to that that really hasn't been pointed to in a lot of these editorials, the institutional damage that has been done.

Now, first the economic damage. As I said just a moment ago, the Andean Trade Preferences Act, which Congress renewed just a few weeks ago, allows all Colombian goods, virtually all Colombian goods to enter the United States duty free. They have full access to our market, and we don't get the same treatment today. American goods face an average of 14 percent tariff on goods that we are sending into the Colombian market, with agricultural products facing particularly steep barriers.

These preferences, like all of our preference system, have enjoyed overwhelming bipartisan support in Congress. So Democrats and Republicans have come together to say that we should allow these Colombian goods to come into the United States, their products, whether it's coffee, cut flowers, bananas, it allows them to virtually tariff free come into United States. So Democrats and Republicans alike said that's good for our consumers.

And yet, this free trade agreement, which would end the imbalance and extend that same preferential treatment for American exports, is opposed by the Democratic leadership.

It's a bizarre quirk of American politics. The Democrats always support trade as charity. They'll gladly give away one-sided trade without a second thought. But as soon as we propose to make it reciprocal and create a direct benefit for our own workers as well, they cry foul. To add to the absurdity, they do it in the name of protecting American workers.

Now, we're in a time, as I said, today is Tax Day, April 15. We're dealing, unfortunately, with an economic slowdown, and there is a great deal of economic anxiety throughout the United States of America and in other parts of the world. You might think that we could finally put politics aside and make the rational, logical decision to give American workers equal treatment and to protect American exports by creating new markets for U.S. goods and services. But unfortunately, and bizarrely, that's apparently not the case. By blocking a vote on the Colombia Free Trade Agreement, the Democratic leadership has blocked a clear win for our exports and the workers who produce those exports.

□ 2045

The second form of damage that has been done is in the international arena. Again, we wander into the absurd. Time and again, I hear my Democratic colleagues decry what they call our diminished standing in the world. President Bush has, in fact, diminished our standing and in fact is a big part of the presidential campaign.

They accuse the administration of unilateralism and a disregard for our allies. They say that that has hurt our leadership and our credibility in the international community. And in the presidential campaign, they promise, Senators CLINTON and OBAMA, they promise to restore our prestige.

And yet the Democratic leadership raced to sabotage our relationship with our best and closest ally in South America with what could only be described as reckless abandon. Following a mere 1 hour of debate, they chose to treat our close democratic friend in our very own hemisphere, a slap in the face is the way this was described by the Vice President of Colombia, or as the Las Vegas Review Journal put it, a stab in the back. That's how the action that was taken here last week has been characterized.

Colombian democracy has grown steadily stronger under the courageous leadership of President Uribe with whom I spoke today. His popularity has soared above 70 percent and stayed there because he took his country from the brink of a failed State and put it back on the path of peaceful and prosperous stability. He's strengthened democratic institutions, not least of which is a Justice Department that has aggressively tackled the culture of impunity for murderers.

Under Uribe's presidency, crime has plummeted, largely because he has aggressively pursued the eco-terrorist guerillas and the equally murderous paramilitaries. The former have been pushed from their stronghold, and the latter have been systematically dismantled and their leadership imprisoned. The rank-and-file are beginning the long and difficult process of rehabilitation and reintegration into society with the help of government-funded social programs. The same has been offered to rank-and-file guerrillas who wish to surrender their arms.

Now, Madam Speaker, I had the opportunity to witness the real-world implications of these demobilization efforts. When I was in Colombia last August, several of my colleagues and I had the chance to sit down with former paramilitary members. These are young men and women, and I do mean young, teenagers in most cases, who had heart-wrenching tales to share with us. We heard from one young man who described his parents' murder right before his eyes. In his grief and anger, he turned to vigilantism. Like so many Colombians spanning multiple generations, he experienced the horror of violence, and he turned to violence himself.

The leaders of these paramilitary groups, like their guerrilla counterparts, committed heinous acts of violence and are now paying their debt to society. As remarkable an achievement as that is, the much harder part is bringing these young men and women, like those who I met, back into society.

I met them at a vocational training facility where they are learning the skills that will allow them to provide for themselves and become responsible members of society. They're learning to leave their violent past behind them and contribute to a peaceful and prosperous Colombia.

These efforts undertaken by President Uribe's government are already serving as a model for other post-conflict countries that have faced similar challenges. The process, Madam Speaker, of demobilization and reconciliation is not easy. There is still a great deal of work that needs to be done. While most paramilitary groups have been dismantled, there are still vigilantes in the jungle. There are still violent leaders at large who must go to jail. The guerrilla groups have yet to lay down their arms. And even as demobilization goes forward, the work of reintegration will take years.

But, Madam Speaker, I saw firsthand, as I know my colleagues who are going to be participating in this Special Order have. Tough work is being done, and it is being done with great success.

At the same time this transformation is taking place, Colombia has also faced a formidable foe of democracy on its border. We all know very well. Hugo Chavez has long been working to dismantle democratic institutions and free markets in his country of Venezuela and to export his authoritarian designs throughout the region. He suppressed dissent, trashed the Venezuelan constitution and squashed free

enterprise. He's interfered with the elections of his neighbors and drawn Ecuador and Bolivia into his orbit.

He keeps company with Daniel Ortega, Fidel Castro, and Mahmoud Ahmedinejad. His anti-democratic institutions for this hemisphere are no secret, and he is as openly hostile to the region's bulwarks of democracy as he is to the United States of America. Just weeks ago, he sent troops to his border with Colombia in a naked act of hostility. Flush with oil money, we all know that Hugo Chavez poses a grave threat to Latin America.

President Uribe, facing enormous challenges within his own borders and on the front lines of this ideological battle, is standing up. Colombia, under his leadership, is actively countering the influence of Hugo Chavez by acting as a model of the great gains to be made in a free and transparent democracy.

With seemingly little thought for the cause of democracy or U.S. interests, the Democratic leadership has disregarded both with last week's vote. Only time will tell the extent of the damage to our relationship with Colombia or our struggle to rein in the influence of Hugo Chavez. The damage to our credibility may be even more durable, unfortunately.

We have now sent a clear message to our partners: our word at the negotiating table is cheap, and if we don't like how things are going, we will just change the rules in the middle of the process. The implications extend well beyond trade. The United States is engaged in a great many negotiations on a great many issues: Israeli-Palestinian peace talks, nuclear nonproliferation, regional diplomatic efforts for Iraq. If our word to our close friends can't be trusted, how will we effectively engage around the globe?

Our credibility, Madam Speaker, and our leadership in the international community can hardly endure when they are so casually disregarded by this body.

This was the main thrust of the criticism from editorial boards across the country. But to economic and foreign policy damage, I would add institutional damage. Ironically, the vote to kill the free trade agreement succeeded because the Democratic leadership effectively argued to its membership that it was in the House's interest, this institution's interest to do so. They appealed to that institutional and party pride. I have already discussed the issue of party pride, Madam Speaker, as the L.A. Times editorialized, it's no secret on this issue, Democratic party interests run counter to our Nation's interest.

But the claims of institutional prerogative are utterly specious. During the rule debate last week, I went through the administration's requirements under Trade Promotion Authority chapter and verse, and I won't belabor them here. Suffice it to say, the Trade Promotion Authority was not ambiguous in its demands. I was involved in the negotiations in putting trade promotion authorities together. It is very, very rigorous because I believe in the first branch of government, I'm a believer in this institution, and I believe that we have very important rights.

The requirements for any administration under Trade Promotion Authority are laid out very clearly, and as my colleagues who are here on the floor know, this administration followed those directives to the letter in both spirit and in letter. They followed it to a T. These requirements were designed to ensure that Congress is consulted at every single step of the way. This goal was demonstrably and unequivocally achieved.

But under Trade Promotion Authority, there are two sets of processes: There is the negotiating process, which closely involves Congress but is led by the administration, and there is the congressional process. Both processes are unambiguously defined by very strict timetables.

The first timeline was followed. The second timeline was abrogated. One side followed the rules in good faith; the other side cheated. The Charlottesville Daily Progress outlined the implications of these actions perfectly, and they said, ''If rules of procedure mean nothing, then the legislative process can be warped, and moreover, it can be warped at the discretion of a single powerful person. This is not the way democracy should work. The effort to change the rules after the process was under way dishonors Congress.''

Those are not my words. Those are the words of the editorial written in the Charlottesville Daily Progress.

Madam Speaker, so much for institutional pride. The message the Democratic leadership has sent is that the ends justify the means. And what lofty goal did they sacrifice institutional integrity for? Killing an agreement, killing an agreement that extends preferential treatment to American workers and strengthens a key democratic ally in our own hemisphere.

No wonder the condemnation came so swiftly, and my staff has done a great deal of research. We have yet to find an editorial that is in support of the actions of the Speaker. As I said, her hometown paper, the New York Times, the Washington Post, on and on and on, we're going to discuss some of those further in just a minute. It is not too late though, Madam Speaker, it is not too late to correct this.

We were supposed to have a 3-month process of debate and deliberations. We can still have it. We were supposed to have a vote at the end of that process. The Democratic leadership can still commit to do it.

I mentioned the fact that I spoke with President Uribe a few hours ago. He's patient and he's optimistic. Frankly, he has no choice other than to be patient and optimistic. Madam Speaker, I call on Speaker PELOSI and Majority Leader HOYER to make a commitment to hold a vote on this very important Colombia Free Trade Agreement prior to the August recess. I call on them to quit demagoging this issue and let their rank-and-file Members vote their conscience.

I will say that I completely disagree with the statement made by Speaker PELOSI here last week. She said that one of the reasons she didn't want this vote is that she was afraid it would go down to defeat. As I look at my colleagues who have joined me here, we've been working in a bipartisan way, and I'm not going to state the names of any of my colleagues on the other side of the aisle; but the fact of the matter is, in going through this 3-month process, I have every confidence that a bipartisan majority of this institution would recognize that helping American workers, strengthening a democratic ally, doing everything that we can for the word of this institution, would be the right thing to do. I know that because, frankly, more than a few Democrats have told me that they want to have a choice to vote for and support this measure.

Passage of the U.S.-Colombia Free Trade Agreement is clearly in our economic and our foreign policy interest. Blocking it is clearly not. And changing the rules in the middle of the game because you're afraid of a fair fight is not defensible. It's time for us to exert true leadership as an institution and make sure that we pass this agreement.

So those are my prepared remarks, Madam Speaker. And I'm so proud that I have been joined by a number of my colleagues, all of whom have been great champions in this effort and have worked on the notion of expanding opportunities for U.S. goods and services to be sold all around the world.

And one of the great leaders who has been pursuing this, specifically in this hemisphere for many, many years and was a great champion of the Central American Free Trade Agreement and a wide range of other free trade initiatives, comes from a State, by the way, that is the headquarters for Caterpillar, and we know that by not passing this free trade agreement, we are preventing good, hardworking Caterpillar employees from having an opportunity to duty-free sell their very important equipment into Colombia. And I'm very happy at this time to yield to my very, very good friend who I'm saddened to say will not be joining us in the 111th Congress because he's chosen to retire to spend time with his wonderful, wonderful and very young family, but I'm happy to yield to my friend from Illinois (Mr. WELLER).

Mr. WELLER of Illinois. I want to thank the gentleman for yielding. I also want to thank Mr. DREIER for your leadership tonight as well as your continuous leadership on trade issues because, as you pointed out, the actions of this House last week have done a lot of damage to the reputation not only

to the House of Representatives but the reputation of the United States in Latin America.

President Uribe is a popular elected official. This Congress has an 18 percent approval rating. President Uribe enjoys an 80 percent approval rating because he's made such progress in addressing five decades of violence and civil problems in the democratic Republic of Colombia. And as a result, today, 73 percent of Colombians say they feel more secure because of President Uribe's leadership, but also they feel that he has brought security while respecting human rights.

□ 2100

Mr. DREIER. If I could reclaim my time, I would like to pose a question, if I might, to my friend.

As we hear this 73 percent support level in Colombia, we know that the opposition here in the United States to this is being led by the AFL–CIO and organized labor. Now, I'm sure that my friend has seen in Colombia, as I have, that the private sector unions in Colombia are strongly supportive of this agreement. Is that the case or not?

I would be happy to yield to my friend.

Mr. WELLER of Illinois. I thank you for your generous time.

This past week, as we all know, there was a delegation of labor leaders from Colombia, including both the private sector and as well as public sector unions, and they made the point that the majority of industrial unions, private sector unions support the U.S.-Colombia Trade Agreement, but the opposition is coming from the government employees, who are not even impacted.

Mr. DREIER. In no way impacted by this agreement at all.

Mr. WELLER of Illinois. That's correct. And one point you made earlier that I would like to—and I don't want to be greedy with the time, you've been very generous.

Mr. DREIER. I would just like to include our colleagues here with the discussion.

Mr. WELLER of Illinois. But I would just like to comment on one point that you made.

You said Illinois is headquarters to Caterpillar, and people think of the yellow construction equipment. There is more to it than you think, and that's why this trade agreement is so important. I have 8,000 Caterpillar employees residing in the 11th Congressional District of Illinois. They're union members, every one of them. And Caterpillar, of course, would benefit from this, and that means their workers would as well. Half of their production in Illinois is dependent on exports.

Mr. DREIER. So maybe there would be more than 11,000 workers if this agreement were to go through.

Mr. WELLER of Illinois. There would be. And their growth has come as a result of export.

But the point that really needs to be made is there is tremendous economic growth going on in the Andean region, which Colombia is leading, and a lot of that is in the energy and the mining and raw material sector, which means they're going to use construction equipment. And right now, the construction equipment that union workers make in the district I represent, places like Joliet, Aurora, Pontiac and Decatur, it faces a 15 percent tariff when exported to Colombia. Now, some would say, what does that mean? That's a 15 percent tax on the price of that bulldozer. So that makes U.S. products less competitive, say, than competing with Japan.

Mr. DREIER. If I could reclaim my time, I would say taxes are something very important today to discuss. I mean, we talk about that tax on April 15.

Mr. WELLER of Illinois. And of course these tariffs would be eliminated immediately upon implementation of the U.S-Colombia Trade Agreement. I yield back the time, but it is so important to point out, Illinois is a big winner, manufacturers as well as farmers.

Mr. DREIER. I thank my friend. I hope that you can stay for a few minutes because I know we would like to get in some other questions.

When my friend began discussing the fact that a delegation came from Colombia of union leaders to the United States, I thought that you were going to mention the fact that a delegation of Members of the United States Congress went last week to Colombia. One of those who went was the distinguished secretary of the Republican Conference, our very, very good friend, Judge John Carter, a gentleman from Texas. And I would love to hear his thoughts, having just been in Colombia a week ago, on his trip. And I am happy to yield to my friend.

Mr. CARTER. I thank you for yielding to me. My friend from California is gracious to do so.

Let me start off by telling you what happened when I decided I was going to Colombia. My daughter, who lives here in Washington, called me up and said, Daddy, I told you not to go down to Colombia. Didn't you see ''Clear and Present Danger?'' Didn't you see that movie? Have you lost your mind?

I want to point that out because I think that's a lot of what the American people think about Colombia when it comes to their mind, they think of that movie and that book. And I am pleased to say that I was very pleasantly surprised to find a very peaceable place where an awful lot of people have done an awful lot of hard work to get violent people out of their country and to get those people who joined defense bands and guerrilla bands to lay down their weapons.

Mr. DREIER. Madam Speaker, I would like to ask my friend, did you have a chance to visit Medellin?

Mr. CARTER. I was in Medellin.

Mr. DREIER. Medellin was the murder capital of the world, clearly the most dangerous spot in the world. And now Medellin has a murder rate that is too high. We have a murder rate that is too high in the District of Columbia. We have a murder rate that is too high in the United States of America. But the transformation of Medellin under the great Mayor Sergio Fajardo, with whom I'm sure you met, has been so dramatic. His leadership and the leadership of President Uribe has just transformed that city. Is that what my friend found?

Mr. CARTER. Absolutely. Transformed it completely. It's a joy to be in Medellin, it really is. And, you know, the Medellin cartels are gone, and they are prospering.

And, you know, they talked to us and they said, look, we are trying to stand up for democracy and free enterprise, we believe in this system. And this trade agreement is the linchpin that holds it all together for this country that has worked so desperately to solve problems that, quite frankly, not very many countries in the world would have been able to solve. Getting 40,000 people to lay down their arms is a major project.

Mr. DREIER. And Madam Speaker, I would like to ask my friend if he, in fact, had the chance to meet with any of these young people who had been former paramilitaries, and I wonder if he has any anecdotes that he can share with us.

Mr. CARTER. We did. We divided into groups and met with an assortment of both male and female. And you're right—

Mr. DREIER. Share one of those stories.

Mr. CARTER. You know, the first question, they all started talking about how they joined the paramilitary unit. They told about families being slaughtered, being separated from their families, having to run and escape the guerrillas that came out of the woods. And they ran to escape, and then came back to find their families slaughtered, and so they joined a paramilitary group. And a question was asked, rather naively, I think, by us, you mean, you were carrying weapons? Absolutely. Every one of them, male and female, were carrying weapons. And now they are working in programs that are changing the culture of these people that joined the violent behavior. They have laid down their weapons. We asked them why. They said the comandantes said we have talked to the president, we lay down our weapons, and they did.

They are out studying. They're proud to say they're getting high school educations. They're proud to say they're going to trade schools. A few were proud to say they had received admission to university. These were jungle fighters just a short while ago, and now they are coming into society and working very hard because they see a future for Colombia. And this future rests upon a world of free enterprise and trade, and this agreement starts the

process that gives them many opportunities for free trade around the world.

Mr. DREIER. Absolutely. My friend is absolutely right. And I will tell you, these meetings are always, for me, I've participated in several of them, very emotional. As I said in my opening remarks, I remember very vividly seeing this young, I mean, a kid, he said he was 18 years old when he watched the Revolutionary Armed Forces of Colombia, the FARC, which we all know that acronym, they came in and they murdered his mother and father right in front of him. And of course he was, like any of us would be, so angry and so bitter that he joined with the paramilitary and began being, as you said so well, Mr. CARTER, a guerrilla fighter. And he was able to become productive because of the trade schools that have been put into place.

And the patriotism that these young Colombians have for their country and their desire for a peaceful nation is so great. They were forced into this because these narcoterrorists in the FARC were resorting to murdering their parents. And so many others have been tragically murdered there. To see this take place and to hear those individual stories, they are very, very emotional. In fact, as you listen to these people, I mean, I'm getting emotional thinking about it because of the fact that these young people who have been forced into this are now becoming productive members of society. And the notion of our not doing what we can to bring about peace and stability in this hemisphere is, I think, very, very distressing.

I am happy to see that we're joined by the very distinguished ranking member of the Subcommittee on Trade of the Ways and Means Committee, my California colleague, Mr. HERGER. And I would be happy to yield for some comments to my very good friend.

Mr. HERGER. Well, I want to thank my good friend, Mr. DREIER, for setting this up this evening.

This is so incredibly important. It's important to our Nation, it's important to our workers at a time when we're seeing our economy dipping, when we need to be able to produce jobs. And we look at how we produce jobs. Since last year, some 27 percent of our increase in gross domestic product came from exports. It's projected that just this year of our increase in gross domestic product, some 40 percent will be again from exports.

And I wish it weren't true, but it seems like perhaps the best kept secret in our Nation today is that the United States is the largest trading nation in the world. We're the largest exporting nation in the world.

I represent, as my good friend knows, a very rich agricultural district north of Sacramento in northern California.

Mr. DREIER. Beautiful area.

Mr. HERGER. One of the richest agriculture areas in the world, second largest rice producing district. Some 60 percent of all the dried plums in the world, prunes, are grown there, walnuts, almonds, these specialty crops. And America cannot consume all that we produce. As a matter of fact, one-third of all that we produce we need to be able to export. And to be able to see, again, talking about Colombia, what this does for American workers, we just heard about Caterpillar from our good friend from Illinois (Mr. WELLER) just earlier in his district, the thousands that it affects. And so it affects in the district I represent.

Right now, because of our duty free status for the Andean nations, which we've gone in to try to help Colombia, Colombia was not always this great nation where some 42,000 former paramilitary, as we were talking about earlier, have gone from fighting the country to now being part of the country and supporting them. As we know, it wasn't always that way. And so some years ago we gave these Andean nations, including Colombia, Peru, Panama, and others, the ability to be able to export into the United States duty free, duty free, but yet we still have export duties, some as high as 60, 70 percent, going into their country.

And what this free trade agreement would do is it would be able to give us the same access to their markets that they currently have to ours, to our rice, to our walnuts, to our wheat, to our corn, to other commodities that are so very, very important.

So it is important what we're doing. It's important not only for, we were discussing the change in Colombia itself, which is our strongest ally in South America; we cannot turn our back on them, we cannot slap them in the face.

And Madam Speaker, I would like to place into the RECORD some of these editorials that you were speaking about, Mr. DREIER, for the RECORD.

[From the New York Times, Apr. 12, 2008]

TIME FOR THE COLOMBIAN TRADE PACT

American workers are understandably anxious. Their incomes went nowhere through six years of economic growth. Many are losing their jobs as the economy slips into recession. Yet concern about workers' plight should not lead Congressional Democrats to reject the trade agreement with Colombia. This deal would benefit the American economy and further the nation's broader interests in Latin America.

It is time for Congress to ratify it.

The trade pact would produce clear benefits for American businesses and their workers. Most Colombian exports are exempt from United States' tariffs. American exports, however, face high Colombian tariffs and would benefit as the so-called trade promotion agreement brought them down to zero.

The deal also would strengthen the institutional bonds tying the United States to Colombia, one of America's few allies in an important region that has become increasingly hostile to the United States' interests. Perhaps most important, the deal would provide a tool for Colombia's development, drawing investment and helping the nation extricate itself from the mire of poverty that provides sustenance to drug trafficking and a bloody insurgency.

Violence in Colombia is way too high. We remain very concerned over the killing of trade unionists by right-wing paramilitary groups. Last year, we advised Congress not to ratify the trade agreement until Colombia demonstrated progress in investigating the murders and prosecuting and convicting their perpetrators.

Though by no means ideal, the situation today has improved. Thirty-nine trade unionists were killed last year, down from 197 in 2001, the year before the government of Álvaro Uribe came to office. Prosecutors obtained 36 convictions for the murder of trade unionists—up from 11 in 2006 and only one in 2001. The budget of the prosecutor general's office has increased every year. Last year, it created a special unit to prosecute labor murders that has obtained 13 sentences.

Pressure from the United States Congress has contributed to this progress, nudging the Colombian government with its offer that gains on the human rights front would lead to ratification of the trade agreement. Washington must sustain the pressure to ensure the energetic prosecution of crimes by paramilitary thugs and further reduce violence against union members. It has a powerful tool to do so: about $600 million a year in mostly military aid for Colombia to combat drug trafficking. The money must be approved by Congress every year.

Rejecting or putting on ice the trade agreement would reduce the United States' credibility and leverage in Colombia and beyond. In a letter last year to Congressional Democrats, a group of Democratic heavyweights from the Clinton administration and previous Congresses wrote: ''Walking away from the Colombia trade agreement or postponing it until conditions are perfect would send an unambiguous signal to our friends and opponents alike that the United States is an unreliable partner without a vision for cooperation in our hemisphere.'' It would serve human rights in Colombia no good.

Unfortunately, the agreement has become entangled in political jockeying between the White House and Democrats. The Democrats are right to demand assistance for American workers, and the Bush administration should work with Congress to expand the safety net for workers displaced by globalization. But this should not stop the Colombian trade pact from coming to fruition.

[From the Washington Post, Apr. 10, 2008]

DROP DEAD, COLOMBIA

The year 2008 may enter history as the time when the Democratic Party lost its way on trade. Already, the party's presidential candidates have engaged in an unseemly contest to adopt the most protectionist posture, suggesting that, if elected, they might pull out of the North American Free Trade Agreement. Yesterday, House Speaker Nancy Pelosi declared her intention to change the procedural rules governing the proposed trade promotion agreement with Colombia. President Bush submitted the pact to Congress on Tuesday for a vote within the next 90 legislative days, as required by the ''fast-track'' authority under which the U.S. negotiated the deal with Colombia. Ms. Pelosi says she'll ask the House to undo that rule.

The likely result is no vote on the agreement this year. Ms. Pelosi denies that her intent is to kill the bill, insisting yesterday that Congress simply needs more time to consider it ''in light of the economic uncertainty in our country.'' She claimed that she feared that, ''if brought to the floor immediately, [the pact] would lose. And what message would that send?'' But Ms. Pelosi's decision-making process also included a fair component of pure Washington pique: She accused Mr. Bush of ''usurp[ing] the discretion of the speaker of the House'' to schedule legislation.

That political turf-staking, and the Democrats' decreasingly credible claims of a death-squad campaign against Colombia's trade unionists, constitutes all that's left of the case against the agreement. Economically, it should be a no-brainer—especially at a time of rising U.S. joblessness. At the moment, Colombian exports to the United States already enjoy preferences. The trade agreement would make those permanent, but it would also give U.S. firms free access to Colombia for the first time, thus creating U.S. jobs. Politically, too, the agreement is in the American interest, as a reward to a friendly, democratic government that has made tremendous strides on human rights, despite harassment from Venezuela's Hugo Chávez.

To be sure, President Bush provoked Ms. Pelosi. But he forced the issue only after months of inconclusive dickering convinced him that Democrats were determined to avoid a vote that would force them to accept accountability for opposing an agreement that is manifestly in America's interest. It turns out his suspicions were correct.

''I take this action with deep respect to the people of Colombia and will be sure that any message they receive is one of respect for their country, and the importance of the friendship between our two countries,'' Ms. Pelosi protested yesterday. Perhaps Colombia's government and people will understand. We don't.

Mr. DREIER. Madam Speaker, let me express my appreciation to my friend for pointing to these editorials because, as I said a few minutes ago, we've done a great deal of research. We've been trying desperately to find an editorial anywhere in this country that has been written in support of the egregious action taken by the Democratic leadership in this institution, undermining the ability to open up this very important new market for U.S. workers, agricultural products and manufactured goods. We hear from California and Illinois and other States as well. And I actually have, I think, about 15 of these editorials here with some incredible quotes that are pretty damning. And again, these come from publications that are hardly considered Republican mouth pieces.

You know, we had this very harsh criticism level at the President of the United States, and he somehow was trying to ram this thing through and rush it. We know that this agreement, the negotiation began 4 years ago, it was completed 2 years ago, and a year and a half ago it was signed. There have been constant attempts to bring this up; 27 meetings held with the Democratic leadership by this administration, and yet, as has been pointed out in these editorials, this terrible action was taken.

I'm very pleased that one of the great free traders in this institution who represents the very important port town of Houston, Texas, has joined us, another hardworking member of the Ways and Means—I guess we've got three members of the Ways and Means Committee here, so I'm particularly pleased to have members of that very, very important committee with us, including my good friend, as I said, from Houston, Mr. BRADY.

Mr. BRADY of Texas. Thank you, Mr. DREIER. And thank you for your leadership. I'm glad to join all the Members here tonight on this important issue.

The reason this country is so dismayed by the action last week is that it was such a huge loss for American jobs, for security in our hemisphere, and a big loss for America's prestige around the world.

□ 2115

Colombia's a remarkable trading partner, as you have noted. They are a remarkable study and model in progress, in democracy, and human rights, pulling themselves up by their bootstraps by rule of law and freedom of speech and freedom of trade, all the American traits that you have to admire. They're in our backyard. They're in our hemisphere. A remarkable trading partner.

I think last week many in America wondered just what happened to this great country. Who could imagine that America, with the world's largest economy, would cower from Colombia behind walls of protectionism? Who could imagine the world's strongest democracy would be afraid to even debate, even consider this agreement? And who could imagine, by changing the rules after we had already shaken hands and signed an agreement, that we would send a signal to the rest of the world that we are no longer not even a reliable trade leader in this world but we are not even reliable negotiators, that our word, our bond, our agreements mean nothing?

And the loss in jobs, as you know, America is wide open, Mr. DREIER. As you know, we can buy anything from almost any country anywhere we want in our communities.

Mr. DREIER. And that's a good thing.

Mr. BRADY of Texas. But when we try to sell our goods and services around the world, we find too much of it blocked. As we have said before, it's not enough anymore to just buy American. We have to sell American. We have to sell our goods and services throughout the world. But when we do, we find so much of the world is closed off, locked away from us.

Colombia, a great partner, has been selling their goods and services into America since 1991, but we face real barriers when we try to do the same, and this trade agreement creates that two-way trade.

For Texas I know it's critical. We're the largest seller of goods to Colombia. We sell about a little over a billion dollars a year in chemicals, construction, equipment and machinery and computers. And under this agreement we would sell another billion dollars of not only that but grapefruit and beef and financial services. A number of services our small businesses could sell into Colombia, our neighbor in the backyard and in our hemisphere. So we lost jobs here in America.

Colombia lost jobs because they lost a guaranteed market because by not acting, by changing the rules, they are now coming at a disadvantage to their neighbors, in Peru and Central American countries. So they actually lost ground from a jobs perspective.

And, finally, to turn our back on what a tremendous ally, as you have noted over and over, who has made such great progress, who we deserve to engage more and be a stronger partner with, not to turn our back on, it's a huge loss.

Mr. DREIER. I thank my friend for his very thoughtful contribution, Madam Speaker.

And one of the issues that has come to the forefront, and I would be happy to yield to any of my colleagues who would like to comment on this, has been this notion that the Colombian Government is somehow murdering union leaders. We have continued to hear this. And it is true. In the past it's been absolutely outrageous to see the treatment.

But in the last several years under the leadership of President Uribe, very important steps have been taken to bring to justice any of those who have been responsible for the heinous act of murdering these union leaders. And the government has done something which is totally unprecedented. The government does not want to see union leaders killed; so what do they do? There are 1,500 union leaders who enjoy full security protection paid for by the Government of Colombia. And yet we continually hear arguments put forward by our friends at the AFL–CIO that ''the Colombian Government is murdering our brothers.'' I mean I've heard that chant over and over and over again. Because, of course, as these very thoughtful arguments that my colleagues have put forward are there, the only response that they can have is the Colombian Government is murdering, is murdering, our brothers.

I would be happy to further yield to my friend.

Mr. BRADY of Texas. Very briefly, Judge Carter was with me and others here 2 weeks ago as we met with the general prosecutor, an independent prosecutor, for the country of Colombia.

Mr. DREIER. I believe he's called the Fiscalia.

Mr. BRADY of Texas. Yes. And he told us straight out, because we asked him, he said there is no thread, no direct or indirect thread at all, between the Colombian Government and any murders of anyone, much less union leaders. And he said what you've said, that this government has not only sat down to prosecute those who would commit violent crimes against union leaders but provides protection. In fact, it is safer to be a union leader in Colombia than just the general population might be. That is such an effort they have made. That government is providing a lower level of violence, a safer country for all citizens.

So the argument that they are targeting or that they are allowing it or just looking the other way is exactly

wrong, and the unions themselves told us that.

Mr. DREIER. That's right because, as I pointed out earlier, the private sector unions, and Mr. WELLER and I had this exchange, are very supportive of this. And I suspect that on your trip, you had a chance to meet with a number of those union leaders.

Let me just say that one Member who is here that we haven't heard from is the distinguished gentleman from Iowa.

Madam Speaker, I would be very happy to yield to my friend from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from California for yielding, and I thank him especially for gathering us together here for this Special Order.

Being mindful of the clock, there are a few points I would like to make. And one of them is to address our trade deficit. We have had a trade deficit over the last several years that has grown an average of about 20 percent a year. Now, it's flattened out in this last year because the weaker dollar has shifted so that we have more exports in proportion. However, I believe the dollar needs to be shored up. And why would a nation that has a trade deficit refuse to allow a trade agreement that would open up a country to allow our goods to go in?

I'm astonished continually at the continuing shift on the part of the Democrats. And I looked through the trade agreements that we have dealt with here since I have been in this Congress, and I'm thinking of trade agreements like Singapore and Chile and Australia and Morocco, the Central American Free Trade Agreement, DR–CAFTA. All of those gave us opportunities that were advantageous to us. And the logic in this is just as clear and simple: If you market something or if you're doing business with people, where you buy it from is where the jobs are. That's where the production is. We have production in the United States. We need to market more goods overseas. If we shore up the dollar, and I think we should, we're going to need to be more aggressive marketing our goods overseas. Colombia's sitting there waiting to open that up.

I have to say a couple kind words about our pork producers. They sold $8.5 million worth of pork into Colombia last year, not a lot. They're losing money on every head today. They need to open up this market. It would be in multiples if we would simply allow that tariff that's in Colombia to disappear, which would happen immediately if we could sign into this free trade agreement. That's some of the components.

But I am also more concerned about our relationships in the Western hemisphere. And as we watch Hugo Chavez teaming up and picking up the legacy of Fidel Castro and watching the unrest that's being promoted or watching tanks roll up to the border, these things are taking place in our hemisphere. And this Monroe Doctrine, I think, calls upon us to be good diplomats, good stewards of the money, and good promoters of trade, taking care of American jobs and protecting our opportunity to compete in the rest of the world. All of this comes together in this Colombia Free Trade Agreement.

What happened here in this Congress was a shameful act. And Americans have to be viewed as having character, the kind of character that holds up when a business deal is a deal. We did more than shake hands on this. This Congress passed it. The President signed it. This agreement was negotiated under terms that said this trade agreement will come to the floor of this House and it will be brought forward for a vote, up or down, in 90 days. That's the deal. That's the deal it was negotiated under. That's the deal that it should have been brought to the floor of this House under.

Mr. DREIER. Madam Speaker, I would like to reclaim my time so I could propound a question to my friend, and I don't mean to interrupt his very thoughtful statement.

But as I listened to the arguments that have been made by Speaker PELOSI and others against this, they said we have an economy that is weakening. We all know that is the case. Our economy is facing very serious challenges. Here again, this is Tax Day, April 15, and it is hard for people to make ends meet. It has become more difficult. So the argument has been made. I hear Speaker PELOSI regularly say we need to focus on American workers and their concerns rather than some kind of agreement, and so we should put off this agreement until our economy is stronger.

And I just don't quite understand that. And I wonder if my friend might enlighten me on exactly what the point of that statement is.

And I further yield.

Mr. KING of Iowa. If we took that position with every country on the globe, you could virtually guarantee our economy would collapse, not get stronger. We need to make every move that we can make to improve this economy. I'm really not as concerned as the pundits are, but it's prudent for us to open trade. Free trade, fair trade smart trade is a better code word for this, and it means jobs in America. The U.S. market is open to Colombia. They're saying, let's open our market to you. I'm happy to send Caterpillars down there. We buy them in my business. And I'm happy to send the pork down there that we produce and everything that we can compete with. This global market that we're involved in demands that we export, and the Western hemisphere demands that we lead. And that means we need to promote strong, strong relationships in the Western hemisphere. And as we watch the bullying tactics of Hugo Chavez, I think that cries out for us to shake hands with President Uribe and complete this Colombia Free Trade Agreement.

Mr. DREIER. So basically this would best be described as a win-win all the way around. It's a winner for the cause of democracy and freedom and the rule of law in South America, which we all know is very important. It's a winner when it comes to stopping those drug traffickers who are selling drugs, poisoning our children and grandchildren. And then we look at the opportunity created for the United States of America, our workers. They're greatly benefited by this.

And that's why I continue to try to figure out why it is that anyone would oppose this. I mean we use the term ''no brainer'' to describe this. It really is a no brainer. We used that in the debate last week. I know that the distinguished ranking member of the Ways and Means Committee, Mr. MCCRERY, and a couple of others have said this is a no brainer.

And these editorials that have been written, I think we probably should share some of the words of these publications that often criticize Republican policies who have come forward with this. I know a number of things have been put forward. But one thing just today, the Wall Street Journal had an editorial that was in strong support of a letter, an open letter, that came from former senior administration officials from the Clinton administration and Democratic Members of Congress, and it was signed by 35 of them, former colleagues of ours who are Democrats. And it includes people, by the way, just some of the signatories of this letter, the former Commerce Secretary William Daley, who is from Mr. WELLER's State that we talked about; Stuart Eizenstat, a very prominent brilliant economic mind; General Barry McCaffrey; our former colleague who was a Republican Senator but went on to be the Secretary of Defense in the Clinton administration, Bill Cohen, signed this. So a lot of people have signed this letter.

It says: ''We believe this agreement is in both our vital national security and economic interests. We feel that the treaty should be considered as soon as possible.'' I remind people it's not actually a treaty; it's an agreement. ''We feel that the treaty should be considered as soon as possible and that any obstacles be quickly and amicably resolved.''

The letter cites ''an overwhelming national security imperative'' and that ''President Uribe has been a strong and faithful ally. To turn our back on the Colombia Free Trade Agreement would be a severe blow to that relationship and would send a very negative message to our friends in a volatile region?

The letter praises Colombia for its ''dramatic improvement in security'' and for being ''a model of open market democracy that supports fundamental U.S. national interests'' and points out that these are ideals that many in the

region ''openly scorn,'' of course, referring, as my friend just said, to Hugo Chavez. The letter goes on to praise Uribe personally for his ''great personal courage'' in aggressively going on the offensive in fighting narcoterrorists and dramatically increasing drug interdiction and eradication of criminals to the United States, or extradition of criminals. Eradication of criminals too, we want to do that. It also praises his substantial progress in the issue of violence against trade unionists, pointing out that Uribe has provided special security protection to some 9,400 individuals. This number says including 1,900 trade unionists. I said 1,500, and this letter that these officials of the Clinton administration and former Democratic Members of the United States Congress said 1,900 trade unionists have been able to receive this kind of protection.

And that's why I implore my colleagues in the Democratic leadership to bring this up for a vote.

Mark my words, and I would ask any of my colleagues who are here if they disagree with my assessment, if after we go through these arguments, which we have begun talking about tonight and we talked a little bit about last week, is there any doubt that we would have strong bipartisan support with many Democrats joining with us in support of this?

□ 2130

I would be happy to yield to any of my colleagues who have any thoughts or comments on that at all. I suspect you might agree with me, but if you have any thoughts on it, I would be happy to.

Mr. BRADY, you look like you would like to cast your vote.

Mr. BRADY of Texas. Absolutely. There have been a number of Democrat colleagues who have traveled to Colombia to see that remarkable progress firsthand, who have assessed it themselves rather than playing the politics of it, and who have been both public and private in their support for this agreement. I think all they would like is an up-or-down vote, a fair chance to debate this issue and bring it to the floor. I am confident with it would pass. And I am confident we would send a completely different signal to our allies like Colombia and the rest of the world.

Mr. DREIER. Madam Speaker, my friend is absolutely right. And it is very interesting. We have heard the Speaker, Speaker PELOSI, talk about the need for trade adjustment assistance, a second stimulus package. And Madam Speaker, I would argue that the Colombia free-trade agreement, which will create an opportunity for more U.S. workers to sell their goods and agricultural products into Colombia is, in fact, trade adjustment assistance itself. And I would argue that this agreement, job creating, is in fact an economic stimulus package in and of itself. So if the commitment is to trade adjustment assistance and economic stimulus so that we can create more jobs in the United States of America, the answer is, pass the U.S.-Colombia free-trade agreement.

I would be happy to yield to my friend from Texas.

Mr. CARTER. I agree wholeheartedly that I think an up-or-down vote and we will have a Colombia free-trade agreement. I think that our Democratic colleagues will be reasonable and understand this. And I think we have the votes to get it done.

But I think Speaker PELOSI needs to release this and let us have a vote. That is the key thing. And you notice that letter you just read kept talking about national security. What we really have here, if you look at it closely, is a contest of two socialist—we used to call them Communist—a regime in Hugo Chavez, and we have Uribe who is trying to create a free democracy, and a free enterprise system. These are two, side-by-side competing systems that will influence that entire continent.

And that is why this is in our national security interest. It is not just a trade agreement which is going to benefit American workers. It is a security agreement that points to the direction that we stand up for what we believe in, democracy and free enterprise.

Mr. DREIER. My friend makes a very good and important point here. And I was talking to my colleague, Dan Lungren, who served here, I was pleased to serve with him during the 1980s when we were in the midst, and I know my friend from California came in 1986 to this institution. We have spent time, energy, resources and weapons in dealing with the expansion of Communism in Central America as we were providing resources to the Democratic resistance in Nicaragua known as the Contras. And we regularly hear criticism from Democrats that what we should be doing in Iraq is we shouldn't be using weapons, we should, in fact, be engaging and using trade and other things.

And what is it we have here? We have Democrats, the Democratic leadership, unfortunately, saying that as we seek to build a stronger relationship with a country that is standing up to narcoterrorists, that is standing up to the expansion of Hugo Chavez on their borders trying to extend into the country, and they are saying ''no'' to this. They are saying ''no'' to this because somehow they believe it is going to hurt U.S. workers.

To me it is absolutely outrageous that this has taken place. And Madam Speaker, let me express my appreciation to my colleagues for the time that they have spent here this evening. And I hope very much that Speaker PELOSI and the Democratic leadership will, in fact, schedule a vote on the U.S.-Colombia free-trade agreement before the August recess. Let's begin the process of debate and voting right now.

I thank again my colleagues, Madam Speaker, and with that I yield back the balance of my time.

IRAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from California (Ms. WATERS) is recognized for 60 minutes.

GENERAL LEAVE

Ms. WATERS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material.

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

There was no objection.

Ms. WATERS. The subject of my Special Order is Iran.

Madam Speaker, at the time the war in Iraq began in March of 2003, who would have thought that we were being led into perhaps the worst foreign policy disaster in America's history? Many of us voted against the war authorization in the first place. But many more Members wish they had voted against it. We now know that this country was led into this war with faulty intelligence and a deafening war drum from the administration.

The question that we raise tonight is this: Could the Bush administration possibly be planning for a war with Iran? There isn't any empirical evidence to prove that the Bush administration is planning for war. But there are experts that are indeed worried that the same playbook that was used to bring this country into the Iraq war is now being used to toward Iran. The administration is pushing suspect intelligence. And it has severely increased and sharpened since their rhetoric first began toward Iran.

We come to the floor tonight to resist efforts by this administration to paint war with Iran as a necessary next step in our so-called war on terror. A vast majority of foreign policy and military experts agree that war with Iran would be a colossal error.

Allow me to spend a few minutes to explain why I feel that U.S. strikes against Iran are a real possibility. Let us look at some of the signs that we may be headed for war. The increased rhetoric. The administration is building the volume of inflammatory rhetoric toward Iran in a similar fashion to the run-up to the Iraq war. Strong statements about Iran's intervention in Iraq could set the stage for U.S. attack on Iranian military or nuclear facility.

Surrogates in the administration, including the President himself, have increasingly stressed a full range of negative Iranian behavior, including that Iran is killing U.S. soldiers in Iraq, supplying weapons, training and funding to special groups.

They also say that Iran is interfering with the peace process in the Middle

East. And they go on to talk about General Petraeus and Ambassador Crocker as they argued that Iran is the major future threat to stability in Iraq.

Iran seeks to build nuclear weapons. When this point was dismissed by the recent National Intelligence Estimate stating that Iran had long since halted their nuclear enrichment, the administration criticized the report.

Allow me to read a short selection of clips from recent press clippings that expose the irresponsible rhetoric coming from the Bush administration. This headline from the Daily Telegraph on April 7, 2008: British Fear U.S. Commander is Beating the Drum for Iran Strikes. ''British officials gave warning yesterday that America's commander in Iraq will declare that Iran is waging war against the U.S.-backed Baghdad Government. A strong statement from General David Petraeus about Iran's intervention in Iraq could set the stage for a U.S. attack on Iranian military facilities, according to a Whitehall assessment.''

Another headline: Petraeus Says Iranian-Backed Groups Are Greatest Threat to Iraq. This is in the Bloomberg News April 9, 2008. ''The so-called 'special groups,' which are funded, trained and armed by Iran, played a 'destructive role' in the recent clashes between extremist militias and Iraqi Government forces in Basra and Baghdad, Petraeus said. 'Iran has fueled the violence in a particularly damaging way,' he told the House Armed Services Committee today in Washington, his second day of testimony to lawmakers. 'Unchecked, the 'special groups' pose the greatest long-term threat to the viability of a Democratic Iraq.''

Again, that was the Bloomberg News, April 9, 2008.

Another headline, the Voice of America, April 2, 2008, Israel to Redistribute Gas Masks Amid Fears of War with Iran.

''Israel's security Cabinet has decided to redistribute gas masks to the entire population amid fears of a nonconventional war with Iran. The last distribution was just before the U.S. invasion of Iraq 4 years ago.''

Another headline in the New York Times, April 12, 2008. The headline reads, Iran Fighting Proxy War in Iraq, U.S. Envoy Says.

''Iran is engaging in a proxy war with the United States in Iraq, adopting tactics similar to those it has used to back fighters in Lebanon, the United States ambassador to Iraq said Friday. While Bush administration officials have long denounced what they have described as Iran's meddling in Iraq, Mr. Crocker's language was unusually strong from Mr. Bush down, administration officials this week have been turning up the volume on Iran.''

A further sign that the U.S. may be headed for war is Admiral Fallon's resignation. In the aftermath of the disastrous invasion of Iraq, there has been discussion within media and in the military that senior military officers should have resigned when they knew the White House to be heading to a reckless war in Iraq.

Some are speculating that the recent retirement of Admiral Fallon is a direct result of his steadfast opposition to war with Iran. He even made his disagreements with the administration public before his retirement.

In a now-famous profile that Admiral Fallon agreed to do for Esquire magazine, he was characterized as the only man standing between war with Iran.

Let me read an excerpt from that article.

This was Esquire magazine, March 11, 2008. The title is ''The Man Between War and Peace.'' The article goes on to say that if in the dying light of the Bush administration, we go to war with Iran, it will all come down to one man. If we do not go to war with Iran, it will all come down to one, that same man. So while Admiral Fallon's boss, President George W. Bush, regularly trash-talks his way to world war III and his administration casually casts Iranian President Mahmoud Ahmadinejad as this century's Hitler, a crown it has awarded once before, to deadly effect, it's left to Fallon, and apparently Fallon alone, to argue that, as he told al Jazeera last fall, this constant drumbeat of conflict is not helpful and not useful.

Another sign that the U.S. may be thinking about war is the offensive against the Mahdi Army. Moqtada al Sadr has promised full-scale attacks on America's interests in Iraq in the event of strikes on Iran. As commander of the multinational force in Iraq, General David Petraeus still presides as the commander of the Iraqi security forces as well. Any operation against the Mahdi Army would have been authorized by him. What motivation did the United States have in fueling a violent confrontation with the powerful militia at a time when al Sadr had declared a truce and the progress of the surge was being reported to Congress?

One explanation is that recent operations against al Sadr's militia, the Mahdi Army, may have been meant to neutralize possible resistance inside of Iraq in the event of a strike on Iran.

□ 2145

The following five reasons are taken verbatim from an article in U.S. News and World Report that was published on March 5th entitled ''Six Signs the U.S. May Be Headed For War in Iran.''

Before I go into the five reasons that I have taken verbatim from this article in U.S. News and World Report, I am going to recognize the Congresswoman from Oakland, California, BARBARA LEE, who is cochair of the Progressive Caucus. She is one of the co-founders of the Out of Iraq Caucus. She has been consistent in her resistance to this war in Iraq.

She is an organizer. She is a constant speaker on the speaking engagement circuit, speaking with groups and organizations all over this country who want to hear from BARBARA LEE about what is going on in Congress.

The question she is most confronted with is when will this Congress end the war and bring our soldiers home? What are you going to do about a President who is ignoring the will of the people and ignoring the will of Congress in their attempts to resist the continued funding of the war? Every weekend, somewhere in this country, BARBARA LEE is attempting to answer those questions and engage the American citizens about what is happening here.

I yield to BARBARA LEE.

Ms. LEE. Madam Speaker, let me begin by thanking my colleague Congresswoman MAXINE WATERS, the gentlewoman from California, for organizing this very important special order tonight. Let me just say to you, Congresswoman WATERS, your clear voice and your sound judgment as the co-founder of the Out of Iraq Caucus has helped guide this antiwar movement, not only here in the House of Representatives, but throughout the country.

Your boldness and your vision in organizing those of us who knew that this war was wrong from day one in putting together over, what, some 77 members now of the Out of Iraq Caucus, I have to salute you and thank you for that, because we will never go back again. All we can do is go forward to try to end this occupation and try to prevent another preemptive war against Iran.

It is very timely that Congresswoman WATERS has called us here tonight to sound the alarm on Iran. It is truly disturbing to me to hear many of the same drumbeats on this administration 's march to war with Iran as we saw 5 years ago in the run-up to the war in Iraq. So I want to provide just a little bit of history on Iraq to draw out some of these parallels, in the hope that they will provide Congress and the American people with a clear warning signal.

Madam Speaker, this discussion is also timely today because today is April 15th, and millions of Americans across our country are right now racing the clock to beat the tax filing deadline. Lots of them are asking, how much do they owe and what is the government doing with their money?

One answer, Madam Speaker, is that in the last 5 years, this administration has spent nearly a half trillion dollars on the Iraq war and occupation. This Iraq tax, and that is what it is, an Iraq tax, comes out to approximately $16,500 for every American family of four. Has the tax been worth it? Let's look at what we have gotten in exchange.

More than 4,000 of the Nation's best and bravest have been killed. More than 30,000 others have been wounded, many suffering permanent and debilitating injuries. Tens of thousands of innocent Iraqi civilians have died, and millions have been internally displaced or sought refuge in neighboring countries. Meanwhile, the occupation of

Iraq has caused serious damage to America's international reputation and created a generation, mind you, a generation of future enemies incensed by the endless occupation of their country by a foreign power.

Madam Speaker, compounding the folly of this strategic blunder, the $500 billion which American taxpayers already have spent on this occupation is now undermining our ability to finance the investments needed to address the pressing domestic needs of the American people and to revive our sagging economy. Given what the Iraq tax has brought American families, and this $500 billion is quickly mounting to almost $3 trillion very soon, is anyone really surprised that the American people are angry and demanding change?

The saddest aspect of this whole story and this whole episode, Madam Speaker, is it did not have to be that way. Along with 125 of my colleagues, a substantial majority of House Democrats, I opposed the war, like Congresswoman WATERS did, from the beginning, and we voted against the resolution authorizing the use of military force.

I offered an amendment Congresswoman WATERS supported, we got 72 votes during that period, to the original use of force resolution to prohibit the administration, remember this, Congresswoman WATERS, we tried, we tried, we did everything we could do to try to keep the administration from taking military action until the United Nations could complete their inspections and confirm that Saddam Hussein's regime indeed possessed weapons of mass destruction which it intended to use against us or to give to our sworn enemies.

Had the Lee amendment been adopted, we would have learned much sooner and at far less cost what the whole world knew, that evidentially we didn't know, but some of us knew, but the whole world now knows, including the American people, that Iraq did not pose an imminent threat to the United States, was not involved in the September 11th attacks, had no ties to al Qaeda and had no weapons of mass destruction.

The war and occupation has also exacted an awful toll on our military force, our structure, our readiness, and the men and women in uniform and their families. General Richard Cody, the Army Vice Chief of Staff, testified before the Congress that the Army is out of balance. The current demand of our forces in Iraq and Afghanistan exceeds the substantial supply and limits our ability to provide ready forces for other contingencies.

Because of this administration's mistake, tens of thousands of servicemen and women have been required to undertake lengthy deployments into the war zone, two, three, and some even four times. This has placed enormous strain on them and their families and increased their risk of struggling with mental health issues, including when they return home many, many posttraumatic stress issues that we have never seen before. Nearly 60,000 veterans of the wars in Iraq and Afghanistan have been diagnosed with posttraumatic stress disorder, and most experts in the field believe the numbers could be much higher.

Some may ask, why is it necessary to review this history? Well, as the old saying goes, those who forget history are doomed to repeat it. The other reason for reviewing this history is because it goes straight to the veracity and the credibility of this administration that brought us this debacle and which may be maneuvering to reprise its strategic and geopolitical incompetence by taking preemptive military action against Iran.

If you listen carefully, you can hear the same distant drumbeats of a coming war with Iran. The signs are very familiar. Nearly on a daily basis we read or hear these from the administration, and let me just repeat a few of these drumbeats that we hear.

They say Iran is the single greatest threat to the stability in Iraq, although when I asked General Petraeus last week if Iran was in Iraq 5 years ago, he said they weren't really ''kissing cousins.'' I think that is what his comment was. No, Iran was not in Iraq 5 years ago.

Iran is building nuclear weapons.

Iran is killing American soldiers in Iraq, arming, training and funding insurgents and terrorists.

Iran is interfering with the peace process in the Middle East.

I am reminded how the administration sent General Colin Powell, do you remember that, Congresswoman WATERS, the Secretary of State, by far the most effective and respective spokesman, before the United Nations Security Council to make the case to the world that Iraq posed an imminent threat to regional peace and security. The case presented by General Powell accomplished its mission, but its factual foundation rested on falsehoods, misinformation and speculation masquerading as evidence. To this day, General Powell regards his performance that day as really a mark on an otherwise distinguished career of public service to our Nation.

General Petraeus is the 2008 version, quite frankly, of General Powell. He inspires more confidence than President Bush and is far more credible than Vice President CHENEY. But so did General Powell inspire and bring this credibility to this administration, and he turned out to be wrong; terribly wrong.

Again last week, General Petraeus testified that Iranian-backed so-called special groups posed the greatest long-term threat to the viability of a Democratic Iraq. He testified that it was these groups that launched Iranian rockets and mortar rounds at Iraq's seat of government two weeks ago, causing loss of innocent life and fear in the capital and requiring Iraqi and coalition actions in response.

This is starting to sound like the groundwork being laid for the need to take defensive action against Iran. This is unacceptable. We should not be looking for an excuse to attack Iran. Congress should not stand for yet another so-called preemptive military strike, and we should take action to clearly prohibit any such attempt against Iran.

As I stated, we have been down this road before. We have learned a simple truth from five hard and bitter years in Iraq. No unjust war ever produced a just and lasting peace. It has not worked in Iraq. It will not work in Iran.

What is needed is not another rush to unwarranted, unnecessary and misguided military action, but rather a strong diplomatic surge for peace and reconciliation. And, yes, I do believe that a nuclear-armed Iran poses a danger. I believe we need to move forward with nonproliferation efforts, including looking at our own arsenal of nuclear weapons in our own country. Nuclear weapons should not be an option at this point, given the dangers of the world. So we need to address nuclear nonproliferation in the context of a strong diplomatic initiative.

One of the most important first steps we should take is to have direct, comprehensive and unconditional bilateral talks with Iran. To facilitate this goal, it is imperative for the administration to show that it is serious in this endeavor by appointing a special envoy. I think we need to appoint a special person, an individual who does nothing but ensure that we move forward to reduce the tensions in the region, and this envoy should receive the necessary support to carry out his or her mandate.

That is why I introduced H.R. 5056, the Iran Diplomatic Accountability Act of 2008. Among other things, this bill directs the President to appoint a high level envoy empowered to conduct direct, unconditional, bilateral negotiations with Iran for the purpose of easing tensions and normalizing relations between the United States and Iran. No one says this is going to be easy, but we must start somewhere.

The latest National Intelligence Estimate released last week representing the consensus view of our 16 intelligence agencies clearly indicates that Iran is nowhere close to having nuclear weapons capability. The NIE assessment underscores why it is critical for Congress to ensure that this administration's saber rattling against Iran does not turn into a march to war. We have been down this path before.

Madam Speaker, in conclusion, the last 5 years in Iraq demonstrates the folly of rushing off to start a war. We don't need another war in Iran. We need to end the war in Iraq and fully fund the redeployment of American troops so that they may be reunited with their families in the United States. We need to use our funds to support them, protect them, and bring

them home. And we need to begin to move forward to address the real issues with regard to Iran and begin to take the military option off of the table, because our President, this country always has the military option, and it makes no sense to use this or to talk about it if we truly intend to reduce tensions and look for some form of global peace and security.

Thank you, again, Congresswoman WATERS for calling us together today.

Ms. WATERS. I would like to thank the gentlewoman from California for her consistent and persistent leadership on this issue of war in Iraq, and I thank her for coming to the floor this evening to help sound the bell against a possible march to war with Iran.

We have been joined by another one of our colleagues who too has been consistent in his opposition to this war. From the very day that he first came to this chamber, he made it clear where he stood on this war. He has joined with us on the floor on many other occasions and it is a constant part of his agenda wherever he is to remind people that we are in a war that makes no sense, where lives are being lost, and hopes and dreams are being dashed.

He brings a special kind of understanding about what is going on because of his familiarity with the Arab nations and with Islam, and he has done a wonderful job of helping to teach and introduce to the Members of this Congress other cultures and helping us to understand how they operate, what they are all about, and helping us to gain respect for those that sometimes are singled out for war, when, of course, problems and issues could be handled with diplomacy.

I am proud to yield time to Representative KEITH ELLISON to sound the alarm.

□ 2200

Mr. ELLISON. I would like to thank you, Congressman WATERS and Congressman LEE. Before I got to Congress I thought both of you just were towering heroes of peace. Now that I have been here and had the chance to get to know both of you, I am certain that I was right from the very first impression I had of you. Thank you for standing up and calling this special order tonight.

The point I would like to make is simply this. We see in Iran a country we have not had any open diplomatic relationships with since 1979, except for brief moments around IEDs last summer. The meetings have not been continued, and, in essence, we have had no real diplomatic relationships with Iran in many, many years.

Many Americans don't remember the day when we did have relationships with Iran. Yet, despite all these years of having no diplomatic ties to Iran, no open communications, channels of communications, it really has not solved any of the problems. Not talking has not helped.

I want to join with Representative WATERS and Representative LEE in calling for an open dialogue, unconditional bilateral dialogue. Dialogue is not a gift, dialogue is not a present, dialogue is not a reward.

Dialogue is a tool that can help us stabilize the world, bring peace to millions and millions of people all over the world. Dialogues should not be used as some sort of a gift. It doesn't make sense for any nation to say capitulate to our demands, and then we will talk to you. The very purpose of negotiation is to say, let's talk, and the first agenda item could be serious problems we have with one another.

But the start is talking, unconditional talking, talking with a clear agenda in mind, talking with no illusions about differences. But talking, nonetheless, is something that I think we need, and we need it now.

I want to say that our effort to isolate Iran by not talking to Iran, reminds me of our effort of trying to isolate Cuba by not talking to Cuba. Now everybody in the world does business with Cuba except the United States. American farmers wanting to sell grain, Cubans want to buy stuff from the U.S., people wanting to see family, those things are hampered because we are the only ones in the world maintaining this policy of nondialogue. I fear that we could end up in the same way with Iran.

Let me just point out an article in the Times online from March 3, 2008. The headline is, ''Four kisses, then the band played: the day former foes became friends.''

It starts out describing a meeting between Mahmoud Ahmadinejad and Nouri al-Maliki. It goes on to talk about how a young girl dressed in a white dress clutched a bouquet of flowers as she waited with a small boy in a smart suit to greet President Ahmadinejad of Iran, who began a historic visit to Iraq.

Earlier today, we heard a speaker who I won't name say that, oh, the United States needs to get with China and Russia to isolate Iran. China and Russia, we can't even get Iraq to isolate Iran.

We can't even get Iraq, a country we have invaded and essentially have taken over, though it does operate under the guise of sovereignty, we can't even get them to say don't talk to Iran. They have open relationships with Iran and are building them more and stronger every day. It doesn't make any sense.

Now, it's not just Iraq that has a welcome mat for Iran. But let me just say that when Americans, Members of Congress go to Iraq, all of us know we go into military aircraft that takes evasive maneuvers into Baghdad, because we are concerned about our safety.

This is a fact. So much for isolating Iran from Iraq. Okay, well, then, what about another country, Pakistan. We send a lot of money to Pakistan. Yet Pakistan announced in a March 5, 2008 article, the Times of India, Iran, on Wednesday, said it was ''ready to sign the India-Pakistan-Iran gas pipeline deal,'' but technical issues between the two are hindering the process.

''We are ready to sign the agreement as soon as possible,'' Iranian Deputy Foreign Minister for Economic Affairs said. ''Everything is okay from our side. There are some technical issues between India and Pakistan,'' he said.

''The India-Pakistan-Iran pipeline, which is dubbed as the 'Peace Pipeline,' is stuck over issues such as price and transition fees.''

So much for isolating Iran from Pakistan and India. All right, so Iraq, they are talking to them, Iran, Pakistan and India are talking, but, okay, maybe we can still get Russia and China, countries that have militaries, countries that have economies, countries that have been freestanding and independent for many, many, many, many, many years.

Okay, what about Afghanistan? Isn't that country essentially a failed state which we invaded and kicked out the Taliban and now are trying to reconstruct today?

''In the electricity substation just outside of Herat, western Afghanistan, there's the loud hum of power—Iranian power,'' that's right. ''More electricity reaches Herat than the city can use, but the industrial park just across the road from the NATO military base is putting it to good use.

''Small plastic bottles of fizzy orange juice shuffle along the conveyor belt to be labeled and packed—the building is noticeably Iranian in design and the markings on the machinery show exactly which country helped these Afghan businessmen.

''The camels grazing outside cautiously cross the fast, straight, asphalt road—one of the best roads in Afghanistan stretching 120km to the border.

''Soon a railway will link Afghanistan to Europe, or so boasts the Iranian government.''

I would just mention, with a quick Google search, Iraq, India, Pakistan and, now, Afghanistan are all coalescing economically with Iran. We are not talking to Iran. We don't talk to Iran. We don't want to try to get into that market of 70 million people. We don't want to try to open up diplomatic ties and work on issues.

We are not trying to solve this nuclear conflict with dialogue, discussion and open conversation. We are just trying to isolate them, but nothing suggested we are being successful at doing that.

The fact is maybe isolation of Iran is not the right tactic. Maybe the right tactic is to try to talk to them, to try to build a better relationship, to try to have cultural exchange, try to have exchange of views, different though they may be, with an eye toward a more peaceful world, with an eye toward a world in which people can have security and in which an eye toward which the world can rest and feel their children are safe at night.

The fact is this saber rattling, I remember that it was about maybe 16 months ago that I sat in my first meeting that I ever had with the President, with, I believe, Representative LEE and Representative WATERS. I think it was Representative LEE who said, are you, Mr. President, planning on hitting Iran? He gave us a sure statement that he was not.

Yet ever since that time, all we have been hearing, time and time again is that Iran is the problem.

I don't know how Iran could be the problem in Iraq without the complicity of the Iraqi government. I mean, I need somebody to correct me on this point because I just don't get it. How can Iran be an issue in Iraq unless Iraq wants them in the country. It just doesn't make any other kind of sense to me, and I need somebody to explain that, because maybe I have just not been in Congress long enough to get it.

Let me just say, I want to move aside now, and I want to thank the two Members who have been leading the charge, along with Congresswoman WOOLSEY, who is recovering from back surgery. I know if she was feeling better she would be right better with you, the triad, the triad for peace. I admire you so much.

Ms. WATERS. Thank you very much, I am so pleased and proud to have been joined by my colleagues here this evening to sound the alarm. Let me say that again, we are sounding the alarm. We are opening up the debate. We are raising the questions. We are challenging this administration on the issue of war with Iran.

We are saying, Mr. President, we have watched, we have listened, and we have learned. We are smarter people when we hear talk about war, when we hear accusations being made. When we hear a march to war we now recognize it for what it is. It is a given that we have this knowledge that we have acquired since we have been here since the start of the war with Iraq. We do not intend to sit idly by without opening up the discussion, without making the challenge, without raising the questions.

As I said, prior to the opening lines of the presentation that was just given by Congresswoman BARBARA LEE, there were signs of war that have been identified, not only by some of the experts that we have been talking to, but by those who have been writing and watching what has been going on.

As I mentioned before, there is talk, and there are news articles.

U.S. News & World Report, published on March 11, title, ''6 Signs the U.S. May Be Headed for War in Iran.'' Let me repeat that, U.S. News & World Report published on March 11 titled ''6 Signs the U.S. May Be Headed for War in Iran.''

Warships off of Lebanon, with the Army fully engaged in Iraq, much the contingency planning for possible military action has fallen to the Navy, which has looked at the use of carrier-based war planes and sea launch missiles as the weapons to destroy Iran's air defenses and nuclear infrastructure.

''Two U.S. warships took up positions off Lebanon earlier this month, replacing the USS Cole. The deployment was said to signal U.S. concern over the political stalemate in Lebanon and the influence of Syria in that country. But the United States also would want its warships in the eastern Mediterranean in the event of military action against Iran to keep Iranian ally Syria in check and to help provide air cover to Israel against Iranian missile reprisals. One of the newly deployed ships, the USS Ross, is an Aegis guided missile destroyer, a top system missile defense against air attacks.''

This article goes on to talk about ''Vice President Cheney's peace trip: Cheney, who is seen as a leading hawk on Iran, is going on what is described as a Mid East trip to try to give a boost to stalled Israeli-Palestinian peace talks. But he has also scheduled two other stops: One, Oman, is a key military and ally and logistics hub for military operations in the Persian Gulf. It also faces Iran across the narrow, vital Strait of Hormuz, the vulnerable oil transit choke point into and out of the Persian Gulf that Iran has threatened to blockade in the event of war. Cheney is also going to Saudi Arabia, whose support would be sought before any military action given its ability to increase oil supplies, if Iran's oil is cut off. Back in March, 2002, Cheney made a high-profile Mid East trip to Saudi Arabia and other nations that officials said at the time was about diplomacy to Iraq and not war, which began a year later.''

Vice President CHENEY has been on that trip, as we pretty well know, based on the advanced intelligence revealed by this very, very well-placed article.

They go on to talk about the Israeli air strike on Syria.

□ 2215

Israel's air strike deep in Syria last October was reported to have targeted a nuclear-related facility, but details have remained sketchy, and some experts have been skeptical that Syria had a covert nuclear program.

An alternative scenario floating in Israel and Lebanon is that the real purpose of the strike was to force Syria to switch on the targeted electronics for newly received Russian anti-aircraft defenses. The location of the strike is seen as on a likely flight path to Iran. That is also crossing the friendly Kurdish-controlled northern Iraq. Knowing the electronic signatures of the defensive systems is necessary to reduce the risk for warplanes heading to targets in Iran.

They go on to give the other identification markers that should be watched and should be vetted.

Israeli comments. Israeli President Shimon Peres said earlier this month that Israel will not consider unilateral action to stop Iran from getting a nuclear bomb. In the past, though, Israeli officials have quite consistently said that they are prepared to act alone if that becomes necessary to ensure that Iran does not cross a nuclear weapons threshold. Was Peres speaking for himself, or has President Bush given the Israelis an assurance that they won't have to act alone?

Israel's war with Hezbollah. While this seems a bit old, Israel's July 2006 war in Lebanon against Iranian-backed Hezbollah forces was seen at the time as a step that Israel would want to take if it anticipated a clash with Iran. The radical Shiite group is seen not only as a threat on its own, but also as a possible Iranian surrogate force in the event of war with Iran. So it was important for Israel to push Hezbollah forces back from their positions on Lebanon's border with Israel and to do enough damage to Hezbollah's Iranian-supplied arsenals to reduce its capabilities. Since then, Hezbollah has been able to rearm through a United Nations force that polices a border buffer zone in southern Lebanon.

So as you can see, there is quite a bit of reason to be concerned about the administration's saber-rattling towards Iran. There is no way to prove their intentions, and I hope we are wrong, but we really can't afford to be wrong.

Another encounter like in January between the U.S. Navy and an Iranian speedboat could be used as an excuse for retaliation similar to the Gulf of Tonkin incident that began the Vietnam War. The White House would simply claim that we were ''provoked'' and were defending ourselves.

I would like to stop at this time and yield time to the gentlelady from Houston, Texas, who has been consistent in her work with the Out-of-Iraq Caucus in an attempt to bring our soldiers home. It is with great pleasure that I yield to Congresswoman JACKSON-LEE.

Ms. JACKSON-LEE of Texas. I thank the distinguished chairwoman, MAXINE WATERS. I would say I am delighted to be part of the Out-of-Iraq Caucus, but that is not the appropriate term. I am delighted, however, to join my colleagues, Chairwoman WATERS and Congresswoman BARBARA LEE and the other members who have participated and submitted their statement.

I wanted to join my colleagues because it has been a very long journey. I remind Congresswoman WATERS in the fall of 2002, we were working hard for people to study the resolution being put before them. We garnered some 133-plus votes to vote in opposition to the then-Iraq resolution.

I want to speak constitutionally and why this special order and the position that Members are taking in opposing any preemptive attack or invasion of Iran and standing solidly against the perceived authority that the President may have.

Frankly, if we look at the 2002 resolution, we will find that it can be assessed that the President's authority

has expired. Saddam Hussein is no longer there. Elements of the resolution required that. The government has changed. There has been a democratic election, and there may be some question as to whether the adherence of the U.N. Security Council resolution is still part of that 2002 war resolution. But I would argue that there have been so many resolutions in the U.N. we could also concede the point that we have protected or adhered to those resolutions.

I truly believe that we are at such a point in history that any actions by the President would warrant extreme actions; or I should not suggest extreme, I should suggest constitutional actions by this Congress. It may warrant raising issues of impeachment. The reason I say that is to use the War Powers Act in a way that ignores the constitutional privilege and right of this Congress to declare war, I believe, is not doing well by the American people.

We already know the results of a war without end, the Iraq war, that is costing $339 million a day, that has already gone past a trillion dollars, that has seen 9,500 of our soldiers injured or maimed, sometimes injured or maimed for life, to see 4,000-plus die. It is a war without end.

Frankly, the question has to become what is the President's goal and intent if he has an idea that Iran is the next target. Has he looked to diplomacy and looked to the question of working with China or Russia to contain Iran? Has he looked at negotiation with the individuals in Iran who really may be interested in some sort of resolution? Is he buying into the constant refrain that Iran is providing the weapons in Iraq? Is he also looking to the perceived friendship between the Iraq government and the Iran government? None of the above.

What I sense in the administration is a percolating attempt to attack Iran, and that percolating attempt based upon the representation of nuclear weapons. I don't want Iran to possess the capacity to engage and to utilize nuclear weapons, nor am I interested in protecting an Iran that has been hostile to the world. I am not interested in coddling terrorists. But we can clearly see that the policies in Iraq have not deterred the terrorists. They have only grown the terrorists. And I would question whether the only way to create peace in the Mid East is to again attack another country in the Mid East.

It is important that we continue to engage for two distinct states, the Palestinian and Israel negotiations. I would have hoped that this administration would have spent their time following through on the road map that the President announced some few years back. I believe that we were distracted in Iraq. We were distracted in Iraq from Afghanistan and from solving the Palestinian-Israeli question.

So I rise today to join my colleagues and say not on my watch, absolutely not. The statistics of the war in Iraq are devastating. Yes, I am prepared today to declare a military success in Iraq. A military success means that our soldiers on one and two and three and four redeployments have done everything the Commander in Chief has asked them to do. Saddam Hussein is gone, there have been democratic elections, and U.N. resolutions adhered to. Bring those soldiers home, declare a military success, and make the statement to the American people that we will never recklessly invade another country.

Iran is somewhat different from Iraq; and, therefore, may have a different story to tell. It may not be the easy route that they might have thought Iraq was. But frankly, my view is that we have crossed the constitutional bounds and that as I yield back to the distinguished chairwoman, I simply believe that we have come to a crisis point that this Congress must accept its duty and say to the President that no war can be declared without a vote of the United States Congress under the Constitution, and I would join with my colleagues, the chairman of the Human Right Subcommittee on International Issues of the Foreign Affairs Committee, Chairman DELAHUNT, to suggest that the War Powers Act should be amended and should now be that it can only be utilized by a President when the Nation is under imminent attack and when there is necessity to go forward to protect our citizens. Other than that, that War Powers Act should be amended, it should be drawn down, and we should stand with the Constitution. No invasion of Iran on my watch, and constitutional implications for the President of the United States if such attack is proposed.

I thank the distinguished gentlelady for her leadership in the Out-of-Iraq Caucus.

I join my colleagues here tonight to discuss a very important issue: the possibility that this Administration may be intent on leading us into another war in the Middle East, this time against Iran. I would like to thank my colleague Congresswoman WATERS for organizing this special order on Iran. Even as we remain engaged in a war in Iraq to which there is no military solution, this Administration has begun beating the drum for war with Iran. I strongly urge my congressional colleagues to send a clear message to President Bush that he does not currently have authorization to use military force against Iran.

Mr. Speaker, I believe that using a military strike against Iran would be a colossal error. As a nation, we are still paying an unacceptably high price for this Administration's ill-advised and ill-executed invasion of Iraq in March 2003. In 2002, when I voted against the Joint Resolution to Authorize the Use of United States Armed Forces Against Iraq, I did so because I believed that this would be a war without end. I believed this resolution would trap us in a conflict that, like the Vietnam War, would consume American resources and lives without tangible yield. Unfortunately for the people of both this country and Iraq, this has proven true.

As a nation, we have already paid an enormous price for the war in Iraq. We have squandered an exponentially increasing amount of money, and, worst of all, lost an unacceptably large number of American lives. However, the over 4,000 U.S. casualties and the $3,919 per second ($123.6 billion per year) we are spending in Iraq have bought neither peace nor security.

Mr. Speaker, even as our troops are caught in the midst of instability and civil war in Iraq, the President has begun the march to war with Iran. We cannot compound the mistakes of the Iraq war with the even bigger mistake of opening up a second military conflict in the Middle East. And yet, the Administration has begun to set the stage for a U.S. attack on Iranian military or nuclear facilities by issuing strong statements about Iran's intervention in Iraq, and using inflammatory rhetoric against Iran in a similar fashion to the run-up to the Iraq war.

In recent weeks, the Administration has increasingly referred to negative behavior of the Iranian regime. Despite contrary findings by the National Intelligence Estimate (NIE), Bush has increasingly stated that Iran is building nuclear weapons. The Administration has also cited Iran as a cause of instability in Iraq, and has argued that Iran is killing U.S. soldiers and supplying weapons, training, and funding.

I certainly believe that the current state of affairs in Iran, and specifically those issues relating to U.S. sanctions on Iran and the security of the region, are extremely important and in desperate need of discussion. As a Member of Congress, I find Iran's support of terrorist organizations, pursuit of nuclear weapons, and dismal human rights record to be extremely worrisome. However, I am also concerned by what appears to be movement by this Administration toward yet another war in the Gulf region, without having first exhausted diplomatic means of addressing any conflicts.

I have long been an advocate of a free, independent, and democratic Iran. I believe in an Iran that holds free elections, follows the rule of law, and is home to a vibrant civil society; an Iran that is a responsible member of the region and the international community, particularly with respect to the proliferation of nuclear weapons. An Iran that, unfortunately, we do not see today.

The only effective way to achieve lasting peace and prosperity in the region, along with bringing about reforms in Iran's polity, is to assist the Iranian people in their quest to achieve political, social, and religious liberty. Every government can be judged with the way in which it treats its ethnic and religious minorities, and the current Iranian government gets a failing grade for its treatment of its many and diverse minorities.

The controversy surrounding Iran's procurement of nuclear energy is cause for great concern; however, the administration's avoidance of any and all diplomatic relations with Iran is cause for greater alarm. Moreover, the current rhetoric from the Bush Administration regarding war with Iran is both counterproductive and highly inflammatory. While full diplomatic, political, and economic relations between the U.S. and Iran cannot be normalized unless and until enforceable safeguards are put in place to prevent the weaponization of Iran's nuclear program, these policy objectives should not constitute pre-conditions for any diplomatic dialogue.

Establishing a diplomatic dialogue with the Government of Iran and deepening relationships with the Iranian people would help foster greater understanding between the people of Iran and the people of the United States and would enhance the stability and the security of the Persian Gulf region. Doing so would reduce the threat of the proliferation or use of nuclear weapons in the region, while advancing other U.S. foreign policy objectives in the region. The significance of establishing and sustaining diplomatic relations with Iran cannot be over-emphasized. Avoidance and military intervention cannot be the means through which we resolve this looming crisis.

Mr. Speaker, Middle East experts have repeatedly stated that a U.S. attack on Iran would have disastrous consequences. Among possible outcomes, many experts agree, would be an Iranian counter-attack on U.S. and Israeli interests in the region or throughout the world. Such an attack could also lead to a greater Middle East War, and would undoubtedly bring with it a greater loss of life and financial burden.

Mr. Speaker, now is the time that we need to be looking to ending one Middle East conflict, not to beginning another. We need to work to rebuild our standing in the international community, not to raise further enmity in the Middle East and beyond by attacking another nation. I strongly urge my colleagues to speak out against any potential military strike in Iran.

Ms. WATERS. I thank the gentlelady from Texas, and I am very, very appreciative of the fact that the gentlelady is one of the Members of Congress that we can always count on to confront the challenges that we are confronted with, particularly as it relates to this war, and at this time I yield to the gentlewoman from California (Ms. LEE).

Ms. LEE. I, too, want to commend the gentlelady from Texas for raising some of the constitutional issues that we have to grapple with each and every day.

I would like to talk briefly about the issue of the preemptive strike which is central to this administration's foreign and military policy.

In essence what the Bush administration has decided is that it is all right, and actually it is their standard, to be able to use force not necessarily in the face of an imminent threat, but it is all right and it is a policy of this administration to be able to use force to prevent a future perceived threat. All of this is couched in this global war on terror where oftentimes they believe they do have a blank check to use force wherever they want to go in the world.

When you look at what they are trying to do now in Iraq with regard to the security agreements, they are trying to negotiate a permanent military presence in Iraq without even coming back to Congress to try to get the authority to do that. I think minimally, and we have several bills that have been introduced into this body, that basically just say before the administration decides to use force or take military actions or strike Iran, minimally they must come to Congress to seek authorization.

Well, for the life of me, this is the People's House. I cannot figure out why we cannot have a resolution as basic as that come to this body so we can pass that. I think that should be a minimum standard to protect the American people from first of all what could be total chaos. Secondly, when you just look at the expenditure of resources and what a possible preemptive strike could cost as it relates to Iran in terms of treasury, blood, our young men and women and also our financial resources. We may just be a few voices in the wilderness crying out tonight, but we are crying out very loudly and asking the American people to look at these signs because as Congresswoman WATERS said, we are sounding the alarm so we can stop what appears to be on the horizon.

Ms. JACKSON-LEE of Texas. If the gentlelady would yield, I just came back from Iraq, and you are so right. After going and I think getting a very wide view of the status of affairs there, clearly as we have understood or understand, the government is leaning on the captains of our military. Ranks at the captain level are like the government. There is no seeming intent or plan that would cease the Maliki government from leaning on the United States military, using it as a crutch. So there is no evidence that suggests that they don't intend to have permanent military bases. In fact, every indication from the presentations of the military and others is that they would have it. I believe they are in violation of maybe not the rules of this House, but certainly the respect of the three branches of government.

Finally, I would say that I have legislation that declares a military success, that lists the criteria under which our soldiers went in, and moves it to a diplomatic surge. We should not fool ourselves. The intent is a permanent base that allows them to do the preemptive strike that you are speaking of against any country in the Mideast, and in particular Iran. I believe we have to stop it now, and we have to stop it forever, and we have to lean on the Constitution because we have seen over the last couple of years the Constitution ignored, and that simply cannot stand in this place called America.

□ 2230

Ms. WATERS. Thank you very much to both SHEILA JACKSON-LEE and BARBARA LEE for, again, their constant and consistent struggle working in this House against the war.

Mr. Speaker, and Members, press reports have given us some indications of the thrust of current White House directed planning. The strike would be against Iranian terrorist facilities, the Revolutionary Guard units and/or nuclear production facilities, a limited air strike operation with the objective of changing Iranian behavior. Those who argue for the strike are saying there will be very few U.S. casualties and very few Iranian civilian casualties. Nevertheless, we all know that U.S. strikes against Iran would be disastrous.

Middle East experts generally agree that Iran would respond to a U.S. strike by attacking U.S. and Israeli interests throughout the region and possibly globally. These strikes would lead to a greater Middle East war, including greater loss of life, financial burden, over stretch of our military and worse.

We're sounding the alarm this evening and we are sending a message to the President of the United States of America and to the Vice President, particularly now to the Vice President, who, when he was reminded by an ABC News reporter that the recent polls show that two-thirds of Americans say the fight in Iraq is not worth it, his response, ''and so?''

Well, Mr. Vice President, our ''and so'' to you tonight is, and so the American people do not want us to continue this war in Iraq and to air strike in Iran. We're sounding the alarm. And I will yield time to the gentleman who just left the Speaker's seat to complete this colloquy that we've had here this evening.

Mr. ELLISON. Madam Speaker, I just want to again thank Representatives WATERS and LEE and SHEILA JACKSON LEE.

I just want to make a few quick points. We're under no illusions. I think that by this special order, I don't think anyone intends to excuse bellicose, inflammatory remarks that have been made by the President of Iran. There's no excusing that. But you don't deal with bellicose remarks with a war. You deal with bellicose remarks by issuing a statement condemning those statements, but not with a war. And I don't think any bellicose statements or inflammatory remarks by the President of Iran could ever justify an attack which will result in the massive loss of life.

I also want to say that a strike against Iran, no one can predict what the consequences of that will be. Will it excite the Shiia community in Pakistan, of which 30 percent of the people are Shiia there? What will it do to Afghanistan?

Again, Iran is providing electricity in Afghanistan in an effective way, much, much more than other countries have done. Again, Kabul and Kandajar are not electrified 100 percent of the time.

What will happen in Lebanon? Will that inflame another war such as the one in the summer of 2006? That could inflame the region, and no one knows whether bombs will start falling from other parts of the region.

This war against Iran, a strike against Iran has no clear outcome. It is a very bad idea. And I think that what we must do is pursue diplomatic negotiations, and remember that negotiation is not a reward, it's not a gift, it's not a present; it's a tool for the security of the world.

Ms. WATERS. Madam Speaker, and Members, I am pleased that we have

taken time from our schedules to come to the floor tonight to sound the alarm. The saber rattling is going on by this administration. The remarks that we're hearing day in and day out are more accusatory toward Iran. We are made to believe that we are somehow being placed at a great threat by Iran.

And so we know where this is going. We know what this means, and we're saying, we must not rule out diplomacy. We must believe that we can settle differences by way of diplomacy.

We know that we've still got work to do on Iraq. We've still got to make many Members of this House feel comfortable with the idea that they can confront their President, that they can still be very, very patriotic as they stand up against war and bringing our soldiers home. We know that the work has to be done, but we've got to add to that work the fact that we can stop an airstrike on Iran and we can stop the notion that somehow we must send more soldiers in.

AN AMERICAN PERSPECTIVE ON THE WAR IN IRAQ

The SPEAKER pro tempore (Mr. ELLISON). Under the Speaker's announced policy of January 18, 2007, the gentleman from Maryland (Mr. GILCHREST) is recognized for 60 minutes.

Mr. GILCHREST. I thank the Speaker for the time. And Mr. Speaker, what I would like to talk about today, and it's actually a pretty good follow-up to the previous special order by Ms. WATERS, who is a classmate of mine, going back to, I was going to say 1891, but going back to 1991, MAXINE and I came in as freshman and we've been here now for the past 17 years. And the previous discussion about the Iraq war, the relationship with Iran, I think, leads fairly well into the special order that I am prepared to give tonight.

Mr. Speaker, what I would like to do is to give a presentation on the war in Iraq, the Middle East, an American perspective on the Cold War that engulfed the world for many decades, an American perspective on the Cold War and how it impacted the Middle East, the present crisis in the Middle East and Iraq, from an American perspective, and an American perspective on the way forward.

When I say an American perspective, tonight, Mr. Speaker, I'm trying to relate an idea that the United States, for the past 50 years, has seen itself not as a lone super power in the world, but as a Nation, as Walt Whitman described, the race of races, the United States, the melting pot.

The United States has engaged itself in the fiber of the international community, and has not seen itself as a lone ranger in the international arena of conflict, of economy, of culture, of exchanges. The United States has seen itself as an integrated part of the international community in much of its history. And so, tonight, when I talk about the U.S. view of the war in Iraq, it is to illustrate the complexity of that conflict, the complexity of the intrigue and violence that we are now seeing, the complexity of the way forward, but, in fact, there is a way forward.

So I want to give a brief history covering about the last 60 years. And what I would like to share with the American people, Mr. Speaker, among many, many periodicals, many books, many resources, I'd like to share ideas tonight from seven books.

The first one is Violent Politics by William Polk, who served in the Kennedy and Johnson Administration. Violent politics is not what we see here on the House floor. Violent politics is when diplomacy fails and war begins, war usually that engulfs communities or regions, not in what we saw in World War II, but in insurgencies, where there are no munitions factories to bomb, there are no supply lines to bomb, there are no massive armies to bomb or thousands of tanks to take out, but violent politics as it envelops regions in insurgencies.

And is there an effective counter insurgency to that particular break down in diplomacy?

We're seeing an insurgency in the Middle East, in the Middle East, in Iraq, in Afghanistan, and certainly in other places. In Violent Politics, William Polk gives an idea of how an insurgency actually works, and how you can deal with an insurgency like we're experiencing now in Iraq and Afghanistan.

The other book is Fiasco by Thomas Ricks. How did we get involved in Iraq? What were the mistakes, the very clear, obvious mistakes over the planning in the first few years?

The next one is by Steven Kinzer, All the Shah's Men; America's relationship with a large country that is seeking to have influence for self-defense purposes, mainly, the country of Iran.

The next one is Trita Parsi who wrote Treacherous Alliance. What is the arrangement or what has been the arrangement or the alliance and sometimes the verbal conflict between Israel and Iran?

The next is Tony Zinni, who was Commander of CENTCOM for a number of years, spent much of his military Marine career in the Middle East. He wrote a book about the Battle for Peace. Tony Zinni, like President Eisenhower, knows you need a strong military, strong intelligence, and consensus in dialogue and diplomacy. That plays a vital role in actions that the United States is involved in.

An interesting book called Human Options by Norman Cousins. What kind of decisions do we make? Why do we make them? And do we know all the options that are before us?

The last book is a little bit older. It's about the Vietnam war, called Why Vietnam? How did we get involved in that conflict? It's written by a man called Archimedes Patty, who was among the first Americans to meet Ho Chi Minh in 1945; sent there by this government as the head of the OSS or the Office of Strategic Services, which was the forerunner of the CIA, to find out how we can find people in Indochina, to see, to gather intelligence about the Japanese troop movements in that region of the world since we couldn't get any intelligence from the French or the Chinese or anybody else.

And Archimedes Patty discovered this man, the head of the Viet Minh, known as Ho Chi Minh that was willing to help and in fact did help the United States gather intelligence on Japanese troop movements in Indochina; helped many, many, many Americans, downed pilots and so on, and allied himself with the United States in 1945, hoping to get help from the United States, not from Russia, not from China, to gain his independence from French colonial rule. A fabulous book that shows the intricacies of how diplomacy works sometimes, and how the bureaucracy doesn't always work too well when communicating those kinds of pieces of information.

Seven books, Violent Politics, Fiasco, All the Shah's Men, Treacherous Alliance, Battle for Peace, Human Options, Why Vietnam. Sounds like a tall order.

But, Mr. Speaker, I can imagine the American public, who have some dissatisfaction, some apprehension, some anger, some wanting a ray of hope about the conflict in Iraq and Afghanistan, I can see the American public, over the next many months, turning the television off every single night for 1 or 2 hours, every night, and dedicating themselves to help the solution, the American solution, the American solution of how to solve this difficult problem in the Middle East, by becoming informed, by finding out information, by becoming more knowledgeable about these issues, not waiting for the government that people sometimes assume is competent, but being a part of the process.

Now, I mentioned the book Human Options by Norman Cousins. And I want to give you two quotes out of that book to frame this discussion tonight. The first one is, ''Knowledge is the solvent for danger.'' You want to solve a problem? You need a couple of things. You need initiative, of course. You're going to turn the TV off and read these books. You need initiative. And then as you read this material, some of it is pretty intricate, exquisite detail, complicated. But you need some ingenuity and intellect to figure it out. And you have that.

But what this assignment will give to you is knowledge. It'll give you information. It'll give you a depth of information so that, you, as an individual, can become more competent to share this with your fellow Americans and maybe even write your congressman.

The other one in Human Options, the quote, is ''History is a vast early warning system.'' We know more about

Vietnam, or we should today, than we did 40 years ago, 50 years ago when we became embroiled in that tragic conflict.

And we say we should have had, you know, it's okay to say it now, and hindsight is better than foresight. We've had 40 years of experience to know what was good and what was bad about that conflict. But I will tell you that when the United States became involved in that violent conflict, we already had all the information we need to know. We needed to understand the history of our relationship with Indochina, with China, and their relationship, Vietnam, with the rest of the world. But we didn't bother to understand or listen carefully enough to what Archimedes Patty was saying when he spoke to Ho Chi Minh. We didn't know the history of Vietnam in 1945 in 1965, and we should have.

□ 2245

History is a vast early warning system. We owe it to the soldiers in Iraq, we owe it to the soldiers in Afghanistan, we owe it to eighth graders and ninth graders in high school today who will graduate in just a few years and should not have to be involved in a conflict that, if we put our intellect together with enough knowledge, this can be solved.

So I would suggest to the American people, Mr. Speaker, that every single night, if you're a patriotic American, you want to solve this problem. You want to commit yourself to bringing the troops home in a responsible fashion, find some source of information, read it objectively.

You know, Rudyard Kipling, the writer and poet from Great Britain, traveled the world, spent much time in India, had a son who died in World War I in northern France in a violent struggle. And to express his sorrow, Rudyard Kipling said, why did young men die because old men lied?

I want to paraphrase that today. Old men should talk before they send young men to die. We should talk. We should be knowledgeable. We should spend the time to understand the nature of history, the nature of conflict.

Let's take a short walk back in history to the Cold War and some of its successes and failures.

President Eisenhower and the leader of the Soviet Union, Premier Khrushchev, Nikita Khrushchev, bitter enemies, faced off with thousands of nuclear weapons all armed, ready to go at a moment's notice. We know that Khrushchev told the United States and the Western powers many, many times that he was going to bury us. One time in the United Nations, we remember this, Nikita Khrushchev took his shoes off, pounded the podium, looked right at the western diplomats—ours was Henry Cabot Lodge at the time—pointed his finger and said, we will bury you.

What was Eisenhower's response during the time that he was President of the United States to these kinds of threats from the Soviet Union, from Nikita Khrushchev? Open dialogue. He invited President Khrushchev to come and tour American cities, ride on American trains, go to our suburbs, visit our farms, visit our schools. President Eisenhower's response was dialogue.

What happened in 1962 when it was discovered by our spy planes that Cuba, Fidel Castro, had deployable nuclear weapons in Cuba 90 miles off the coast of Florida? What was Kennedy's response? Call the Kremlin. Have a dialogue. Negotiate with the Soviet Union. Talk to Nikita Khrushchev. What happened? The weapons were removed; we avoided war.

China, Communist China, said that they would not mind if half the population of China was wiped off the face of the earth as long as they destroyed the United States. Violent rhetoric pointed at the United States. What was President Nixon's response to Mao Zedong? Nixon went to China. Nixon opened the dialogue that continues today.

Is China today a model democracy? No. Does China have human rights violations? Yes. Are they well-known? Do we know that they continue to violate freedom of speech, freedom of press, freedom of religion? Do they continue to violate human rights? The answer is yes. What is our response to China? It's our biggest trading partner. We constantly have a dialogue. The Olympics will be held there. Do we condemn the Chinese for human rights violations? How do we deal with it? Do we get ourselves in violent politics? No. The answer is dialogue.

Those were our successes. They continue to be a struggle. They continue to be a challenge, but we continue to pursue them through dialogue.

What happened in Vietnam? Ho Chi Minh. A tiny old man with slight whiskers who, in 1945, wanted to ally himself with the United States to gain sovereignty from under the French colonial rule. What happened in the 1950s? Senator McCarthy talked about communism. John Foster Douglas wanted to contain Communism. We somehow didn't listen to the people in the State Department or the CIA. We somehow didn't follow that path to dialogue with Khrushchev or dialogue that got ourselves out of the Cuban missile crisis or dialogue with Mao Zedong.

So what happened because there wasn't a dialogue? 58,000 Americans died. Hundreds of thousands were wounded. Post-traumatic stress syndrome still affects thousands of Vietnam veterans. Well more than a million Vietnamese died because we didn't have the dialogue.

It's time, Mr. Speaker, for the American public to really understand the complexities of international politics. The dialogue, communications, consensus can be a strong and powerful tool to enhance America's interest. America does not become stronger by putting more people in cemeteries as a result of these violent conflicts.

Let's take a look at the Middle East, the area that we're now dealing with, during the Cold War.

Then, as now, it was a complex place. There was intrigue there, and there was a great deal of violence. Let's look at some of the incidents that the United States has been involved in or was involved in.

In 1953, actually in 1950, Muhammed Mossadeq was a duly elected Prime Minister of Iran running a secular country moving toward democracy. But because of some misunderstandings, believe it or not, between what the British Petroleum Company, called the Anglo Persian Petroleum Company, which is now today BP, British Petroleum, they had some strong disagreements with Muhammed Mossadeq. The United States, under John Foster Dulles, was thinking, although they were wrong, that Muhommad Mossadeq had a strong relationship with the Soviet Union and he might turn to communism.

In 1953, we were at the very early stages of the Cold War, and a lot of things were going on. But as a result of some misunderstanding, the United States planned a coup inside its embassy in Tehran, and it turned out to be a very violent, very bloody coup in which their duly elected prime minister was removed from office, put under house arrest for the rest of his life. And we put in the Shah. The United States put in the Shah. In 1953, we broke down a relationship that we had had with Iran for many, many years.

The United States was looked upon as being the beacon of hope around the world by many people, including Iranians, hoping the United States would help them gain some equality with the British extracting oil from Iran. In 1953, we started a violent coup in Iran.

What happened in 1979? Most of us would remember. In 1979, there was a revolution in Iran. The United States embassy in Tehran was taken over by the Revolutionary Guard, and all relationships with the United States were broken. But it's interesting that the American embassy was taken over in Tehran, the same embassy that planned the coup in 1953. That was a mistake. We lit a slow fuse in 1953 that blew up in 1979.

What about the Soviet Union in the Middle East during the Cold War? It's like a roller coaster ride. Sometimes they were allied with certain Arab nations; sometimes they were not allied with certain nations. Most Arab nations always distrusted the Soviet Union because they were a country of atheists, and Arab nations were a country under Islam.

How about Israel during the Cold War? It's interesting, and you ought to read the book ''Treacherous Alliance'' by Trita Parsi, to understand the nature of the relationship between Israel and Iran between 1948 and 1991. Israel

and Iran had many enemies in common. They were both enemies of the Soviet Union. They were both enemies of many Arab states, especially Iraq under Saddam Hussein. And as a result of that, because they had the same enemies—and Iran is a Persian country, does not speak Arabic, speaks Farsi, it is an Islamic State, but Israel and Iran had many similar enemies. And so they had secret arrangements: Oil for technology. That went on to 1991.

Russia invaded Afghanistan from 1980 and the war went on to just about 1989. They call it Russia's Vietnam. Iran and Iraq went to war in 1980 to 1988. There were more people killed in the Iran-Iraq War than all of the Americans killed in World War I, World War II, Korea, and Vietnam. More people killed between 1980 and 1988 between two neighboring states. The blood, the bitterness, the fear, remains to this day.

1979, Egypt decided that they were going to recognize Israel, and Egypt became more of an American ally than a Soviet ally. Jordan followed not far behind.

What I'm trying to present to you is that the Middle East, in most of recent history, has been a place of intrigue, a place of complexity, and a place of violence. What do we see now today in the Middle East?

We know that in the three great religions faith is very important. It's a part of everyone's life. The three great religions of Judaism, Christianity, and Islam. And in many places in the Middle East, the Jews, the Christians, and the Muslims live together. There is even intermarriage. The children go to school, and when they learn about their faith, they just move to different classrooms. When they learn about math, they move back to the math classroom together or the history classroom together. And this is throughout much of the Middle East.

So there is a strong religious component. Faith is important in their life. But in many communities, the three great religions live side by side, and for the most part, harmoniously.

Oil is a vital component of their economic viability. We know that and the world knows that. The oil exports from the Middle East are extremely vital for their economy, and that's why we have not seen the Gulf of Hormuz, where most of that oil comes out of, we have not seen that, we have not seen any of those countries in the Middle East try to shut that route out.

Today, as in the past, but especially today, the geopolitical balance of power is fractured. What does that mean? That means, which direction is the Middle East going to go?

Mr. Speaker, who is going to have more influence in the Middle East? Will it be Saudi Arabia? Will it be Iran? Will it be Israel? Will it be Russia? Will it be China? Will it be Europe? Will it be the United States? Nobody knows exactly right now. But what we do know is the Middle East has been a focus of America's attention since 9/11, an absolute focus of America's attention mainly because we were attacked, thousands of Americans were killed. We invaded Afghanistan to get rid of the source of the attack, al Qaeda and the Taliban, and then we subsequently invaded Iraq in which we eliminated a brutal dictator, Saddam Hussein. We eliminated a potential for weapons of mass destruction.

We are beginning and we have developed a working Iraqi Government. Iraq has been the focus of America's attention, but how much information do we know about this region, about Iraq?

□ 2300

But again, I would recommend reading especially some of these books to bring us up to date on some of that information.

The Shiites, the Sunnis and the Kurds, the main factions in Iraq, the Shiites and the Sunnis are Muslim, the Kurds are Muslim. What is the difference between the Shiites and the Kurds and the Muslims? Much of it has to do with historic understanding about who would be inheriting Muhammad's role in the Muslim faith. But the average Muslim, I will tell you, whether they're a Sunni, a Shia or a Kurd, the average Muslim wants to live their life in peace, wants human rights for themselves and their family. They want to raise their family.

There is no bitter quarrel among the average Muslim about who's a Sunni or a Shia, who is supposed to inherit the role of Muhammad. The average Muslim wants to live their life in peace. They want human rights. They want justice. They want the rule of law. They want freedom of religion, freedom of thought, freedom of expression. Where the trouble comes with the Islamic faith is with al Qaeda, with the Taliban. Sometimes I would even say with the teachings of Wahhabi, where they confine themselves to a certain monstrous certainty.

Iran, by the way, as do most other Arab countries, oppose the teachings of al Qaeda. They oppose the teachings of Taliban. One of our problems in the Middle East is to find allies, is to have a dialogue with other countries. And I will tell you, when the Taliban took over Afghanistan, just think about this, when the Taliban took over Afghanistan, every country in the world pulled their embassy out except Iran. Iran left its embassy in Kabul. And what did the Taliban soldiers do? They went to the Iranian Embassy in Kabul, pulled out the 11 Iranians, and they shot them, the only embassy left in Kabul. What did the Taliban do? They shot the Iranians. Who helped them? Al Qaeda. Is Iran a friend of these Islamic extremists? No. Is Iran a friend of the Taliban and al Qaeda? No. Is Iran open to discussion about these issues to bring stability? The answer is yes.

There are many differences between these Arab countries, whether it's Saudi Arabia, Iran, Syria, Qatar, Amman, Iraq, Afghanistan, Lebanon, you name it. They all have some differences in the way they look at religion and the way they look at their leadership. They're either democracies or they're monarchies or they're dictatorships, but what they have in common is they want stability in that region.

The present crisis, the war in Iraq, the war in Iraq is not World War II. It is not like World War II. There are no munitions factories to bomb anywhere in Iraq like there were in Germany and Japan. There are no standing armies. There are no supply lines. We are fighting an insurgency, a very multi-complex insurgency.

Where are we now? Why is there a sense of urgency to find a resolution, an end to this conflict? We say there's 34,000 casualties. What does that mean, 34,000 American casualties? That means there's more than 4,000 young American soldiers dead. Thirty thousand wounded. What does that mean? That means 30,000 Americans have come back that have been brutally blown up and have lost limbs, been burned severely. Their physical lives are, for the most part, ultimately and absolutely changed. They will never be the same. With courage, they can pick up the pieces of their life and move on with strong families.

There are tens of thousands who have post traumatic problems. I will say that everyone that enters a war zone, 100 percent comes back with post-traumatic stress. Now, what does that mean? That means that the violence that they see, the violence and destruction of explosions, of human bodies being torn to pieces, that image that they see and experience never leaves their memory. They will always remember that. That image never goes away. It just happens that your soldier can deal with it effectively and become a productive citizen and take that image in their mind and figure out how to conduct themselves in a normal fashion so they can lead a good life, they can raise a family, they can have a relationship, they can deal with it. Some cannot. Some are psychologically scarred for a long time to come.

The war so far is costing a little over $600 billion. That's where we are as far as the Treasury is concerned. The American people want a conclusion to the conflict. How are we going to end the war in Iraq?

There is global dissent about our policy at present. There is a struggling Iraqi Government. Are they ready to take over completely with their politics, with their military, with their infrastructure, with their economy? Not quite yet, they aren't. Some of our Arab allies, including Saudi Arabia, our strongest ally in the Middle East, have stated publicly that America's war in Iraq is illegal. That is where we are at this point.

Can we leave Iraq, like some of our generals have suggested; drive them to

Basra, put them on boats and airplanes and bring them home? Many people are suggesting that. But I would remind the American people, Mr. Speaker, of something that General McCaffrey said. We left Mogadishu abruptly, and it was chaos. If we abruptly leave Iraq, that chaos will be multiplied by a thousand times.

When the French began to pull out of Vietnam, they left some military there. And the famous battle of Dien Bien Phu has been retold many times. If we leave Iraq under the present conditions and leave some American troops there, how many should we leave? We don't want another Dien Bien Phu for American soldiers in Iraq.

General Petraeus said there is no military solution in the war in Iraq. Is there a political solution? What is the road ahead?

There is a great deal of talk about elections in October. We really have to work toward that goal. What about a hydrocarbon law? Is there a strong local police force? Is there a strong Iraqi national army? Is there a stable government? How do we achieve these goals, and many more? We don't achieve them with military power alone. That simply is not going to work.

Let's take a look at the way forward. What do we do? Very complicated situation. History, to a certain extent, can be a guiding post to avoid certain obstacles that we don't anticipate, but let's take a look.

Iraq. The United States and the United States military is the skeletal structure upon which the entire Iraqi society rests right now. We are the structure that that government depends upon. If we pulled out, to a large extent, at least for a time, hard to predict, there would be chaos. So we are the skeletal structure upon which the entire Iraqi society rests.

If we just focus on Iraq, though, we understand there is no long-term military solution to its insurgency, there is no basic long-term political solution if we just focus in on Iraq. The United States needs to understand the region and how we impact the region and how we can be interconnected with many of the problems that are there. And that will also begin to help resolve the Iraqi question.

Many of the insurgents in Iraq still are al Qaeda and the Taliban. Many of the recruiting tools to bring more people into that violent extremist movement is the Palestinian-Israel question. So if the United States, and we've already begun that, we've seen the Bush Administration in Annapolis, we've seen some discussions in a number of levels trying to resolve and reconcile the differences between the different factions in Palestine and the different factions in Israel. If the United States becomes an objective arbitrator with the Palestinian-Israel question, we will reduce significantly the number of people that are recruited into the violent Islamic community known as al Qaeda.

Our discussions with Saudi Arabia, that we're not going to abandon the region, Saudi Arabia still has some fear that Iraq could be an Iranian satellite. And Saudi Arabia fears too much Iranian influence in the region. So our discussions with Saudi Arabia are pretty important.

Our discussions with Iraq, obviously, can be very interesting, especially with the Iranians, because the Iraqis have diplomatic relations with the Iranians, and vice versa; Maliki has gone to Tehran, Ahmadinejad has gone to Baghdad. So the Iraqis can see us as being a little closer to their relationship as far as the Iranians are concerned.

Now, the Iranians, obviously, we talked a little bit about the Iran-Iraq war that lasted from 1980 to 1988 and how many hundreds of thousands of Iranians were killed. The Iranians fear the kind of government that could do that again in Iraq.

The differences between the Ba'athist party, the Sunnis, the old Saddam Hussein regime is could that possibly come back? So our relationship, our open dialogue with the Iranians is pretty important.

No one in the Middle East wants too much Russian influence. They remember the old Soviet Union, they remember Afghanistan. They simply don't know if Russia has found its soul yet, so many in the Middle East fear too much Russian influence. Many in the Middle East fear too much Chinese influence because they know China is looking for resources, especially oil.

So the U.S. involved in the Middle East in all these areas, including Syria, including, I will say, Hamas and Hezbollah, it is America's power that gives us the ability to negotiable, to dialogue, to communicate, to find some way to talk to our allies, our friends, and also our enemies in the Middle East. This is not Chamberlain giving away Czechoslovakia. This is the United States, the most powerful country in the world militarily, economically, and with our diplomats, discussing the issues in the Middle East with our friends, our allies, and our enemies, not giving up anything, certainly not giving up territory, not giving in to threats, not giving in to proliferation of nuclear weapons or weapons of mass destruction. This is the United States, with its power, negotiating its way to find a solution with our strength.

Eisenhower said in the 1950s, and it's true today, the United States' ability to be a super power, to be strong, is a three-legged stool, a strong military, a strong intelligence system, and consensus and dialogue. That's in our arsenal as well, diplomacy, trade, education, technology, social exchanges, science exchanges, cultural exchanges. That's the beacon, that's our strength.

So let's take a look at some ways to resolve this problem. We have the military. People know we're strong. We have the best intelligence in the world. We talked about a military surge about a year ago. Let's take a look at a diplomatic surge, with present and former diplomats in the United States covering the gauntlet in the Middle East to talk about these kinds of reconciliation measures.

International support structure from the international community, that has worked so well for many decades, and integrated security alliance. We have it, we've had it for some time with NATO. We've had it with SEATO, the Southeast Asia Treaty Organization. We've had it with Latin America, the Organization of American States. The Soviet Union had it. They know how these integrated security alliances work. We are fully aware of the Warsaw Pact, that gave those countries participating a certain amount of strength.

An integrated economic system can help immensely. And I'm not saying that you will have a NATO-type alliance among Middle Eastern countries, but you can begin to discuss an integrated security alliance.

□ 2315

Continue the current military drawdown of American troops that is now ongoing strategically and in a responsible manner. Continue to work toward a reconciliation among the different factions in the Shia community, the Sunni community, and the Kurds. And we have seen recently in Basra between Iraq, the United States, and the country of Iran, the resolution to that violent conflict in Basra among the different Shia factions. Reconciliation among those factions can work.

And let's take a quick look historically at how these alliances can work. In 1941 the United States signed the Atlantic Charter with a number of European countries. And in part how did that Atlantic Charter work? What were some of the provisions? It said that all peoples have a right to self-determination. Trade barriers were to be lowered. There was to be global economic cooperation and advancement of social welfare, freedom from want and fear, disarmament of aggressor nations. Why did we sign the Atlantic Charter actually in September of 1941? Because we knew the war wasn't going to last forever and we knew that we needed some agreement about sovereignty and human rights that we could work toward. Those would be our goals.

That, I have to say as an aside, it was signed in 1941. In 1942, with Ho Chi Minh living under Japanese rule with the blessings of the French in Indochina, Ho Chi Minh said, ''I hope that means that that Atlantic Charter also includes Asians.'' And, unfortunately, he went on to say a few years later, since the Atlantic Charter talked about sovereignty, he said, ''I guess the Atlantic Charter did not include Asians.''

A couple of decades after the Atlantic Charter was written and signed,

there was something called the Helsinki Accords. The Helsinki Declaration was signed in December, 1975, by many European countries, including the Soviet Union, including Eastern Europe. And, by the way, the Atlantic Charter was what led into the United Nations to help secure sovereignty for countries, human rights, freedom of expression, freedom of thought, and so on. In 1975, and I want to bring this out for another particular reason and how it can apply today in the Middle East, in 1975 a number of countries signed the Helsinki Declaration, and what did that say in part? It said ''sovereign equality, respect for the rights inherent in sovereignty.'' It said, ''refraining from the threat of use of force.'' This helped trigger dialogue between the differences of nations that had conflict. ''Peaceful settlements of disputes.'' We didn't go to war with the Soviet Union. We didn't go to war with East Germany. We didn't go to war with a number of other conflicts around the world. ''Nonintervention in internal affairs. Respect for human rights, including the freedom of thought. Equal rights and self-determination of peoples. Fulfillment in good faith of obligations under international law.''

Now, Brezhnev actually liked this. Premier Brezhnev of the Soviet Union, Prime Minister Brezhnev, liked that because he thought that all the land that the Soviet Union then occupied, he would be able to occupy that territory forever. But what, in fact, did the Helsinki Accords actually do to people around the world, Eastern Europe, and Soviet Republics like the Ukraine? What did it do? It gave them official permission to say what they felt, to say what they thought, and the world would listen, and the world did listen. People living in the Ukraine today, the former Soviet Union, will tell you that the Helsinki Accords was that trigger, that slow fuse that led to their self-determination, their sovereignty, their independence. The Atlantic Charter, the Helsinki Accords.

What the United States can do in the Middle East is to remember those words, bring about a Middle East summit in which there can be Middle East accords, to bring about sovereignty, to bring about human rights, to bring about the respect for international law, to bring about respect for human thought. It can do for the Middle East what it did for former Soviet Republics that are now independent, now free. And the Ukraine is trying to get into the European Union. The Ukraine is trying to get into NATO, as is Kosovo, as is Macedonia, former Soviet Republics. View of the Helsinki Accords is what led to their ability to become sovereign and free nations and develop democracy. What can happen in the Middle East under these circumstances is the same thing. Eisenhower talked to Khrushchev. Kennedy avoided war in Cuba. Nixon talked to Mao Tse-tung. Knowledge is the solvent for danger. History is the vast early warning system.

What is our policy now based on in the Middle East? Do we have a definite direction? Are we sure about our power, our power to influence, our power of trade, our power of human dignity? What is our policy now in the Middle East?

Sam Rayburn, former Speaker, former Member of the House, the building right across the road is named after him, the Rayburn Office Building, where I work. What did Sam Rayburn say years ago that is actually applicable today? ''Any mule can kick a barn door down, but it takes a carpenter to build one.'' It takes a carpenter to build a barn.

We need more carpenters. We need more people who understand the nature of conflict. We need more people that have a sense of urgency.

The soldiers in Iraq that are driving in convoys that actually in the next few minutes might run over a land mine, those soldiers need to know, those soldiers in Iraq who are stunningly competent about what they do, need to know that we, the policymakers, are also stunningly competent in how we developed a policy that they have to take out.

But I will tell the American people, Mr. Speaker, just don't wait for the government to be competent. You're hoping they are competent. You're hoping they know what they are doing. Turn your television off 2 hours every night and start trying to understand the nature and the culture and the history and the intrigue and the complexity of the violence in the Middle East so you're better able to understand it.

Rudyard Kipling lost his son in France a long time ago, and to soothe his pain, he said, ''Why did young men die because old men lied?'' Today old people should talk before they send young people to die.

As we look back on the landscape of human tragedy, what and who in every instance was the enemy? What caused the violence? What caused the pain? What caused the despair? What caused the suffering? I will tell you we have three enemies in the landscape of human tragedy: ignorance, arrogance, and dogma. When you put those three things together, it leads to this monstrous certainty, this oversimplification of what the issues actually are, this monstrous certainty that comes out of al Qaeda that I'm right and you're wrong, this monstrous certainty that comes out of the Taliban, I'm right and you're wrong. A suicide bomber should do his job, that's what God wants. We know that's not right. We know that's wrong.

What's the antidote over history to ignorance, arrogance, and dogma? Knowledge to replace ignorance, humility to replace arrogance, and tolerance to replace dogma. We, as the policymakers, need to be knowledgeable and informed so we are competent to create a policy that will lead us out of this conflict, that will take us through the violence and understand the nature of this conflict so a resolution can come to the fore.

Mr. Speaker, I want to wish the American people well in their assignment to read these books that will bring knowledge to the fore: ''Violent Politics'' by William Polk, ''Fiasco'' by Thomas Ricks, ''All the Shah's Men'' by Steve Kinser, ''Treacherous Alliance'' by Trita Parsi, ''The Battle For Peace'' by Tony Zinni, ''Why Vietnam?'' by Archimedes Patti, and ''Human Options'' by Norman Cousins.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PALLONE (at the request of Mr. HOYER) for today.

Mr. CULBERSON (at the request of Mr. BOEHNER) for today and the balance of the week on account of official business.

Mr. LOBIONDO (at the request of Mr. BOEHNER) for April 14 and up until 6 p.m. today on account of visiting servicemen and women in Afghanistan.

Mr. MACK (at the request of Mr. BOEHNER) for April 14 and the balance of the week on account of an illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MCNULTY) to revise and extend their remarks and include extraneous material:)

Ms. GIFFORDS, for 5 minutes, today.

Mr. SCOTT of Georgia, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. LOEBSACK, 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 22.

Mr. JONES of North Carolina, for 5 minutes, April 22.

Mr. SALI, for 5 minutes, April 16.

Mr. WELLER of Illinois, for 5 minutes, today and April 16.

ADJOURNMENT

Mr. GILCHREST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 25 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 16, 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:

6078. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ferric Citrate; Inert Ingredient; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2006-0479; FRL-8071-2] received March 31, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6079. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fenhexamid; Pesticide Tolerance [EPA-HQ-OPP-2007-0303; FRL-8357-2] received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6080. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Buprofezin; Pesticide Tolerance [EPA-HQ-OPP-2007-0426; FRL-8356-9] received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6081. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — S-Abscisic Acid, Temporary Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2008-0092; FRL-8357-4] received March 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6082. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flonicamid; Pesticide Tolerance [EPA-HQ-OPP-2007-0338; FRL-8356-7] received March 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6083. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Dicamba; Pesticide Tolerance [EPA-HQ-OPP-2007-0325; FRL-8356-6] received March 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6084. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acequinocyl; Pesticide Tolerance [EPA-HQ-OPP-2006-0678; FRL-8356-6] received March 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6085. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flumioxazin; Pesticide Tolerance [EPA-HQ-OPP-2007-0308; FRL-8352-5] received February 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6086. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bifenazate; Pesticide Tolerance [EPA-HQ-OPP-2007-0302; FRL-8351-6] received February 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6087. A letter from the Directors, Congressional Budget Office and Office of Management and Budget, transmitting a joint report on the technical assumptions to be used in preparing estimates of National Defense Function (050) fiscal year 2009 outlay rates and prior year outlays, pursuant to 10 U.S.C. 226; to the Committee on the Budget.

6088. A letter from the Chairman, National Endowment for the Arts and Member Federal Council on the Arts and the Humanities, National Foundation on the Arts and the transmitting the Federal Council on the Arts and the Humanities' thirty-second annual report on the Arts and Artifacts Indemnity Program for Fiscal Year 2007, pursuant to 20 U.S.C. 959(c); to the Committee on Education and Labor.

6089. A letter from the Secretary, Department of Health and Human Services, transmitting as required by Sections 913(b)(2) and Section 902(g) of the Healthcare Research and Quality Act of 1999 (Pub. L. 106-129), reports entitled ''The National Healthcare Quality Report 2007'' (NHQR) and ''The National Healthcare Disparities Report 2007'' (NHDR); to the Committee on Energy and Commerce.

6090. A letter from the Director, Regulatory Management Division, Environment Protection Agency, transmitting the Agency's final rule — National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities [EPA-HQ-OAR-2005-0155; FRL-8547-4] (RIN: 2060-AO52) received March 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6091. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Federal Implementation Plan for the Billings/Laurel, Montana, Sulfur Dioxide Area [EPA-R08-OAR-2006-0098; FRL-8551-2] (RIN: 2008-AA01) received March 31, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6092. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Delegation of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for the States of Arizona and Nevada [AZ and NV-EPA-R09-OAR-2006-1014 FRL-8551-1] received March 31, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6093. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of Nevada, Nevada Division of Environmental Protection [EPA-R09-OAR-2008-0229; FRL-8550-9] received March 31, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6094. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Alabama: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R04-RCRA-2007-0992; FRL-8550-3] received March 31, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6095. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Final 8-hour Ozone National Ambient Air Quality Standards Designations for the Early Action Compact Areas [EPA-HQ-2008-0006; FRL-8550-1] (RIN: 2060-AO83) received March 31, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6096. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; State of Maryland; Control of Large Municipal Waste Combustor (LMWC) Emissions from Existing Facilities [EPA-R03-OAR-2008-MD-0209; FRL-8552-5] received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6097. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Revisions to the Nevada State Implementation Plan; Updated Statutory and Regulatory Provisions; Rescissions [EPA-R09-OAR-2007-1155; FRL-8548-8] received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6098. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; North Carolina: Approval of Revisions to the 1-Hour Ozone Maintenance Plan for the Raleigh/Durham and Greensboro/Winston-Salem/High Point Areas [EPA-R04-OAR-2008-0036-200801(a); FRL-8551-9] received April 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6099. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Virginia: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R03-RCRA-2008-0256; FRL-8548-9] received March 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6100. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revision to the California State Implementation Plan, Bay Area Air Quality Management District [EPA-R09-OAR-2007-0970; FRL-8547-6] received March 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6101. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — NESHAP: National Emission Standards for Hazardous Air Pollutants: Standards for Hazardous Waste Combustors; Amendments [EPA-HQ-OAR-2004-0022 FRL-8549-4] (RIN: 2050-AG35) received March 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6102. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [EPA-R07-OAR-2008-0103; FRL-8549-8] received March 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6103. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [EPA-R07-OAR-2008-0100; FRL-8549-6] received March 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6104. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Utah: Final Authorization of State Hazardous Waste Management Program Revisions [EPA-R08-RCRA-2006-0127; FRL-8538-1] received February 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6105. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Withdrawal of Direct Final Rule Revising the California State Implementation Plan, Monterey Bay Unified Air Pollution Control District and San Joaquin Valley Air Pollution Control District [EPA-R09-OAR-2007-1074, FRL-8537-9] received February 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6106. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Virginia; Control of Particulate Matter from Pulp and Paper Mills; Correction [EPA-R03-OAR-2005-VA-0011; FRL-8537-6] received February 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6107. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Maryland; Revised Definition of Volatile Organic Compound (VOC) [EPA-R03-OAR-2007-1157; FRL-8532-4] received February 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6108. A letter from the Chairman, Federal Communications Commission, transmitting the Commission'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 Energy and Commerce.

6109. A letter from the Inspector General, U.S. House of Representatives, transmitting the Inspector General's final report on the Management Advisory review of the Exchange 2003 Implementation; to the Committee on House Administration.

6110. A letter from the Acting Administrator, FAA, Department of Transportation, transmitting the Federal Aviation Administration's Capital Investment Plan (CIP) for fiscal years 2009-2013, pursuant to 49 U.S.C. app. 2203(b)(1); to the Committee on Transportation and Infrastructure.

6111. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting the Administration's position on the budgeting for the Park River at Grafton, North Dakota, flood damage reduction project; to the Committee on Transportation and Infrastructure.

6112. A letter from the Secretary, Department of Transportation, transmitting a report entitled, ''Fundamental Properties of Asphalts and Modified Asphalts-II'' submitted in accordance with Section 6016(e) of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Pub. L. 102-240, and Section 5117(b)(5) of the Transportation Equity Act of the 21st Century (TEA-21) and the extension of those provisions through FY 2007; to the Committee on Transportation and Infrastructure.

6113. A letter from the President and Chief Executive Officer, National Railroad Passenger Corporation, transmitting Amtrak's Grant and Legislative Request for FY09, pursuant to 49 U.S.C. 24315(b); to the Committee on Transportation and Infrastructure.

6114. A letter from the Board of Trustees, National Railroad Retirement Investment Trust, transmitting the National Railroad Retirement Investment Trust's annual management report covering FY 2007, pursuant to 45 U.S.C. 231n Public Law 107-90, section 105; to the Committee on Transportation and Infrastructure.

6115. A letter from the Director, National Science Foundation, transmitting the Foundation's Performance Highlights for FY 2007; to the Committee on Science and Technology.

6116. A letter from the Chairman, Board of Veterans' Appeals, Department of Veterans Affairs, transmitting a copy of the Report of the Chairman for FY 2007; to the Committee on Veterans' Affairs.

6117. A letter from the Secretary, Department of Veterans Affairs, transmitting a copy of a draft bill entitled, ''To amend title 38, United States Code, to improve veterans' health care benefits and for other purposes''; to the Committee on Veterans' Affairs.

6118. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's biennial report on evaluation, research and technical assistance activities supported by ''The Promoting Safe and Stable Families Program''; to the Committee on Ways and Means.

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:

Ms. CASTOR: Committee on Rules. House Resolution 1107. Resolution providing for consideration of the bill (H.R. 5715) to ensure continued availability of access to the Federal student loan program for students and families (Rept. 110–590). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. DEFAZIO (for himself, Mr. COSTELLO, Mr. PETRI, Mr. DUNCAN, Mr. OBERSTAR, Mr. LIPINSKI, Mr. FILNER, Mr. COHEN, Mr. BOOZMAN, Mr. CAPUANO, and Mr. GEORGE MILLER of California):

H.R. 5788. A bill to amend title 49, United States Code, to establish prohibitions against voice communications using a mobile communications device on commercial airline flights, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WU (for himself, Mr. GORDON, Mr. BAIRD, and Mr. WILSON of Ohio):

H.R. 5789. A bill to reauthorize the Small Business Innovation Research (SBIR) Program and the Small Business Technology Transfer (STTR) Program, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Science and Technology, 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. FOSTER:

H.R. 5790. A bill to amend the Internal Revenue Code of 1986 to allow the deduction for State and local real property taxes whether or not the taxpayer itemizes other deductions, and for other purposes; to the Committee on Ways and Means.

By Ms. SHEA-PORTER (for herself and Mr. LATHAM):

H.R. 5791. A bill to amend title 10, United States Code, to clarify the effective date of active duty of members of the reserve components of the Armed Forces receiving an alert order anticipating a call or order to active duty in support of a contingency operation for purposes of entitlement to medical and dental care as members of the Armed Forces on active duty; to the Committee on Armed Services.

By Mr. MOORE of Kansas (for himself, Ms. PRYCE of Ohio, Mr. CAMPBELL of California, and Mr. KLEIN of Florida):

H.R. 5792. A bill to amend the Liability Risk Retention Act of 1986 to increase insurance competition and available coverage for consumers; to the Committee on Financial Services.

By Ms. ZOE LOFGREN of California (for herself, Mr. CANNON, Mr. COHEN, Mr. CHABOT, Mr. MEEKS of New York, and Mr. SENSENBRENNER):

H.R. 5793. A bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property; to the Committee on the Judiciary.

By Mr. BRADY of Texas (for himself, Mr. AKIN, Mr. BACHUS, Mr. BARRETT of South Carolina, Mr. BARTLETT of Maryland, Mr. BILBRAY, Mrs. BLACKBURN, Mr. BLUNT, Mr. BROUN of Georgia, Ms. GINNY BROWN-WAITE of Florida, Mr. BURTON of Indiana, Mr. CAMPBELL of California, Mr. CARTER, Mr. CHABOT, Mr. COLE of Oklahoma, Mr. CONAWAY, Mr. EDWARDS, Mr. ENGLISH of Pennsylvania, Mr. FEENEY, Mr. FLAKE, Ms. FOXX, Mr. GARRETT of New Jersey, Mr. GOHMERT, Mr. GOODE, Mr. HALL of Texas, Mr. HENSARLING, Mr. HERGER, Mr. HOEKSTRA, Mr. INGLIS of South Carolina, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mr. KING of Iowa, Mr. KINGSTON, Mr. LAMBORN, Mr. MCCAUL of Texas, Mr. MCCOTTER, Mr. MCKEON, Mr. MACK, Mrs. BONO MACK, Mr. MARCHANT, Mrs. MYRICK, Mr. MILLER of Florida, Mr. MORAN of Kansas, Mr. NEUGEBAUER, Mr. PAUL, Mr. PENCE, Mr. PITTS, Mr. PRICE of Georgia, Mr. RYAN of Wisconsin, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHIMKUS, Mr. STEARNS, Mr. TERRY, Mr. THORNBERRY, Mr. WELLER, and Mr. WESTMORELAND):

H.R. 5794. A bill to provide for the periodic review of the efficiency and public need for Federal agencies, to establish a Commission for the purpose of reviewing the efficiency and public need of such agencies, and to provide for the abolishment of agencies for which a public need does not exist; to the Committee on Oversight and Government Reform.

By Mr. CAMPBELL of California:

H.R. 5795. A bill to require the Secretary of the Interior to notify units of local government when a Native American group files a petition to become a federally recognized Indian tribe and before the decision on the petition is made, and for other purposes; to the Committee on Natural Resources.

By Ms. CLARKE:

H.R. 5796. A bill to provide funding for the Neighborhood Reinvestment Corporation for mortgage foreclosure mitigation activities; to the Committee on Appropriations.

By Mrs. DRAKE:

H.R. 5797. A bill to amend title 5, United States Code, to provide for a qualified Roth contribution program under the Thrift Savings Plan; to the Committee on Oversight and Government Reform.

By Mr. HILL:

H.R. 5798. A bill to amend the Internal Revenue Code of 1986 to allow a credit for care packages provided for soldiers in combat zones; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 5799. A bill to amend titles XVIII and XIX of the Social Security Act to improve the transparency of information on skilled nursing facilities and nursing facilities and to clarify and improve the targeting of the enforcement of requirements with respect to such facilities; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KANJORSKI:

H.R. 5800. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profit tax on oil and natural gas (and products

thereof) and to appropriate the proceeds for the Low-Income Home Energy Assistance Program; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, 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. LAMPSON (for himself, Mr. BOSWELL, Mr. SPACE, Mr. HILL, Mr. BARROW, and Mr. MELANCON):

H.R. 5801. A bill to provide for direct access to electronic tax return filing, and for other purposes; to the Committee on Ways and Means.

By Ms. LEE (for herself, Mr. ELLISON, and Mr. DAVIS of Illinois):

H.R. 5802. A bill to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to repeal the denial of food stamp eligibility of ex-offenders; to the Committee on Agriculture.

By Ms. ZOE LOFGREN of California:

H.R. 5803. A bill to direct the Election Assistance Commission to establish a program to make grants to participating States and units of local government which will administer the regularly scheduled general election for Federal office held in November 2008 for carrying out a program to make backup paper ballots available in the case of the failure of a voting system or voting equipment in the election or some other emergency situation, and for other purposes; to the Committee on House Administration.

By Mr. McDERMOTT (for himself, Mr. TIERNEY, Mr. NEAL of Massachusetts, Mr. STARK, Mr. LEWIS of Georgia, Mr. DOGGETT, Mr. EMANUEL, Mr. PASCRELL, Ms. BERKLEY, Mr. CROWLEY, Ms. SCHWARTZ, Mr. DAVIS of Alabama, Ms. DELAURO, Mr. GEORGE MILLER of California, Ms. LINDA T. SÁNCHEZ of California, Mr. HARE, Ms. SUTTON, Mr. HONDA, Mr. HIGGINS, Mr. BRADY of Pennsylvania, Mr. GRIJALVA, Mr. CUMMINGS, Mr. KAGEN, and Mr. LEVIN):

H.R. 5804. A bill to amend the Internal Revenue Code of 1986 to modify the rules relating to the treatment of individuals as independent contractors or employees, and for other purposes; to the Committee on Ways and Means.

By Mr. PEARCE:

H.R. 5805. A bill to establish a new solar energy future for America through public-private partnership and energy leasing for reliable and affordable energy for the American people, and for other purposes; to the Committee on Natural Resources.

By Mr. RUSH (for himself and Mr. UPTON):

H.R. 5806. A bill to permit universal service support to schools under the Communications Act of 1934 to be used for enhanced emergency notification services; to the Committee on Energy and Commerce.

By Mr. SALAZAR:

H.R. 5807. A bill to amend title 10, United States Code, to provide for the distribution of a share of certain mineral revenues, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER (for herself, Mr. BLUMENAUER, Mrs. CAPPS, Mr. CONYERS, Mr. ELLISON, Mr. GRIJALVA, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Ms. MCCOLLUM of Minnesota, Mr. MCGOVERN, Mr. MCNULTY, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. VAN HOLLEN, Mr. WAXMAN, and Mr. HONDA):

H.R. 5808. A bill to amend the Public Health Service Act to authorize the National Institute of Environmental Health Sciences to develop multidisciplinary research centers regarding women's health and disease prevention, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SLAUGHTER (for herself, Mr. BLUMENAUER, Mrs. CAPPS, Mr. CONYERS, Mr. ELLISON, Mr. GRIJALVA, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Ms. MCCOLLUM of Minnesota, Mr. MCGOVERN, Mr. MCNULTY, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. VAN HOLLEN, Mr. WAXMAN, and Mr. HONDA):

H.R. 5809. A bill to amend the Public Health Service Act to authorize the National Institute of Environmental Health Sciences to conduct and coordinate a research program on hormone disruption, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, and Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ:

H.R. 5810. A bill to amend title V of the Social Security Act to provide grants for school-based mentoring programs for at risk teenage girls to prevent and reduce teen pregnancy, and to provide student loan forgiveness for mentors participating in such programs; to the Committee on Energy and Commerce, and in addition to the Committee on 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. WAXMAN (for himself, Mr. CLAY, and Mr. HODES):

H.R. 5811. A bill to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. YOUNG of Alaska (for himself, Mr. PAUL, and Mr. CANTOR):

H.R. 5812. A bill to amend title II of the Social Security Act to authorize waivers by the Commissioner of Social Security of the 5-month waiting period for entitlement to benefits based on disability in cases in which the Commissioner determines that such waiting period would cause undue hardship to terminally ill beneficiaries; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Ms. KILPATRICK, Mr. KILDEE, Mr. UPTON, Mr. MCCOTTER, Mr. CAMP of Michigan, Mr. EHLERS, Mr. DINGELL, Mr. WALBERG, Mr. KNOLLENBERG, Mr. ROGERS of Michigan, Mr. LEVIN, Mr. STUPAK, Mr. HOEKSTRA, and Mrs. MILLER of Michigan):

H. Con. Res. 327. Concurrent resolution congratulating and saluting Focus: HOPE on its 40th anniversary and for its remarkable commitment and contributions to Detroit, the State of Michigan, and the United States; to the Committee on Oversight and Government Reform.

By Mr. ENGEL (for himself, Ms. BALDWIN, Mrs. CAPPS, Mrs. DAVIS of California, Mr. ELLISON, Mr. FARR, Mr. FATTAH, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HOLT, Mr. HONDA, Mr. LOEBSACK, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNULTY, Mr. NADLER, Ms. NORTON, Mr. PALLONE, Mr. ROTHMAN, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. SIRES, Ms. SOLIS, Mr. STARK, Ms. SUTTON, Mr. TOWNS, Ms. WASSERMAN SCHULTZ, Mr. WEINER, Mr. WEXLER, and Ms. WOOLSEY):

H. Con. Res. 328. Concurrent resolution supporting the goals and ideals of the National Day of Silence with respect to anti-lesbian, gay, bisexual, and transgender name-calling, bullying, and harassment faced by individuals in schools; to the Committee on Education and Labor, 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. SHAYS (for himself and Mr. REICHERT):

H. Res. 1108. A resolution expressing the sense of the House of Representatives that future Iraq reconstruction should be paid for by the Government of Iraq; to the Committee on Foreign Affairs.

By Mr. SIRES:

H. Res. 1109. A resolution honoring the memory of Dith Pran by remembering his life's work and continuing to acknowledge and remember the victims of genocides that have taken place around the globe; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. BARRETT of South Carolina.

H.R. 351: Ms. SCHAKOWSKY, Ms. NORTON, and Mr. BRADY of Pennsylvania.

H.R. 406: Mr. BUYER, Mr. COBLE, Mr. DAVIS of Kentucky, Mr. DOOLITTLE, Mr. EHLERS, Ms. GRANGER, Mr. HAYES, Mr. SAM JOHNSON of Texas, Mr. MARCHANT, Mr. RAMSTAD, Mr. ROYCE, Mr. SHUSTER, and Mr. TURNER.

H.R. 471: Mr. LOBIONDO, Ms. DELAURO, Mr. KELLER, and Mr. HINOJOSA.

H.R. 510: Mr. YOUNG of Alaska, Mr. BARTON of Texas, Mr. CALVERT, Mr. LEWIS of California, Mr. GARY G. MILLER of California, Mr. HOEKSTRA, Mr. WITTMAN of Virginia, Mr. PEARCE, and Mr. SULLIVAN.

H.R. 643: Mr. VAN HOLLEN.

H.R. 657: Mr. HONDA.

H.R. 661: Mr. ELLISON.

H.R. 688: Mr. JONES of North Carolina and Mr. GERLACH.

H.R. 728: Mr. ALTMIRE.

H.R. 919: Ms. FOXX.

H.R. 953: Ms. FOXX.

H.R. 981: Mr. RYAN of Ohio.

H.R. 1043: Ms. SLAUGHTER.

H.R. 1050: Mr. THOMPSON of Mississippi, Ms. JACKSON-LEE of Texas, Mr. ELLISON, and Mr. HONDA.

H.R. 1056: Mr. HOEKSTRA.

H.R. 1057: Mr. HOEKSTRA.

H.R. 1076: Mr. DAVIS of Kentucky and Mr. MCKEON.

H.R. 1185: Mr. GRIJALVA.

H.R. 1190: Mr. TOWNS and Mr. GRIJALVA.

H.R. 1228: Mr. ALLEN.

H.R. 1293: Mr. AKIN.

H.R. 1303: Mr. CHANDLER.

H.R. 1380: Mrs. BONO Mack.

H.R. 1524: Mr. JACKSON of Illinois, Mr. CASTLE, Mr. HARE, Mr. ORTIZ, and Mr. WALBERG.

H.R. 1540: Mr. BRADY of Pennsylvania, Mrs. LOWEY, and Mr. BARTLETT of Maryland.

H.R. 1707: Mrs. LOWEY.

H.R. 1742: Mr. JACKSON of Illinois, Mr. LYNCH, Mrs. NAPOLITANO, and Mr. JEFFERSON.

H.R. 1776: Mr. CARNAHAN, Mr. LOEBSACK, and Mr. CHANDLER.

H.R. 1843: Mr. BLUNT and Mr. ENGLISH of Pennsylvania.
H.R. 1884: Ms. KAPTUR, Mrs. BOYDA of Kansas, Mr. FRANKS of Arizona, Mr. PASCRELL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HILL, and Mr. HELLER.
H.R. 1921: Mr. FRANK of Massachusetts.
H.R. 1932: Mr. TIBERI and Mr. DAVID DAVIS of Tennessee.
H.R. 1983: Mr. CHANDLER.
H.R. 2188: Mr. GERLACH and Mr. ALLEN.
H.R. 2267: Mr. PLATTS.
H.R. 2329: Mrs. BACHMANN, Mr. KLEIN of Florida, Mr. WELCH of Vermont, and Mr. ENGLISH of Pennsylvania.
H.R. 2332: Mr. GENE GREEN of Texas, Mr. YOUNG of Alaska, and Mr. SHADEGG.
H.R. 2343: Mr. KENNEDY.
H.R. 2371: Mr. RUPPERSBERGER, Mr. ROSS, Mr. TERRY, Mr. TOWNS, Mr. BUTTERFIELD, Mr. ALTMIRE, and Mr. BRALEY of Iowa.
H.R. 2380: Mr. KAGEN and Mr. HOBSON.
H.R. 2421: Ms. TSONGAS.
H.R. 2458: Mr. BRADY of Texas.
H.R. 2593: Ms. SCHAKOWSKY, Ms. SUTTON, and Mr. HONDA.
H.R. 2676: Mr. PLATTS and Mr. BRALEY of Iowa.
H.R. 2686: Mr. MCINTYRE and Mr. POMEROY.
H.R. 2892: Ms. LEE and Mr. FRANK of Massachusetts.
H.R. 2976: Mr. COHEN and Ms. SCHAKOWSKY.
H.R. 3054: Ms. WATERS.
H.R. 3149: Mr. CARTER.
H.R. 3189: Mr. CONYERS.
H.R. 3463: Mr. BLUMENAUER.
H.R. 3543: Mr. MCGOVERN.
H.R. 3544: Mr. HINOJOSA, Mr. HILL, Mr. BRADY of Pennsylvania, and Mr. CRAMER.
H.R. 3616: Mr. MOORE of Kansas.
H.R. 3642: Mr. MCGOVERN.
H.R. 3652: Mr. GRIJALVA, Mr. LEWIS of Georgia, and Mr. OBERSTAR.
H.R. 3654: Mr. CARSON and Mr. HILL.
H.R. 3658: Mr. MCDERMOTT.
H.R. 3660: Mr. SESSIONS and Mr. HUNTER.
H.R. 3728: Ms. WOOLSEY, Mr. FATTAH, and Ms. SCHAKOWSKY.
H.R. 3797: Mr. KIND.
H.R. 3818: Mr. LATTA and Mr. HUNTER.
H.R. 3886: Mr. RYAN of Ohio.
H.R. 3981: Mr. ALEXANDER.
H.R. 4044: Mr. GONZALEZ, Mr. PETERSON of Minnesota, Mr. BISHOP of Georgia, and Mr. HINOJOSA.
H.R. 4061: Mr. MARSHALL.
H.R. 4093: Mr. ARCURI.
H.R. 4126: Mr. MCKEON, Mr. ENGLISH of Pennsylvania, Mrs. JONES of Ohio, and Mr. NUNES.
H.R. 4188: Mr. HONDA and Ms. WASSERMAN SCHULTZ.
H.R. 4204: Ms. WASSERMAN SCHULTZ.
H.R. 4236: Mr. WALZ of Minnesota.
H.R. 4279: Ms. WATSON.
H.R. 4310: Mr. HARE.
H.R. 4651: Mr. WELCH of Vermont.
H.R. 4775: Mrs. MALONEY of New York and Mr. WAXMAN.
H.R. 4838: Mr. WELCH of Vermont.
H.R. 4926: Mr. BLUMENAUER.
H.R. 4927: Mr. UDALL of Colorado.
H.R. 4930: Mr. BRALEY of Iowa.
H.R. 4934: Mr. WILSON of Ohio.
H.R. 4987: Mr. CALVERT.
H.R. 5032: Mr. DOOLITTLE, Mr. SENSENBRENNER, Mr. ALEXANDER, Mr. TIAHRT, Mr. PICKERING, and Mr. SHADEGG.
H.R. 5057: Mr. MOORE of Kansas.
H.R. 5131: Mr. BURGESS.
H.R. 5174: Mr. MCNULTY.
H.R. 5176: Ms. JACKSON-LEE of Texas.
H.R. 5223: Ms. BERKLEY and Mr. HARE.
H.R. 5236: Mr. SHADEGG.
H.R. 5315: Mr. CARSON.
H.R. 5441: Mr. LIPINSKI and Mr. MICA.
H.R. 5443: Mr. FOSSELLA.
H.R. 5445: Mr. ELLISON and Mr. KLINE of Minnesota.
H.R. 5447: Ms. SCHWARTZ, Mr. HONDA, Mr. LINCOLN DAVIS of Tennessee, Mrs. MALONEY of New York, Mr. BLUMENAUER, Mr. HINOJOSA, Mr. BRALEY of Iowa, Mr. BISHOP of Georgia, and Mr. BERMAN.
H.R. 5450: Mr. ALTMIRE.
H.R. 5461: Mr. ALLEN.
H.R. 5466: Ms. SUTTON.
H.R. 5473: Mr. DELAHUNT, Mr. WALZ of Minnesota, Mr. MARKEY, Mr. MCINTYRE, Mr. FRANK of Massachusetts, Mr. WILSON of Ohio, Mr. BARROW, Mr. MURPHY of Connecticut, Mr. HINCHEY, Mr. HODES, Ms. GIFFORDS, Mr. MCGOVERN, Mr. WAXMAN, Mr. BRALEY of Iowa, Ms. SHEA-PORTER, Ms. SCHAKOWSKY, Mrs. CAPPS, and Mr. CARSON.
H.R. 5481: Mr. YOUNG of Alaska.
H.R. 5488: Mr. MCDERMOTT and Mr. KUCINICH.
H.R. 5490: Mr. BARRETT of South Carolina.
H.R. 5515: Mr. GOHMERT.
H.R. 5546: Mr. ENGLISH of Pennsylvania.
H.R. 5561: Ms. HERSETH SANDLIN and Mr. MCHUGH.
H.R. 5585: Mr. PRICE of North Carolina.
H.R. 5591: Mr. SOUDER, Mr. WALBERG, and Mr. HINOJOSA.
H.R. 5595: Mr. SOUDER, Mr. CARSON, Mr. ENGLISH of Pennsylvania, and Mr. HARE.
H.R. 5596: Mr. SENSENBRENNER, Mr. TANCREDO, Mr. BILBRAY, and Mr. FRANKS of Arizona.
H.R. 5609: Mr. PAYNE.
H.R. 5611: Mr. PLATTS and Mr. AKIN.
H.R. 5613: Mr. LOBIONDO, Mr. BRADY of Pennsylvania, Mr. KLEIN of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MELANCON, Mr. RUSH, Mr. COHEN, Mr. BACA, Mr. HINOJOSA, Mr. COURTNEY, and Mr. RYAN of Ohio.
H.R. 5627: Mr. SESSIONS, Mr. SHULER, Mrs. MILLER of Michigan, Mr. PENCE, Mr. KUHL of New York, and Mr. KNOLLENBERG.
H.R. 5629: Mr. DELAHUNT and Mr. NUNES.
H.R. 5642: Mr. DANIEL E. LUNGREN of California and Mr. GOHMERT.
H.R. 5646: Mr. KINGSTON, Mr. WESTMORELAND, Mr. LINDER, Mr. BARTLETT of Maryland, Mrs. BLACKBURN, Mr. AKIN, Mr. DEAL of Georgia, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. MARCHANT, Mr. ADERHOLT, and Mr. FEENEY.
H.R. 5659: Mr. PAUL.
H.R. 5684: Mr. WELCH of Vermont, Mr. HINOJOSA, Mr. SPACE, and Mr. ROSS.
H.R. 5695: Mr. GINGREY, Mr. HELLER, and Mr. GALLEGLY.
H.R. 5709: Mr. BOSWELL, Mr. ENGLISH of Pennsylvania, and Mrs. BOYDA of Kansas.
H.R. 5712: Mr. SARBANES, Mr. BRALEY of Iowa, Mr. HODES, and Mr. MURPHY of Connecticut.
H.R. 5717: Mr. YOUNG of Alaska.
H.R. 5731: Mr. CAMPBELL of California, Mr. GARY G. MILLER of California, and Mr. ENGLISH of Pennsylvania.
H.R. 5734: Ms. CORRINE BROWN of Florida, Ms. Linda T. Sánchez of California, Mr. MCDERMOTT, Mr. ELLISON, and Mr. MCGOVERN.
H.R. 5737: Mrs. DRAKE, Mr. SOUDER, and Mr. BUCHANAN.
H.R. 5740: Mr. SIRES, Mrs. MILLER of Michigan, Mr. CARSON, Mr. DONNELLY, and Mr. FEENEY.
H.R. 5749: Mr. BLUMENAUER, Mr. POMEROY, Mr. DINGELL, Mr. WILSON of Ohio, Mr. STUPAK, and Mr. KILDEE.
H.R. 5752: Mr. MANZULLO.
H.R. 5753: Mr. MCGOVERN.
H.R. 5759: Mr. HASTINGS of Washington.
H.R. 5762: Mr. DEFAZIO.
H.R. 5770: Mr. HONDA.
H.R. 5775: Mr. SHADEGG.
H. Con. Res. 70: Mr. DELAHUNT.
H. Con. Res. 195: Mr. TANNER, Mrs. CAPPS, Mr. COHEN, Mr. MARCHANT, Ms. BORDALLO, Ms. GRANGER, and Mr. HINOJOSA.
H. Con. Res. 223: Mr. WALZ of Minnesota.
H. Con. Res. 244: Mr. HUNTER, Mr. MAHONEY of Florida, Mr. CULBERSON, and Mr. DICKS.
H. Con. Res. 295: Mr. MCCARTHY of California, Mr. ABERCROMBIE, and Mr. WITTMAN of Virginia.
H. Con. Res. 298: Mr. BURTON of Indiana.
H. Con. Res. 322: Mr. HIGGINS, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MICHAUD, Mr. ALTMIRE, Mr. DAVIS of Alabama, Mr. PERLMUTTER, Mr. HELLER, Mr. YOUNG of Alaska, Mr. SMITH of New Jersey, Mr. BILIRAKIS, Mr. REHBERG, Mr. LARSEN of Washington, Mr. COSTA, Mr. YARMUTH, Mr. UDALL of New Mexico, Mr. ELLISON, Mr. SHAYS, Mr. BOOZMAN, Mr. SALI, Mr. POMEROY, Mr. SOUDER, Mr. ALEXANDER, Mr. CRENSHAW, and Mr. NUNES.
H. Res. 353: Mr. BUTTERFIELD.
H. Res. 373: Ms. TSONGAS.
H. Res. 887: Mr. MCINTYRE.
H. Res. 896: Mrs. BONO MACK.
H. Res. 1008: Mr. WAMP.
H. Res. 1011: Ms. ZOE LOFGREN of California, and Ms. ESHOO.
H. Res. 1043: Mr. BRADY of Pennsylvania, and Mr. HARE.
H. Res. 1069: Mr. MANZULLO.
H. Res. 1091: Mr. MICA, and Mr. MARIO DIAZ-BALART of Florida.
H. Res. 1095: Mrs. JONES of Ohio.
H. Res. 1096: Mr. CLEAVER, Mr. UDALL of New Mexico, Mr. BOSWELL, Mr. SALAZAR, Mr. ISRAEL, Mr. WU, Mrs. CAPPS, Mr. ELLISON, Mr. GONZALEZ, Ms. BERKLEY, Mr. BAIRD, Mr. TAYLOR, Mr. RYAN of Ohio, Mr. POMEROY, Mr. KIRK, Mr. MATHESON, and Ms. HERSETH SANDLIN.

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:

The amendment to be offered by Representative GEORGE MILLER of California or a designee to H.R. 5715, the Ensuring Continued Access to Student Loans Act of 2008, 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.